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vote of any elector casting the ballot as an elector of any political party not qualified as a member of said party shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not more than one (1) year or a fine of not more than one thousand dollars ($1,000) or both in the discretion of the court

(e) Statistical Information as to Registration and Enrollment

Section 240 SUMMARY OF REGISTRATION AND ENROLLMENT FURNISHED COUNTY COMMISSIONERS The registrars registration commissioners assessors and registry assessors of the various cities boroughs towns and townships charged with the registration and enrollment of voters shall immediately after the last registration day before the general or municipal election in cities and immediately after the last day fixed for the assessment of voters in boroughs towns and townships forward to the commissioners of their respective counties on forms to be furnished by the county commissioners a summary of the total number of persons registered or assessed in their respective election districts enumerating them by sex color political affiliation and whether native or foreign born

Section 241 SUMMARIES TO BE TABULATED AND PUBLISHED BY STATE The county commissioners shall immediately upon the receipt of the returns provided for in the foregoing section tabulate the totals thereof and forward a copy of said totals to the Secretary of the Commonwealth who may tabulate the returns so received from the various counties and publish the same for the information of the public

Section 242 FORM OF RETURN The returns of the registration shall be made to the county commissioners in the following form

County of .....
Statistical report of registration of voters in .....
(Specify township city or borough with ward and election precinct)

REGISTRATION BY SEX COLOR AND WHETHER NATIVE OR FOREIGN BORN

	Men	Women	Total
Native born	.....	.....	.....
Foreign born	.....	.....	.....
Colored	.....	.....	.....

POLITICAL AFFILIATIONS

	Men	Women	Total
Republican	.....	.....	.....
Democratic	.....	.....	.....
Labor	.....	.....	.....
Socialist	.....	.....	.....
Prohibition	.....	.....	.....
Non-Partisan	.....	.....	.....
Miscellaneous	.....	.....	.....
.....	.....	.....	.....

.....
(Assessor Registry Assessor or Registrar)

(f) Assistance to Voters

Section 250 WHO ENTITLED TO ASSISTANCE RECORDS OF ASSISTED VOTERS FILED No voter shall be permitted to receive any assistance in marking his ballot at any general municipal special or primary election unless he shall first state distinctly and audibly under oath or affirmation which shall be administered to him by the judge of election that he cannot read the names on the ballot or that by reason of physical disability he is unable to see or mark the ballot or to enter the voting compartment without assistance The voter shall state the specific physical disability which requires him to receive assistance Thereupon the voter shall be permitted by the judge of election to select a qualified voter of the election district to aid him in the preparation of his ballot such preparation being made in the voting compartment

The judge of election shall forthwith enter in writing in the record of assisted voters herein provided (1) the voter's name (2) the fact that the voter cannot read the names on the ballot if that be the reason for requiring assistance and otherwise the specific physical disability which requires him to receive assistance and (3) the name of the person furnishing the assistance

The record of assisted voters shall be returned by the judge of election to the prothonotary in the case of a general municipal or special election and to the county commissioners in the case of a primary election with the tally sheet triplicate return list of voters and oaths of election officers to the prothonotary or county commissioners as the case may be shall file such record of assisted voters in their respective offices and shall permit the same to be examined only upon the written order of a judge of the court of common pleas permitting a named person or persons to make such examination thereof Provided however That such record shall be subject to subpoena to the same extent to which other election records may be subpoenaed

It shall be the duty of the county commissioners of each county to furnish to the election officers in each election district contained therein with the other election supplies a book to be entitled "Record Assisted Voters" the form of which shall be prescribed by the Secretary of the Commonwealth which shall be ruled with vertical columns and transverse lines with appropriate column headings on each page and which shall provide suitable and sufficient accommodation for the entries required hereby

ARTICLE III

ELECTION DISTRICTS POLLING PLACES EQUIPMENT OF ELECTION ROOMS

(a) Election Districts

Section 300 ELECTION DISTRICTS Townships and wards of cities or boroughs shall form or be divided into election districts of compact and contiguous territory in such manner as the court of quarter sessions of the city or county in which the same are located may direct but the courts of quarter sessions having jurisdiction therein shall have power to divide or change the boundaries of election districts whenever the court of the proper county shall be of opinion that the convenience of the electors and the public interests will be promoted thereby

Section 301 POWER TO CREATE NEW ELECTION DISTRICTS The court of quarter sessions may divide any borough town township or ward into two or more election districts of compact and contiguous territory or alter the bounds of any election district or form an election district out of two or more or out of parts of two or more adjoining districts so as to suit the convenience of the voter [but no such district shall be formed that shall contain less than one hundred voters]

Section 302 PROCEDURE TO CREATE NEW ELECTION DISTRICTS Upon the petition of twenty electors of any township borough ward or election district to the court of quarter sessions of the county within which such township borough ward or election district is situated for the purpose of dividing any such township borough ward or election district into two or more election districts or for the purpose of altering the bounds of any election district or upon the petition of a majority of the qualified electors voting at the last general or municipal election in each of two or more adjoining election districts for forming an election district out of two or more or parts of two or more existing election districts said court [shall] may appoint three impartial men to inquire into the propriety of granting the prayer of the petition

It shall be the duty of the commissioners so appointed or any two of them to make a plot or draft of the proposed new altered or formed election district or districts if the same cannot be fully designated by natural lines or bounds all of which they or any two of them shall report to the next court of quarter sessions together with their opinion of the same

Section 303 ORDER OF COURT ON REPORT OF COMMISSIONERS When such report has been made by said commissioners to the said court of quarter sessions said court may make such order approving modifying or disapproving such report as may in its opinion promote the convenience of the electors and the interests of the public or the court may order a review if in its opinion it may be necessary to secure a fair adjudication of the same

A new election district shall be created upon the entry of a final order of the court approving the same

Section 304 COST OF PROCEEDINGS TO CREATE NEW DISTRICTS In all cases of the division creation consolidation or formation of election districts by the court of quarter sessions the said court shall order the costs and expenses thereof including the compensation of the commissioners which shall be the same as that paid to road viewers to be paid by the county and on such order being made the county commissioners shall draw their warrant on the county treasury for the payment of the same

Section 305 ABOLISHING EXISTING DISTRICTS BY COUNTY COMMISSIONERS In addition to any other method herein provided the county commissioners of any county may abolish any election district within their respective county in which less than ten qualified electors reside Before any such electon district is abolished the county commissioners shall give notice once a week for three weeks in at least two newspapers of the county of a time and place of hearing at which all persons interested may attend and give such evidence as may be pertinent to the matter in question After such hearing the county commissioners shall determine whether such election district has less than ten qualified voters residing therein and if in their judgment such election district is unnecessary they shall make an order to that effect and in such order shall specify and direct that such abolished election district shall become and constitute a part or parts of such other election district or districts as in their opinion may best serve the convenience of the voters residing in such abolished election district a copy of which order shall be filed in the office of the clerk of the court of quarter sessions

Section 306 APPEAL FROM ORDER ABOLISHING DISTRICT Any person aggrieved by any order made by the county commissioners under the provisions of the foregoing section may appeal therefrom to the court of quarter sessions of the county and upon such appeal the court shall hear all parties interested and their witnesses and shall decide whether such election district is useless or burdensome and whether the election district or districts of which such abolished election district shall have been made a part is the one best suited to the convenience of the voters therein On any such appeal the order of the court shall be final

(b) Polling Places

Section 320 POLLING PLACE MUST BE LOCATED WITHIN BOUNDARY OF DISTRICT The polling place for each election district shall be located within the limits of such district

Section 321 PLACE FOR HOLDING ELECTIONS IN NEW DISTRICTS In all cases in which any election district shall be created by the division of boroughs townships towns wards or election districts or the consolidation of two or more or parts of two or more election districts or by altering the bounds of any election districts the court of quarter sessions creating consolidating or altering the same shall fix the place for holding the elections in such new district which shall continue to be the place for holding elections therein until the same shall be changed according to the provisions of this article

Section 322 CHANGE OF POLLING PLACE BY COURT The court of quarter sessions of the proper county may at any time within the three weeks immediately preceding any primary or election for any reason that may seem proper to the court upon petition of at least ten qualified electors of any election district and upon such notice to the county commissioners as the court may direct change the polling place of said district

Section 323 CHANGING OF POLLING PLACE BY COUNTY COMMISSIONERS The county commissioners may at any time at least three weeks prior to any primary or election for any reason that may seem proper to the county commissioners upon a petition of at least ten qualified electors of any election district and after written notice to the occupant or owner of said polling place at least one week before the hearing on said petition change the polling place of said election district Upon the presentation of a petition to the county commissioners on or before the day of hearing of said petition for the change signed by a majority of the registered electors of the said election district and sworn to by one of the qualified electors thereof objecting to such change of the polling place said county commissioners shall not make any change in the said polling place of said election district The county commissioners may in their discretion direct that an election be held to settle the question as to where the said polling place shall be located A record of all changes of polling places made pursuant to this section shall be filed in the office of the clerk of the court of quarter sessions

Section 324 POLLING PLACES NOT TO BE IN ROOMS USED FOR SALE OF LIQUOR No public elections shall be held in any room any part of which is used for the sale of liquors if it be possible to obtain another room for that purpose in the vicinity and it shall be the duty of the court of quarter sessions or any law judge thereof to inquire upon the petition of five or more citizens resident in the election district whether any such rooms are now designated as polling places and in such cases to select other places for holding the election

Section 325 COMPENSATION FOR USE OF POLLING PLACES The commissioners of the several counties shall fix the compensation for lights rent and fuel for election purposes in each and every election district in the respective counties which said compensation shall be fixed and established at least once every three years by resolution duly entered upon the minutes of said commissioners and the said expenses shall be paid by said respective counties according to the compensation so ascertained and entered upon said minutes and not otherwise

(c) Equipment of Election Rooms

Section 340 ELECTION ROOMS The county commissioners of each county shall provide for each election district therein at each election a room large enough to be fitted up with voting shelves and a guard rail as hereinafter provided

If in any district no such room can be rented or otherwise obtained the said commissioners shall cause to be constructed for such district a temporary room of adequate size to be used as a voting room

Section 341 EQUIPMENT OF POLLING PLACES The county commissioners shall also cause all the said rooms to be suitably provided with heat and light and with a sufficient number of voting shelves or compartments with proper supplies at or in which voters may conveniently mark their ballots with a curtain screen or door at the upper part of the front of each compartment so that in the marking thereof they may be screened from the observation of others and a guard rail shall be so constructed and placed that only such persons as are inside said rail can approach within six feet of the ballot-box and of such voting shelves or compartments The arrangement shall be such that neither the ballot-box nor the voting booths shall be hidden from view of those just outside the said guard rail The ballot box shall be kept locked during the time the polls or open

The number of such voting shelves or compartments shall not be less than one for every seventy-five names on the assessor's or registry lists but shall not in any case be less than three for the voters qualified to vote at such voting place

ARTICLE IV

ELECTION AND OTHER OFFICERS PERFORMING DUTIES AT ELECTIONS

(a) Election Officers

Section 400 QUALIFICATIONS OF ELECTION OFFICERS Every person excepting justices of the peace who shall hold any office or appointment of profit or trust under the government of the United States or of this State or of any city or incorporated district whether a commissioned officer or otherwise a subordinate officer or agent who is or shall be employed under the Legislative Executive or Judiciary Department of this State or of the United States or of any city or incorporated district and every member of Congress and of the State Legislature and of the select or common council of any city or commissioner of any incorporated district is by law incapable of holding or exercising at the same time the office or appointment of judge inspector or clerk of any election of this Commonwealth No inspector judge or other officer of any such election shall be eligible to any office to be then voted for except that of an election officer

Section 401 ELECTION OF ELECTION OFFICERS TERMS Election boards consisting of a judge and two inspectors shall be elected at each municipal election in odd-numbered years in each election district of the Commonwealth Each elector may vote for one person as judge and also for one person as inspector and the person receiving the greatest number of votes for judge shall be publicly declared to be elected judge and the two persons having the greatest number of votes for inspectors shall in like manner be declared to be elected inspector of election Each inspector of election shall appoint one clerk, who shall be a qualified voter of such district The election board so chosen shall conduct all election and primary elections held within their respective districts for two years following their election

Section 402 THE VOTES FOR JUDGES AND INSPECTORS OF ELECTION IN TOWNSHIPS In all township elections of this Commonwealth for judges of election where a tie shall exist in said election for judges the inspector who shall have the highest number of votes in said election shall appoint a judge of election

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Where ties shall exist in said election for two inspectors the two candidates who received the same number of votes for inspector shall determine by lot which of them shall be the majority inspector and the other condidate shall be the minority inspector and the person so determined to be the majority inspector shall appoint a judge of elections in case of a tie vote for judge

Section 403 APPOINTMENT OF ELECTION BOARDS FOR NEW DISTRICTS TERMS In all cases in which new election districts are created by the erection of new districts the division of an old district into two or more new districts the altering of the bounds of former districts or the consolidation of two or more or parts of two or more old districts or in any other manner or proceedings the court of quarter sessions of the county wherein such new district is located shall appoint the election officers for such new district to conduct the elections to be held therein until their successors are duly elected according to law.

Section 404 FILLING VACANCIES IN ELECTION OFFICES BY COURT In all election districts where a vacancy exists by reason of the disqualification of the officer or by removal resignation death or other cause in an election board the judge or judges of the court of quarter sessions of the county upon proof furnished that such vacancy of vacancies exist shall at any time before any general municipal primary or special election appoint competent persons who shall be of good character and known in the district where the vacancy occurs to fill said vacancies to conduct the election in said districts In the appointment of the inspectors in any election district botn shall not be of the same political party and the judge of election shall in all cases be of the political party having the majority of votes in said district as nearly as the said judge or judges can ascertain the fact In case of the failure of said judges of the courts to act on the selection of inspectors the political majority of the judges shall select one of such inspectors and the minority of judge or judges select the other

Section 405 FILLING VACANCIES ON DAY OF ELECTION In case the person who shall have received the second highest number of votes for inspector shall not attend on the day of any election then the person who shall have received the second highest number of votes for judge at the next preceding election shall act as inspector in his place and in case the person who shall have received the highest number of votes for inspector shall not attend the person elected judge shall appoint an inspector in his place In case the person elected a judge shall not attend then the inspector who received the highest number of votes shall appoint a judge in his place and if any vacancy shall continue in the board for the space of one hour after the time fixed by law for the opening of the election the qualified voters of the district for which such officer shall have been elected present at the place of election shall elect one of their number to fill such vacancy

Section 406 FILLING VACANCY IN OFFICE OF CLERK OF ELECTION In case any clerk appointed under the provisions of this article shall neglect to attend at any election it shall be the duty of the inspector who appointed said clerk (or the person filling the place of such inspector) to forthwith appoint a suitable person as clerk qualified as aforesaid who shall perform said duties for the term for which the person so neglecting to attend shall have been appointed

Section 407 SWEARING OR AFFIRMING OF ELECTION OFFICERS All judges inspectors and clerks of any election shall before entering upon their duties be duly sworn or affirmed in the presence of each other The judge shall be sworn by the minority inspector if there shall be such minority inspector and in case there be no minority inspector then by a justice of the peace or alderman and the inspectors and clerks shall be sworn by the judge Certificates of such swearing or affirming shall be duly made out and signed by the officers so sworn and attested by the officer who administered the oath

Section 408 OATH OF JUDGES OF ELECTION The following shall be the oath or affirmation of each judge namely "I (A B) do ..... that I will as judge duly attend the ensuing election during the continuance thereof and faithfully assist the inspectors in carrying on the same that I will not give my consent that any ballot shall be received from any person other than such as I firmly believe to be according to the provisions of the Constitution and laws of this Commonwealth entiled to vote at such election without requiring such evidence of the right to vote as is directed by law and that I will use my best endeavors to prevent any fraud deceit or abuse in carrying on the same by citizens qualified to vote or others and that I will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding and that I will make a true and perfect return of the said election and will in all things truly impartially and faithfully perform my duty respecting the same to the best of my judgment and ability and that I am not directly or indirectly interested in any bet or wager on the result of this election"

Section 409 OATH OF INSPECTORS OF ELECTION The following shall be the form of the oath or affirmation to be taken by each inspector namely "I (A B) do ..... that I will duly attend to the ensuing election during the continuance thereof as an inspector and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be according to the provisions of the Constitution and the laws of this Commonwealth entitled to vote at such election without requiring such evidence of the right to vote as is directed by law and that I will not disclose how any elector shall have voted unless required to do so in a judicial proceedings nor will I vexatiously delay or refuse to receive any vote from any person whom I shall believe to be entitled to vote as aforesaid but that I will in all things truly impartially and faithfully perform my duties therein to the best of my judgment and ability and that I am not directly or indirectly interested in any bet or wager on the result of this election"

Section 410 OATH OF CLERKS OF ELECTION The following shall be the form of the oath or affirmation to be taken by each clerk namely "I (A B) do ..... that I will impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given me in charge and also the name of the election district wherein such elector resides and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to me by the inspectors thereof and that I will not disclose how any elector shall have voted unless required to do so in a judicial proceeding and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability and that I am not directly or indirectly interested in any bet or wager on the result of his election"

Section 411 COPIES OF OATHS TO BE MADE BY CLERKS The clerks shall forthwith make out two copies of the forms of each of the said oaths or affirmations which shall be severally subscribed by each of the inspectors judges and clerks and the said oaths or affirmations shall be certified under the hands of the persons by whom they are administered

Section 412 POWER OF ELECTION OFFICERS TO ADMINISTER OATHS PENALTY The inspectors and judges of the election shall each have the power to administer oaths to any person claiming the right of suffrage or in regard to any other matter or thing required to be done or inquired into by any of said officers under this act

Section 413 COMPENSATION OF ELECTION OFFICERS IN FIRST CLASS CITIES At all elections in the cities of the first class the pay of judges of election shall be twenty dollars and the pay of inspectors and clerks shall be ten dollars

Section 414 COMPENSATION OF ELECTION OFFICERS SECOND CLASS COUNTIES In counties of the second class the pay of judges of election shall be fifteen dollars for each election and the pay of inspectors and clerks shall be ten dollars When a primary and special election or a special and general or municipal election take place on the same day they shall be construed as one election for the purposes of this section

Section 415 COMPENSATION OF ELECTION OFFICERS IN DISTRICTS OTHER THAN FIRST CLASS CITIES AND SECOND CLASS COUNTIES The minimum pay of all judges of election inspectors and clerks appointed by inspectors except in cities of the first class and counties of the second class is hereby fixed at five dollars per each election and primary In any such election district in which more than one hundred votes are cast at any election the judge and ecah inspector and clerk shall be paid one dollar for each one hundred ballots or fractional part thereof cast after the first one hundred ballots in addition to the minimum pay herein provided for Ten dollars shall be the maximum pay allowed under this section

Section 416 COMPENSATION AND MILEAGE OF RETURN JUDGES At municipal elections the return judge of each election district shall be paid two dollars per day for de-

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livering the returns and shall be allowed six cents per mile for each mile necessarily traveled in delivering them at all elections except municipal elections the said return judges shall be paid one dollar and fifty cents per day for delivering the returns and shall be allowed ten cents per mile for each mile necessarily traveled in delivering them said mileage to be computed circular and paid out of the county treasury on orders drawn by the county commissioners in the usual manner No compensation shall be paid where the return is not delivered within the time prescribed by law

(b) Overseers

Section 420 OVERSEERS OF ELECTION On the petition of five or more citizens of any election district setting forth that the appointment of overseers is a reasonable precaution to secure the purity and fairness of the election in said district at any general municipal primary or special election it shall be the duty of the court of common pleas of the proper county all the law judges of the said court able to act at the time concurring to appoint two judicious sober and intelligent citizens of the said district belonging to different political parties overseers of election to supervise the proceedings of election officers thereof and to make report of the same as they may be required by such court Said overseers shall be qualified and registered electors of their respective parties they shall be sworn by the judge of election and shall have the right to be present with the officers of such election during the whole time the same is held the votes counted and the returns made out and signed by the election officers to keep a list of voters if they see proper to challenge any person offering to vote and interrogate him and his witnesses under oath in regard to his right of suffrage at said election and to examine his papers produced

If the overseers shall be driven away from the polls by violence or intimidation all the votes polled in such election district may be rejected by the proper tribunal trying a contest under said election or a part or portion of such votes aforesaid may be counted as such tribunal may deem necessary to a just and proper disposition of the case

Section 421 ELECTION OFFICERS NOT TO INTERFERE WITH OVERSEERS Election officers are required to afford to said overseers so selected and appointed every convenience and facility for the discharge of their duties

(c) Watchers

Section 430 APPOINTMENT OF WATCHERS Each candidate for nomination at any primary shall be entitled to appoint two watchers at the primary election in each election district in which such candidate is voted for

Each political party and each group of citizens which has sent to the proper office a nomination paper nominating candidates for offices to be voted for at a general municipal or special election shall be allowed to appoint three qualified electors as watchers All watchers must be electors resident of the district in which they are authorized to act They shall serve without expense to the county One of each set of watchers shall be allowed to remain in the room outside the enclosed space Each watcher shall be provided with a certificate from the county commissioners stating his name the names of the candidate or persons who have appointed him and the party or policy he represents if any and no candidate party or policy shall be represented by more than one watcher in the same voting room at any one time Watchers shall be required to show their certificates when requested to do so

(d) Constables

Section 440 COMPENSATION OF CONSTABLES FOR ATTENDING ELECTIONS ET CETERA The constable of every township borough and ward shall receive from the county wherein such township borough or ward is situated for attending each election five dollars which sum shall include pay for serving notice in writing to the persons elected at such elections Where any such election is held in any township ward or borough in which there is more than one election district or precinct and a deputy constable is appointed to attend an election held at each of such districts or precincts said deputy constables shall each receive the sum of five dollars

ARTICLE V

CANDIDATES FOR NOMINATION AND ELECTION AT PRIMARIES

Section 500 NAMES OF CANDIDATES TO BE PRINTED UPON PRIMARY BALLOT UPON PETITIONS FILED The names of candidates for nomination as President of the United States and the names of all other party candidates shall be printed upon the official ballot of a designated party upon the filing of nomination petitions in their behalf signed by qualified and registered electors of the State or of the political district or division as the case may be within which the nomination is to be made or election is to be held The names of no candidates shall be printed upon an official ballot of a political party to be used at any primary unless such petitions shall have been filed

Section 501 CANDIDATES FOR PARTY OFFICERS TO BE QUALIFIED ELECTORS OF PARTY In no event shall any person's name be printed upon the official ballot of any party as a delegate State committeeman National committeeman or party officer unless he is a qualified and registered elector of said party

Section 502 MANNER OF SIGNING NOMINATION PETITIONS TIME OF CIRCULATING AFFIDAVIT Each signer of a nomination petition shall sign but one such petition for each office to be filled and shall declare therein that he is a member of the party designated in such petition except where two or more persons are to be elected to the same office each signer may sign petitions for as many candidates for such office as and no more than he could vote for at the succeeding election He shall also declare therein that he is a qualified and registered elector of the county therein named and in case the nomination is not to be made or candidates are not to be elected by the electors of the State at large of the political district or division therein named in which the nomination is to be made or the election is to be held He shall add his occupation and residence giving city borough or township with street and number if any and shall also add the date of signing

No nomination petition shall be circulated prior to forty (40) days before the last day on which such petition may be filed and no signature shall be counted unless it bears date within forty (40) days of the last day for filing the same

Said nomination petition may be on one or more sheets and different sheets must be used for signers resident in different counties

Each sheet shall have appended thereto the affidavit of some person not necessarily a signer and not necessarily the same person on each sheet setting forth (a) that the affiant is a qualified and registered elector of the State or of the political district or division as the case may be referred to in said petition (b) his residence giving city borough or township with street and number if any (c) that the signers signed with full knowledge of the contents of the petition (d) that their respective residences are correctly stated therein (e) that they all reside in the county named in the affidavit (f) that each signed on the date set opposite his name and (g) that to the best of affiant's knowledge and belief the signers are qualified and registered electors and members of the designated party of the State or of the political district or division as the case may be

Section 503 AFFIDAVIT OF CANDIDATE TO NOMINATION PETITION Each candidate for any office shall file with his nomination petition his affidavit stating (a) his residence with street and number if any and his post office address (b) his election district (c) the name of the office for which he consents to be a candidate (d) that he is eligible for such office and (e) that he will not knowingly violate any election law or any law regulating and limiting nomination and election expenses and prohibiting corrupt practices in connection therewith

In the case of a candidate for nomination as President of the United States it shall not be necessary for such candidate to file the affidavit required in this section to be filed by candidates but the post office address of such candidate shall be stated in such nomination petition

Section 504 STATEMENT OF CANDIDATES FOR DELEGATES TO PARTY CONVENTIONS Each candidate for election as delegate or alternate delegate to a National party convention may include with his affidavit the statement hereinafter set forth in this section but his failure to include such statement shall not be a valid ground on the part of the Secretary of the Commonwealth for refusal to receive and file his nomination petition Such statement if any be made shall be substantially in the following form

Delegate's Statement

I hereby declare to the voters of my political party in the (here insert "State of Pennsylvania" if a delegate or alternate delegate at large otherwise insert ".....

..... District") that if elected and in attendance as a delegate to the National Convention of the party I shall with all fidelity to the best of my judgment and ability in all matters coming before the convention support that candidate for President of the United States who shall have received the highest number of votes cast in the (here insert "State" if a delegate or alternate delegate at large otherwise insert "..... District") by the voters of my party for said office at the ensuing primary and shall use all honorable means within my power to aid in securing the nomination for such candidate for President

.....

(Signature of candidate for delegate or alternate delegate)

On the ballot used at a primary after or under the name of each candidate for delegate or alternate delegate to a National party convention shall appear the words "Promise to support popular choice of party in the (here insert 'State' if a delegate or alternate delegate at large otherwise insert '..... District') for President" or "Does not promise to support popular choice of party in the (here insert 'State' if a delegate or alternate delegate at large otherwise insert '..... District') for President" according as if the candidate included or failed to include the above statement with his affidavit

Section 505 NUMBER OF SIGNERS REQUIRED Nomination petitions of candidates shall be signed

(a) If for the office of President of the United States or of Senator of the United States by at least one hundred qualified and registered electors in each of at least ten counties of the State

(b) If for a State office to be filled by a vote of the electors of the State at large for the office of Representative from the State at large in the Congress of the United States for the office of delegate or alternate delegate at large to a National party convention or for the office of member of the National committee by at least one hundred qualified and registered electors in each of at least five counties of the State

(c) If for the office of a member of the House of Representatives of the United States to be filled by a vote of the electors of a Congressional district or of delegate or alternate delegate to a National party convention other than delegate or alternate delegate at large or of judge of any court other than a court whose judges are to be elected by a vote of the electors of the State at large or of State senator or of any municipal office to be filled by a vote of the electors of a senatorial district by at least two hundred qualified and registered electors

(d) If for the office of a member of the State House of Representatives or for the office of member of the State committee or an office to be voted for by the electors of the entire county by at least one hundred qualified and registered electors except for the office of magistrate in cities of the first class in which case it must be signed by at least one thousand qualified and registered electors

(e) If for the office of inspector of election at least five qualified and registered electors

(f) And for all other offices and all other party offices by at least ten qualified and registered electors

Section 506 TIME OF FILING NOMINATION PETITIONS The nomination petitions in the case of candidates for the office of President of the United States Senator of the United States Member of the House of Representatives of the United States for all State offices for the office of delegate or alternate delegate to a National party convention and for the office of member of the State or National committee shall be filed at least fifty days prior to the primary with the Secretary of the Commonwealth Nomination petitions in all other cases shall be filed at least five weeks prior to the primary with the county commissioners of the respective counties

Section 507 OBJECTIONS TO NOMINATION PETITIONS No nomination petition shall be refused or set aside except for

(a) Material error or defects apparent on the fact thereof or on the face of the appended or accompanying affidavit or

(b) Material alterations made after signing without the consent of the signers

(c) Want of a sufficient number of genuine signatures of persons qualified and registered as members of the political party

The invalidity of any sheet of a petition shall not affect the validity of such petition if a sufficient petition remains after eliminating such invalid sheet

Application to set aside any nomination petition shall be by petition to the court of common pleas of the county in which such nomination petition has been filed setting forth specifically the matters objected to and must be filed within five days after the last day for filing said nomination petition Upon the presentation of such a petition the court shall make an order fixing a time for hearing which shall not be later than ten days after the last day for filing said nomination petition and specifying the time and manner of notice that shall be given to the candidate named in the nomination petition sought to be set aside

If the matters objected to are such as are specified in sub-division (a) of this section the court upon hearing the case may in its discretion permit amendments within such time and upon such terms as to payment of costs as the said court may specify

In case the petition to set aside a nomination petition is dismissed the petitioner shall pay the whole of the costs of the proceedings including all witness fees

Section 508 WITHDRAWAL OF CANDIDATES FOR NOMINATION Any of the candidates for nomination including candidates for President of the United States to be voted for at a primary under this act may at any time before four o'clock of the seventh day next succeeding the last day fixed for filing nomination petitions withdraw his name as a candidate by a request in writing signed by him and acknowledged before a notary public or justice of the peace and filed with the Secretary of the Commonwealth if such candidate filed his nomination petition with the Secretary of the Commonwealth and in all other cases with the county commissioners

The Secretary of the Commonwealth upon the filing of requests for withdrawal in the manner herein provided shall forthwith certify to the county commissioners of the proper county a correct list of candidates filing such requests

Section 509 MANNER OF FILLING VACANCY CAUSED BY DEATH OF PARTY NAMED IN NOMINATION PETITION Where a nomination petition has been duly filed under the provisions of this act and thereafter and before the day of the primary the candidate named in said petition dies the original signers of said petition or the majority of them may sign another petition proposing a new candidate for said office at any time prior to the printing of the ballot Said petition shall have the same force and effect as the original petition

ARTICLE VI

PREPARATION FOR THE PRIMARY

Section 600 PARTY CHAIRMAN TO NOTIFY COUNTY COMMISSIONERS OF PARTY DELEGATES AND COMMITTEEMEN TO BE ELECTED On or before the ninth Tuesday preceding the spring primary the chairman of the State committee of each political party shall send to the county commissioners of each county a written notice setting forth the number of delegates and alternate delegates to the National convention of such party who are to be elected in the State at large at the ensuing primary and the number of such delegates and alternate delegates who are to be elected at said primary in such county or in any district of which such county forms a part The said notice shall also set forth the number of members of the National committee if any who under the National party rules are to be elected at the said primary in the State at large and the number of members of the State committee to be elected at the said primary in such county or in any district of which such county or part thereof forms a part

Section 601 COUNTY CHAIRMAN TO CERTIFY LIST OF PARTY OFFICERS TO BE ELECTED On or before the ninth Tuesday preceding the spring primary the chairman of the county and in cases where a city is coextensive with a county the chairman of the city committee of each party shall send to the county commissioners of such county a written notice setting forth the names of all party officers within the county or city to be filled by election at the ensuing primary

Section 602 SECRETARY OF THE COMMONWEALTH TO NOTIFY COMMISSIONERS OF OFFICERS TO BE FILLED AT SPRING PRIMARY On or before the ninth Tuesday preceding the spring primary the Secretary of the Commonwealth shall send to the county commissioners of each county a

written notice designating all the offices for which candidates are to be nominated therein or in any district of which such county forms a part or in the State at large at the ensuing spring primary and for the nomination to which candidates are required to file nomination petitions in the office of the Secretary of the Commonwealth including that of President of the United States and shall also in said notice set forth the number of Senators and Representatives in Congress and officers of the Commonwealth to be elected at the next succeeding election by a vote of the electors of the State at large and the number to be elected by a vote of the electors of the county or of any district therein or of any district of which such county forms a part

Section 603 MUNICIPAL SECRETARIES TO NOTIFY COMMISSIONERS OF OFFICERS TO BE NOMINATED AT THE FALL PRIMARY On or before the ninth Tuesday preceding the Fall primary the clerks or secretaries of the various cities boroughs towns townships school and poor districts shall respectively send to the county commissioners of their respective counties a written notice setting forth the names of all city borough town township school and poor district offices for which candidates are to be nominated at the ensuing primary

Section 604 SECRETARY OF COMMONWEALTH TO NOTIFY COMMISSIONERS OF OFFICES TO BE FILLED AT THE FALL PRIMARY On or before the ninth Tuesday preceding the Fall primary the Secretary of the Commonwealth shall send to the county commissioners of each county a written notice designating all the offices for which candidates are to be nominated therein or in any district of which such county forms a part or in the State at large at the ensuing primary and for the nomination to which candidates are required to file nomination petitions in the office of the Secretary of the Commonwealth and designating how many persons are to be elected to such offices respectively at the next succeeding election

Section 605 SECRETARY OF COMMONWEALTH TO FURNISH COMMISSIONERS A LIST OF CANDIDATES TO BE NOTIFIED The Secretary of the Commonwealth immediately after the last day fixed for the filing of nomination petitions with him shall forward to the county commissioners of each county a correct list of candidates of each party for the various offices as shown in such petitions with their respective residences and post office addresses as shown in their affidavits and shall also at the same time notify the said candidates by mail that their names have been so certified to said county commissioners In the case of each candidate for delegate or alternate delegate to a national party convention the Secretary of the Commonwealth shall certify as to whether such candidate has included with his affidavit the statement provided for in section five hundred four of article five

Section 606 PUBLICATION OF NOTICE OF OFFICERS AND DELEGATES TO BE NOMINATED OR ELECTED Beginning not earlier than nine weeks nor later than eight weeks before any primary the county commissioners of each county shall publish the number of delegates and alternate delegates to the national convention of each party who are to be elected in the State at large at the ensuing primary and the number of such delegates and alternate delegates and State committeemen who are to be elected at said primary in said county or in any district of which such county or part thereof forms a part and shall also publish the names of all offices for which nominations are to be made and the names of all party offices including that of members of the national committee if any and State committeemen for which candidates are to be elected at said primary in said county or in any district of which such county or part thereof forms a part or in the State at large Said notice shall contain the date of the primary and shall be inserted in two newspapers of general circulation published within the county wherever such course is possible at least once each week for three successive weeks Such newspapers so far as practicable shall be representative of the two different political parties polling the highest vote in such county at the last preceding November election the highest vote cast within the county for any candidate of a party being deemed to be the vote of that party

Section 607 CASTING OF LOTS FOR POSITION OF NAMES UPON THE PRIMARY BALLOT Immediately after the last day fixed for filing of such nomination petitions with them the Secretary of the Commonwealth or the county commissioners as the case may be shall fix a day for the casting of lots for the position of names upon the primary ballot and shall give notice to the candidates to appear before them for that purpose Such candidates shall appear in person or by agent duly authorized by letter of attorney signed and acknowledged by an officer empowered to take acknowledgments In the event of any said candidates not being present in person or by representative at the time of casting of lots it shall be the duty of the Secretary of the Commonwealth or the county commissioners to appoint some person to represent such absentee After said lots are cast the Secretary of the Commonwealth or the county commissioners as the case may be shall accordingly establish the order in which the names of said candidates are to appear upon the primary ballot and to certify the same for printing upon the official primary ballot

Section 608 CANDIDATES HAVING THE SAME OR SIMILAR SURNAMES If two or more candidates for the same office shall have the same surname or similar surnames the county commissioners shall upon the request of any of said candidates filed in writing not later than five days after the last day of filing nomination petitions print the occupation of any such candidates so filing a request on the ballot opposite or under his name

Section 609 OFFICIAL BALLOTS FURNISHED ELECTION DISTRICT BINDING NUMBERING ET CETERA OF STUBS The county commissioners shall prepare and furnish to the election officers in each election district in due time for use at the primaries one book of fifty official ballots of each party for every forty and fraction of forty votes cast within the particular election district for the candidate of the particular party who received the largest vote cast for any candidate of such party at any of the last three preceding elections either general or municipal and no additional official ballots shall be furnished any party in any election district unless the number of electors registered and enrolled as members of any particular party in any election district shall exceed the largest vote aforesaid in which case the county commissioners shall furnish official ballots for said party in the ratio aforesaid upon the basis of such enrollment or registration

The official ballots shall be attached to stubs or counterfoils in such manner that each ballot may be detached and removed separately The stubs or counterfoils shall be numbered for each party consecutively from one to the highest number to be furnished to each particular election district and bound in books of fifty each which shall be numbered in the order of the numbers of their stubs in the same manner as at elections The numbers on the stubs or counterfoils shall be preceded by appropriate letters to designate the respective political parties The numbers on stubs or counterfoils in Republican ballot books shall be preceded by the letter "R" the numbers on stubs or counterfoils in Democratic ballot books by the letter "D" and so on Should the names of two or more political parties begin with the same letter the county commissioners shall precede the numbers on the stubs or counterfoils of the ballot books for such parties with any distinctive letters of the alphabet not used on the stubs or counterfoils of the ballot books of any other political party

The county commissioners shall keep a record of the number of such books and ballots printed and delivered to each election district and of the number of stubs unused ballots and spoiled and canceled ballots subsequently returned therefrom

Section 610 NUMBERING AND LETTERING OF BALLOTS At the upper right hand corner of the back of each official ballot prepared for use at any such election a diagonal perforated line shall be printed and upon the corner of the ballot included within such line which shall not include any other printing shall be printed the same number as appears on the stub or counterfoil to which the ballot is attached The number thus printed shall be preceded by the same letter of the alphabet which precedes the number on the stub or counterfoil

Section 611 HOW NAMES OF CANDIDATES SHALL APPEAR ON OFFICIAL PRIMARY BALLOT Under each group of names of candidates shall be printed as many blank spaces defined by light lines or ruled three-eighths of an inch apart as there are to be candidates nominated for such office

On the back of the official ballot shall be printed in prominent type the words "Official primary ballot of ....Party" and there shall also appear on the back of such ballot the facsimile signatures of the county commissioners of the county

Opposite or under the name of each candidate except candidates for the office of President of the United States who is to be voted for by the electors of more than one county shall be printed the names of the county in which such candidate resides and opposite or under the name of each candidate who is to be voted for by the electors of an entire county or any congressional senatorial or representative district within the county shall be printed the name of the township borough town or ward and city as the case may be in which such candidate resides

The ballot shall vary in form only as the name of districts offices candidates or the provisions of this act may require

Section 612 FORM OF OFFICIAL PRIMARY BALLOT The official ballot for each party shall be printed on white paper of uniform quality shall be uniform in size and printing and general appearance and shall be in the following form

.....Primary Ballot

(Name of Party)

.....District.....Ward City of .....County of .....State of Pennsylvania

Primary held on the .....day of.....19...

Make a cross (x) in the square to the right of each candidate for whom you wish to vote If you desire to vote for a person whose name is not on the ballot write or paste his name in the blank space provided for that purpose

President of the United States (Vote for one)	
John Doe	
Richard Roe	
John Stiles	

United States Senator (Vote for one)	
John Doe	
Richard Roe	
John Stiles	

Governor (Vote for one)	
John Doe	
Richard Roe	
John Stiles	

Representative in Congress at Large (Vote for .....)	
John Doe	
Richard Roe	
John Stiles	

Representative in Congress .....District (Vote for one)	
John Doe	
Richard Roe	
John Stiles	

Delegate at Large to National Convention (Vote for .....)	
John Doe ..... (Promises to support popular choice of party in the State for President)	
John Stiles ..... (Does not promise to support popular choice of party in the State for President)	

Delegate to National Convention .....District (Vote for .....)	
John Doe..... (Does not promise to support popular choice of party in .....District for President)	
John Stiles ..... (Promises to support popular choice of party in .....District for President)	

State Senator .....District (Vote for one)	
John Doe	
Richard Roe	
John Stiles	

State Committeeeman (Vote for .....)	
John Doe	
Richard Roe	
John Stiles	

District Attorney (Vote for one)	
John Doe	
Richard Roe	
John Stiles	

Party Committeeman (Vote for .....)	
John Doe	
Richard Roe	
John Stiles	

Section 613 SPECIMEN BALLOTS With the official ballots to be furnished in advance of the primaries the county commissioners shall also furnish and deliver to the election officers specimen ballots for the use of electors at the polls equal in number to one-fifth the whole number of such official ballots said specimen ballots to be printed on colored paper and to be of the same size and form as the official ballots but without any permanent binding or stubs On the Wednesday preceding every primary the county commisisoners shall upon request made at their office there deliver to each candidate whose name is printed on any party ballot or to his authorized representative without charge three speciment ballots of such party for each election district in the county or city or political district thereof in which such candidate may be voted for the use of such candidate and the watchers whom he may appoint as hereinafter provided

On the back of each specimen ballot for the primary next preceding the election of a President of the United States the county commissioners shall print section five hundred and four of article five

Section 614 FORMS OF BALLOT ON FILE AND OPEN TO PUBLIC INSPECTION The county commissioners shall have on file in their office on and after the Wednesday preceding the primary open to public inspection forms of the ballots with the names and such statements and notations as may be required by the provisions of this article printed thereon which shall be used in each election district within such county

Section 615 COMMISSIONERS TO FURNISH BALLOT BOXES AND ELECTION SUPPLIES In addition to official and speciment ballots as aforesaid the county commissioners shall prepare and furnish to the election officers in due time for use at the primaries (a) sufficient ballot boxes and other election materials properly numbered for each election district including the assessor's lists or registers known as the "ballot check list" and the "voting check list" respectively (b) blank forms including forms for the duplicate oaths of election officers and forms of affidavits for electors desiring assistance in marking their ballots and for those challenged as to their identity party membership residence or bribery to make proof of their right to vote (c) blank tally papers and triplicate return sheets for each party (d) blank statements for general returns of all votes cast (e) blank books for making lists of persons voting with sufficient space for noting their party enrollments (f) printed instructions and notice of penalties for the information of electors and election officers and (g) such other supplies as they are or hereafter may be required by law to furnish to said election officers for use at elections and shall deliver them in the same manner as at elections

The said forms blank books and other supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the primaries

The county commissioners shall also provide for the opening of the polling places and for the compensation of the owners thereof and shall see that they are in proper order and provided with voting booths as at elections

The county commissioners shall provide each election district with cards of instructions as aforesaid equal in number to one-fifth of the whole number of official ballots furnished thereto on which shall be printed section two hundred fifty sections seven hundred and fourteen to seven hundred and sixteen inclusive and sections seven hundred and eighteen to seven hundred and twenty-three inclusive of this act and such other directions regarding the marking and counting of ballots or the general election laws not inconsistent herewith as the county commissioners think proper

ARTICLE VII

THE PRIMARY ELECTION

Section 700 NOMINATION OF PARTY CANDIDATES ELECTION OF PARTY DELEGATES PARTY OFFICERS AND STATE COMMITTEEMEN Hereafter all candidates of political parties for the office of the United States Senator for the office of Representatives in Congress for elective State county city ward borough town township school district poor district and election divisions or district officers and for all other elective public offices except that of presidential elector shall be nominated and delegates and alternate delegates to National party conventions State committeemen and party officers shall be elected at primary elections held in accordance with the provisions of this act and in no other manner

Section 701 POLITICAL PARTIES DEFINED Any political party or body of electors one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidate and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate is hereby declared

to be a "political party" within the State and shall nominate all its candidates for any of the offices provided for in this act at the primary election and shall elect its delegates and alternate delegates to the National convention State committeemen and also such party officers including members of the National committee as its rules provide shall be elected by a vote of the party electors in accordance with the provisions of this article at the primary election

Any political party or body of electors one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any elected candidate in any county is hereby declared to be "political party" within said county and shall nominate all its candidates for office in such county and in all political districts within said county or of which said county forms a part and shall elect such party officers as its rules provide shall be elected therein by a vote of the party electors in accordance with the provisions of this article at the primary election

Section 702 ANNUAL PRIMARY ELECTIONS DATES One primary election shall be held each year in every election district of this Commonwealth in which nominations are to be made or delegates and alternate delegates to national party conventions State committeemen or party officers including members of the National committee are to be elected as herein provided

The said primaries shall be held on the third Tuesday of September in all odd-numbered years and on the third Tuesday of May in all even-numbered years except in the year of the nomination of a President of the United States in which year the primary shall be held on the fourth Tuesday of April The primary held on the third Tuesday of September shall be known as the Fall primary and the primaries held on the third Tuesday of May and the fourth Tuesday of April shall be known as the Spring primaries

Section 703 GENERAL ELECTION LAWS TO GOVERN PRIMARIES Primaries shall be conducted in conformity with the laws governing the conduct of general elections in so far as the same are not modified by the provisions of this article or are not inconsistent with its terms

Section 704 NOMINATION OF JUDGES All judges of the Supreme Court and Superior Court shall be nominated on party tickets at party primaries in any year in the same manner and subject to the same laws in all respects as govern the nomination of other State officers nominated by the voters of political parties in the State at large

All judges of courts of record elected in any county or judicial district shall be nominated on party tickets at party primaries in odd-numbered years in the same manner and subject to the same laws in all respects as govern the [election] nomination of members of the General Assembly

Section 705 ELECTION OF STATE COMMITTEEMEN BY SENATORIAL DISTRICTS All State committeemen shall be elected by Senatorial districts Each Senatorial district shall be entitled to elect two members of the State committee except where a Senatorial district is composed of more than one county or part of a county in which event the electors residing in each county or part of a county embraced in the said Senatorial district shall be entitled to elect one State committeeman

Section 706 ELECTION OF PARTY OFFICERS NATIONAL COMMITTEEMEN All such party officers as are required by the rules of the several political parties to be elected by the vote of the party electors shall be elected at primaries held in accordance with the provisions of this act excepting members of the national committee who shall be elected by the State committee of each respective party unless the rules of the national party otherwise provide in which case they shall be elected in the manner provided by rules of the national party

Section 707 PRESIDENTIAL PREFERENCE VOTES In the years when candidates for the office of President of the United States are to be nominated every qualified elector of a political party shall have opportunity at the primaries held in such years subject to the provisions of this article to vote his preference for one person to be the candidate of his political party for President

Section 708 ARTICLE NOT TO APPLY TO SPECIAL ELECTIONS EXCEPTIONS NOMINATION BY NOMINATION PAPERS PRESERVED This article shall not apply to the nomination of candidates to be voted for at special elections to fill vacancies except when such special election is held at the time of a regular election and such vacancy occurred or existed at least sixty days prior to the regular primary antecedent to such regular elections

Nothing contained in this article shall prevent any body of electors not constituting a political party from nominating candidates by nomination papers as is now or may hereafter be provided by law

Section 709 CANDIDATES NOMINATED AT SPRING AND FALL PRIMARIES Candidates for all offices to be filled at the general election shall be nominated at the Spring primary Delegates and alternate delegates to national party conventions State committeemen and such party officers including members of the national committee as are required by the rules of the several political parties to be elected by a vote of the party electors shall be elected at the Spring primary except as otherwise provided in this act The vote for candidates for the office of President of the United States as herein provided for shall be cast at the Spring primary

Candidates for all offices to be filled at the municipal election shall be nominated at the Fall primary

Section 710 REGULAR ELECTION BOARDS TO CONDUCT PRIMARIES The primaries shall be conducted by the regular election boards duly elected under existing or future laws who shall receive the same compensation for their services as they receive at elections Inspectors of elections shall have the right to appoint clerks to assist them as at elections who shall receive the same compensation that clerks receive for such services at elections Vacancies in election boards shall be filled in the manner provided by this act Before entering upon their duties the election officers and clerks shall be sworn and execute written oaths as required by this act in the case of elections

Section 711 TIME FOR OPENING AND CLOSING OF POLLS LIQUOR SELLING PROHIBITED The polls shall be open between the hours of seven o'clock ante meridian and seven o'clock post meridian All persons licensed to sell liquors either at wholesale or retail or as bottlers shall be compelled to keep their places of business closed on said days for holding said primary only between the hours of six o'clock ante meridian and eight o'clock post meridian

Section 712 ELECTION OFFICERS TO POST AND DISTRIBUTE CARDS OF INSTRUCTIONS The election officers shall post at least three cards of instructions furnished by the county commissioners in the voting room outside of the guard-rail as soon as the polls are open and thereafter give such cards to such persons desiring to vote as shall request the same

Section 713 USE OF REGISTERS IN CITIES AT PRIMARIES RETURN THEREOF BY ELECTION OFFICERS The two registers for each election division in cities shall be used at primaries by the election officers in the ploce of the ballot check list and the voting check list One of said registers shall be marked "ballot check list" and the other "voting check list" After the polls are closed the names of all electors in each register checked as having voted shall be immediately counted and the results compared and announced and the cause of any differences ascertained if possible before the ballot box is opened The two registers shall be immediately sealed in an envelope and shall be returned (a) in cities of the first class to the custody of the registration commission by the majority inspector before four post meridian on the second day following each primary (b) in cities of the second class to the custody of the registration commissioners when the ballot box and other election returns are delivered to the proper officers and (c) in cities of the third class to the custody of the county commissioners when the ballot boxes and other election returns are delivered to the proper officers

Section 714 GENERAL QUALIFICATIONS OF ELECTORS AT PRIMARIES Qualifications of electors entitled to vote at a primary shall be the same as the qualifications of the electors entitled to vote at elections within the election district where the primary is held except that with respect to the payment of taxes it shall be sufficient if an elector shall have paid within two years before the next succeeding election a State or county tax which shall have been assessed at least two months before the said election and paid on or before the day of the primary and in cases where personal registration is required on or before the registration day on which the elector registers

Section 715 QUALIFICATIONS AND CHALLENGES AT THE PRIMARY IN CITIES Any elector of any city duly

registered and enrolled as a member of a political party may vote the ballot of said party at the primary election succeeding such registration without being subject to any challenge except as to residence and identity

No elector registered and enrolled as a member of any one poltiical party in any city shall be allowed to receive or vote the ballot of any other political party at the primary election

No elector who is not enrolled as a member of a political party in a city shall be entitled to vote a party ballot at any primary election

The presence of any person's name on the register of any election district in any city shall not be conclusive evidence of his qualifications as to length of residence and identity and if challenged he shall sign his name in the register marked "ballot check list" or on the space in the register provided for that purpose and produce such other evidence as is or may be required by the law relating to general elections satisfy the election officers of his identity and residence

Section 716 QUALIFICATIONS AND CHALLENGES AT THE PRIMARY IN BOROUGHS TOWNS AND TOWNSHIPS Any elector duly registered and enrolled as a member of a political party in any borough town or township if otherwise qualified may vote the ballot of said party at the primary election

No elector registered and enrolled as a member of any one political party in any borough town or township shall be allowed to receive or vote the ballot of any other political party at the primary election

No elector who is not enrolled as a member of some political party shall be permitted to vote a party ballot at any primary election in any borough town or township except one who is twenty-one years of age and under twenty-two whose name does not appear on the registry of voters and who has all the other qualifications to vote except as to the payment of taxes In such cases the elector may declare his party preference and prove his right to vote in the same manner as he would be called upon to do at a general election whereupon he shall be entitled to vote the ballot of such party

Each elector at the primary election in a borough town or township may be challenged and if challenged shall prove his qualifications and his identity in the same manner as now required by law at general elections If an elector in a borough town or township is challenged at the primary as to party enrollment he shall make an oath or affirmation that at the last preceding November election at which he voted he voted for a majority of the candidates of that party and in such cases the group of presidential electors shall be counted as two candidates if unable or unwilling to make such affidavit he shall be denied the right to receive such ballot but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason of having asked for a ballot of the party with which he is enrolled

Section 717 ERRORS IN MARKING BALLOTS FAILURE TO TEAR OFF CORNER The voter may designate his choice as is indicated by the instructions shown on the form of ballot hereinbefore set forth If he shall vote for more persons of any office than there are candidates to be nominated or elected for such office or if for any reason it may be impossible to determine his choice for any office his ballot shall not be counted for such office but the rest of his ballot if properly marked shall be counted

Any ballot deposited in a ballot box without having the upper right hand corner thereof upon which the number is printed torn off shall be void but otherwise no ballot shall be rejected for any technical error which does not render it impossible to determine the voter's choice

Section 718 DETACHING OFFICIAL BALLOTS FROM STUBS No official ballot shall be taken or detached from its stub in any book of ballots except by an election officer when a person desiring to vote has been found to be a qualified elector entitled to vote Not more than one ballot shall be removed at any one time or given to any voter except when a voter inadvertently spoils a ballot and immediately returns it to the election officers for cancellation in which case he may be given another ballot Any person removing any ballot from any book of official ballots except in the manner aforesaid shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for not more than one year or both at the discretion of the court of each offense

Section 719 DUTIES OF ELECTION OFFICERS AT THE PRIMARY AFTER THE CLOSE OF POLL Upon the closing of the polls at the primary election and before the ballot boxes are opened the number of ballots issued to the voters of each party as shown by the stubs and the number of ballots of each party if any spoiled and returned by voters and canceled shall be announced to all present in the voting room and entered on the general return sheets aforesaid Then the names checked as having voted in the two assessor's lists or registers marked "ballot check list" and "voting check list" respectively shall be immediately counted and the result announced and compared with the number of ballots issued as above ascertained after deducting the number spoiled and canceled and said results shall also be compared with the number of names written in the numbered lists of voters which shall be made as at elections as the electors receive and cast their ballots with the addition of a note of each elector's party enrollment after his name If any differences exist which are not found to be due merely to clerical errors such differences shall also be noted on the general return sheets aforesaid Then the numbered lists of voters (except a copy of the latter which shall be hung outside of the polling place) shall be placed in the separate envelopes provided for them respectively and sealed

In cities the voting and ballot check lists shall be put in one envelpoe and sealed and subsequently delivered to the registration commission or county commissioners as hereinbefore required

The stubs of all ballots used together with all unused ballots and all spoiled and canceled ballots of each party and the ballot check list in boroughs towns and townships shall be placed in a separate envelope and sealed before the ballot boxes are opened which package shall be kept by the judge and delivered by him in person to the county commissioners at such place as they shall designate on or before noon of the Thursday following the primary election

Section 720 COUNT OF BALLOTS AT THE PRIMARY As soon as all the ballots of each party have been properly accounted for and those outside the ballot boxes as well as the said lists sealed as aforesaid the election officer shall forthwith open the ballot boxes and take therefrom all ballots therein and separate the same according to the party to which they belong and first audibly count the number cast for each party one by one and make a record thereof Then the judge or one of the inspectors in the presence of the other officers shall read aloud the names marked or inserted upon each ballot keeping the ballots of each party in sequence together with the office for which the person named is a candidate and any other relevant matter necessary to identify him and the clerks shall carefully enter each vote as read and keep account of the same in triplicate tally papers for each party to be provided as aforesaid

All ballots after being removed from the box shall be kept within the unobstructed view of all persons in the voting room until replaced in said box No person while handling the ballots shall have in his hand any pencil pen stamp or other means of marking or spoiling any ballot

Section 721 PREPARATION OF TRIPLICATE AND GENERAL RETURNS BY ELECTION OFFICERS POSTING RETURN PROCLAMATION When the vote cast for the different persons named upon said party ballots shall have been fully recorded on the tally papers and counted the election officers shall duly certify to the number of votes cast for each person upon the respective party tickets and shall prepare triplicate returns thereof for each party and also general returns in duplicate showing besides the entries made thereon as aforesaid the number of ballots of each party cast and the number of ballots of each party declared altogther void including any blank ballots cast as well as the votes cast for each candidate on each party ticket One of which statements shall be immediately posted for the information of the public outside the voting room or voting place and the other of which shall be entrusted to the judge for delivery to the county commissioners with the package of unused ballots et cetera aforesaid

As soon as the vote is counted it shall be publicly and fully declared from the window of the election room to the citizens present

Section 722 LOCKING AND SEALING BALLOT BOXES PAPERS TO BE DEPOSITED THEREIN DELIVERY OF BOX The election officers shall then replace the ballots cast so counted and canvassed in the boxes including those declared void together with one set of tally papers one set of

said triplicate return sheets one numbered list of voters sealed as aforesaid (and the voting check list in districts other than cities) and one oath of each election officer and lock and seal each ballot box so that nothing can be inserted therein until it be opened again and the judge and minority inspector shall deliver them to the place which has been designated by the court of common pleas or by law for the delivery of ballot boxes at general and municipal elections on or before noon of the Thursday following such primary and the county commissioners or return board shall not compute any returns from any election district until the ballot boxes thereof as well as the package of unusual ballots et cetera are delivered as aforesaid

Section 723 PAPERS TO BE RETAINED BY MINORITY INSPECTOR SEALING RETURNS AND DELIVERY BY JUDGE The minority inspector shall retain one complete set of tally papers and one of the triplicate return sheets for each party and one set of the affidavits of voters and other persons except oaths of election officers made pursuant to the provisions of this article at such primary and carefully preserve the same for the period of at least one year The remaining tally papers triplicate return sheets and affidavits of voters and others including oaths of election officers shall be placed in separate envelopes to be provided for the same and sealed as soon as the count is finally completed All of such envelopes and the other numbered list of voters previously sealed as aforesaid shall be entrusted to the judge of election and shall on or before noon of the Thursday following be deposited by him in person or by registered mail with the county commissioners

Section 724 EXPENSES OF HOLDING PRIMARIES TO BE PAID BY COUNTY Each county of this Commonwealth shall be required to bear and pay the expenses of holding the primary elections in said county

The county commissioners shall keep an accurate account of the entire expense of holding such primaries including the preparation and delivery of supplies voting material et cetera and the total amount shall be paid by the county treasurer upon the order of the county commissioners

ARTICLE VIII

PRIMARY ELECTION RETURNS NOMINEES CERTIFICATION

Section 800 GENERAL RETURNS TO BE OPEN FOR INSPECTION The general returns from the various districts at the primary election shall be open to public inspection at the office of the county commissioners as soon as they receive the same from the judges thereof

Section 801 CONSTITUTION OF THE RETURN BOARD The county commissioners shall constitute the return board at primary elections except that if any of the county commissioners of any county shall be a candidate for any nomination at a primary he shall not act as a member of the return board for computing or canvassing any returns of such primary but the other two commissioners if both are qualified shall act In case in any county there are not at least two commissioners so qualified two or more judges of the court of common pleas of such county shall be designated by said court to act as the return board provided that neither of them are candidates for any nomination at such primary and if there shall be only one judge of such court in such county or if less than two judges are qualified and able to act in such county any judge who is qualified may act alone and if there be none qualified the prothonotary of such county shall act as the return board and if the prothonotary shall be a candidate at the primary then the sheriff of the county shall act as the return board

Section 802 COUNTY COMMISSIONERS TO PROVIDE MEETING PLACE FOR RETURN BOARD ACCOMMODATIONS FOR REPRESENTATIVES OF CANDIDATES NOTICE The county commissioners shall provide a convenient public place for holding the sessions of the return board whoever may compose it as aforesaid with adequate accommodations for the authorized representatives of each party and candidate concerned in any such primary not exceeding two such representatives for each of them at any one time to attend and to keep or check up their own computation of the votes cast in the several election districts as the returns from the same are read as hereinafter directed

The county commissioners shall give at least one week's previous notice by advertising once in at least two newspapers of a large paid circulation published at the county seat if so many be published there of the time aforesaid and place when and where such return board will commence and hold its sessions and keep copies of such advertisement posted in their office during said period

Section 803 COUNTY COMMISSIONERS TO PREPARE BLANK FORMS At noon on the Friday following the primary election the county commissioners shall have ready a sufficient number of blank forms of returns made out in a proper manner and headed as the nature of the ballots may require for making out full and fair statements of all votes which shall have been given within the county or any political district therein according to the returns from the several election districts thereof for any person voted for therein for any party nomination or party office

Section 804 CLERKS TO BE SWORN All the clerks of the county commissioners and other persons assisting in the computation and canvassing of the votes shall be first sworn to perform their duties impartially and not to read write count or certify any return or vote falsely or fraudulently

Section 805 WHEN RETURN BOARD TO MEET The return board shall at noon on the Friday succeeding the primary election publicly commence the computation and canvassing of the returns and continue the same from day to day until completed in the manner hereinafter provided

Section 806 OPENING SEALED RETURNS COMPARISON OF BALLOTS CAST AND ISSUED ERRORS None of the envelopes sealed by election officers and entrusted to the judges of election shall be opened by any person except by order of the return board or of the court of common pleas

The general returns made by the election officers from the various election districts shall be read one after another in the usual order slowly and audibly by one of the clerks who shall in each case read therefrom the number of ballots of each party issued spoiled and canceled and cast respectively whereupon the clerk having charge of the records of the county commissioners showing the number of ballots of each party furnished for each election district and the number of stubs and unused ballots and spoiled and canceled ballots returned shall publicly announce the number of same respectively and unless it appears by said numbers or calculations therefrom that said records and the said general return correspond no further returns shall be read from the latter until all the ballots issued are fully accounted for

Section 807 READING RETURNS CORRECTION OF DISCREPANCIES OPENING BALLOT BOXES SUMMONING ELECTION OFFICERS When the records agree with the said returns regarding the ballots the votes recorded for each candidate on each party ticket shall be read by the said clerk slowly audibly and in an orderly manner from the said returns and the figures announced shall be compared by other clerks with the return sheets of each party for the respective districts and discrepancies shall be immediately called to the attention of the return board which shall thereupon compare said return sheets with the tally papers for the same election district respecting the same candidates or party ballots and if the tally papers and party return sheets agree the general return shall be forthwith corrected to conform thereto but in every other case the return board shall forthwith cause the ballot box of such division to be brought before it and opened under its direction and the ballots therein recounted respecting any vote in question in the presence of representatives of each party and candidate interested who ar attending the canvass of such votes and if such recount shall not be sufficient to correct the error in any of the said returns the return board may summon the election officers and overseers if any to appear forthwith with all election papers in their possession and the court of common pleas shall use its processes to enforce such summons if necessary If any error or fraud is discovered the return board shall compute and certify the votes justly regardless of any fraudulent or erroneous returns presented to it and report the facts to the district attorney of the proper county for action in cases that appear to warrant same

Section 808 FINAL COMPUTATION OF RETURNS CERTIFICATION THEREOF APPEALS As the returns from each election district are read computed and found to be correct or corrected as aforesaid they shall be recorded on the blanks prepared for the purpose of casting up the total vote of each candidate on each party ticket until all the returns from the various election districts which are entitled to be counted shall have been duly recorded when they shall be added to-

gether announced and attested by the clerks who made and computed the entries respectively and at the expiration of five days after the completion of said computation the return board shall certify the several returns accordingly to the county commissioners unless upon appeals taken from any decision the court of common pleas shall have directed any returns to be revised in which case such returns shall be revised and certified accordingly

Section 809 APPEALS TO COURT FROM DECISIONS OF THE RETURN BOARD Any person aggrieved by any order or decision of any return board not consisting of a judge or judges of the court of common pleas regarding the computation or canvascing of the returns may appeal therefrom within two days thereafter to the court of common pleas of the proper county setting forth why he feels that an injustice has been done and praying for such order as will give him relief Upon the payment to the prothonotary of a fee of three dollars for filing such appeal a judge of the said court shall fix a time and place for hearing the matter in dispute within three days thereafter of which due notice shall be served with a copy of such appeal by the appellant upon one of the return board whose action is complained of and upon every attorney who opposed the contention of the appellant before such return board and upon any other person that said judge shall direct at least two days before said matter shall be reviewed by the court Proof of such notice or the waiver thereof must be filed therein before any appeal is sustained

Section 810 POWER OF COURTS ON APPEALS CONTESTS APPEALS FINAL COSTS The court on an appeal as hereinbefore provided shall have full power and authority to hear and determine all matters pertaining to any fraud or error committed in any election district to which such appeal relates and to make such decree as right and justice may require Pending such appeal the return board shall suspend any official certification of the votes cast in such election district

None of the orders or decisions of either the return board or any judge or judges acting as a return board or the court of common pleas on any appeal shall be deemed a final adjudication regarding the results of any primary election so as to preclude any contest thereof

Contests of primaries shall originate and be conducted under the provisions of article eighteen of this act

No appeal shall be allowed from any decision of any judge or judges acting as a return board or from any order or decree of the court of common pleas made in pursuance of this section The court may compel the appellant or any opposing party other than the commissioners or prothonotary to pay all the witnesses fees if any and other legal costs of rehearing any matter in dispute which costs may be taxed by the prothonotary in the usual manner

Section 811 RETURNS IN JUDICIAL CONGRESSIONAL AND SENATORIAL DISTRICTS In the case of nomination of judges representatives in Congress of the United States and State Senators in judicial congressional and senatorial districts composed of two or more counties or parts of two or more counties or of one or more counties and a part of parts of one or more counties or a single county to which one or more counties are attached returns at primary elections shall be made and computed and certificates thereof be made as now provided by the laws of the Commonwealth apportioning the State into judicial congressional and senatorial districts

Section 812 RECORDS TO BE PRESERVED AND OPEN TO INSPECTION All the stubs and unused ballots spoiled and canceled ballots as well as the other election returns aforesaid considered by the return board shall be open to public inspection and shall be carefully preserved together with the contents of the ballot box by the county commissioners for at least eleven months and not destroyed in any event without the previous consent in writing by the district attorney

Section 813 WHICH CANDIDATES NOMINATED Candidates of the various political parties for nomination except for the office of President of the United States who receive a plurality of votes of their party electors in the State or in the political districts or division as the case may be at the primary election together with the candidates for the office of presidential elector nominated as hereinafter provided shall be candidates of their respective parties and it shall be the duty of the proper officers to print their names upon the official ballots of the succeeding election

Section 814 PARTY NOMINEES FOR UNITED STATES SENATOR The name of the person in each political party who receives at a primary a plurality of the votes of such party in the State at large for United States Senator shall be printed upon the official ballots for use at the succeeding election as the candidate of his party for said office under the heading "United States Senator"

Section 815 DELEGATES ELECTED TO NATIONAL CONVENTIONS Candidates of the various political parties for the office of delegates and alternate delegates at large to a National party convention who receive a plurality of the votes of their party electors in the State at large shall be the duly elected delegates and alternate delegates at large to the National Convention of their respective parties Candidates of the various political parties for the office of delegate and alternate delegate other than delegate and alternate delegate at large who receive a plurality of the votes of their party electors in the political district or division in which they are candidates shall be duly elected delegates and alternate delegates to the National convention of their respective parties

Section 816 WHO SHALL BE DECLARED ELECTED MEMBERS OF NATIONAL OR STATE COMMITTEE AND PARTY OFFICERS Candidates of the various political parties for the office of member of the State committee or for the office of member of the National Committee in cases where the rules of the party provide that such office shall be filled by a vote of the party electors who receive a plurality of the votes of the party electors at a primary shall be the duly elected members of the State or National Committee as the case many be of their respective parties

Candidates for other party offices who receive a plurality of the votes of the party electors at a primary shall be the party officers of their respective parties

Section 817 NOMINEE IN CASE OF TIE VOTE In the case of a tie the candidates receiving the tie vote shall cast lots before the county commissioners or the Secretary of the Commonwealth as the case may be on the third Friday after the primary and the one to whom the lot shall fall shall be entitled to the nomination or election In any case where the fact of a tie vote is not authoritatively determined until after the third Wednesday after the primary the day for casting lots shall be the second day after the fact of such tie vote is authoritatively determined If any candidate or candidates receiving a tie vote fail to appear before twelve o'clock noon on said day the county commissioners or the Secretary of the Commonwealth as the case may be shall cast lots for him or them For the purpose of casting lots any candidate may appear in person or by proxy appointed in writing

Section 818 COUNTY COMMISSIONERS TO CERTIFY CERTAIN VOTES TO SECRETARY OF THE COMMONWEALTH The county commissioners shall make the proper certification of returns of votes cast for the candidates of the various political parties for nomination for the office of President of the United States Senator of the United States Member of the House of Representatives of the United States for all State offices for all judges elected at large and in judicial districts for the office of delegate and alternate delegate to a National party convention and member of the National Committee and members of the State committee to the Secretary of the Commonwealth who shall tabulate the same and shall certify to the county commissioners of the respective counties the result of the computation of the vote for all such offices as shall be voted for at the succeeding election at least thirty days prior to the date of such election and shall also certify within said time to the said county commissioners the names of the Presidential electors chosen and certified to him

Section 819 SECRETARY OF THE COMMONWEALTH TO CERTIFY VOTES OF NATIONAL DELEGATES AND STATE COMMITTEEMEN The Secretary of the Commonwealth shall also forthwith ascertain from said returns the persons in each political party who have been duly elected as delegates and alternate delegates to the National convention of such party and the persons in each party who have been duly elected members of the National Committee or State committee of the party and shall forthwith issue to each of such persons a certificate of election which certificate of election in the case of delegate and alternate delegate to a National party convention shall show the number of votes re-

ceived in the State or in the political district of the State as the case may be by each candidate of such delegate's and alternate delegates' political party for nomination as President of the United States the Secretary of the Commonwealth shall also certify to the State chairman of each respective party the votes cast for each candidate for the office of State committeeman

Section 820 SECRETARY OF THE COMMONWEALTH TO CERTIFY PRESIDENTIAL VOTES BY CONGRESSIONAL DISTSICTS The Secretary of the Commonwealth shall forthwith prepare a statement from said returns showing the total number of votes cast in the State and in each Congressional district of the State for each candidate of each political party for nomination as President of the United States and shall make public announcement thereof He shall also forthwith send a duplicate of such statement to the county commissioners of each county

ARTICLE IX

ORGANIZATION OF STATE COMMITTEE

Section 900 ORGANIZATION OF STATE COMMITTEE The State committeemen elected at the Spring primary shall meet for organization not later than the fifth Wednesday following their election at such hour and place as shall be designated by the State chairman of each political party

Section 901 RULES OF STATE COMMITTEE The State committee of each political party may make such rules for the government of such State committee not inconsistent with law as it may deem expedient and may also revoke alter or amend in any manner not inconsistent with law any present or future rules of such State committee

Section 902 ELECTION OF NATIONAL COMMITTEEMEN National committeeemen shall be elected and vacancies happening at any time in said office shall be filled by the State committee of the respective party unless the rules of the National party otherwise provide in which case such committeemen shall be elected and vacancies be filled in the manner provided by the rules of the National party

Section 903 FILLING OF VACANCIES IN STATE COMMITTEE Vacancies happening at any time in the office of State committeeman shall be filled by the city or county committee of the respective parties When said vacancy occurs in a county composed of more than one Senatorial district the members of the city or county committee embraced within the Senatorial district in said county shall elect said committeeman and when a vacancy occurs in a Senatorial district composed of more than one county or part of a county the members of the county committees embraced within said county or part of a county shall elect said committeeman

ARTICLE X

NOMINATION PAPERS PRESIDENTIAL ELECTORS WITHDRAWAL OF CANDIDATES SUBSTITUTED NOMINATIONS

(a) Nomination Papers

Section 1000 NOMINATION BY NOMINATION PAPERS In addition to the nominations made at the primary election nominations of candidates for any public office may also be made by nomination papers by any body of electors not constituting a political party as defined in Article VII such papers to be signed by qualified electors of the State or of the electoral district or division thereof for which the nomination is made and filed in the proper office as provided by this article

Where the nominations is for any office to be filled by the voters of the State at large the number of qualified electors of the State signing such nomination paper shall be at least one-half of one per centum of the largest vote cast for any officer elected in the State at the last preceding election at which a State officer was voted for In the case of all other nominations the number of qualified electors of the electoral district or division signing such nomination paper shall be at least two per centum of the largest entire vote cast for any officer elected at the last preceding election in the said electoral district or division for which said nomination papers are designed to be made

Each elector signing a nomination paper shall add to his signature his place of residence and occupation and no person may subscribe to more than one nomination for each office to be filled The signatures to each nomination paper and the qualification of the signers shall be vouched for by the affidavit of at least five of the signers thereof which affidavit shall accompany the nomination paper

Blank forms for making such nomination shall be furnished by the Secretary of the Commonwealth and no other form than the ones so prescribed shall be used for such purposes

Section 1001 CONTENTS OF NOMINATION PAPERS RESTIICTION ON NAMES All nomination papers shall specify (a) the party or policy which such candidate represents expressed in not more than three words in the case of electors of President and Vice-President of the United States the names of the candidates for President adn Vice-President shall be added to the party or political appellation (b) the name of each candidate nominated therein his profession business or occupation if any and his place of residence with street and number thereon if any and (c) the office for which such candidate is nominated

No words shall be used in any nomination papers to describe or designate the party or policy or political appellation represented by the candidate named in such nomination papers as aforesaid identical with the words used for the like purpose by any political party required by this act to make its nomination of candidates at the primary election Any objections filed to a nomination paper on account of the party or political appellation used therein or involving the right as defined by this article to file such paper shall be decided by the court of common pleas on hearing as provided in this article in the case of objections to nomination papers

Section 1002 FILING OF NOMINATION PAPERS Nomination papers for candidates for the offices of Presidential electors and Members of the Senate and of the House of Representatives of the United States and for State offices including those of judges senators and representatives shall be filed with the Secretary of the Commonwealth at least sixty days before the day of election Nomination papers for candidates for all other offices shall be filed with the county commissioners of the respective counties at least twenty-eight days before the day of election

Section 1003 OBJECTIONS TO NOMINATION PAPERS PROCEDURE It shall be the duty of the officer or officers to whom any nomination paper is brought for the purpose of filing to examine the said paper and if it lacks sufficient signatures or be otherwise manifestly defective it shall not be filed but the action of said officer or officers in refusing to receive such paper may be reviewed by the court of common pleas of the county where filed upon an application for mandamus to compel its reception as of the date when it was brought to the office

All nomination papers which have been filed shall be deemed to be valid unless objections thereto are duly made by writing filed in the court of common pleas of the county in which the paper objected to has been filed and with the officer or officers with whom such papers have been filed and within the following periods

(a) In the case of papers filed with the Secretary of the Commonwealth at least fifty days before the day of election

(b) In the case of other papers at least twenty-five days before the day of election

In case the court is in session one or more judges thereof shall proceed to hear such objections without unnecessary adjournment or delay and shall give such hearing procedure before any other business before him or them With respect to papers filed with the Secretary of the Commonwealth such objections shall be heard and finally determined at least thirty days before the day of the election and in all other cases at least eighteen days before the day of election

In case the court is not in session any judge thereof on the presentation to him of the certificate of the prothonotary that such objections have been filed shall proceed to hear such objections No objection of any nature whatever shall be filed unless accompanied by proof of service of notice of the proposed objection upon at least one of the candidates named in the paper objected to nor shall any objection be heard in the absence of any of the said candidates without proof of service of notice of the hearing upon them If the court decides that the paper objected to was not filed by parties entitled under this act to file the same it shall be wholly void but if it be judged defective only the court shall indicate the matters in which it requires amendment and the time within which such amendments must be made and every paper amended after the time when names therein contained should have been sent to the sheriff shall be subject to the provisions of this act concerning substituted nominations

The officers with whom nomination papers have been filed shall permit the political parties or bodies who have filed them to amend them of their own motion at any time prior to the printing of the ballot

Section 1004 PREEMPTION OF PARTY NAMES Whenever five of the electors composing any political body making a nomination by nomination papers shall file with the prothonotary of the county in which the nomination paper or papers are to be filed an affidavit setting forth that they have adopted a certain political appellation to designate their policy subject to the limitations of this article regarding the selection of names and file with the nomination papers a certificate from the prothonotary setting forth such a compliance with the act then thereafter such political body shall have the exclusive right to use the said name or appellation for the election for which such nomination or nominations are made

Section 1005 PREEMPTION OF PARTY NAMES IN WARDS Whenever five electors composing any political body as hereinbefore provided shall file an affidavit as aforesaid setting forth that they have adopted a certain political name or appellation to designate their policy for the purpose of making nominations for ward officers or officers to be elected in any ward such affidavit shall give to such body of electors the exclusive right to use the said name or appellation for the nomination of any candidates for any precinct or other subdivision of such ward for the election for which such nominations are made

(b) Nomination of Presidential Electors

Section 1010 NOMINATION OF PRESIDENTIAL ELECTORS The nominee of each political party for the office of President of the United States shall within thirty days after his nomination by the National convention nominate as many persons to be the candidates of his party for the office of Presidential elector as the State is then entitled to If for any reason the nominee of any political party for the office of President of the United States fails or is unable to make the said nominations within the time herein provided then the nominee of such party for the office of Vice-President of the United States shall as soon as may be possible after the expiration of said thirty days make the nominations

The names of such nominees with their post-office addresses shall be certified immediately to the Secretary of the Commonwealth by the nominee for the office of President or Vice-President as the case may be making the nominations

(c) Withdrawal of Nominated Candidates

Section 1015 WITHDRAWAL OF CANDIDATES Any person whose name has been presented as a candidate for the office of Presidential elector Member of the Senate or the House of Representatives of the United States or for any State office including that of judge senator and representative may cause his name to be withdrawn from nomination by request in writing signed by him and acknowledged before an officer qualified to take acknowledgments of deeds and filed in the office of the Secretary of the Commonwealth at least fifty days previous to the day of the general election and at least twenty-five days previous to the day of the municipal election and all candidates for other offices with the county commissioners of the respective counties at least twenty-five days previous to the day of the election and no name so withdrawn shall be printed upon the ballots

Where any office not in court of record shall for any cause become vacant after the time for making nominations for such office shall have elapsed or when a writ for a special election to supply a vacancy shall direct such election to be held at a date which would prevent the making of nominations in time to comply with section one thousand and two of this article nominations for the office to be filled may still be made in accordance with the provisions of this article relating to nomination papers but in other respects the provisions of subdivisions (d) of this article shall apply to such nominations

(d) Substituted Nominations

Section 1020 FILLING OF VACANCIES ON TICKET AFTER PRIMARIES Vacancies happening or existing after date of the primary may be filled in accordance with the party rules as is now or may hereafter be provided for by law

Section 1021 TIME OF FILING NOMINATION PAPERS TO FILL VACANCIES CAUSED BY WITHDRAWAL Certificates of nomination and nomination papers to fill vacancies caused by the withdrawal of candidates nominated at primary elections or by nomination papers but not vacancies caused by death of candidates nor in special elections shall be filed as follows Those to be filed with the Secretaary of the Commonwealth shall be filed at least thirty-five days before the day of election and those to be filed with county commissioners at least twenty days before the day of election

Section 1022 PROCEDURE FOR FILING NOMINATION PAPERS TO FILL VACANCIES CAUSED BY DEATH OR WITHDRAWAL In case of the death or withdrawal of any candidate nominated as provided in this act the political party or the citizens who nominated such candidate by nomination papers may nominate a substitute in his place by filing in the proper office at any time before the day of election in case of the death of a candidate or within the time specified in the preceding section in the case of the withdrawal of a candidate a nomination certificate or nomination paper which in the case of a nomination by nomination papers shall conform to all the requirements of this act in regard to original nomination papers If the said citizens shall have authorized any committee or if any executive committee of any political party be authorized by the rules of said party to make nominations in the event of the death or withdrawal of candidates the said committee shall have power to file the requisite nomination certificate or nomination paper which shall recite the facts of the appointment and powers of the said committee (naming all its members) of the death or withdrawal of the candidate and of the action of the committee thereon and the truth of these facts shall be verified by the affidavit annexed to the certificate or paper of two members of the committee and also of at least two of the officers of the political party or two of the citizens who made affidavit to the original paper In case of a substituted nomination paper not filed by a committee but signed by citizens it shall only be necessary that two-thirds of the signers of the said paper shall have been signers of the original paper

Section 1023 FILLING VACANCIES IN OFFICE OF PRESIDENTIAL ELECTORS Vacancies happening or existing after the date of nomination of Presidential electors shall be filled by the nominee for the office of President or Vice-President making the original nomination Nominations made to fill vacancies shall be certified to the Secretary of the Commonwealth in the manner hefein provided for in the case of original nominations

Section 1024 OBJECTIONS TO SUBSTITUTED NOMINATIONS TIME FOR MAKING All substituted nomination certificates or papers may be objected to as provided in this article with regard to nomination papers and if a substituted certificate or paper be filed after the last day for filing the original certificate or paper objections must be made within four days after the filing and no objections as to form and conformity to law shall be received after the time set for printing the ballots

Section 1025 NAME OF SUBSTITUTED CANDIDATE TO BE PLACED ON BALLOT As soon as any substituted candidate shall have been duly nominated his name shall be substituted by the proper officers in the place of that of the candidate who has died or withdrawn so far as time may allow and in case a substituted nomination is filed with or transmitted to the county commissioners after the ballots have been printed the said commissioners shall prepare and distribute with the ballots suitable slips of paper bearing the substituted name together with the title of the office and having adhesive paste upon the reverse side which shall be offered to each voter with the regular ballot and may be affixed thereto

(e) Public Records

Section 1030 NOMINATION CERTIFICATES AND PAPERS OPEN TO PUBLIC INSPECTION PRESERVED TWO YEARS All certificates of nomination and nomination papers when filed shall be open under proper regulations to public inspection and shall be preserved not less than two years in the offices where they have been filed

ARTICLE XI

PREPARATION FOR GENERAL AND MUNICIPAL ELECTIONS

Section 1100 CERTIFICATION OF LISTS OF TAXPAYERS IN BOROUGHS AND TOWNSHIPS Twenty days before each election the tax collector of townships and boroughs shall send a sheet to the office of the county commissioners containing

the number of each tax receipt issued date of payment name of taxpayer amount of tax and district in which taxpayer is assessed for the period since the last report

The commissioners are directed to have such reports of taxpayers bound and kept for public inspection

Section 1101 PREPARATION OF VOTING LIST IN BOROUGHS AND TOWNSHIPS The county commissioners upon receipt of the original resgistry list of the boroughs towns and townships from the assessors and registry assessors shall proceed to make one ballot check list and one voting check list containing the names of all persons so returned as taxables in each election district to be listed in alphabetical order and furnish the same together with the necessary election blanks to the officers of the election in such election districts on or before seven o'clock in the morning of the election

Section 1102 CERTIFICATION OF NOMINEES BY SECRETARY OF COMMONWEALTH TO SHERIFF AND COUNTY COMMISSIONERS The Secretary of the Commonwealth shall at least fourteen days previous to the day of any election of United States or State officers or for the adoption of amendments to the Constitution of this Commonwealth transmit to the county commissioners and the sheriff of each county in which such election is to be held duplicate official lists stating the names and residences of and parties or policies represented by all candidates whose nomination certificates or papers have been filed with him for such election and have not been found and declared to be invalid and to be voted for at each voting place in each county respectively substantially in the form of ballots to be used therein and also duplicate copies of the text of all proposed constiutional amendments to be voted upon at such election

Section 1103 CERTIFICATION OF NOMINEES BY COUNTY COMMISSIONERS TO SHERIFF The county commissioners of each county shall send to the sheriff of their county at least ten days prior to the day of any general or municipal election an official list containing the names and party or political appellations of all candidates whose nomination certificates or papers have been filed with the said commissioners for such election and to be voted for at each voting place in the county substantially in the form of the ballots to be used therein

Section 1104 SHERIFF'S PROCLAMATION The sheriff of every county at least ten days before each general election and before the election of county officers or judges at municipal elections and in cities coextensive with counties before all municipal elections shall give notice of the same by advertisements in at least three and not more than four newspapers if there be so many published in the county two of said newspapers representing so far as practicable the political party which at the preceding November election cast the largest number of votes and the other one of said newspapers representing so far as practicable the political party which at the preceding November election cast the next largest number of votes and in addition thereto the sheriff of every county shall at least ten days before each general election and before each such municipal election to be held in cities of the first second and third classes give notice of the same by proclamation posted up in the most conspicuous places in every election district in said cities and in every such advertisement or proclamation he shall

I Enumerate the officers to be elected at general elections and the county officers and judges to be elected at municipal elections and give a list of all the nominations made as provided in this act and to be voted for in such county including all city officers in cities co-extensive with counties and the full text of all constitutional amendments submitted to a vote of the people but the proclamation posted in each election district need not contain the names of any candidates but those to be voted for in such district

For presidential elections the names of presidential electors shall not be printed in the sheriff's proclamation but in lieu thereof the names of the candidates of their respective parties for President and Vice-President of the United States shall be printed together in pairs under the title "Presidential Eelectors"

II Designate the place at which the election is to be held

III Give notice that every person excepting justices of the peace and military officers who shall hold any office or appointment of profit or trust under the government of the United States or of this State or of any city or incorporated district whether a commissioned officer or otherwise a subordinate officer or agent who is or shall be employed under the Legislative Executive or Judiciary Department of this State or of the United States or of any city or incorporated district and also that every member of Congress and of the State Legislature and of the council of any city or commissioners of any incorporated district is by law incapable of holding or exercising at the same time the office or appointment of judge inspector or clerk of any election of this Commonwealth and that no inspector judge or other officer of any such election shall be eligible to any office to be then voted for except that of an election officer.

Section 1105 WHEN CORONER IS TO PERFORM SHERIFF'S DUTIES In all cases where a sheriff is directed to perform any duty by the provisions of this act and there is any vacancy in said office the duty directed to be performed by the sheriff shall be done and performed by the coroner of the proper county who shall be entitled to the same fees and subject to like penalties

Section 1106 CITIES THIRD CLASS MAYOR'S PROCLAMATION In cities of the third class the council shall cause the mayor to issue his proclamation to the qualified electors of the city at least ten days before the municipal election stating therein the officers to be voted for at such election

Section 1107 NOTICE OF ELECTION OF WARD OFFICERS The constable or constables of each ward at least ten days before the day of election of ward officers and election officers shall give public notice by six or more printed or written advertisements on forms prescribed and furnished by the county commissioners and affixed at as many of the most public places therein of the time and place of holding such election

In the case of the neglect refusal death or absence from the county of the constable or constables of any ward the assessors of the ward shall perform the duties hereinbefore required to be done by such constable or constables under the like penalty But the said assessors shall not be required to give more than five days' notice of the time and place for holding such election

Section 1108 ELECTION NOTICE IN TOWNSHIPS The constable or constables of every township within this Commonwealth shall give public notice of the election of township and election officers by ten or more printed or written advertisements on forms prescribed and furnished by the county commissioners affixed at as many of the most public places therein at least ten days before the election and in every such advertisement they shall enumerate the candidates designate the place of holding the election and giving such other information pertinent to such election as sheriffs are directed to do in paragraphs I and II of the sheriff's proclamation published before elections In case of the neglect refusal death or absence of the constable or constables the duties herein enjoined on them shall be performed by the supervisors or assessor of the proper township but said supervisors or assessor of the proper township shall not be required to give more than five days' notice

Section 1109 ELECTION NOTICE OF BOROUGH OFFICERS The high constable shall give ten days' notice of the election of the borough officers by posting on forms prescribed and furnished by the county commissioners six advertisements in the most public places within the same

Section 1110 COMPENSATION OF OFFICERS FOR ADVERTISING ELECTIONS Constables supervisors or assessors as the case may be of any ward township incorporated district or borough shall be allowed and paid out of the county treasury two dollars for each polling place for advertising ward township district and borough elections but not more than fifteen dollars ($15.00) for this purpose for any one election and six cents per mile for each mile necessarily traveled in the performance of said duties

Section 1111 PRINTING AND KEEPING RECORD OF BALLOTS The county commissioners of each county shall cause all the ballots to be used therein at general and municipal elections to be printed The commissioners shall ascertain the office to be filled and shall be responsible for the accurate printing of the ballots in accordance with this article and for the safekeeping of the same while in their possession or that of their subordinates or agents A record of the number of ballots printed and furnished to each voting place shall be kept and preserved by the county commissioners of the several counties

Section 1112 STYLE AND BINDING OF OFFICIAL BALLOT All the official ballots used at the same voting place at any general or municipal election shall be alike and shall be at least six inches long and four inches wide They

shall be printed with the same kind or kinds of type (which shall not be smaller than the size shown as "brevier" or "eight point body") upon white paper without any impression or mark to distinguish one from another except the numbers hereinafter provided and of sufficient thickness to prevent the printed matter from showing through

All official ballots shall be bound together in books in convenient numbers in such manner that each ballot may be detached and removed separately Each ballot shall be attached to a stub or counterfoil and the stubs or counterfoils in each book shall be numbered successively

At the upper right hand corner of the back of each official ballot prepared for use at any such election a diagonal perforated line shall be printed and upon the corner of the ballot included within such line which shall not include any other printing shall be printed the same number as appears on the stub or counterfoil to which the ballot is attached

Section 1113 OFFICIAL BALLOTS CONTENTS AND ARRANGEMENT

(a) PRINTED INSTRUCTIONS ON BALLOTS At the head of every official ballot shall be printed the following instructions

To vote a straight party ticket mark a cross (X) in the square opposite the name of the party of your choice in the first column A cross-mark in the square opposite the name of any candidate indicates a vote for that candidate

On the back of each ballot or on the right hand side of the back if the ballot is printed in two columns there shall be printed as a caption "official ballot for" followed by the designation of the voting place for which the ballot is prepared the date of the election and a facsimile of the signature of the county commissioners of the respective counties who have caused the ballots to be printed

The ballots shall be so printed as to give to each voter a clear opportunity to designate his choice of candidates by a cross-mark (X) in a square of sufficient size at the right of the name of each candidate and inside the line enclosing the column and in like manner answers to questions submitted by similar marks in squares at the right of the words "yes" and "no" and on the ballot may be printed instructions how to mark and such words as will aid the voter to do this as "mark one" "mark two" and the like

(b) VOTING FOR PRESIDENTIAL ELECTORS When Presidential electors to be voted for their names shall not be printed upon the ballot but in lieu thereof the names of the candidates of their respective parties for President and Vice-President of the United States shall be printed together in pairs upon the ballot under the title "Presidential Electors" and the names of the candidates of the various parties shall be arranged thereunder in order of the vote obtained in the State at the last Presidential election by the parties nominating beginning with the party which obtained the highest vote

In the case of political parties not represented on the ballot in the last Presidential election the order of arrangement shall be alphabetical

At the right of the names of the candidates for President and Vice-President of each party shall be printed their party name or political appellation and at the right of such party name or appellation there shall be a square of sufficient size for the convenient insertion of a cross-mark (X) Every mark within such square shall be counted as a vote for each candidate for Presidential elector of such party

(c) CANDIDATES FOR OTHER OFFICES The names of candidates for all other offices except President and Vice-President shall in all cases be arranged under the title of the office for which they are candidates and be printed in the order of the votes obtained for the head of the respective tickets of the parties or bodies nominating at the last Presidential election beginning with the party obtaining the highest vote But in the case of parties not represented on the ballot at the last Presidential election then the name of the nominee of such parties shall be arranged alphabetically according to the party name or political appellation At the right of the name of each nominee or candidate shall be printed the name or appellation of the political party representing or nominating him and at the right of such party name or political appellation there shall be a square of sufficient size for the convenient insertion of a cross-mark

(d) BLANK SPACES FOR INSERTING NAMES OF CANDIDATES There shall be left at the end of the groups of candidates under the heading "Presidential Electors" as many blank spaces as there are Presidential electors to be elected in which spaces the voter may insert the names of any individual candidates for Presidential electors for whom he desires to vote There shall also be left at the end of the list of candidates for each other different office (or under the title of the office itself for which an election is to be held in case there be no candidates legally nominated therefor) as many blank spaces as there are persons to be voted for for such office in which space the voter may insert the name of any person whose name is not printed on the ballot as a candidate for such office and such insertion shall count as a vote without the cross-mark

(e) CANDIDATES RECEIVING MORE THAN ONE NOMINATION Whenever any candidate shall receive more than one nomination for the same office his name shall be printed once and the names of each political party so nominating him shall be printed to the right of the name of such candidate arranged in the same order as candidates' names are grouped that is to say in the order of the votes obtained by such party at the last preceding Presidential election beginning with the party obtaining the highest vote If such candidate shall be nominated by any political party not represented on the ballot in the last Presidential election the name of such parties shall follow the other names and be arranged alphabetically according to the party name or appellation At the right of every party name or political appellation shall be a square of sufficient size for the convenient insertion of a cross-mark

(f) VOTING STRAIGHT PARTY BALLOT In order that each voter may have the opportunity of designating his choice for all the candidates as nominated by one political party there shall be printed on the extreme left of the ballot and separated from the rest of the ballot by a space of at least one-half inch a list of the names of all the political parties or groups or nominees represented on such ballot and presenting candidates to be voted for at such election Such name shall be arranged in the order of the votes obtained at the last Presidential election by the candidates at the head of the respective tickets of the parties of bodies nominating beginning with the party that received the highest vote cast Following the names of such political parties shall be the names of the parties or principles not represented on the ballot at the last Presidential election arranged alphabetically according to the party name or political appellation A square of sufficient size for the convenient insertion of a cross-mark shall be placed at the right of each party name or appellation Every mark within such square shall be equivalent to a mark against every name designated by that political appellation or party name including candidates nominated by more than one party or group of citizens except as otherwise provided in section one thousand two hundred and twenty-five of this act

(g) VOTING ON CONSTITUTIONAL AMENDMENTS AND OTHER QUESTIONS Whenever the approval of a constitutional amendment or other question is submitted to the vote of the electors such other question shall be printed upon the ballot in brief form to be determined by the Secretary of the Commonwealth in the case questions to be voted on by the electors or more than one county and by the county commissioners in other cases Such proposed amendments to the Constitution shall be printed in full upon the ballots and together with such other questions shall be followed by the words "yes" and "no" in such manner as to give each voter a clear opportunity to express his approval or disapproval of said amendment or question by a cross-mark (X) in a square sufficient size at the right of the words "yes" or "no" If such constitutional amendment or other question be submitted at an election of public officers it shall be printed upon a separate ballot Provided however That if such constitutional amendment or other question is to be voted upon in any county city borough or township which has adopted voting machines for use at public elections therein such constitutional amendment or other question shall be voted on therein upon such voting machines in accordance with the provisions of the laws relating thereto

Section 1114 MISTAKES APPEARING ON BALLOT When it is shown by affidavit that mistake or ommission has occurred in the publication of names or description of candidates or in the printing of the official ballots the court of common pleas of the district or county or any judge thereof may upon the application of any qualified elector of the district or county require the county commissioners to correct the mistake or omission or to show cause why they should not do so

Section 1115 NUMBER OF OFFICIAL BALLOTS The county commissioners of each county shall provide for and furnish to each election district in which an election is to be held one set of official ballots of not less than fifty for every fifty and fraction of fifty voters therein as contained upon the registration list or registration books

Section 1116 CARDS OF INSTRUCTION The county commissioners shall also prepare full instructions for the guidance of voters as to obtaining ballots as to the manner of marking them and the method of gaining assistance and as to obtaining new ballots in place of those accidentally spoiled and they shall respectively cause the same together with sections two thousand one hundred six two thousand one hundred seven two thousand one hundred eleven two thousand one hundred twelve two thousand one hundred twenty-three two thousand one hundred twenty-seven two thousand one hundred twenty-eight two thousand one hundred twenty-nine two thousand one hundred thirty two thousand one hundred thrty-three and two thousand one hundred fifty-four of this act to be printed in sufficient numbers in large clear type on separate cards to be called cards of instruction which they shall furnish to each voting place

Section 1117 SPECIMEN BALLOTS The county commissioners shall also cause to be printed on tinted paper and without the facsimile endorsements a sufficient number of copies of the form of the ballot provided for each voting place at each election therein which shall be called specimen ballots and which they shall furnish to each voting place

Section 1118 ADDITIONAL OFFICIAL AND SPECIMEN BALLOTS The county commissioners shall also in addition to the number of ballots required to be printed for general distribution have printed five hundred official and one hundred specimen ballots for every five thousand voters within the county which ballots shall be kept at the office of the commissioners for the use of any district or districts the ballots for which may be lost or destroyed

Section 1119 BALLOT AND VOTING CHECK LISTS The county commissioners shall deliver to each election district in cities of the first second and third classes where personal registration is required at every election therein the registers of voters known as the voting check list and ballot check list

In boroughs towns and townships they shall provide for each election district at every election therein two copies of assessor's list of voters and shall deliver the same as such lists are now delivered one copy to be called the "ballot check list" for the inspector in charge of the ballots and the other copy to be called the "voting check list" to be used in marking the names of those who have voted

Section 1120 BALLOTS ET CETERA SENT TO ELECTION JUDGES The ballots together with the specimen ballots and cards of instruction printed by the county commissioners as herein provided shall be packed by them in separate sealed packages with marks on the outside clearly designating the election districts for which they are intended and the number of ballots of each kind enclosed

They shall then be sent by the county commissioners of the respective counties to the judges of election at the several voting places so as to be received by them on the Saturday or Monday before the day of election

The respective judges of election shall on delivery to them of such packages return receipts therefor to the commissioners who shall keep a record of the time when and the manner in which the several packages were sent and shall preserve for the period of one year the receipts of the said judges of election

The commissioners of any county may if they prefer instead of sending the packages to the judges or any number of them in the manner aforesaid notify the judges of the election districts for which the said commissioners are required to provide ballots to come to the said commissioners' office on the day before the election at a time specified and it shall be the duty of each of the said judges to come to the said office at that time and there on presentation of his certificate of election as judge to receive and receipt for one package of ballots specimen ballots and cards of instruction for use in his election district He shall keep the said packages sealed and shall be responsible for the safekeeping thereof until the ballots are used at the election In case a judge of the elections is prevented by illness from performing the duties aforesaid he shall appoint one of the inspectors to act in his place

Section 1121 HOW BALLOTS NOT DELIVERED LOST OR STOLEN SHALL BE REPLACED In case the ballots to be furnished to any voting place in accordance with the provisions of this article shall fail for any reason to be duly delivered or in case after delivery they shall be destroyed or stolen it shall be the duty of the judge of election of such voting place to cause other ballots to be prepared substantially in the form of the ballots so wanting and upon receipt of such other ballots from him accompanied by a statement under oath that the same have been so prepared and furnished by him and that the original ballots have so failed to be received or have been so destroyed or stolen the election officers shall cause the ballots so substituted to be used in lieu of the ballots wanting as above

It shall be the duty of the county commissioners of each county to mail complete specimens of the ballots and other necessary papers by registered letter to the judge of elections of each election district at least four days before the election to enable him to comply with the directions of this section

Sectino 1122 COMMISSIONERS TO DELIVER TO JUDGE OR INSPECTORS BALLOT-BOXES AND SUPPLIES The commissioners of every county within this Commonwealth shall on or before seven o'clock in the morning of the day of every general or municipal election cause to be delivered to the judge or one of the inspectors of every election district within their respective counties a sufficient number of ballot-boxes to contain the ballots (unless the same has already been provided) blank forms of election oaths tally-paper returns and certificates of election made out in a proper manner and headed as the nature of the election may require and all other necessary election supplies

Section 1123 SECRETARY OF COMMONWEALTH TO FURNISH NECESSARY FORMS TO COUNTY COMMISSIONERS The secretary of the Commonwealth shall prepare forms for all the blanks made necessary or advisable by this article and furnish copies of the same to the county commissioners of each county who shall procure further copies of the same at the cost of the county and furnish them to the election officers or other persons by whom they are to be used in such quantities as may be necessary to carry out the provisions of this article

ARTICLE XII

CONDUCT OF GENERAL AND MUNICIPAL ELECTIONS

Section 1200 GENERAL ELECTIONS ENUMERATION OF OFFICERS CHOSEN AT SUCH ELECTIONS The general election shall be held biennially on the Tuesday next following the first Monday of November in each even-numbered year and at such elections the following officers shall be chosen United States Senators Representatives in Congress of the United States Governor Lieutenant Governor Secretary of Internal Affairs Auditor General State Treasurer and members of the General Assembly of the Commonwealth

Section 1201 MUNICIPAL ELECTIONS ENUMERATION OF OFFICERS CHOSEN AT SUCH ELECTIONS The municipal election shall be held biennially on the Tuesday next following the first Monday of November in each odd-numbered year and at such elections the following officers shall be chosen All judges of courts or record elected in any county or judicial district all county city borough town township school district poor district ward and election officers

Section 1202 ELECTION OF PRESIDENTIAL ELECTORS At every presidential election there shall be elected by the qualified electors of the Commonwealth persons to be known as electors of a president and vice-president of the United States equal in number to the senators and representatives to which this State may be entitled in the Congress of the United States

Section 1203 ELECTION OF SUPREME AND SUPERIOR COURT JUDGES All judges of the Supreme Court and Superior Court shall be elected at general or municipal elections which shall be held and conducted in the same manner and subject to the same laws in all respects as govern the election of other State officers elected by the voters of the State at large

Section 1204 VOTING ON PROPOSED CONSTITUTIONAL AMENDMENTS Unless the General Assembly shall prescribe otherwise with respect to any particular proposed amendment or amendments the manner and time of submitting to the qualified electors of the State any proposed amendment or amendments to the Constitution for the purpose of ascertaining whether the same shall be approved by a majority of

those voting thereon the said amendment or amendments heretofore or which may hereafter be proposed and which have not been submitted to the qualified electors of the State shall be submitted to the qualified electors of the State for the purpose aforesaid at the first municipal or general election at which such amendment or amendments may be legally submitted to the electors and which election shall occur at least three months after the date upon which such proposed amendment or amendments shall have been agreed to for the second time by a majority of the members elected to each house of the General Assembly as provided in article eighteen section one of the Constitution Said election shall be opened held and closed upon said election day in the manner and within the hours at and within which the said election is directed to be opened held and closed and in accordance with the provisions of the election laws of the Commonwealth of Pennsylvania and the amendments thereof and supplements thereto

Section 1205 ELECTIONS CONDUCTED BY JUDGES INSPECTORS AND CLERKS All general and municipal elections shall be held and conducted by the judges and inspectors of election elected and by clerks appointed in accordance with the provisions of this act

Section 1206 MEETING OF ELECTION OFFICERS ON DAY OF ELECTION The judges inspectors and clerks of election shall meet at the respective places appointed for holding the election in the district to which they respectively belong before seven o'clock in the morning of the Tuesday next following the first Monday of November in each and every year

Section 1207 TIME FOR OPENING AND CLOSING POLLS At all general and municipal elections the polls shall be opened at seven o'clock ante meridian and closed at seven o'clock post meridian

Section 1208 ELECTION OFFICERS TO OPEN BALLOT BOXES AND BURN CONTENTS ON MORNING OF ELECTION Whenever the election officers of any election district shall get the election boxes of such district to hold any election which by law they are or shall be required to hold they shall keep the same securely in their possession without opening until the morning of such election when they shall open the said ballot boxes and burn and totally destroy all the ballots and other papers which they shall find therein before proceeding to hold such election

Section 1209 DUTIES OF JUDGE AT OPENING OF POLLS CARDS OF INSTRUCTION AND SPECIMEN BALLOTS At the opening of the polls in each voting place the seals of the packages furnished by the county commissioners shall be publicly broken and the said package shall be opened by the judge of elections The cards of instruction shall be immediately posted at or in each voting shelf or compartment provided in accordance with this act for the marking of the ballots and not less than three such cards and not less than five specimen ballots shall be immediately posted in or about the voting room outside the guard-rail and such cards and specimen ballots shall be given to any voter at his request

Section 1210 DUTIES OF INSPECTOR AT OPENING OF POLLS At the opening of the polls it shall be the duty of the judges of election for their respective districts to designate one of the inspectors whose duty it shall be to have in custody the ballot check list and to make the entries therein required by law and one of the inspectors whose duty it shall be to have in custody the voting check list and to make the entries therein required by law

Section 1211 USE OF REGISTERS IN CITIES AT ELECTIONS The two registers for each election division in cities shall be used at elections by the election officers in the place of the ballot check list and the voting check list One of said registers shall be marked "ballot check list" and the other "voting check list"

Section 1212 CONSTABLES AT POLLS AT ELECTIONS The constable of each ward district or township or his deputy shall be present at the polling place in such ward district or township at each general or municipal election for the purpose of preserving the peace

Section 1213 PEACE OFFICERS TO CLEAR POLLS IN CASE OF OBSTRUCTION PENALTIES Any mayor sheriff deputy sheriff alderman justice of the peace constable or deputy constable if called upon at a general or municipal election by any election officer or by three qualified electors of an election district shall clear an avenue to the voting place when obstructed in such a way as to prevent voters from approaching such voting place

Any officer neglecting or refusing to comply with such request shall be guilty of a misdemeanor in office and upon conviction thereof shall be fined not less than one hundred and not more than one thousand dollars

Section 1214 PEACE OFFICERS TO REPORT TO COURT DISTURBANCES AT ELECTIONS It shall be the duty of every peace officer as aforesaid who shall be present at any such disturbance at an election as is described in the preceding section to report the same to the next court of quarter sessions and also the names of the witnesses who can prove the same Such court shall cause indictments to be preferred before the grand jury against the persons so offending

Section 1215 COURTS TO EXAMINE CONSTABLES AS TO DISTURBANCES AT ELECTIONS The several courts of quarter sessions of this Commonwealth may at the next term of said court after any election shall have been held under this act cause the respective constables in said county to be examined on oath as to whether any breaches of the peace took place at the election within their respective townships wards or districts and the said constables shall respectively make return thereof as part of their official return at said court

Section 1216 NO TROOPS TO BE PRESENT AT PLACE OF ELECTION No body of troops in the army of the United States or of this Commonwealth shall be present either armed or unarmed at any place of election within this Commonwealth during the time of election Nothing herein contained shall be so construed as to prevent any officer or soldier from exercising the right of suffrage in the election district to which he may belong if otherwise qualified according to law

Section 1217 PERSONS PERMITTED WITHIN GUARD-RAIL SUPPLIES FOR MARKING BALLOT No persons other than the election officers and voters admitted as hereinafter provided shall be permitted within the guardrail of the election room except by authority of the election officers for the purpose of keeping order and enforcing the law Each voting shelf or compartment shall be kept provided with proper supplies and conveniences for marking the ballots

Section 1218 RIGHT TO VOTE IN CITIES WHEN REGISTERED CHALLENGES Any person whose name is on the register of any election division in any city shall be entitled to vote at any general or municipal election unless it be shown to the satisfaction of the election officers that he has become disqualified since registration

Any person although registered on the register of any election division in a city may be challenged at any election as to his identity and residence and if challenged he shall sign his name in the register marked ballot check list or in the place in one of the registers provided for that purpose if able to do so and produce such other evidence as is or may be required by law to satisfy the election officers of his identity and residence

Section 1219 CHALLENGES IN BOROUGHS TOWNS AND TOWNSHIPS Any qualified citizen of any election district in boroughs towns and townships may challenge the vote of any person attempting to vote in such district In such case the same proof of the right of suffrage as is required by law shall be publicly made and acted upon by the election board and the vote admitted or rejected according to the evidence

Section 1220 PERSONS NOT ON REGISTRY LIST VOTING IN BOROUGHS TOWNS AND TOWNSHIPS VOTING ON AGE On the day of election in boroughs towns and townships any person whose name shall not appear on the registry list of voters and who claims the right to vote at said election shall produce at least one qualified voter of the district as a witness to the residence of the claimant in the district in which he claims to be a voter for the period of at least two months immediately preceding said election which witness shall be sworn or affirmed and subscribed to a written or partly written and partly printed affidavit to the facts stated by him which affidavit shall define clearly where the residence is of the person so claiming to be a voter The person so claiming the right to vote shall also take and subscribe a written or partly written and partly printed affidavit stating to the best of his knowledge and belief when and where he was born that he has been a citizen of the United States for one month and of the Commonwealth of Pennsylvania that he has resided in the Commonwealth one year or if formerly a qualified elector or a native born citizen thereof and has removed therefrom and returned that he has resided therein six months next preceding said election that he has resided in the district in which

he claims to be a voter for the period of at least two months immediately preceding said election that he has not moved into the district for the purpose of voting therein that he has if twenty-two years of age or upwards paid a State or county tax within two years which was assessed at least two months and paid at least one month before the election The said affidavit shall also state when and where the tax claimed to be paid by the affiant was assessed and when and where and to whom paid and the tax receipt therefor shall be produced for examination unless the affiant shall state in his affidavit that it has been lost or destroyed or that he has never received any and if a naturalized citizen shall also state when where and by what court he was naturalized and shall also produce his certificate of naturalization for examination

If the person so claiming the right to vote shall take and subscribe an affidavit that he is a native-born citizen of the United States or if born elsewhere shall state the fact in his affidavit and shall produce evidence that he has been naturalized or that he is entitled to citizenship by reason of his parents' naturalization and shall further state in his affidavit that he is at the time of making the affidavit of the age of twenty-one and under twenty-two years that he has been a citizen of the United States one month and has resided in the State one year or if a native-born citizen of the State and removed therefrom and returned that he has resided therein six months next preceding said election and in the election district two months immediately preceding such election he shall be entitled to vote although he shall not have paid taxes

The said affidavits of all persons making such claims and the affidavits of the witnesses to their residence shall be preserved by the election board and at the close of the election they shall be inclosed with the list of voters tally-list and other papers required by law to be filed by the return judge with the propthonotary and shall remain on file therewith in the prothonotary's office subject to examination as other election papers are

If the election officers shall find that the applicant possesses all the legal qualifications of a voter he shall be permitted to vote and his name shall be added to the [list of taxables] ballot check list and to the voting check list by the election officers the word "tax" being added where the claimant claims to vote on tax and the word "age" where he claims to vote on age the same words being added by the clerks in each case respectively on the lists of persons voting at such election

Section 1221 NATURALIZED CITIZENS TO PRODUCE CERTIFICATES BEFORE VOTING IN BOROUGHS TOWNS AND TOWNSHIPS In boroughs towns and townships every person claiming to be a naturalized citizen shall be required to produce his naturalization certificate at the election before voting except where he has been for five years consecutively a voter in the district in which he offers his vote and on the vote of such person being received it shall be the duty of the election officers to write or stamp on such certificate the word "voted" with the day month and year

Section 1222 CERTIFICATE OF NATURALIZATION AND TAX RECEIPT CONCLUSIVE EVIDENCE In all elections in boroughs towns and townships hereafter the certificate of naturalization if genuine shall be conclusive evidence of the facts mentioned therein and where the person offering to vote claims the right on the payment of tax the receipt for such tax if signed by the proper officer shall be the evidence thereof if such person does not produce such receipt then the payment of the tax may be proved by the oath of such person or other evidence stating when where and to whom such tax was paid

Section 1223 JUDGE TO DECIDE ON QUALIFICATION OF VOTER UPON DISAGREEMENT OF INSPECTORS The judge of election shall decide on the qualifications of any person claiming the right to vote at any election whenever the inspectors thereof shall disagree upon the right If the judge and the inspectors cannot agree on a question in dispute they may appeal to the overseers if any who if they are of one opinion shall decide the question

Section 1224 RECEIVING THE BALLOT AT POLLS WHO ADMITTED WITHIN GUARD-RAIL Any person desiring to vote shall give his name and residence to one of the election officers in charge of the ballots who shall thereupon announce the same in a loud and distinct tone of voice and if such name is found upon the ballot check list by the inspector in charge thereof he shall likewise repeat the said name and the voter shall be allowed to enter the space enclosed by the guard-rail unless his right to vote be challenged No person whose name is not on the said list or whose right to vote shall be challenged by a qualified citizen shall be admitted within said guard-rail until he has established his right to vote in the manner now provided by law

As soon as a voter is admitted within the rail the election officer having charge of the ballots shall detach a ballot from the stub and give it to the said voter but shall first fold it so that the words printed on the back and outside shall be the only wording visible and no ballot shall be voted unless folded in the same manner

Not more than one ballot shall be given to a voter except as hereinafter provided As soon as a voter receives a ballot the letter "B" and the number of the ballot handed to him shall be marked against his name on the margin of the ballot check list and his name together with the number of the ballot shall be entered in numbered lists of voters by the two clerks

In addition to the election officers and overseers authorized by law not more than four voters in excess of the number of voting compartments provided shall be allowed within the guard-rail at one time

Section 1225 MANNER OF VOTING On receipt of his ballot the voter shall forthwith and without leaving the space enclosed by the guard-rail retire to one of the voting shelves or compartments and draw a curtain or shut the screen or door and shall then perpare his ballot as follows

If he desires to vote for every candidate of a political party he may make a cross-mark in the appropriate square opposite the name of the party of his choice in the straight party column on the left of the ballot and every such cross-mark shall be equivalent to a vote for every candidate for the party so marked But the voter may make a cross-mark in the appropriate square opposite the name of the party of his choice in the straight party column on the left of the ballot and may also make a cross-mark in the square to the right of any individual candidate whom he favors In such case his vote shall be counted for such individual candidates which he whose straight party column on the left of the ballot he placed such cross-mark except for those officers for which he has indicated his choice by marking in the squares to the right of individual candidates and his vote shall be counted fo rsuch individual candidates which he has thus particularly marked notwithstanding the fact that he made a mark in the straight party column on the left of the ballot In any case where more than one candidate is to be elected to any office the voter shall if he desires to divide his vote among candidates of different parties make a cross (x) mark in the appropriate square to the right of each candidate for whom he desires to vote not exceeding the total number to be elected for such office and no vote shall be counted for any candidate in such group not individually marked notwithstanding the mark in the party square

If he desires to vote for an entire group of Presidential electors he may place a cross-mark in the appropriate square at the right of the name of the candidates for President and Vice-President of the party of his choice if he desires to divide his vote among candidates of different parties for Presidential electors or to vote for candidates not nominated by any party he may insert their names in the blank spaces hereinbefore provided for that purpose A mark in the straight party column opposite the name of the party of his choice shall also be counted as a mark for each Presidential elector nominated by such party

Or he may vote for the candidate of his choice for each office to be filled according to the number of persons to be voted for by him for each office by making a cross (x) mark in the square opposite the name of the candidate or he may insert in the blank space provided therefor any name not already on the ballot and such insertion shall count as a vote without the cross mark

In case of a question submitted to the vote of the people he may mark in the appropriate margin or space a cross (x) mark opposite the answer which he desires to give

In all cases where by existing law a voter is entitled to cast more than one vote for a single candidate he shall place in the appropriate square instead of a cross (x) a number which shall indicate the number of votes to be counted for the candidate whose name is so marked

Before leaving the voting shelf or compartment the voter shall fold his ballot without displaying the markings thereon in such a way as to prevent anyone from being able to see how his ballot has been marked and keeping it so folded he shall then exhibit the same to the judge or one of the inspectors of election whose duty it shall be to ascertain

by an inspection of the number whether the ballot exhibited to him is the same ballot which the elector received before entering the voting compartment If it is the same ballot he shall authorize the elector to tear off the ballot the corner containing its number and the elector shall after tearing off said corner immediately deposit the ballot in the ballot box and shall quit the enclosed space immediately thereafter As soon as a voter has cast his vote the letter "V" shall be marked against his name on the voting check list by the officer having charge thereof

Section 1226 BALLOTS NOT TO BE REMOVED FROM VOTING PLACE SPOILED BALLOTS No person other than the election officers shall take or remove any ballot from the voting place If any voter inadvertently spoils a ballot he may obtain another upon returning the spoiled one The ballots thus returned shall be immediately cancelled and at the close of the polls shall be secured in an envelope sealed and sent to the proper office as required by law in the case of the ballots cast

Section 1227 VOTES OF PERSONS BETTING ON ELECTION TO BE REJECTED The judge and inspectors of the election shall reject the votes of all persons who they or any of them shall know or who shall be proven before them to have made or who are in any manner interested in any bet or wager on the result of said election and on the request of any qualified elector said inspectors and judge shall receive proof to show the person so offering to vote has or has not made any such bet or wager or is or is not interested therein

Section 1228 EXTRA LISTS OF VOTERS NOT TO BE MADE IN VOTING ROOM No list or memorandum of the names of voters shall be made within the voting room by any person or officer except for the poll books and challenge lists of watchers and such other lists as are authorized by this act

Section 1229 REGULATIONS IN FORCE AT THE POLLS Until the polls are closed no person shall be allowed in the room outside of the said enclosed space except the watchers voters not exceeding ten at any one time who are waiting their turn to prepare their ballots and peace officers when necessary for the preservation of the peace

No voter shall be allowed to occupy a voting shelf or compartment already occupied by another except when giving assistance as allowed by law nor to remain within said compartment more than three minutes when all of such compartments are in use and other voters are waiting to occupy the same No voter not an election officer shall be allowed to re-enter the enclosed space after he has once left it except to give assistance as hereinbefore provided

No person when within the voting room shall electioneer or solicit votes for any party or candidate nor shall any written or printed matter be posted up within the said room except as required by law

When the hour for closing the polls shall arrive all qualified voters who are waiting within the voting room to vote shall be permitted by the election officers to do so

It shall be the duty of the judge of election to secure the observance of the provisions of this section to keep order in the room in which the voting is held and to see that no more persons are admitted within the enclosed space than are allowed by this act

Section 1230 CHECKING AND RETURN OF REGISTERS After the polls are closed in cities the names of all electors in each register checked as having voted shall be immediately counted and the results compared and announced and the cause of any differences ascertained if possible before the ballot box is opened

The two registers shall be immediately sealed in an envelope and shall be returned (a) in cities of the first class to the custody of the registration commission by the majority inspector before four post meridian on the second day following each election and (b) in cities of the second class to the custody of the registration commission when the ballot box and other election returns are delivered to the proper offices and (c) in cities of the third class to the custody of the county commissioners when the ballot box and other election returns are delivered to the proper officers

Section 1231 UNUSED BALLOTS STUBS BALLOT CHECK LIST AND LISTS OF VOTERS TO BE SEALED BEFORE BALLOT BOXES OPENED DISPOSITION OF After the closing of the polls and before the ballot boxes are opened all the lists of voters shall be placed in separate sealed covers properly marked and the stubs of all the ballots used together with all unused spoiled and defective ballots one list of voters and in boroughs and townships the ballot check list shall also be enclosed in a sealed package properly designating the voting place Such package shall be sent to the proper office as hereinafter by this act required and neither the said package nor the said lists of voters shall thereafter be opened except by the return judges or in the case of a contest or upon the order of a court of competent jurisdiction

Section 1232 COUNTING THE VOTES After the polls are closed the election officers and overseers only shall remain within the guard-rail and the election officers shall there at once proceed to count the votes Such counting shall not be adjourned or postponed until it shall have been fully completed A record shall first be made of the number on the stub of the last ballot cast The officers in charge of the voting check list shall in the presence of the other officers and watchers count in a distinct and audible voice the names checked on the said list and announce the whole number thereof and the list of voters the stubs of the ballots used and all unused ballots shall then be sealed up as hereinbefore reequired

The ballot box shall then be opened by the inspectors the ballots taken therefrom and audibly counted one by one by them When the count is completed the whole number of ballots cast shall be announced and the counting of the number of votes received by each person voted for shall then proceed The judge in the presence of the inspectors shall read aloud the name or names marked or inserted upon each ballot together with the party name or political appellation under which each vote was cast and the answers marked thereon to the questions submitted if any and the clerks shall each carefully enter each vote as read and keep account of the same in tally-papers prepared for the purpose It shall be unlawful for either judge or inspector while counting the ballots or votes thereon to have in his hand any pen pencil or stamp for marking ballots

All ballots after being removed from the box shall be kept within the unobstructed view of those present in the voting room so that they may be able to see all the marks on each ballot but out of their reach until they are returned to the ballot box as required by law

Section 1233 WHAT BALLOTS SHALL BE COUNTED DEFECTIVE BALLOTS If a voter has marked his ballot otherwise than is directed by this act so that for any reason it is impossible to determine the voter's choice for any office to be filled his ballot shall not be counted for such office but the ballot shall be counted for all other offices for which the names of candidates have been properly marked

No ballot without the official endorsement shall except as herein otherwise provided be allowed to be deposited in the ballot box and none but ballots provided in accordance with the provisions of this act shall be counted Any ballot deposited in a ballot box without having the upper right hand corner thereof torn off as provided in this act shall be void and such ballots as well as ballots not marked or improperly or defectively marked shall be endorsed as defective but shall be preserved with the other ballots If any ballot appears to have been obtained otherwise than as provided in this act the judge of election shall transmit such ballot to the district attorney without delay together with whatever information he may have tending to the detection of the person who deposited the same

Section 1234 DUTIES OF PEACE OFFICERS WHILE VOTES ARE BEING COUNTED The police officers constables and deputy constables now required by law to be present at the polls shall remain in the voting room but outside of the guard-rail while the votes are being counted and preserve order therein No person except the said peace officers when necessary for the preservation of the peace or persons acting by their authority shall enter into the space within the guard-rail or converse with any election officer in any way after the polls are closed and until the counting of the votes has been completed

Section 1235 RETURNS MADE BY ELECTION OFFICERS JUDGE OF ELECTION TO DELIVER RETURNS TO PROTHONOTARY EXCEPTIONS As soon as the count is completed the officers of election shall make a full return of the same in triplicate with an open return sheet in addition in all of which the votes cast for each candidate by each political party or body of which such candidate is a nominee and the total of all votes received by each candidate shall be given after his or her name first in words and again in figures and shall be signed by all of said officers and certi-

fied by overseers if any or if not so certified the overseers and any officer refusing to sign or certify or either of them shall write upon each of the returns his or their reasons for not signing or certifying them

The vote as soon as counted shall also be publicly and fully declared from the window or door to the citizens present and a brief statement showing the votes received by each candidate shall be made and signed by the election officers as soon as the vote is counted and the same shall be immediately posted upon the door of the election house for information of the public

Each of the triplicate returns shall be enclosed in envelopes and sealed in presence of the officers and one such envelope togther with one list of voters one tally paper one oath of officers the affidavits of voters and their witnesses the record of assisted voters and in boroughs towns and townships the ballot check list sealed in an envelope shall be sealed in another envelope addressed to the proper office and be given to the judge and to the judge shall also be given the open return sheet Another of said envelopes containing a triplicate return shall be given to the minority inspector and the third triplicate return shall be placed in the ballot box

Except as hereinafter provided for returns of boroughs town and township elections all judges living within twelve miles of the prothonotary's office or within twenty-four miles if their residence be in a town village or city upon the line of a railroad leading to the county seat shall before two o'clock post meridian of the day after the election and all other judges shall before twelve o'clock meridian of the second day after election deliver said return together with the open return sheet to the prothonotary of the court of common pleas of the county The said returns shall be filed and the day and hour of filing marked thereon and shall be preserved by the prothonotary for public inspection and at twelve o'clock on the second day following the election shall be delivered by him to the said court of common pleas

Section 1236 RETURNS OF ELECTION OF BOROUGH TOWN AND TOWNSHIP OFFICERS Nothing in this act shall require the returns of election of borough town or township officers to be made to the court as in the case of the other returns but all such returns shall be enclosed in a sealed cover directed to the prothonotary of the court of common pleas of the proper county and shall by some one of the election officers or by one of the return judges in boroughs towns and townships divided into separate election districts be delivered into his office within three days after such election and filed therein

Section 1237 DISPOSITION OF BALLOT BOXES AND CONTENTS AFTER ELECTION As soon as the election shall be finished the ballots list of taxables if any one of the list of voters one of the tally papers one of the certificates of the oath or affirmation taken and subscribed by the judges inspectors and clerks one triple return and in boroughs towns and townships the voting check list shall all be collected and deposited in one or more of the bollot boxes which shall then be locked and closely bound round with tape and sealed by the judge and inspectors whose signatures shall be affixed thereto

Such ballot box or boxes together with the remaining ballot boxes shall forthwith be delivered by the judge and minority inspector to the proper person and placed as follows

(a) When the authorities of any city shall have provided a place for the safe keeping of ballot boxes they shall be delivered at such place to the mayor of said city

(b) When the authorities of any county town township or borough shall have provided a place for the safe keeping of ballot boxes they shall be delivered at such place to such person or persons as the court of common pleas of the proper county may designate

The mayor person or persons to whom the ballot boxes are delivered as aforesaid shall deposit and keep the same in the place provided for them to answer the call of any court or tribunal authorized to try the merits of such election

(c) If any city county town township or borough shall have failed to provide a place for the safe keeping of ballot boxes or if the court of common pleas shall have failed to designate any person or persons to receive the same as herein provided the said ballot bores shall be delivered to a place designated by the court of common pleas or to the nearest justice of the peace who shall hold the same subject to the call of any person or tribunal authorized to try the merits of such election

Such justice of the peace shall receive the sum of three dollars per year for one ballot box and an additional dollar per year for each additional ballot box placed in his custody Such money shall be paid by the county treasurer upon an order drawn by the county commissioners

ARTICLE XIII

GENERAL AND MUNICIPAL ELECTION RETURNS CERTIFICATIONS

(a) Return Boards Election Officers

Section 1300 FILING OF RETURNS PRESENTATION TO COURT The returns of general and municipal elections as made by the election officers to the prothonotary of the court of common pleas of the county shall be filed and the day and hour of filing shall be marked thereon and shall be preserved by the prothonotary for public inspection At twelve o'clock on the second day following any such election the prohtonotary of the court of common pleas shall present all of said returns excepting the returns of the electon of borough town and township officers to the return board

Said return board shall consist of one or more judge or judges of the court of common pleas of the county as the judges of said court or a majority of them may designate to perform the duty of receiving computing and certifying said returns and one judge of said court may sit alone to compute and certify said returns regardless of the number of judges of said court Provided however That in the event of any dispute or controversy arising in any county where there are two or more judges not less than two judges shall act compute and certify said returns

Section 1301 RETURN BOARDS SUBSTITUTED MEMBERS DELEGATION OF AUTHORITY If any of the said judges shall himself be a candidate for any office at any election he shall not act in counting the returns of such election and in such case the other judges or one of them if any shall act and if in any county there shall be no judge qualified to act as a return board under the provisions of this article present and able to act then and in every such case the register of wills the sheriff and the county commissioners of the proper county shall be and constitute the return board who or a majority of whom shall have and exercise all the powers and perform all the duties vested in or required to be performed by the judge or judges thereof acting as a return board by and under the provisions of this article but none of the said officers shall act as a member of such board when himself a candidate for any office at the election the returns of which the said board is required to count If in any such case a majority of such officers are candidates for office at such election then the officer or officers members of said board who are not candidates shall have and exercise the powers and perform the duties herein delegated to the said board

Section 1302 SERVICE ON BOARD BY ASSOCIATE JUDGES In counties where there is no resident president judge or where the resident president judge is himself a candidate for any office at any such election the associate judge or judges shall perform the duties imposed by this article upon the return board and shall convene for said purpose

Section 1303 COMPUTATION OF RETURNS CERTIFICATES OF ELECTION The returns presented by the prothonotary shall be opened by said board and computed by such of its officers and such sworn assistants as the board may appoint in the presence of the members of said board and the returns certified and certificates of election issued under the seal of the court of common pleas as is now required to be done by return judges and the vote as so computed and certified shall be made a matter of record in said court The sessions of the said board shall be open to the public

Section 1304 SIGNING OF RETURNS DEFECTIVE RETURNS NUMBER TO BE MADE The clerks or assistants shall thereupon in presence of the board make out returns in the manner hereinafter directed which shall be signed by all the mmbers of the board present and attested by said clerks and in casting up the votes which shall appear to have been given as shown by the certificates and returns the said return board shall not omit or reject any part thereof except where in the opinion of said board such certificate is so defective as to prevent the same from being understood and computed in adding together the number of votes in which case the said clerks or assistants shall make out a

true and exact copy of said paper or certificate to be signed by the members of the board and attested by said clerks or assistants and attached to and transmitted with said return (where the same is directed to be transmitted) to the Secretary of the Commonwealth and the original paper shall be deposited in the prothonotary's office and by said officer copied and transmitted with the return of said election to the secretary of aforesaid

I Duplicate returns of all the votes given for every person and persons who shall have been voted for for any office

II Triplicate returns of all the votes given for any person voted for in the county as electors of President and Vice-President of the United States

Section 1305 CORRECTION OF FRAUD OR MISTAKE In case the returns of any election district shall be missing when the returns are presented or in case of complaint of a qualified elector under oath charging palpable fraud or mistake and particularly specifying the alleged fraud or mistake and particularly specifying the alleged fraud or mistake or where fraud or mistake is apparent on the return the board shall examine the return and if in the judgment of the board it shall be necessary to a just return said board shall issue summary process against the election officers and overseers if any of the election district complained of to bring them forthwith before the board with all election papers in their possession and if palpable mistake or fraud shall be discovered it shall upon such hearing as may be deemed necessary to enlighten the board be corrected by the board and so certified

Section 1306 NATURE OF INQUIRY INTO FRAUD OR MISTAKE All allegations of palpable fraud or mistake shall be decided by the said board within three days after the day the returns are brought before the board for computation and the said inquiry shall be directed only to palpable fraud or mistake and shall not be deemed a judicial adjudication to conclude any contest now or hereafter to be provided by law

Section 1307 DISPOSITION OF RETURNS When the returns shall be completed the return board shall forthwith lodge one of each of such returns in the office of the prothonotary of the court of common pleas of the county and in the case of an election of electors for President and Vice-President of the United States one other of the returns in the same office and the other duplicate shall be transmitted as follows namely

I In case of a Governor Lieutenant Governor Auditor General State Treasurer and Secretary of Internal Affairs the remaining duplicate shall be inclosed in an envelope directed to the President of the Senate and indorsed according to fact which having been sealed shall be inclosed in another envelope sealed and directed to the Secretary of the Commonwealth and the same shall forthwith be placed in the nearest post office

II In case of electors of President and Vice-President of the United States United States Senator members of the House of Representatives of the United States Judges of the Supreme and Superior Court judges of judicial districts composed of one county and of county officers to be commissioned by the Governor the remaining dpulicate shall be enclosed in an envelope sealed and directed to the Secretary of the Commonwealth and in like manner placed in the nearest post office

III In case of the election of a Senator or Senators in districts composed of one county or part of a county the same shall be inclosed in an envelope sealed and directed "To the Senate of Pennsylvania" and in case of the election of a member or members of the House of Representatives of this Commonwealth the same shall in like manner be inclosed in an envelope sealed and directed "To the House of Representatives of Pennsylvania" and each of said returns shall be inclosed in an envelope and directed to the Secretary of the Commonwealth and in like manner placed in the nearest post office

Section 1308 RETURNS IN JUDICIAL CONGRESSIONAL AND SENATORIAL DISTRICTS In the case of the election of judges representatives in Congress of the United States and State Senators in judicial congressional and senatorial districts composed of two or more counties or of one or more counties and a part or parts of one or more counties or a single county to which one or more counties are attached returns at elections shall be computed and certificates thereof be made as now provided by the laws of the Commonwealth apportioning the State into judicial congressional and senatorial districts

Section 1309 CERTIFICATES OF ELECTION ISSUED TO TOWN TOWNSHIP OR BOROUGH OFFICERS INSPECTORS AN JUDGES OF ELECTION As soon as the election shall be finished the inspectors and judge shall make out a certificate of election for each person chosen as an inspector judge of election or town township or borough officer which certificate shall be delivered to the person so chosen or left at his usual place of abode by the constable of the proper ward township district or borough within five days after such election

Section 1310 BOROUGH WARD AND TOWNSHIP RETURN BOARDS CERTIFICATES RETURNS The judges inspectors and clerks of aech election district of any borough town or township which shall have been divided by the court into separate election districts shall make out a complete return of all the votes given at any election of borough town ward or twonship officers designating the number of votes each person received and the judge and inspectors shall appoint one of their number for return judge to meet the other return judge or judges of the said borough town ward or township in said county at the oldest election place on the third day after any such election and then add together the number of votes given for each person voted for other than justices of the peace and alderman make out the returns as the nature of the election may require issue certificates of election for such officers as may be elected and cause the same to be delievred to such persons complying in all respects with the prvoisions of this act and after the performance of said duties appoint one of their number by consent or lot to deliver the full returns to the prothonotary of said county in the manner provided for making township returns

Section 1311 ELECTION RETURNS AND CERTIFICATES IN SCHOOL DISTRICTS COMPRISING TERRITORY FROM TWO OR MORE MUNICIPALITIES The judge inspectors and clerks of each election district in any school district in this Commonwealth which comprises the territory of or territory from two or more municipalities shall make out a complete return of all the votes given at any election for officers in the school districts or for the submission of any question to the electors of such district designating the number of votes cast for each person and for and against each question so submitted to the electors and the judge and inspectors shall appoint one of their number for return judge to meet the other return judge or judges of the said school district on the second day after any such election at the oldest election place within the district or at such place within the district as shall have been appointed by the Court of Common Pleas and there add together the number of votes cast for each person voted for and for and against any question submitted to the electors and make out the returns as the nature of the election may require complying in all respects with the provisions of existing election laws and after the performance of said duties said return judges shall appoint one of their number by consent or lot to deliver the full returns of the vote for officers to the prothonotary of the court of common pleas and of the vote on questions submitted to the electors to the clerk of the court of quarter sessions of the proper county within two days thereafter in the manner now provided by law for making township or borough returns they shall ascertain and declare the result of such election they shall within five days after making up such returns issue certificates to persons elected to fill such offices

Section 1312 RETURN BOARDS TO ISSUE CERTIFICATES OF ELECTION TO CANDIDATES ELECTED TO CONGRESS AND GENERAL ASSEMBLY It shall also be the duty of the judge or judges acting as a return board to transmit to each of the persons elected entirely within the county to serve in Congress or in the Senate or in the House of Representatives of this Commonwealth a certificate of his election within five days after the day of making up such return

(b) Duties of Prothonotary

Section 1315 PROTHONOTARY TO TRANSMIT COPY OF RETURNS TO SECRETARY OF THE COMMONWEALTH The prothonotary of every county to whom the return of any election shall be delivered by the return board as of said return to the Secretary of the Commonwealth shall make out a copy of such return certified under his hand aforesaid where said board is required to send a copy and official seal and forthwith transmit such copy under a sealed cover to the Secretary of the Commonwealth by placing the same in the

nearest post office He shall also record all the election returns delivered to him in a book to be procured for that purpose

Section 1316 CERTIFIED COPIES OF ELECTION PAPERS TO BE FURNISHED APPLICANTS It shall also be the duty of every prothonotary to give a certified copy of the list of voters and other papers deposited in his office by the judges of election to any person applying for the same on payment of the usual fees as in other cases

(c) Duties of Secretary of Commonwealth and Governor

Section 1320 SECRETARY OF COMMONWEALTH TO NOTIFY PROTHONOTARY TO TRANSMIT DELAYED RETURNS If the returns of any elections which by this act are directed to be transmitted to the Secretary of the Commonwealth shall not be received within fifteen days after the same are required to be deposited in the post office the said Secretary shall forthwith notify the prothonotary of the proper county to transmit without delay a certified copy of such returns

Section 1321 CERTAIN RETURNS TO BE LAID BEFORE GOVERNOR The Secretary of the Commonwealth on the receipt of the returns of the election of any township or county officer who is by law to be commissioned by the Governor shall forthwith lay the same before him

Section 1322 RETURNS OF ELECTIONS OF MEMBERS TO BE LAID BEFORE SENATE AND HOUSE OF REPRESENTATIVES The Secretary of the Commonwealth shall between the hours of twelve o'clock noon and one o'clock post meridian of the first Tuesday in January of each odd numbered year take into the hall of the Senate and House of Representatives the several returns of the elections of members of the respective houses

Secton 1323 TABULATION OF RETURNS CERTIFICATES OF ELECTION COMMISSIONS AND PROCLAMATIONS FOR PERSONS ELECTED IN THE SENATE AT LARGE AND MEMBERS OF CONGRESS

(a) The Secretary of the Commonwealth at the first meeting of the General Assembly following the election of a Governor Lieutenant Governor Secretary of Internal Affairs Auditor General or State Treasurer shall deliver to the President of the Senate the returns of elections for all such offices who shall open and publish them in the presence of the members of both houses of the General Assembly

The persons receiving the highest number of votes for the respective offices shall be declared elected thereto and certificates of such elections shall be made and filed with the Secretary of the Commonwealth

The Secretary of the Commonwealth shall immediately lay before the Governor such certificates of election whereupon the Governor shall issue a proclamation of the election of such persons and issue a commission to each person so elected

(b) The returns of election of a United States Senator or a Representative-at-Large to the House of Representatives of the United States shall be made to the Secretary of the Commonwealth who shall immediately tabulate and compute the same and upon the conclusion of said count certify the result thereof to the Governor who shall immediately issue a certificate or certificates of election under the seal of the Commonwealth duly signed by himself and attested by the Secretary of the Commonwealth and deliver the same to the candidate receiving the highest number of votes for the respective offices He shall also transmit the returns of said election to the President of the United States Senate in case of the election of a United States Senator or the Speaker of the House of Rpresentatives of the United States in the case of a Representative-at-Large

(c) The returns of election of a Judge of the Supreme or Superior Courts of this Commonwealth shall be made to the Secretary of the Commonwealth who shall immediately tabulate and compute the same and upon the conclusion of said count certify the result thereof to the Governor who shall immediately declare by proclamation the name of the person so elected and shall issue a commission to such person

(d) The Governor on the receipt of the returns of the election of members of the House of Representatives of the United States other than Representatives-at-Large from the Secretary of the Commonwealth shall declare by proclamation the names of the persons so returned as elected in the respective congressional districts and he shall also transmit the returns so made to the House of Representatives of the United States

Section 1324 CERTAIN DELAYED RETURNS TO BE VOID EXCEPT IN CASES OF CONTEST Whenever the returns of an election for Governor shall not be received from any county by the Secretary of the Commonwealth before the election of Governor shall be published every such return so delayed shall be considered as void unless the election be contested in which case such returns shall be allowed to be of the same validity and liable to the same exceptions as other returns received in due time

Section 1325 PROCLAMATION OF NAMES OF PERSONS ELECTED AS PRESIDENTIAL ELECTORS NOTICES OF ELECTION The Secretary of the Commonwealth on receiving returns of the election of Presidential electors shall lay them before the Governor who shall enumerate and ascertain the number of votes given for each person so voted for and shall thereupon declare by proclamation the names of the persons duly elected and shall cause a notification of his election to be delivered to each person so chosen on or before the last Wednesday in the month of November next after such election

ARTICLE XIV

PROCEDURE FOR THE OPENING OF BALLOT BOXES

Section 1400 OPENING BALLOT BOXES BY COURT UPON PETITION ALLEGING FRAUD The court of common pleas or a judge thereof of the county in which any election district precinct or division is located shall open the ballot box of such election district precinct or division used at any general municipal special or primary election held therein and cause the entire vote thereof to be correctly counted by persons designated by such court or judge if three qualified electors of the ward of a city or borough containing such election district precinct or division or if the election district precinct or division is not contained in a ward three qualified electors of such election district precinct or division or of a contiguous or adjacent election district precinct or division shall file as hereinafter provided a petition and affidavit alleging that upon information which they consider reliable they believe that fraud although not manifest on the general return of votes made therefrom was committed in the computation of the votes cast in such election district precinct or division or in the marking of the ballots or otherwise in connection with such ballots It shall not be necessary for the petitioners to specify in their petition the particular act of fraud they believe to have been committed nor to offer evidence to substantiate the allegations of their petition

Section 1401 FILING OF PETITION DEPOSIT OF CASH OR BOND Every petition for the opening of a ballot box under the provisions of this article shall be filed in the office of the prothonotary of the proper county accompanied by cash in the amount of fifty dollars ($50.00) or by a bond signed by the petitioners as principals and by a corporate surety to be approved by the court in the amount of two hundred dollars ($200.00) conditioned upon the payment to the county treasurer of the sum of fifty dollars ($50.00) in the event that upon the opening of the ballot box it shall not appear that fraud or substantial error was committed in the computation of the vote cast on the ballots contained therein or fraud in the marking of the ballots contained therein or otherwise in connection with such ballots

Section 1402 RETURN OF CASH OR BOND WHEN FRAUD OR ERROR IS FOUND If upon opening any such ballot box it shall appear that fraud or substantial error was committed in the computation of the vote cast on the ballots contained therein or fraud in the marking of the ballots contained therein or otherwise in connection with such ballots it shall be the duty of the court to certify to the prothonotary such fact and thereupon the prothonotary shall if the petitioners shall have deposited with him cash in the amount of fifty dollars ($50.00) return to them the said sum of fifty dollars ($50.00) and if the petitioners shall have filed with the prothonotary a bond in lieu of cash the prothonotary shall forthwith mark said bond cancelled

Section 1403 FORFEITURE OF FIFTY DOLLARS WHEN NO FRAUD OR ERROR FOUND COLLECTION ON BOND If upon opening any ballot box under the provisions of this article it shall not appear that fraud or substantial error was committed in the computation of the vote cast on the ballots contained therein or fraud in the marking of the ballots contained therein or otherwise in connection with such ballots the person upon whose petition such ballot box shall have been opened shall forfeit to the county the sum of fifty dollars ($50.00) If said petitioners shall have deposited the

said sum in cash with the prothonotary at the time of filing their petition the prothonotary shall promptly upon the certification of the court that fraud or substantial error was not discovered pay said sum deposited with him to the county treasurer and if the petitioners shall have filed with their petition a bond in the sum of two hundred dollars ($200.00) it shall be the duty of the county treasurer forthwith to collect from the surety on said bond the sum of fifty dollars ($50.00) and the costs of suit and for this purpose he is hereby authorized to institute any necessary legal proceedings

Section 1404 TIME OF OPENING Ballot boxes may be opened under the provisions of this article at any time within four months after the date of the general municipal special or primary election at which the ballots therein shall have been cast

Section 1405 CORRECTION OF RETURNS WHEN FRAUD OR ERROR FOUND BEFORE COMPUTATION COMPLETED If any ballot box shall have been so opened before the completion of the computation and canvassing of all of the returns for the county and the court shall discover therein any fraud or substantial error it shall correct compute and certify to the return judges or the return board for the said county the votes of the election district regardless of any fraudulent or erroneous entries made by the election officers thereof and it shall be the duty of the return judges or return board to enter in the returns the figures so certified and to correct accordingly any entries previously made in the papers being prepared by the said return judges or return board

Section 1406 DECISION OF COURT NOT FINAL EFFECT ON OFFICIAL RETURNS No order or decision of said court hereunder shall be deemed a final adjudication regarding the results of any election or primary so as to preclude any contest thereof and no such order or decision shall effect the official return of said election district unless the ballot boxes shall have been opened before the completion of the computation and canvasisng of all the returns for the county as herein provided or unless a contest shall have been instituted in the manner provided by article eighteen of this act

Section 1407 BOX AND CONTENTS AVAILABLE AS EVIDENCE If upon the opening of any ballot box under the provisions of this article it shall be found that fraud was committed in the computation of the votes cast on the ballots contained therein or in the marking of the ballots contained therein or otherwise in connection with such ballots the court shall make such order as shall be appropriate to enable the ballot box and the contents thereof to be available as evidence in any prosecution which may be begun against any person or persons alleged to be guilty of such fraud

ARTICLE XV

MEETING OF THE ELECTORAL COLLEGE

Section 1500 TIME AND PLACE OF MEETING OF PRESIDENTIAL ELECTORS The presidential electors chosen shall assemble at the seat of government of this Commonwealth at twelve o'clock of the day which is or may be directed by the Congress of the United States and shall then and there perform the duties enjoined upon them by the Constitution and laws of the United States.

Section 1501 FILLING OF VACANCIES EXISTING AMONG PRESIDENTIAL ELECTORS If any such presidential elector shall die or from any cause fail to attend at the seat of government at the time appointed by law the electors present shall proceed to choose viva voce a person to fill the vacancy occasioned thereby and immediately after such choice the name of the person so chosen shall be transmitted by the presiding officer of the college to the Governor who shall forthwith cause notice in writing to be given to such person of his election and the person so elected (and not the person in whose place he shall have been chosen) shall be an elector and shall with the other electors perform the duties enjoined on them

Section 1502 COMPENSATION OF PRESIDENTIAL ELECTORS EXPENSES OF ELECTORAL COLLEGE Every presidential elector aforesaid shall receive from the State Treasury the sum of three dollars for every day spent in traveling to remaining at and returning from the place of meeting aforesaid and shall be entitled to mileage at the rate of three cents per mile to and from their homes to be computed by the ordinary mail route between their homes and the place of meeting aforesaid And the contingent expenses of the electoral college not exceeding one hundred dollars in amount shall likewise be paid by the State Treasurer in both cases upon warrants drawn by the presiding officer of the college

ARTICLE XVI

SPECIAL ELECTIONS AND ELECTIONS TO FILL VACANCIES IN THE GENERAL ASSEMBLY AND THE CONGRESS OF THE UNITED STATES

(a) Vacancies in the General Assembly

Section 1600 WRIT OF ELECTION TO FILL VACANCY Whenever a vacancy shall occur in either House of the General Assembly the presiding officer thereof shall issue a writ of election to fill such vacancy for the remainder of the term

Section 1601 ISSUANCE OF WRITS Every writ which shall be issued by the presiding officer of either House of the Legislature to supply a vacancy in such House shall be directed to the sheriff or sheriffs of the proper county or counites as the case may be and shall partciularly express the day on which the election shall be held to supply such vacancy

Section 1602 VACANCIES IN SENATE DURING RECESS If such writ shall be issued by the presiding officer of the Senate during the recess of the Legislature he shall except as herein after provided direct the election to be held at the time appointed for holding general or municipal elections

Section 1603 VACANCIES DURING SESSION If such vacancy shall occur during the session of the Legislature the presiding officer issuing the writ shall appoint a time as early as may be convenient not exceeding thirty days thereafter for holding such election But if the return of such election cannot be made before the time appointed for the adjournment of the Legislature such writ shall not be issued or if issued shall in the case of a vacancy in the House of Representatives be countermanded and in the case of a vacancy in the Senate shall by another writ issued as aforesaid be extended until the next general or municipal election

Section 1604 VACANCIES OCCURRING BEFORE SPECIAL SESSION If a vacancy shall have occurred or may hereafter occur in either House of the Legislature of this Commonwealth during the recess of the Legislature and the members thereof may have been or may be required either by their own adjournment by the Governor or otherwise to meet at some time previous to the next general or municipal election the presiding officer shall issue the writ and appoint a time as early as may be convenient not exceeding thirty days thereafter for holding said election to fill said vacancy

Section 1605 SHERIFF TO GIVE NOTICE OF SPECIAL ELECTION IN EVENT OF SPECIAL SESSION If after a writ shall have been issued directing the election to fill such vacancy to take place on the day of the general election or municipal election or if a previous writ has been countermanded as aforesaid and the Governor shall issue his proclamation for convening the Legislature then the sheriff to whom such writ shall be directed shall give notice as is hereinafter provided of an election to be held within thirty days after the date of such proclamation

Section 1606 NOTICE AND TIME OF HOLDING SPECIAL ELECTION Every writ for holding a special election as aforesaid shall be delivered to the sheriff to whom the same shall be directed at least fifteen days before the day appointed for such elections who shall forthwith give due and public notice thereof throughout the county at least ten days before such election and shall send a copy thereof to at least one of the inspectors of each election district therein

Section 1607 DELIVERY OF RETURNS OF SPECIAL ELECTION In all cases of election to fill vacancies in either branch of the legislature the Secretary of the Commonwealth shall on receiving the returns of such election deliver the same without delay to the presiding officer of the House in which such vacancy occurred and if said House is not in session when said return is received then the same shall be delivered so soon as said House convenes

(b) Vacancies in the Senate and House of Representatives of the United States

Section 1615 HOW FILLED Whenever vacancies occur in the representation of the people of this Commonwealth in the Senate or the House of Representatives of the United States the Governor shall issue writs of election to fill such vacancies

Section 1616 ELECTION TO FILL VACANCY IN UNITED STATES SENATE Whenever a vacancy shall happen in the representation of this Commonwealth in the Senate of the United States the said vacancy shall be filled for the unexpired

term by the vote of the electors at a special election held at the time of the next general election whose antecedent primary occurs at least sixty days after the happening of such vacancy and it shall be the duty of the Governor to issue writs of election accordingly Candidates to fill vacancies in the office of United States Senator shall be nominated at said antecedent primary and elected at said special election in the same manner as is provided for the nomination and election of candidates for the full term

Nothing herein contained shall be construed to prevent temporary appointments by the Governor to the office of Representative in the Senate of the United States as provided by the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and ninety-five) entitled "An act to provide for the nomination and election of candidates for the office of United States Senator and the filling of vacancies in said office" until an election is held as hereinbefore provided

Section 1617 VACANCIES IN THE HOUSE WRIT TO SHERIFF Every writ which shall be issued by the Governor of this Commonwealth to supply a vacancy in the representation of the people of this Commonwealth in the House of Representatives of the United States shall be directed to the sheriff of the county or counties composing the congressional district and shall particularly express the day on which the election shall be held to supply such vacancy

Section 1618 TIME OF HOLDING ELECTION If such vacancy shall happen during the session of Congress or if Congress shall be required to meet at some time previous to the next general or municipal election the Governor shall appoint a time as early as may be convenient for holding such election otherwise he shall direct the election to be held at the time appointed for holding the general or municipal elections

Section 1619 NOTICE OF HOLDING ELECTIONS Every writ for holding a special election for member of the House of Representatives of the United States shall be delivered to the sheriff to whom the same may be directed at least fifteen days before the day appointed for such election who shall forthwith give due and public notice thereof throughout the county at least ten days before such election and shall send a copy thereof to at least one of the inspectors of each election district therein

Section 1620 DELIVERY AND ANNOUNCEMENT OF RETURNS When the returns of any special election for a member of the House of Representatives of the United States shall be received by the Secretary of the Commonwealth the Governor shall declare by proclamation the name of the person elected and he shall also as soon as conveniently may be thereafter transmit the returns so made to the House of Representatives of the United States

(c) General Provisions

Section 1625 CONDUCT OF SPECIAL ELECTIONS Special elections shall be regulated and conducted in like manner as general elections and by the same officers who shall perform the same duties and be subject to the same penalties as are provided for general elections

Section 1626 WHO MAY VOTE IN CITIES AT SPECIAL ELECTIONS CHALLENGES Any person whose name is on the register of any election division of any city shall be entitled to vote at any special election unless it shall be shown to the satisfaction of the election officers that he has become disqualified since registration

If a special election shall intervene between the day of a voter's registration and the next general or municipal election the presence of the name of an elector on the register of any election division of a city shall not be conclusive of his qualifications but if challenged as to identity and residence he shall sign his name on the "ballot check list" or in the space provided in the register for such purposes and produce such other evidence as is or may be required by law to satisfy the election officers of his identity and residence

ARTICLE XVII

VOTING BY SOLDIERS

(a) In Actual Military Service

Section 1700 QUALIFIED ELECTORS IN MILITARY SERVICE Whenever any of the qualified electors of this Commonwealth shall be in any actual military service under a requisition from the president of the United States or by the authority of this Commonwealth and as such absent from their place of residence on the days appointed by law for holding the general or municipal elections within this State or on the days for holding special elections to fill vacancies such electors shall be entitled at such times to exercise the right of suffrage except at elections held in cities of the first class for the purpose of electing members of council ward and division officers as fully as if they were present at their usual places of election in the manner hereinafter prescribed and whether at the time of voting such electors shall be within the limits of this State or not and the right of voting shall not be affected in any manner by reason of the failure of any voter to have been registered in his place of residence

Section 1701 POLLS TO BE OPEN IN EACH MILITARY UNIT DETACHED VOTERS A poll shall be opened in each military or naval unit composed in whole or in part of Pennsylvania soldiers at the quarters of the captain or other officer thereof and all electors belonging to such unit who shall be within one mile of such quarters on the day of election and not prevented by orders of their commanders or proximity of the enemy from returning to their unit quarters shall vote at such poll and at no other place officers other than those of a unit and other voters detached and absent from their units or in any military or naval hospital or in any vessel or navy yard may vote at such other polls as may be most convenient for them and when there shall be ten or more voters at any place who shall be unable to attend any unit poll or their proper place of election as aforesaid the electors may open a poll at such place as they may select and certify in the poll-book which shall be a record of the proceedings at said election substantially in manner and form as hereinafter directed

Section 1702 TIME OF OPENING AND CLOSING POLLS The polls shall be opened as early as practicable on said day and remain open at least three hours and if necessary in the opinion of the judges of the election in order to receive the votes of all the electors they may keep the polls open until seven o'clock in the afternoon of said day proclamation thereof shall be made at or before the opening of the polls and one hour before closing them

Section 1703 ELECTION OFFICERS Before opening the poll on the day of election the electors present at each of the places aforesaid shall elect viva voce three persons present at the time and having the qualifications of electors for the judges of said election and the judges so elected shall then appoint two of the persons present who shall be qualified to act as clerks of said election and the judges shall prepare boxes or other suitable receptacles for the ballots

Section 1704 OATHS OF ELECTION OFFICERS Before any votes shall be received said judges and clerks each take an oath or affirmation that he will perform the duties of judge or clerk (as the case may be) of said election according to law and to the best of his abilities and that he studiously endeavor to prevent fraud deceit or abuse in conducting the same which oath or affirmation any of the said judges or clerks so elected or appointed may administer to each other and the same shall be in writing or partly written and partly printed and signed by said judges and clerks and certified to by the party administering the same and attached to or entered upon the poll-book and there signed and certified as aforesaid

Section 1705 MANNER OF ELECTION CHALLENGES All elections shall be by ballot and the judges of elections may and upon challenge of any voter shall examine under oath or affirmation the applicant to vote (which oath or affirmation any of said judges may administer) in respect to his right to vote and his qualifications to vote in the particular ward precinct city borough town township or county of this State in which he claims residence and before receiving any vote the judges or a majority of them shall be satisfied that such applicant is a qualified voter of such place

Section 1706 POLL-BOOKS Separate poll-books shall be kept and separate returns made for the voters of each city or county the poll-books shall name the unit and organization and the place post or hospital in which said election is held the county and township city borough town ward precinct or election district of each voter shall be indorsed opposite his name on the poll-books each clerk shall keep one of said poll-books so that there may be a double list of voters

Section 1707 BALLOTS Each ballot shall have written or printed or partly written and partly printed thereon the names of all the officers which may properly be voted for at said election for which the said elector desires to vote

Section 1708 CASTING OF BALLOT That the judges to whom any ballot shall be delivered shall upon the receipt thereof pronounce with an audible voice the name of the elector and if no objection is made to him and the judges are satisfied that said elector is a citizen of the United States and legally entitled according to the constitution and laws of this State to vote at said election shall immediately put said ballot in the box or other receptacle therefor without inspecting the names of persons voted for and the clerks shall enter the name of the elector on the poll-book of his county ward precinct city borough town or township and county of his residence substantially in pursuance of the form hereinafter given

Section 1709 COUNTING OF VOTES At the close of the polls the number of votes shall be counted and set down at the foot of the list of voters and certified and signed by the judges and attested by the clerks

Section 1710 MANNER OF COUNTING BALLOTS After the poll-books are signed the ballot-box shall be opened and the ballots therein contained shall be taken out one at a time by one of the judges who shall read distinctly while the ballot remains in his hand the name or names therein contained for the several officers voted for and then deliver it to the second judge who shall examine the same and pass it to the third judge who shall string the vote for each county upon a separate thread and carefully preserve the same the same method shall be pursued as to each ballot taken out until all the votes are counted

Section 1711 REJECTION OF BALLOTS Whenever two or more ballots shall be found deceitfully folded or rolled together neither of such ballots shall be counted and if a ballot shall contain more than the proper number of names for the same office it shall be considered fraudulent as to all the names designated for that office but no further

Section 1712 TALLEY-LISTS As a check in counting each clerk shall keep a tally-list for each county from which votes shall have been received which tally-list shall constitute a part of the poll-book

Section 1713 ENUMERATION OF VOTES After the examination of the ballots shall be completed the number of votes for each person in the county poll-books as aforesaid shall be enumerated under the inspection of the judges and set down as hereinafter provided in the form of the poll-book

Section 1714 FORM OF POLL-BOOK The following shall be substantially the form of the poll-books to be kept by the judges and clerks of the election filling in the blanks carefully

Poll-books of the election held on the first Tuesday after the first Monday of November one thousand nine hundred and ..... or (other election day as the case may be) by the qualified electors of ....., county (or city) State of Pennsylvania in (unit) ..... of the ..... (organization) (as the case may be) held at (naming the place post or hospital) A B C D and E. F. being duly elected as judges of said election and J K and L M being duly appointed as clerks of said election were severally sworn or affirmed as per certificates herewith returned

Number and names of the electors voting and their county city borough township ward or precinct of residence

No. 1 A B ..... county of ..... township of.....
No. 2 C D ..... county of ..... township of .....

It is hereby certified that the number of electors for ..... county Pennsylvania voting at this election amounts to .....

Attest

J K A B
L M Clerks C D
E F Judges of Election

Form of certificate of oath of judges and clerks

We A B C D and E F judges of this election and J K and L M clerks thereof do each severally swear (or affirm) that we will duly perform the duties of judges and clerks of said election severally acting as above set forth according to law and to the best of our abilities and that we will studiously endeavor to prevent fraud deceit or abuse in conducting the same

J K A B
L M Clerks C D
E F Judges

I hereby certify that C D E F judges and J K and L M clerks were before proceeding to take any votes at said election first duly sworn or affirmed as aforesaid Witness my hand this ..... day of ..... Anno Domini one thousand nine hundred and .....

A B Judge of Election

I certify that A B judge aforesaid was also so sworn (or affirmed) by me Witness my hand the date before written

J K Clerk of Election

Section 1715 FORM OF RETURNS A return in writing shall be made in each poll-book setting forth in words of length the whole number of ballots cast for each office (except ballots rejected) the name of each person voted for and the number of votes given to each person for each different office which return shall be certified as correct signed by the judges and attested by the clerks such return shall be substantially as follows

At an election held by the electors of (unit) ..... of the ..... (organization) at (naming the place where the election is held) there were (naming the number in words at length) ..... votes cast for the office of Governor of which A B had ..... votes C D had ..... votes for Senator ....., votes were cast of which E F had ..... votes G H had votes for Representatives ..... votes were cast of which J K had ..... votes L M had ..... votes and in the same manner as to any other officer voted for

At the end of the return the judges shall certify in substance as follows giving its officers their rank and number of their organization if privates the number of their unit and organization viz

A true return of the election hald as aforesaid on the..... day of ..... Anno Domini one thousand nine hundred and .....

A B (officer's rank) ..... (unit) ..... (organization) .....
C D (unit) ..... (organization) .....
E F (unit ..... (organization) .....

Attest Judge of Election

J K
L M Clerks

Section 1716 DISPOSITION OF POLL-BOOKS After canvassing the votes in manner aforesaid the judges shall put in an envelope one of the poll-books with its tally list and return of each city or county together with the bollots and transmit the same properly sealed up and directed through the nearest post-office or by express as soon as possible thereafter to the prothonotary of the court of common pleas of the city or county in which such electors would have voted if not in the military service aforesaid (being the city or county for which the poll-book was kept) and the other poll-book of said city or county enclosed in an envelope and sealed as aforesaid and properly directed shall be delivered to one of the commissioners hereinafter provided for if such commissioner calls for the same in ten days and if not so called for the same shall be transmitted by mail or by express so soon as possible thereafter to the Secretary of the Commonwealth who shall carefully preserve the same and on demand of the proper prothonotary deliver to said prothonotary under his hand and official seal a certified copy of the return of votes so transmitted to and received by him for said city or county of which the demandant is prothonotary

Section 1717 DUTIES OF PROTHONOTARY The prothonotary of the county to whom such returns shall be made shall deliver to the proper return judges a copy certified under his hand and seal of the return of votes so transmitted to him by the judges of the election as aforesaid or as officially certified by the Secretary of the Commonwealth as aforesaid to said prothonotary

Section 1718 MEETING OF RETURN JUDGES The return judges of the several counties shall adjourn to meet at the places now directed by law on the third Friday after any general or municipal election for the purpose of counting the soldiers' vote and when two or more counties are connected in the election the meeting of the judges from each county shall be postponed in such case to the Friday following

Section 1719 DUTIES OF RETURN JUDGES FRAUD The return judges so met shall include in their enumeration the votes so returned and thereupon shall proceed in all respects in the like manner as is provided by law in cases where all the votes shall have been given at the usual place of election The several courts of this Commonwealth shall have the same

power and authority to investigate and determine all questions of fraud or illegality in relation to the voting of the soldiers as are now vested in said courts with regard to question of fraud and illegality arising from the voting of persons not in military service under the present laws relating thereto

Section 1720 RETURN OF PRESIDENTIAL ELECTORS In elections for electors of President and Vice-President of the United States the Secretary of the Commonwealth shall lay before the Governor all returns received by him for any election as aforesaid who shall compare the same with the county returns and add thereto all such returns as shall appear on such comparison not to be contained in said county returns in every case where said military returns for such counties shall have been received by said secretary at a period too late for transmitting them to the proper prothonotary in time for the action of the judges of the said counties

Section 1721 CONTESTED ELECTIONS All said elections shall be subject to contest in the same manner as provided by article eighteen of this act and in all cases of contested elections all legal returns which shall have been bona fide forwarded by said judges in the manner hereinbefore prescribed shall be counted and estimated although the same may not have arrived or been received by the proper officers to be counted and estimated in the manner hereinbefore directed before issuing the certificates of election to the persons appearing to have a majority of the votes then received and the said returns shall be subject to all such objections as other returns are liable to when received in due time

Section 1722 DUTIES OF SECRETARY OF THE COMMONWEALTH The Secretary of the Commonwealth shall cause to be printed a sufficient number of copies of this article with such extracts from the general election law as shall be deemed important to accompany the same and blank forms of poll-books with tally-lists and returns as prescribed in this article which with the necessary postage stamps to defray expenses and postage on returns shall in sufficient time before any such election be forwarded by said secretary at the expense of the Commonwealth by commissioners or otherwise as shall be deemed most certain to insure delivery thereof to the captain or commanding officer of each unit or in case of detached voters to the officer having charge of the post or hospital who shall retain the same until the day of election and then deliver the same to the judges elected as provided in this article No election shall be invalidated by reason of the neglect or failure of the said scretary to cause the delivery of said poll-books to the proper persons as aforesaid

Section 1723 APPOINTMENT OF COMMISSIONERS OATH For the purpose of more effectually carrying out the provisions of this article the Governor may appoint and commission under the great seal of the Commonwealth such number of commissioners having the qualifications of an elector in this State as he shall deem necessary not exceeding one to each regiment or equivalent organization of Pennsylvania soldiers in the service of this State or of the United States and shall apportion the work among the commissioners and supply such vacancies as may occur in their number Such commissioners before they act shall take and subscribe an oath or affirmation and cause the same to be filed with the Secretary of the Commonwealth to the following (effect) "I ..... appointed commissioner under the act which regulates elections by persons in actual military service do solemnly swear (or affirm) that I will support the Constitution of the United States and the Commonwealth of Pennsylvania and impartially fully and without reference to poltical preferences or results perform to the best of my knowledge and ability the duties imposed on me by the said act and that I will studiously endeavor to prevent fraud deceit and abuse not only in the elections to be held under the same but in the returns thereof" If any commissioner appointed by or under this article shall knowingly violate his duty or knowingly omit or fail to do his duty under this article or violate any part of his oath or affirmation he shall be liable to indictment for perjury in the proper county and upon conviction shall be punished by a fine not exceeding one thousand dollars or imprisonment in the penitentiary at labor not exceeding one year or both in the discretion of the court

Section 1724 DUTIES OF COMMISSIONERS Such commissioners shall deliver as far as practicable at least four of the copies of this article and other extracts of laws published as hereinbefore directed and at least two blank forms of poll-books tally-lists and returns entrusted to them to the commanding officers of every unit or part thereof of Pennsylvania soldiers in the actual military or naval service of the United States or of this State and make suitable arrangements and provision for the opening of polls under this article The said commissioners as soon as practicable after the day of election shall call upon the judges of the election and procure one poll-book containing the returns of the election and safely preserve the same not only from loss but from alteration and deliver the same without delay to the Secretary of the Commonwealth

Section 1725 COMPENSATION OF COMMISSIONERS Said commissioners shall receive in full compensation for their services under their article ten cents per mile in going to and returning from their respective organizations estimating the distance of travel by the usually traveled route and the accounts therefor shall be audited and paid out of the State Treasury in the same manner as other claims are now audited and paid All commanding and other officers are requested to aid the commissioners herein appointed and to give them all proper facilities to enable them to carry out the design and intention of this article

Section 1726 INFORMALITIES NOT TO INVALIDATE ELECTIONS No mere informality in the manner of carrying out or executing any of the provisions of this article shall invalidate any election held under the same or authorize the returns thereof to be rejected or set aside nor shall any failure on the part of the commissioners to reach or visit any unit or organization or the failure of any unit or part thereof to vote invalidate any election which may be held under this article

Section 1727 POWERS OF ELECTION OFFICERS The several officers authorized to conduct such election shall have the like powers and they as well as other persons who may attend vote or offer to vote at such election shall be subject to the like penalties and restrictions as are declared or provided in the case of elections by the citizens at their usual places of election and all of the provisions of the general election laws of this State so far as applicable and not inconsistent with the provisions of this article nor supplied thereby shall apply to all elections held under this article

Section 1728 NO COMPENSATION FOR ELECTION OFFICERS No compensation shall be allowed to any judge or clerk under this article

Section 1729 DUTIES OF SHERIFFS When the sheriff of any county shall issue his proclamation for a general municipal or special election to fill vacancies under the laws of this State he shall transmit immediately copies thereof to the field officers and senior captains in the service aforesaid from the said city or county

Section 1730 RIGHTS OF DETACHED VOTERS When any of the electors mentioned in the first section of this article less than ten in number shall be members of companies of another State or territory or for any sufficient and legal cause shall be separated from their proper unit or shall be in any hospital navy yard vessel or on recruiting provost or other duty whether within or without this State under such circumstances as shall render it probable that he or they will be unable to rejoin their proper unit or to be present at his proper place of election on or before the day of election therein mentioned said elector or electors shall have a right to vote in the following manner

Section 1731 VOTING BY DETACHED ELECTORS The voter aforesaid may before the day of election deposit his ballot or ballots properly folded as required by the general election laws of this State or otherwise as the voter may choose in a sealed envelope together with a written or printed or partly written and partly printed statement containing the name of the voter the county township borough or ward of which he is a resident and a written or printed authority to some qualified voter in the election district of which said voter is a resident to cast the ballots contained in said envelope for him on the day of said election Said statement and authority shall be signed by the said voter and attested by the commanding or some commissioned officer of the unit of which he is a member in the case of a private and of some commissioned officer of the organization in case of an officer if any of such officers are conveniently accessible and if otherwise then by some other witness and there shall also accompany said ballots an affidavit of said voter taken before someone of the officers aforesaid and in the absence of such officers before some other person duly authorized to administer oaths by any law of this State that he is a qualified voter in the election

district in which he proposes to vote that he is in the actual military service of the United States or of this State describing the organization to which he belongs that he has not sent his ballots to any other person or persons than the one in such authority mentioned that he will not offer to vote at any poll which may be opened on said election day at any place whatsoever and that he is not a deserter and has not been dishonorably dismissed from the service and that he is now stationed at ..... in the State of ..... Said sealed envelope containing the ballots statements authority and affidavit as aforesaid shall be sent to the proper person by mail or otherwise having written or printed on the outside across the sealed part thereof the words "Soldier's ballot for ..... township (city borough or ward) in the County of ....."

Section 1732 DELIVERY AND COUNTING OF VOTES OF DETACHED ELECTORS The elector to whom such ballot shall be sent shall on the day of election and whilst the polls of the proper district are open deliver the envelope so received unopened to the proper election officer who shall open the same in the presence of the election board and deposit the ballots therein contained together with the envelope and accompanying papers as other ballots are deposited and said board shall count and canvass the same in the same manner as other votes cast at said election and the person delivering the same may on demand of any elector be compelled to testify on oath that the evenelope so delivered by him is in the same state as when received by him and that the same has not been opened nor the contents thereof changed or altered in any way by him or any other person

Section 1733 CHALLENGES The right of any person thus offering to vote at any such election may be challenged for the same causes except those relating to registration that it could be challenged if he were personally present and for no other reason or cause

Section 1734 PENALTY FOR REFUSAL TO RECEIVE BALLOTS OF DETACHED ELECTORS Any officer of any general municipal or special election in this state who shall refuse to receive any such envelope and deposit such ballots or to count and canvass the same and any elector who shall receive such envelope and neglect or refuse to present the same to the officers of the election district indorsed on the said envelope shall be guilty of a misdemeanor and on conviction thereof shall be punished by imprisonment not exceeding one year and by fine not exceeding five hundred dollars or either or both in the discretion of the court

Section 1735 PENALTY FOR FALSE SWEARING Any person who shall wilfully and corruptly make and subscribe any false affidavit or make any false oath touching any matter or thing provided in this article shall be deemed guilty of wilful and corrupt perjury and upon conviction thereof shall be punished by imprisonment not exceeding five years and by fine not exceeding one tohusand dollars or by either or both in the discretion of the court

Section 1736 BLANKS TO BE FURNISHED The Secretary of the Commonwealth shall prepare the necessary blank forms to carry out the provisions of this article and furnish the same for the use of the persons so engaged in the military service aforesaid

Section 1737 WITNESSES TO STATEMENTS AND AFFIDAVITS In case any qualified elector in military service aforesaid may be in any hospital military or naval or in any vessel or navy yard the statements and affidavits in this article mentioned may be witnessed by and made before any officer of the vessel navy yard or other place in which said voter is for the time being engaged

Section 1738 DUTIES OF ASSESSORS TAX COLLECTORS AND COUNTY COMMISSIONERS Every assessor within this Commonwealth annually shall assess and return in the manner now required by law a county tax of ten cents upon each and every non-commissioned officer and private and the usual taxes upon every commissioned officer known by them to be in the military service of the United States or of this State and when any omission shall occur the omitted names shall be added by such assessors to the assessments and lists of voters on the application of any citizen of the election district or precinct wherein such soldier might or would have a right to vote if not in such service as aforesaid and such non-commissioned officers and privates shall be exempt from all other personal taxes during their continuance in such service and said assessors shall in each and every case of such assessed soldiers or officers without fee or reward therefor give a certificate of such regular or additional assessment to any citizen of the election district or precinct who may at any time demand the same and upon the presentation thereof to the tax collector of said district or the treasurer of the said county it shall be the duty of such officer to receve said assessed tax of and from any person offering to pay the same for the soldier or officer therein named and to indorse upon such certificate a receipt therefor and said collector or county treasurer shall receive said assessed tax from any person who may offer to pay the same for any of said officers or soldiers without requiring a certificate of assessment when the name of such person shall have been duly entered upon the assessment books and tax duplicates and give a receipt therefor to such person specially stating therein the name of the soldier or officer whose tax is thus paid the year for which it was assessed and date of the payment thereof which said certificate and receipt or receipt only shall be prima facie evidence to any election board provided for by this article before which the same may be offered of the due assessment of said tax against and the payment thereof by the soldier or officer therein named offering the same as aforesaid but said election board shall not be thereby precluded from requiring other proof of the right to vote as specfied by this article or the general election laws of this Commonwealth And if any of said assessors collectors or treasurers shall neglect or refuse to comply with the provisions of this section or to perform any of the duties therein enjoined upon them or either of them he or they so offending shall be considered and adjudged guilty of a misdemeanor in office and shall on conviction be fined in any sum not less than twenty nor more than two hundred dollars Provided That the additional assessment required to be made by the above section in cities of the first class shall be made on application of any citizen of the election district or precinct thereof upon oath or affirmation of such citizen to be administered by the assessor that such absent soldier is a citizen of the election district or precinct wherein such assessment is required by such citizen to be made

(b) Returning Soldiers

Section 1745 VOTING BY RETURNED SOLDIERS SAILORS AND MARINES Any soldier sailor or marine in service or who has served in the Army or Navy of the United States and who has returned to his home shall be entitled to vote in his respective election district as a soldier sailor or marine notwithstanding that such soldier sailor or marine has not been assessed and has not paid the usual taxes or is not personally registered in the district in which he resides Provided That such election at which he offers to vote shall occur at such time as has prevented such soldier sailor or marine from being assessed and from having paid his usual taxes and where the same is necessary from having been personally registered after his return to his home as is required in the case of an elector by the Constitution

Section 1746 EVIDENCE OF RIGHT SPECIAL TAX No person shall be allowed to vote under the provisions of this subdivision unless he produces evidence satisfactory to the election officers that he is entitled to vote as a soldier sailor or marine under the provisions of this subdivision and unless he shall produce to the election officers a receipt from the proper tax collector setting forth that such person has paid a county tax of ten cents The several tax collectors are hereby authorized to receive such tax of ten cents and issue a receipt therefor All such taxes shall be paid to the county treasurer as provided by law in the case of other taxes

Section 1747 PENALTY Any person who shall vote under the provisions of this subdivision without being entitled so to do shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars and in default of the payment of such fine and costs shall be imprisoned for a term not exceeding ninety days

Section 1749 APPLICATION This subdvision shall apply to all soldiers sailors and marines in service in the Army or Navy of the United States as well as those who have been discharged therefrom and who have been prevented from being assessed from having paid the usual taxes and from being personally registered It is the intention of this subdivision that all such persons are within the meaning of the Constitution relative to voting by soldiers

ARTICLE XVIII
ELECTION CONTESTS

(a) Classes of Election Contests

Section 1800 The several classes of general municipal and primary elections which may be contested in this Commonwealth are hereby distinguished and designated as follows to wit

I The Governor and Lieutenant-Governor of the Commonwealth

II Electors of President and Vice-President of the United States and all officers of this Commonwealth including judges of the Supreme and Superor Courts (except Governor and Lieutenant-Governor) who now are or hereafter shall be required to be nominated or elected by the qualified voters of the State at large

III The judges of the several courts of record to be learned in the law other than judges of the Supreme and Superior Courts

IV Members of the General Assembly

V All other offcers whether nominated or elected by the qualified voters of counties cities townships towns boroughs wards school districts poor districts or any other division of the State

(b) Contested Elections of the First Class

Section 1805 COMMITTEE OF GENERAL ASSEMBLY TO TRY Contested electons of Governor and Leutenant-Governor (first class) shall be tried and determined by a committee to be selected from both houses of the General Assembly and formed and regulated in the following manner

Section 1806 CONTEST PETITIONS WHEN AND TO WHOM PRESENTED Upon the petition in writing of at least one hundred qualified electors of the Commonwealth accompanied by the affidavit taken and subscribed by at least twenty of the petitioners before some person having authority to administer oaths that the facts set forth are true to the best of their knowledge and belief and a certificate from the prothonotary of the county or counties where the petitioners reside setting forth that they are all qualified electors being presented to the President of the Senate within ten days from the organization of the Legislature next succeeding the election complained of he shall immediately give information thereof to both houses Such petition after being read in each house shall be laid on the table without any question taken thereon until the two houses shall proceed thereon in manner following

Section 1807 PESONNEL OF CONTEST COMMITTEE SENATE MEMBERS The Senate and House of Representatives shall on a day and hour to be agreed on between them which day shall be within five days of the reception of the petition as aforesaid convene in the hall of the House of Representatives where the petition shall be read by the Clerk of the Senate the names of the members of each house shall then be called over by the respective clerks and a quorum of each house being present a joint committee shall be formed as follows

(a) The names of all Senators present except the President pro tempore shall be written on distinct pieces of paper as nearly alike as may be each of which shall be rolled up and put into a box by the Clerk of the House of Representatives and placed on the Speaker's table

(b) The Clerk of the Senate having shaken and intermixed the said papers shall draw them out one by one and put them alternately into three boxes also placed on the Speaker's table

(c) When the whole number shall be thus distributed the Clerk of the House of Representative shall shake and intermix the papers in each box and shall draw alternately from each box the papers so rolled up until twelve papers have been so drawn and shall deliver them singly as drawn to the Speaker of the House of Representatives

(d) The Speaker of the House of Representatives shall open the said papers singly and read aloud the names on each and then deliver the papers singly to the President of the Senate who shall place them openly on the table

(e) A member of each house to be designated by the respective presiding officers shall take down in writing the names so called and shall each of them repeat aloud the name so written

Section 1808 PERSONNEL OF CONTEST COMMITTEE HOUSE MEMBERS The like proceedings shall then be had for drawing twenty-five members of the House of Representatives for the purpose but

(a) The duties in the preceding section enjoined upon the Clerk of the House of Representatives shall be performed by the Clerk of the Senate

(b) The duties therein enjoined upon the Clerk of the Senate shall be performed by the Clerk of the House of Representatives

(c) The duties therein enjoined upon the Speaker of the House of Representatives shall be prformed by the President of the Senate

(d) The duties therein enjoined upon the President of the Senate shall be performed by the Speaker of the House of Representatives whose name shall not be placed in the box

Section 1809 CHALLENGES If any objection be made by either of the parties to any member so drawn by lot such members shall be discharged and another name be drawn to supply the place and so on until the whole number of twelve Senators and twenty-five members of the House of Representatives shall be completed and in all cases the members drawn in place of those objected to shall be in like manner liable to be set aside and others shall be drawn in their places but if so many be set aside by reason of objections as aforesaid that there shall not remain more than the number aforesaid then no further objection shall be admitted

Section 1810 SELECTION OF COMMITTEE When the number aforesaid shall be completed the Clerk of the House of Representative shall draw out one by one the names of the remaining members of the Senate and deliver them singly to the Speaker of the House of Representatives who shall unfold and read them aloud and the Clerk of the Senate shall in like manner draw out the names of the remaining members of the House of Representatives and deliver them singly to the President of the Senate who shall unfold them and read them aloud and if any unfairness or mistakes shall then be discovered therein the whole proceedings shall be set aside and the same shall be renewed in manner and form hereinbefore directed but after the committee is sworn no objection for such cause shall be received

Section 1811 FINAL SELECTION OF COMMITTEE When the proceedings aforesaid shall be concluded a list of the twelve members of the Senate and a separate list of the twenty-five members of the House of Representatives so drawn shall be given to each of the parties who shall immediately withdraw to some adjoining room with a clerk or member appointed by the joint vote of members present where they shall proceed to strike off alternately the names upon such list until the number shall be reduced to four members of the Senate and nine of the House of Representatives which shall constitute a select committee

Section 1812 MEMBERS TO REMAIN UNTIL FINAL SELECTION On the parties withdrawing to form such select committee the members of both houses shall continue convened and the members whose names shall have been drawn out of the boxes shall not depart the conference room without leave until the time and place for the meeting of the select committee shall be fixed as hereinafter provided

Section 1813 FINAL QUALIFICATION OF COMMITTEE Within one hour from the time of withdrawing as aforesaid the parties shall deliver to the President of the Senate the names of the said four members of the Senate and nine of the House of Representatives remaining on the list who shall then respectively take an oath or affirmation to be administered by the President of the Senate to try the matter of the petition and to give a true judgment thereon according to the evidence unless the committee shall be dissolved

Section 1814 TIME AND PLACE OF MEETING The time and place for the meeting of the select committee so appointed shall then be drected by the joint vote of the members of both houses which time shall be within forty-eight hours of the appointment

Section 1815 ABSENCE FROM COMMITTEE If any person appointed a member of such select committee shall at the time of such appointment swear or affirm that he cannot without great inconvenience serve on such committee he shall be excused and in such case another shall be substituted But if any member of such committee shall neglect to attend upon the committee his name shall be reported in writing to the house

of which he shall be a member and unless satisfactory reasons be given for non-attendance he shall be reprimanded by the presiding officer of the house of which he is a member

Section 1816 MEETINGS OF COMMITTEE QUORUMS ADJOURNMENT The select committee shall sit from day to day Sundays excepted at such hours as shall not interfere with their attendance in the Legislature but unless nine of their number be present the committee after waiting on hour shall adjourn to the next day and if the number of the committee shall unavoidably be reduced to less than nine members and shall so continue for the space of three days Sunday excepted the committee shall be dissolved and there shall be another chosen in manner aforesaid When the two houses shall stand adjourned for more than three days the committee may adjourn to the same time

Section 1817 PRESIDING OFFICER OF COMMITTEE Immediately after the appointment of the select committee aforesaid the President of the Senate shall notify the Chief Justice of the Supreme Court thereof and he shall immediately attend the meetings of the committee as the presiding officer thereof The Chief Justice of the Supreme Court shall decide questions regarding the admissibility of evidence and he shall upon request of the committee pronounce his opinion upon other questions of law involved in the contest but he shall not have a vote on the final determination of the case

Section 1818 POWERS OF COMMITTEE The select committee shall have power to subpoena persons and require the production of papers and records and to compel the attendance of and examine all witnesses who may come before them upon oath or affirmation which the Chief Justice of the Supreme Court or clerk of the committee may administer in their presence and to decide not only on the validity of such contested election but also which of the candidates had the greatest number of legal votes

Section 1819 PROCEDURE BEFORE COMMITTEE UNQUALIFIED VOTERS TESTIMONY IMMUNITY When it is proven to the satisfaction of said committee that any person not a legally qualified voter voted at any such contested election it shall be lawful for said committee to compel said voter to disclose under oath for which of the respective candidates he voted but when the committee examines the witness on oath as to the person or persons for whom he voted and said witness on such examination discloses the names of the persons for whom he voted at such election he shall not afterwards be prosecuted for having illegally voted at such election

Section 1820 CONDUCT OF COMMITTEE The doors of the room in which the select committee shall meet shall remain open during the examination of witnesses but may be shut at any other time All determinations required to be made by such committee shall be by a majority of the whole number appointed As soon as the committee shall have agreed upon the same two reports thereof shall be made in writing one of which shall be delivered to the President of the Senate and the other to the Speaker of the House of Representatives which reports shall be entered on the Journals of the respective houses and shall be final and conclusive

Section 1821 REPORT OF COMMITTEE TO BE FINAL If the committee or a majority thereof as aforesaid shall report that either of the candidates had the greatest number of legal votes and ought to receive the nomination or to be admitted to the office as the case may be such candidate shall thereupon be entitled to such office or nomination

Section 1822 NEW ELECTION IF INVALID NOTICE If the committee or a majority thereof shall report that such election or return is invalid a new election shall take place on the day of the general election ensuing agreeably to the Constitution of which the presiding officer of each house shall immediately give notice by their joint writ directed to the sheriffs of the respective counties and the sheriffs of the respective counties shall give due notice thereof according to law

Section 1823 PAY OF WITNESSES Every witness sent for and attending the trial of any contested election of the first class shall be allowed six cents for every mile of the distance necessarily travelled by him in coming to and returning from the place of trial and shall also be allowed the sum of one dallar and thirty-three cents for every day he may be detained at the place of such trial which mileage and expenses as well as the expense of summoning such witnesses shall be taxed by the select committee and certified by their chairman to the speaker of the House of Representatives or the President of the Senate or both as the case may require The amount thereof after having been first approved by the house or houses to which such certificate may be made shall be paid by the treasurer of the county or counties in which the facts complained of took place if such facts be substantiated or by the treasurer of the county or counties in which the petitioners shall reside if the statements in the petition shall not be substantiated on orders drawn by the speaker of the House of Representatives or the President of the Senate or both as the case may require

(c) Contested Election of the Second Class

Section 1825 COURT OF COMMON PLEAS OF DAUPHIN COUNTY WITH TWO NEAREST PRESIDENT JUDGES TO HAVE JURISDICTION Cases of the second class shall be tried and determined by the court of common pleas of Dauphin County upon petition of at least one hundred electors hereinafter provided For the purpose of hearing and determining the complaint in the petition in such cases the court of common pleas of Dauphin County shall notify to sit with it on the hearing of such complaint two president judges learned in the law residing nearest to the court house of the said judicial district and the judges so notified shall appear and sit as part of the said court on the hearing trial and determination of such petition

Section 1826 ENTRY AND EFFECT OF DECISION After the hearing of the said case the said judges shall without unnecessary delay decide which of the candidates voted for received the greatest number of legal votes and is entitled to the nomination or office which decision shall be entered of record to the case in the said court and a certified copy thereof shall within five days from the rendering thereof be delivered to the Secretary of the Commonwealth whereupon the person who by the decision of the court shall appear to have received the largest number of votes shall be entitled to the nomination or to the office and be commissioned accordingly

(d) Contested Elections of the Third Class

Section 1830 COMMON PLEAS COURT OF COUNTY OF RESIDENCE OF CANDIDATE RETURNED AS ELECTED TO HAVE JURISDICTION Contested elections of president or additional law judges of any of the judicial districts of this Commonwealth shall be tried and determined before the court of common pleas of the county where the person returned as elected shall reside in manner following

Section 1831 PROCEDURE TO CONTEST PETITION PERSONNEL OF COURT Upon the petition in writing of at least fifty qualified electors of the district for which the person whose election is contested was returned as nominated or elected being presented in due form to the Attorney General of the Commonwealth complaining of an undue election or false return of any president or additional law judge of any judicial district of the Commonwealth the Attorney General shall immediately notify the Governor thereof who shall without delay direct the three president judges residing nearest to the court house of the county composing the district or if more than one county composes the judicial district then those nearest the court house of the most populous county of the district to convene without delay the court of common pleas of such county and proceed to hear and determine the complaint of the said petition

Section 1832 JURISDICTION WHERE THERE IS MORE THAN ONE COURT OF COMMON PLEAS IN THE DISTRICT In any contested election of any president or additional law judge in any judicial district where there is more than one court of common pleas the court of the next highest number to the court for which the person whose election is contested is returned as elected if there be one higher and if not the one next lower shall perform all the duties required of the three president judges as prescribed in this subdivision

Section 1833 CERTIFICATION AND EFFECT OF DECISION After such hearing the said judges shall with no unnecessary delay decide which of the candidates voted for received the greatest number of legal votes and is entitled to the nomination or office which decision shall be entered of record to the case in said court and a certified copy thereof shall within five days from the rendering of such decision be transmitted to the Secretary of the Commonwealth whereupon the person who by the said decision shall appear to have received the largest number of votes shall be entitled to the nomination or to the office and commissioned accordingly

(e) Contested Elections of the Fourth Class

Section 1835 JURISDICTION TO TRY Contested elections of Senators and Members of the House of Representatives (fourth class) shall be tried and determined by the court of common pleas of the county where the person returned as such shall reside in the manner following

Section 1836 METHOD OF CONTEST PETITION NOTICE Upon petition in writing of at least twenty qualified electors of the Senatorial district in case of a Senator and of the Legislative district in case of a member of the House of Representatives complaining of an undue election or false return of any Senator or Representative the court if in session or the president judge thereof if in vacation shall immediately appoint a suitable time for the hearing in open court of such complaint and if the court is not in session the president judge to whom such complaint is made shall direct the court to convene for that purpose notice of which shall be given to the person returned at least ten days before such hearing

Section 1837 COMPLAINTS AND CANDIDATE RETURNED SHALL BE PARTIES On the trial of contested elections of Senators and Members of the House of Representatives the petitioners complaining of the election and the person returned as nominated or elected shall be the parties thereto

Section 1838 POWERS AND DUTIES OF THE COURT The court of common pleas to which petition shall be presented as aforesaid contesting the right of a Senator or Member of the House of Representatives to the nomination or to the seat for which he may have been returned as elected shall have authority to subpoena and to compel the attendance of any officer of the election complained of and of any person capable of testifying concerning the same and also to compel the production of all books papers tally-lists ballots ballot-boxes and all other documents which may be required at such hearing in like manner and to the same extent as in other cases litigated before such court to appoint commissioners to take testimony and to proceed without delay postponing for the purpose if necessary all other business to the hearing and determination of such contest

Section 1839 DECISION OF COURT After the hearing as aforesaid the court shall without unnecessary delay decide which of the candidates voted for received the greatest number of legal votes and is entitled to the certificate of election

Section 1840 RETURN OF RESULT TO PROPER HOUSE The Secretary of the Commonwealth shall on the day of the meeting of the next General Assembly or if in session then immediately upon its reception deliver to the presiding officer of the proper House the certified copy of the decision of the court aforesaid

Section 1841 APPEAL TO PROPER HOUSE REQUIREMENTS OF Any claimant to a seat in either branch of the Legislature or to the nomination thereto who shall feel aggrieved by the decision of the court in his case may present his petition to the proper house within ten days after the meeting of the Legislature or within ten days after the decision shall have been made in his case if the Legislature shall then be in session setting forth his claim which petition shall have appended thereto the affidavit of the petitioner setting forth that he verily believes that he was duly nominated or elected to the seat and that the statements set forth in his petition are just and true to the best of his knowledge and belief Said petition shall also be signed by at least twenty qualified electors of the proper district at least five of whom shall make affidavit that the facts set forth in said petition are true to the best of their knowledge and belief

Section 1842 ACTION OF APPEAL PETITION Such petition when presented shall be referred to a standing committee on election which committee shall proceed to hear the claims of the contestant and respondent and report the facts and a resolution expressing the decision of the committee for the consideration of the house and the vote of the proper house on the claims of the contestant and respondent shall be final

Section 1843 VOTE ON PETITION No resolution deciding such question shall be adopted unless it shall receive the votes of a majority of all the members elected to the house considering the same

(f) Contested Elections of the Fifth Class

Section 1850 WHO HAS JURISDICTION Cases of the fifth class shall be tried and determined upon petition of twenty-five electors by the court of quarter sessions of the county in which such contested election was held

(g) General Provisions Relating to Contested Elections

Section 1855 COMMISSION BY GOVERNOR Whenever it shall appear by the returns of election laid before the Governor by the Secretary of the Commonwealth as now required by law that any person has been duly elected to the office of prothonotary clerk of the courts recorder of deeds register of wills judge or any other officer receiving a commission from the Governor in any of the several counties of this Commonwealth the Governor shall issue a commission to such person notwithstanding that the election of such person to any or either of said offices may be contested in the manner now provided by law

Whenever it shall appear by the decision of the proper tribunal having jurisdiction of said contested election that the person to whom said commission shall have issued has not been legally elected to the office for which he has been commissioned then a commission shall issue to the person who shall appear legally elected to said office the issuing of which commission shall nullify and make void the commission already issued and all power and authority under said commission first issued shall thereupon cease and determine

Section 1856 PETITION TIME OF FILING The commencement of proceedings in the case of contest of the second third fourth and fifth classes shall be by petition which shall be made and filed as herein required within thirty days after the day of election The petition shall concisely set forth the cause of complaint showing wherein it is claimed the election is undue or illegal and after filing shall not be amended unless such amendment shall be allowed by the proper court or judge after notice to the other party and hearing and if allowed a reasonable time shall be given to answer

Section 1857 PETITIONERS AND AFFIDAVITS REQUIREMENTS OF In each of the aforesaid second third fourth and fifth classes the petitioners shall be qualified electors who voted at the election so contested In cases of the third class each petition shall be verified by the affidavits of at least ten of the petitioners in the second fourth and fifth classes by the affidavits of at least five of the petitioners Such affidavits to be taken and subscribed before some person authorized by law to administer oaths setting forth that they verily believe the facts stated therein are true that according to the best of their knowledge and belief the election was undue or illegal and the return thereof not correct and that the petition to contest the same is made in good faith

Section 1858 PRESENTATION OF PETITION The petition shall be presented to the court or law judge having jurisdiction except where othedwise provided in this article and if it shall be adjudged sufficient it shall be filed of record in the proper court and thereupon a time shall be fixed for hearing.

Section 1859 NOTICE OF HEARING Notice of the filing of the petition with a copy thereof shall be served upon the person whose right of office shall be contested together with a rule to answer at the time fixed for hearing which notice copy and rule shall be served such length of time before the day fixed for hearing as the said court or judge shall require not exceeding forty days in cases of the second and third classes and in all other cases not exceeding thirty days

Section 1860 DISQUALIFICATION OF JUDGE No judge shall sit on the trial of a case in which he shall be a party

Section 1861 SUBSTITUTE JUDGES In any case where by reason of incompetency or any disability to act there shall be no law judge of the district in which any contest shall arise present and able as well as qualified to act the judge learned in the law residing nearest the court house of the county in which by the provisions of this article the trial in any such case is required to be had except in cases otherwise provided in this article shall preside on the contest and shall have and exercise all the powers and authority and discharge all the duties granted to or imposed upon the regular judges of the said courts in cases wherein they are qualified and required to act by the provisions of this article

Section 1862 CERTAIN ASSOCIATE JUDGES NOT ESSENTIAL Any law judge who is hereby authorized to preside in any such case and any president or other judge learned in the law of the proper court shall have full power to hold any of the said courts by this article required to try any contested election case without the assistance of the associate justices not learned in the law or either of them of such courts

Section 1853 POWERS OF COURT All of the said courts and judges hereby required to try any contested election case shall

have plenary power to make issue and enforce all necessary orders rules process and decrees for a full and proper understanding and final determination and enforcement of the decision of every such case according to the course of practice in similar cases under the laws of this Commonwealth or which may be necessary and proper to carry out the provisions of this article

Section 1864 POWER OF COURT WITNESSES RECORDS The proper court or judge shall have power to compel the attendance of any election officer or other person as a witness and may also compel the production of all books papers tally-lists returns of election other documentary or record evidence at discretion for use on the trial and may issue subpoenas and attachments for these purposes as in other proceedings in the courts of this Commonwealth and all such books papers documents ballots boxes and records shall be returned to the proper custody

Section 1865 CONDUCT OF HEARINGS CERTIFIED RECORDS EXAMINERS Certified copies of all election papers assessments registers of votes and records duly authenticated by the person having custody thereof shall be competent evidence and prima facie proof of their contents but the party against whom the same shall be produced shall have the right to compel the attendance of the person who certified them for cross-examination Examiners to take and report evidence may be appointed and reasonable notice of the time and place of taking the same shall be prescribed by the court or judge and served upon the opposite party

Section 1866 AFFIDAVITS WHICH MAY BE CORRECTED IN CONTEST In any election contest it shall be lawful to correct any mistakes or supply any deficiencies in an affidavit made as required by law by an unregistered voter who was thereby permitted to vote at the election under contests so as to show that the said person was in fact a qualified voter but this shall no apply to non-registered voters who make no affidavit or one who makes no attempt to comply with the law

Section 1867 STENOGRAPHERS RECORD PRINTING OF The proper court or judge shall have power to appoint reporters if necessary to take the testimony and may order printing of such matters as may be necessary during the trial All bills for such reports and printing certified to be reasonable and correct by the court or judge shall be a part of the costs and collectible as other costs in the case All printing required in cases of the second and third classes shall be done by the State Printer at contract prices and in all other cases the prices to be paid for such reporting and printing shall be fixed in the order providing therefor and no more than the amount thus fixed shall be paid in any case

Section 1868 WITNESSES DUTY TO TESTIFY In trials of contested elections and in all proceedings for the investigation of elections no person shall be permitted to withhold his testimony upon the ground that he may criminate himself or subject himself to public infamy but such testimony shall not afterwards be used against him in any judicial proceedings except for perjury in giving such testimony

Section 1869 WITNESSES AND OFFICERS FEES OF Witnesses and officers shall be paid the same fees as are now or hereafter shall be fixed by law for similiar services in the county in which the trial shall be held but witnesses whose votes are shown to be illegal shall receive no witness fees or mileage

Section 1870 COSTS IN CONTESTED ELECTIONS OF JUDGES COUNTY BOROUGH TOWNSHIP MUNICIPAL AND SCHOOL OFFICERS Whenever in contested elections of president or additional law judges and of county borough township or municipal officers or school directors or school controllers the contestant or contestants establish his or their right to the nomination or office the costs shall be paid by the proper district county borough township municipality or school district or the court or judge shall apportion all the costs among the proper districts counties cities townships boroughs wards school districts or municipalities of the whole district in which contest is had in such way as said court or judge shall think just and shall compel by order the payment of such amounts so apportioned to each by the properly constituted authorities of each of the proper districts counties cities townships boroughs wards school districts or municipalities as the payment of debts by the same can now be enforced

In contested elections of president or additional law judges and of county borough township municipal officers or school directors if the contestant or contestants in any of the above cases fail to establish his or their right to the nomination or office to which he or they claim to have been elected the petitioners and each and every of them shall be jointly and severally liable for all the costs and the same may be collected as debts of like amount are by law collectible or payment thereof may be enforced by attachment

Section 1871 BOND BY PETITIONERS Whenever a petition to contest an election of president or additional law judges or of county borough township municipal officers school directors or school controllers shall be presented to the court it shall be the duty of said petitioners within ten days thereafter to file a bond signed by at least five of the said petitioners in such sum as the said court or any judge thereof during vacation shall designate with sureties to be approved by the said court or judge conditional for the payment of all costs which may accrue in said contested election proceeding in case the said petitioners by decree of said court shall be adjudged liable to pay said costs and if the said bonds shall not be filed as herein provided the said petition to contest the election shall be dismissed

Section 1872 COSTS IN CONTESTED ELECTIONS OF PRESIDENTIAL ELECTORS STATE OFFICERS SENATORS AND REPRESENTATIVES In contested elections of electors of President and Vice-President and State officers whose jurisdiction extends over the State and Senators and Members of the House of Representatives if the court or judge shall decide that the complaint is without probable cause the petitioners and every one of them shall be jointly and severally liable for all the costs and the same may be collected as debts of like amount are by law collectible or payment thereof may be enforced by attachment

In any of the above contested elections if the court or judge shall fail to decide that the complaint is without probable cause the Commonwealth shall be liable for all costs The said court shall certify to the Auditor General a copy of such costs which shall be adjusted and settled in the usual manner and paid out of moneys appropriated for that purpose

Section 1873 TIME ALLOWED FOR TAKING TESTIMONY Hereafter in all contested elections except of Governor Lieutenant-Governor electors of President and Vice-President of the United States and all other officers of this Commonwealth who now are or hereafter shall be required to be elected by the qualified voters of the State at large the time to be consumed in taking testimony in court before an examiner or examiners appointed for that purpose shall not exceed ninety days in any one case no matter whether such testimony be taken in court or before an examiner or examiners or partly in court and partly before an examiner or examiners

Section 1874 TIME ALLOWED EACH PARTY FOR TESTIMONY Said testimony shall be taken in the following order to wit A period of time not exceeding forty days shall be allowed the contestant for this purpose a succeeding period of time not exceeding forty days shall be allowed for said purpose to the person returned as elected and the contestant may take testimony in rebuttal during ten days immediately succeeding the time allowed the person returned as elected for taking testimony

Section 1875 LIABILITY FOR COSTS INCURRED IN TAKING TESTIMONY AFTER TIME LIMIT For any testimony taken after the limit of time herein fixed no contest court shall have the power to charge any costs to any district county city township borough ward school district or municipality nor shall they be under any liability for the payment of the same but the said court may order the contestant petitioners or person returned elected to pay the costs as in its discretion it is deemed just and proper

Section 1876 TIME FOR PAYMENT END OF LIABILITY No costs shall be paid out of the treasury of any district county city township borough ward school district or municipality in any such contest until the same has been finally determined and no costs accruing or chargeable in any case after the limit of time herein fixed shall be paid by the proper district county city township borough ward school district or municipality nor shall they be under any liability for the payment of the same

Section 1877 ELECTIONS DECLARED INVALID FILLING OF VACANCIES Whenever in any contested election the

tribunal trying the case shall decide that the ballots used in one or more election districts where by reason of the omission addition misplacing mis-spelling or mis-statement of one or more tiles of office or names of candidates or parties or policies represented by them so defective as to the office in contest as to be calculated to mislead the voters in regard to any of the candidates nominated for said office and that the defective condition of the said ballots may have affected the result of the entire election for said office the said tribunal shall declare the election to be invalid as regards the said office and shall report their decision in cases where vacancies in such offices are filled by appointment to the proper officer or officers who are by law authorized to fill vacancies occurring in such office who upon receipt of such notice shall without delay proceed to appoint a suitable person or persons to fill the vacancies thus created and the person or persons so appointed shall continue in office until the next election succeeding his appointment at which such office is by law required to be filled All other vacancies so created shall be filed in such manner as now or hereafter may be provided by law

Section 1878 APPEAL IN JUDICIAL CONTESTS WHEN CONSTITUTIONAL QUESTIONS INVOLVED When the election of a judge of the Supreme or Superior Court or a judge of any subordinate court of record required to be learned in the law shall be contested if the trial and determination of such election contest shall involve the true construction of any provision of the Constitution or if the decision shall depend on any question arising upon the Constitution an appeal shall lie from the decision of the court or judges empowered to try such contested election to the Supreme Court

Section 1879 SPECIFIC FINDINGS BY TRIAL COURT It is hereby made the duty of the judges in the court of common pleas trying an election contest to first find separately and explicitly the facts deemed by them material to the decision and also such other facts as any party to the contest may request them in writing to ascertain and second to answer such points of law as may be submitted to them

Section 1880 WHEN AND BY WHOM APPEAL TAKEN FILING TIME AND PLACE OF HEARING Such appeal may be taken by any person whose right to the office was tried and determined or by any person aggrieved by the decision within thirty days after the decision of the judges shall have been entered of record to the case in the court of common pleas The appeal shall be filed in the prothonotary's office of the proper district but may be heard by the said Supreme Court in any district and it shall be the duty of said court to hear and decide the same without delay

Section 1881 DECISION OF SUPREME COURT TO BE CERTIFIED TO SECRETARY OF COMMONWEALTH The said Supreme Court having decided the constitutional question involved in such election contest shall therupon proceed to decide and declare which of the candidates voted for received the greatest number of legal votes and is entitled to the office and shall cause their decision to be certified to the Secretary of the Commonwealth whereupon the person who by the decision of the said Supreme Court shall appear to have received the largest number of legal votes shall be entitled to the office and be commissioned accordingly

ARTICLE XIX

ELECTION EXPENDITURES BY AND IN BEHALF OF CANDIDATES FOR NOMINATION AND ELECTION

Section 1900 DEFINITIONS The term "candidate for nomination" as used in this article shall include all persons whose names are presented for nomination to public office at any primary meeting caucus or convention whether or not such persons are actually nominated thereat

The term "candidate for election" as used in this article shall include all persons whose names are printed as candidates on the official ballots or on any official sticker used at any election and also all persons voted for for any public office who shall receive at least ten per centum of the highest vote received by the successful candidate for such office but whose names were not printed on the official ballots

The term "candidate" as used in this article shall unless especially restricted therein include both candidates for nomination and candidates for election

The term "public office" as used in this article shall include every public office to which persons can be elected by vote of the people under the laws of this Commonwealth

The term "political committee' as used in this article shall include every two or more persons who shall be elected appointed or chosen or who shall have associated themselves or cooperated for the purpose wholly or in part of raising collecting or disbursing money or of controlling or directing the raising collection or disbursement of money or election expenses

The term "election expenses" as used in this article shall include all expenditures of money or other valuable things in furtherance of the nomination of any person or persons as candidates for public office or in furtherance of the election of any person or persons to public office or to defeat the nomination or election to public office of any person or persons

Section 1901 TREASURER OF POLITICAL COMMITTEE REQUIRED Every political committee shall appoint and constantly maintain a treasurer to receive keep and disburse all sums of money which may be collected or received by such committee or by any of its members for election expenses Unless such treasurer is first appointed and thereafter maintained it shall be unlawful for a political committee or any of its members to collect receive or disburse money for any such purpose

Section 1902 DISBURSEMENTS BF TREASURER All money collected or received by any political committee or by any of its members for election expenses shall be paid over and made to pass through the hands of the treasurer of such committee and shall be disbursed by him It shall be unlawful for any political committee or any of its members to disburse any money for election expenses unless such money shall have passed through the hands of the treasurer

Section 1903 DISBURSEMENTS BY UNAUTHORIZED PERSONS PROHIBITED No person who is not a candidate or the representative of a candidate or the treasurer of a poltical committee shall pay give or lend or agree to pay give or lend any money or other valuable thing whether contributed by himself or by any other person for any election expenses whatever except to a candidate or to a political committee

Section 1904 CORPORATIONS FORBIDDEN TO CONTRIBUTE MONEY FOR ELECTION PURPOSES No officer of any corporation whether incorporated under the laws of this or any other State or any foreign country except corporations formed for politlcal purposes shall pay give or lend or authorize to be paid given or lent any money or other valuable thing belonging to such corporation to any candidate or to any political committee or to any other person whatsoever for the payment of any election expenses whatever

Section 1905 PERMISSIBLE EXPENDITURES No candidate himself or by his representative and no treasurer of any political committee shall pay give or lend or agree to pay give or lend either directly or indirectly any money or other valuable thing for any nomination or election expenses whatever except for the following purposes

First For printing and traveling expenses and personal expenses incident thereto stationery advertising postage expessage freight telegraph telephone and public messenger services

Second For the rental of radio facilities

Third For political meetings demonstrations and conventions and for the pay and transportation of speakers

Fourth For the rent maintenance and furnishing of offices

Fifth For the payment of clerks typewriters stenographers janitors and messengers actually employed

Sixth For the employment of watchers at primaries and elections to the number allowed by law but no candidate or treasurer of any political committee shall pay any watcher in any election district in a city compensation in excess of ten dollars ($10.00) per diem or to any watcher in any other district compensation in excess of five dollars ($5.00) per diem

Seventh For the transportation of voters to and from the polls

Eighth For legal expenses bona fide incurred in connection with any nomination or election

Section 1906 ACCOUNTS IN EXCESS OF FIFTY DOLLARS MUST BE FILED Every candidate for nomination at any primary election caucus or convention whether nominated thereat or not shall within fifteen days after the same was held if the amount received or expended shall exceed the

sum of fifty dollars and every candidate for election and every treasurer of a political committee or person acting as such treasurer shall within thirty days after every election at which such candidate was voted for or with which such political committee was concerned if the amount received or expended shall exceed the sum of fifty dollars file with the officers hereinafter specified a full true and detailed account subscribed and sworn or affirmed to by him before an officer authorized to administer oaths setting forth each and every sum of money contributed received or disbursed by him for election expenses the date of each contribution receipt and disbursement the name of the person from whom received or to whom paid and the object or purpose for which the same was disbursed

Such account shall also set forth the unpaid debts and obligations of any such candidate or committee for election expenses with the nature and amount of each and to whom owing In the case of candidates for election who have previously filed accounts as candidates for nomination the accounts shall only include contributions receipts and disbursements subsequent to the date of such prior accounts

Section 1907 VOUCHERS ACCOMPANYING ACCOUNTS ANONYMOUS CONTRIBUTION UNLAWFUL Every such account shall be accompanied by vouchers for all sums expended exceeding ten dollars in amount It shall be unlawful for any candidate or treasurer of a political committee or person acting as such treasurer to disburse any money received from any anonymous source

Section 1908 ACCOUNTS WHERE FILED Every such account concerning expenses incurred by or in regard to candidates for offices to be voted for by the electors of the State at large shall be filed with the Secretary of the Commonwealth and every such account concerning expenses incurred by or in regard to candidates for other offices shall be filed with the clerk of the court of quarter sessions of the several counties where such candidates may respectively reside

If any account concerns expenses in regard to candidates who do not all reside in the same county such accounts shall be filed in each county in which any such candidate (not being a candidate for an office to be voted for by the electors of the State at large) resides

Section 1909 EFFECT OF NON-FILING OF ACCOUNT It shall be unlawful to administer the oath to any person elected to any public office until he has filed an account as required by this article and no such person shall enter upon the duties of his office until he has filed such account nor shall he receive any salary for any period prior to the filing of the same

Section 1910 CAMPAIGN FUND LESS THAN FIFTY DOLLARS If the aggregate receipts or disbursements of a candidate or political committee in connection with any nomination or election shall not exceed fifty dollars the treasurer of the committee or candidate shall within thirty days after the election certify that fact under oath to the officer with whom the statement is filed as hereinafter provided

Section 1911 ACCOUNTS OPEN TO PUBLIC PRESERVATION OF All such accounts and affidavits shall be open to public inspection in the offices where they are filed and shall be carefully preserved there for a period of two years

Section 1912 NO AFFIDAVIT REQUIRED WHEN NO FUND EXISTS If a candidate or political committee does not receive any contributions or make any disbursements the candidate or the treasurer of the political committee shall not be required to file any account or to make any affidavit

Section 1913 AUDIT OF ACCOUNTS Within twenty days after the last day for filing of any account required by this article any five electors of the State or of the political division thereof concerning which any such account has been filed may present a petition to the court of quarter sessions of the county in which the office where such account has been filed is located praying for an audit of such account The court shall thereupon direct the officer or officers with whom such account has been filed to certify the same to the court for audit and may in its discretion require security to be entered for costs The court may in its discretion appoint an auditor to audit said account but the fees of such auditor shall not exceed the sum of ten dollars a day for each day actually engaged

Section 1914 PROCEDURE ON AUDIT The court or auditor shall fix a date as early as may be convenient for the audit at which time the person by whom such account has been filed shall be required to be present in person to vouch his account and answer on oath or affirmation all such relevant questions concerning the same as may be put to him by the petitioners or their counsel The auditor shall issue subpoenas to all parties whom the petitioner or the accountant may require to give evidence concerning such account and he shall determine subject to exception all questions as to the admissibility of evidence and shall file a copy of the evidence with his report If upon the audit the court shall decide that the account was false in any substantial manner or that any illegal election expenses were incurred the costs of said audit shall be paid by the accountant but otherwise by the petitioners

Section 1915 PROCEDURE IF AUDIT DEVELOPS ILLEGAL EXPENDITURES DISQUALIFICATION The decision of the court upon the audit shall be subject to appeal but if the court shall decide that any candidate who has been elected has incurrel any illegal election expenses or has consented to the incurring of any illegal election expenses by any person or committee the court shall certify its decision to the Attorney General who shall thereupon cause a writ of quo warranto to be issued If upon proceedings under such writ of quo warranto it shall be decided that the candidate in question has incurred any illegal election expenses or has consented to the incurring of illegal election expenses by any person or committee his election shall be declared void and his office vacant

Section 1916 NOTICE OF DISQUALIFICATION In the case of candidates elected to the office of Senator or Representative in the General Assembly the decision of the court shall be certified to the President of the Senate or to the Speaker of the House of Representatives as the case may be In the case of any candidate elected to the office of Senator of the United States or Member of the House of Representatives of the United States the decision of the court shall be certified to the Governor of this Commonwealth who shall transmit the same to the President of the Senate or the Speaker of the said House of Representatives as the case may be

Section 1917 NOTICE OF ILLEGAL EXPENDITURES TO DISTRICT ATTORNEY If the court shall decide upon the audit that any person whether a candidate or not has incurred illegal election expenses or has otherwise violated any of the provisions of this article it shall certify its decision to the district attorney of the county in which such person may reside It shall thereupon be the duty of such district attorney to institute criminal proceedings against such person

Section 1918 NO IMMUNITY FROM TESTIFYING No person shall be excused from answering any question in any proceedings under this article on the ground that such answer would tend to incriminate him but no such answer shall be used as evidence against such person in any criminal action or prosecution whatever except in an action for perjury in giving such testimony

Section 1919 BLANK REPORTS FURNISHED BY SECRETARY OF COMMONWEALTH The Secretary of the Commonwealth shall at the expense of the Commonwealth furnish to the county commissioners blanks in the form approved by the Secretary and Attorney General suitable for the statements hereinbefore required

Section 1920 BLANKS TO BE FURNISHED TO CANDIDATES Upon the filing of a namination for a State or National election the Secretary of the Commonwealth shall transmit to the candidate or candidates put in nomination and to the treasurer of the political committee the blanks above described To any person required to file a statement such blank shall be furnished upon application therefor

On the receipt of the list of candidates for public offices before a primary or upon the filing of a nomination before a municipal election the county commissioners shall transmit to the candidate or candidates put in nomination or of said primaries and to the treasurers of political committees the blanks above described

Section 1921 PENALTIES Any Secretary of the Commonwealth or clerk of the quarter sessions who shall permit any expense account filed with him under the provisions of this act to be destroyed or removed from his office within two years after the same has been filed except when directed to certify the same to court as provided by this act any person who shall destroy any such expense account or remove the same from the office in which the same has been filed within two years after the filing thereof or any person who shall incur any illegal election expenses or otherwise violate any of the provisions of this article shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not

less than fifty dollars or more than one thousand dollars or by imprisonment for not less than one month or more than two years either or both at the discretion of the court

ARTICLE XX

ELECTION EXPENSES PAYABLE BY COUNTIES

Section 2000 EXPENSES PAYABLE All ballots and election supplies other than such blanks forms and petitions as are required to be prepared by the Secretary of the Commonwealth shall be printed furnished and distributed at the expense of the county All ballot boxes and the expense of storing the same shall be paid by the county All expenses for light rent fuel and all other expenses of whatsoever kind and character including the pay of election officers and clerks shall be paid by the county The pay of election officers shall be in full for all service except compensation and mileage heretofore allowed to judges for making returns shall be in lieu of all kinds of refreshments which it may have been customary to provide and on such expense for refreshment shall be paid or allowed by the county commissioners The payments for light rental fuel and the storage of ballot boxes shall be fixed and established at least once every three years by resolution duly entered on the minutes of the county commissioners and said expenses shall be paid according to the provisions of said resolution and not otherwise

All such payments shall be made by the county treasurer on warrant of the county commissioners

ARTICLE XXI

PENAL PROVISIONS

Section 2100 ELECTION DEFINED Unless otherwise specifically provided the word "election" as used in this article shall be construed to mean any general special municipal or primary election

Section 2101 FRAUDULENT ASSESSMENT ALTERING DEFACING OR REMOVING LIST Any assessor who knowingly assesses any person as a voter who is not qualified or wilfully refuses to assess any one who is qualified shall be guilty of a misdemeanor and on conviction be punished by a fine not exceeding one thousand dollars or imprisonment not exceeding two years or both and also be subject to an action for damages by the party aggrieved

Any person who fraudulently alters adds to defaces or destroys any list of voters made out as directed by this act or tears down or removes the same from the place where it has been fixed with fraudulent or mischievous intent or for any improper purpose shall be guilty of a misdemeanor and on conviction shall be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding two years or both

Section 2102 COUNTY COMMISSIONERS OMITTING NAMES FROM VOTING LIST The commissioners of any county who wilfully fail to insert in the list of taxables of boroughs towns and townships delivered by them to the inspectors the name of any person duly assessed and returned to them by the assessor shall on conviction thereof be fined and severally pay any sum not less than fifty nor more than one hundred dollars

Section 2103 COUNTY COMMISSIONERS ADDING NAMES TO VOTING LIST The commissioners of any county who add or knowingly permit to be added the name of any person to the list of taxable inhabitants in boroughs towns and townships furnished them by the assessor and return such name to the inspectors of election shall on conviction thereof be fined not less than fifty nor more than two hundred dollars each

Section 2104 FRAUDULENTLY SECURING NAME TO BE PLACED ON LIST Any person who upon any false representation or by the production of any forged false or spurious naturalization certificate or upon any such certificate not duly issued according to the act of Congress causes his name to be placed or attempts to have his name placed upon any assessment list for election purposes or upon any list of qualified electors authorized or required to be made by this act and any person who aids or abets any other person in such false representation or attempt shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to imprisonment for not exceeding one year

Section 2105 FRAUDULENTLY INSERTING ALTERING OR DESTROYING ENTRIES IN ANY DOCUMENT LIST OR RECORD PERTAINING TO ELECTIONS DEFACING REMOVING OR REFUSING TO DELIVER THE SAME Any election officer or clerk or election or clerk of the county commissioners or other person who knowingly inserts or knowingly permits to be inserted any fictitious name false figure or other fraudulent entry on or in any assessor's list register list of voters affidavit tally paper return sheet statement certificate or oath voucher ballot or other record or document authorized or required to be made used signed returned or preserved for any public purpose in connection with any election or who materially alters or intentionally defaces or destroys any entry which has been lawfully made therein except by public order of the county commissioners prothonotary or of the court of common pleas or who takes or removes any such book list affidavit return ballot or other document or record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as required or permitted by law or who neglects or refuses to deliver the same into the custody of the officials who are or hereafter may be required by law to use or keep the same shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for a period not exceeding three years or both

Section 2106 FORGING COUNTERFEITING DESTROYING DEFACING AND DELAYING DELIVERY OF BALLOTS Any person who forges or falsely makes the official endorsement on any ballot or makes or has in his possession any counterfeit of an official ballot or wilfully destroys or defaces any ballot or wilfully delays the delivery of any ballots shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo imprisonment for not more than one year or both

Section 2107 FRAUD IN CONNECTION WITH NOMINATION PAPERS AND NOMINATION PETITIONS Any person who falsely makes or wilfully defaces or destroys any certificate of nomination or nomination papers or any part thereof or any letter of withdrawal or files any certificate of nomination or nomination paper or letter of withdrawal knowing the same or any part thereof to be falsely made or suppresses any certificate of nomination or nomination paper or any part thereof which has been duly filed shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for not more than one year or both

Any person who knowingly and wilfully signs any nomination petition without being qualified with respect to age sex residence and citizenship to be an elector of the State or of the political district or division as the case may be named in said petition and a resident of the county named on the sheet which he signs or who places opposite a signature on a nomination petition a date other than the actual date such signature was affixed thereto or who places opposite a signature on the nomination petition a false statement of the signer's place of residence or who signs more nomination petitions than permitted by the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine or not more than one hundred ($100.00) dollars

Any person who knowingly makes a false statement in any affidavit required to be appended to or to accompany a nomination petition or who fraudulently signs any name not his own to any nomination petition or who fraudulently alters any nomination petition without the consent of the signers shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred ($500.00) dollars or to undergo imprisonment for not more than one year or both

Section 2108 PAYMENT OF POLL TAX FOR OTHER PERSONS Any person or persons who pays or causes to be paid any occupation or poll tax assessed against any other election except where paid by a husband or wife for his or her spouse or by a parent for his or her child unless pursuant to the written and signed order of such elector authorizing such payment to be made which written and signed order must be presented at least thirty days prior to the date of holding the election at which such elector desires to vote shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding two hundred dollars or to undergo an imprisonment not exceeding six months

Section 2109 ISSUING TAX RECEIPT WITHOUT WRITTEN ORDER Any officer clerk or other person authorized to collect taxes and receipt therefor who receives payment

of or receipts for any occupation or poll tax assessed for State or county purposes from any person other than the elector against whom such tax shall have been assessed except where paid by a husband or wife for his or her spouse or by a parent for his or her child or where paid pursuant to the written and signed order of the taxable authorizing such payment to be made shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding two hundred dollars or undergo an imprisonment not exceeding six months

Section 2110 ISSUING OF AND VOTING OR REGISTERING ON FORGED FRAUDULENT OR UNLAWFUL TAX RECEIPT Any person who knowingly publishes or utters or who attempts to register for or vote at any election upon a forged false or fraudulent tax receipt or who votes or attempts to vote on any tax receipt unlawfully obtained shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars or undergo an imprisonment not exceeding two years

Section 2111 DESTROYING DEFACING OR REMOVING LISTS OF CANDIDATES CARDS OF INSTRUCTION SPECIMEN BALLOTS SUPPLIES ET CETERA HINDERING VOTERS Any person who prior to an election wilfully defaces or destroys any list of candidates posted in accordance with the provisions of this act or who during an election wilfully defaces tears down removes or destroys any card of instruction or specimen ballot printed or posted for the instruction of voters or wilfully removes or destroys any of the supplies or conveniences furnished to enable a voter to prepare his ballot or who wilfully hinders the voting of others shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars or to undergo imprisonment for not more than three months or both

Section 2112 IMPROPER PREPARATION OR DELIVERY OF BALLOTS BY PRINTER Any printer employed by the commissioners of any county to print any official ballots or any person engaged in printing the same who appropriates to himself or gives or delivers or knowingly permits to be taken any of said ballots by any other person than such commissioners or their duly authorized agent or who wilfully prints or causes to be printed any official ballot in any other form than that prescribed by such commissioners or with any other names thereon or with the names spelled otherwise than as directed by them or the names or printing thereon arranged in any other way than that authorized and directed by this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment of not more than five years or both

Section 2113 ELECTION OFFICERS REFUSING TO ACT BECOMING INTOXICATED Any person elected or appointed to serve as a judge inspector or clerk of elections who neglects or refuses to take upon himself the duties of such office shall forfeit and pay the sum of fifty dollars ($50) or having entered upon the same afterwards neglects or refuses to perform the duties thereof according to law shall forfeit and pay the sum of one hundred dollars ($100)

Any assessor or election officer who becomes intoxicated during any of the time in which he is engaged in the performance of his duties shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of twenty dollars or imprisonment for thirty days or both

Section 2114 ELECTION OFFICERS FAILING TO COMPLY WITH LAW AS TO TAKING AND GIVING OATH OF OFFICE Any judge or minority inspector who refuses or fails to swear the officers of election in the manner required by this act and any officer of election who acts without being first duly sworn or who signs the form of oath without being duly sworn and any judge or minority inspector who certifies that any officer was sworn when he was not shall be guilty of a misdemeanor and upon conviction the officer or officers so offending shall be fined not exceeding one thousand dollars or imprisonment not exceeding one year or both in the discretion of the court

Section 2115 FURNISHING ELECTORS WITH FRAUDULENT BALLOTS Any person who furnishes or supplies to any elector of this Commonwealth at any of the polls or voting places any ballot falsely representing it to contain names not thereon with the intent and purpose of defrauding said voter out of his express choice shall be guilty of a misdemeanor and on conviction shall pay a fine not to exceed one hundred dollars or imprisonment not to exceed one year or both

Section 2116 ELECTION OFFICERS AT PRIMARIES REJECTING VOTES OF QUALIFIED AND RECEIVING VOTES OF UNQUALIFIED ELECTORS STUFFING BALLOT BOXES AND OTHER FRAUD Any election officer who permits a person to vote at any primary with the knowledge that such person is not so entitled to vote or refuses to permit any lawfully entitled elector to vote at such primary with the knowledge that such person is entitled to vote shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars or to undergo imprisonment for a period not exceeding three years or both

Any election officer or clerk who is guilty of any wilful fraud in the conduct of his duties at a primary for which a penalty is not otherwise specifically provided or who deposits fraudulent ballots in the ballot box or who certifies as correct a return of ballots in the ballot box which he knows to have been fraudulently deposited therein or who conspires with others to commit any of the offenses herein mentioned shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment for a period not exceeding three years or both

Any election officer who refuses to permit a person to receive the party ballot for which he asks after having executed the affidavit provided by law shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) or to undergo imprisonment not exceeding two years or both

Section 2117 ELECTION OFFICERS AT GENERAL SPECIAL OR MUNICIPAL ELECTIONS REJECTING VOTES OF QUALIFIED OR RECEIVING VOTES OF UNQUALIFIED ELECTORS Any inspector or judge of an election who at any special or municipal election knowingly repects the vote of any qualified citizen or knowingly receives the vote of any person not qualified or conceals from his fellow officers any fact through the knowledge of which such vote should by law be received or rejected shall on conviction be sentenced to pay a fine of not less than fifty nor more than two hundred dollars

Section 2118 ELECTION OFFICERS PERMITTING PERSONS TO VOTE WITHOUT REQUIRING PROOF OF QUALIFICATION Any election officer who refuses or neglects to require such proof of the right of suffrage as is prescribed by law from any person offering to vote whose name is not on the list of assessed voters or whose right to vote is challenged by any qualified voter present and admits such person to vote without requiring such proof shall be guilty of a misdemeanor and upon conviction thereof be sentenced for every such offense to pay a fine not exceeding five hundred dollars or to undergo an imprisonment not more than one year or both

Section 2119 ELECTION OFFICERS PERMITTING PERSONS TO DEPOSIT BALLOTS WITHOUT TEARING OFF NUMBER Any judge or inspector of election who permits any elector at any election to deposit in the ballot box a ballot without first having torn off the right hand corner thereof as provided in this act shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of ten dollars ($10.00) for each ballot so permitted to be deposited

Section 2120 WILFUL FRAUD BY ELECTION OFFICER AT GENERAL SPECIAL OR MUNICIPAL ELECTIONS Any inspector judge or clerk of election who at any general special or municipal election is guilty of any wilful fraud in the discharge of his duties for which a penalty is not otherwise specifically provided shall upon conviction thereof be sentenced to undergo an imprisonment for any term not less than three nor more than twelve months and be fined in any sum not less than one hundred dollars nor more than five hundred dollars

Section 2121 DISQUALIFICATION OF ELECTION OFFICERS CONVICTED OF FRAUD Any election officer or clerk convicted of any wilful fraud under the provisions of this act shall for seven years thereafter be disabled from holding any office of honor trust or profit in this Commonwealth and shall moreover be disabled for the term aforesaid from giving his vote at any election within this Commonwealth

Section 2122 OPENING OR PRYING INTO BALLOTS Any judge of an election inspector clerk or other person who before the closing of the polls unfolds opens or prys into any ballot with a design to discover the name of any candidate voted for therein shall on conviction thereof be sentenced to pay a fine of not less than fifty nor more than one hundred dollars and to be imprisoned for not less than one nor more than three months

Section 2323 PUBLIC OFFICER FAILING TO PERFORM DUTIES OR VIOLATING PROVISIONS OF ACT Any public officer election officer or clerk of election upon whom a duty is imposed by this act who negligently or wilfully fails to perform such duty or who negligently or wilfully performs it in such a way as to hinder the objects of this act or who negligently or wilfully violates any of the provisions thereof shall except as may be otherwise provided for in this act be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for not more than one year or both at the discretion of the court

Section 2124 FRAUDULENT VOTING AT GENERAL SPECIAL OR MUNICIPAL ELECTIONS Any person who at any general municipal or special election votes at more than one election district or otherwise fraudulently votes more than once on the same day or fraudulently folds and deposits in the ballot box more than one ballot with intent to illegally vote or votes out of his proper district or who being unqualified fraudulently votes at any such election and any person who advises and procures another so to do shall on conviction thereof be sentenced to pay a fine of not less than fifty nor more than five hundred dollars and to be imprisoned for a term not exceeding five years

Section 2125 FRAUDULENT VOTING AT PRIMARY ELECTIONS Any person who votes or attempts to vote at a primary knowing that he does not possess the qualifications of a voter at such primary shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000.00) dollars or to undergo an imprisonment for a period not exceeding one year or both

Any person who votes or attempts to vote more than once at a primary shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars or to undergo imprisonment for a period not exceeding three years or both

Section 2126 FALSE SWEARING Any person who wilfully and corruptly makes or procures any person to make falsely any oath or affirmation required or authorized by this act shall except as herein otherwise provided upon conviction thereof suffer such penalties and disabilities as are incurred on conviction of wilful and corrupt perjury or subordination of perjury

Section 2127 SHOWING OR SOLICITING ANOTHER TO SHOW CONTENTS OF BALLOT VOTING UNOFFICIAL BALLOT INTERFERENCE WITH VOTER Any voter at any election who allows his ballot to be seen by any person with the apparent intention of letting it be known how he is about to vote or casts or attempts to cast any other than the official ballot which has been given him by the proper election officer and any person who interferes with any voter when inside said enclosed space or when marking his ballot or who endeavors to induce any voter before depositing his ballot to show how he marks or has marked his ballot shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed one thousand dollars or undergo an imprisonment for not more than one year or both

Section 2128 UNLAWFULLY GIVING OR RECEIVING ASSISTANCE DECEIVING OR ATTEMPTING TO INFLUENCE ASSISTED VOTER DISCLOSING CONTENTS OF SUCH BALLOT Any person at any election who without having made the statement required by section two hundred fifty of this act permits another to accompany him into the voting compartment or to mark his ballot for him or who marks his ballot while another is unlawfully present in the voting compartment with him or who states falsely that he cannot read the names on the ballot or that by reason of physical disability he cannot see or mark the ballot or enter the voting compartment without assistance or who states as his reason for requiring assistance a disability from which he does not suffer or who goes into the voting compartment with another while voting or is present therein while another is voting or marks the ballot of another having knowledge that such voter had failed to make the required statement relative thereto or that such statement having been made was false and except in strict accordance with the provisions of this act or any helper who attempts to influence the vote of the voter whom he is assisting or who marks a ballot in any other way than that requested by the voter whom he is assisting or who discloses to anyone the contents of any ballot which has been marked with his help except when required so to do in any legal proceedings shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed one thousand dollars or to undergo an imprisonment for not more than one year or both at the discretion of the court

Section 2129 ELECTION OFFICERS PERMITTING UNLAWFUL ASSISTANCE Any election officer who permits a voter at any election to be accompanied by another into the voting compartment when he has not made under oath or affirmation the statement required by section two hundred fifty of this act or when he knows that the statement which the voter has made is false or who permits any person to accompany a voter into the voting compartment except as provided by this act shall for each such violation be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment for not less than one month nor more than one year and in addition thereto at the discretion of the court to pay a fine which shall not exceed one thousand dollars

Section 2130 JUDGE OF ELECTION FAILIIG TO KEEP AND RETURN PROPER RECORDS OF ASSISTED VOTERS Any judge of election who fails to record as required by section two hundred fifty of this act the name of each voter who receives assistance or who is accompanied by another into the voting compartment or inserts in the record of assisted voters the name of any voter who does not receive assistance or is not accompanied by another into the voting compartment or fails to record the reason stated by any assisted voter for requiring assistance or records in respect of any assisted voter a reason other than that stated by the voter or fails to record the name of each person rendering assistance to a voter as prescribed by this act or knowingly records as the name of such helper a name which is not the name of such helper or fails or neglects to return the record of assisted voters to the prothonotary or the county commissioners as required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment for not less than two months nor more than two years and in addition thereto at the discretion of the court to pay a fine which shall not exceed one thousand dollars

Section 2131 ELECTION OFFICERS IN BOROUGHS TOWNS AND TOWNSHIPS FAILING TO ENDORSE NATURALIZATION CERTIFICATES AFTER HOLDER VOTED THEREON Any election officer who at any election in boroughs towns and townships neglects or refuses to make the endorsement required by this act upon a naturalization certificate after the holder thereof has been entitled to vote upon showing the same or who unlawfully permits a second vote on the same day by virtue of the same certificate properly endorsed as to the first vote shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or imprisonment not exceeding one year or both

Section 2132 ATTEMPTING TO VOTE BY PERSONS NOT CITIZENS Any person not a citizen of this Commonwealth who votes or attempts to vote at any election or any person who through solicitation invitation or devise persuades or prevails on such a person to vote at an election or who by any means aids encourages or abets such attempt shall be guilty of felony and on conviction be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment of not less than two nor more than five years

Section 2133 POSSESSION OF OFFICIAL BALLOT BY PERSONS NOT ENTITLED THERETO Any person other than an officer charged by law with the care of ballots or a person entrusted by any such officer with the care of the same for a purpose required by law who has in his possession outside the voting room any official ballot shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for not more than one year or both

Section 2134 OBSTRUCTING AND INTIMIDATING ELECTION OFFICERS AND OVERSEERS BLOCKING UP ENTRANCE AND RAISING DISTURBANCES INTIMIDATING

AND ASSAULTING VOTERS Any person who prevents or attempts to prevent any officers or overseers of an election from holding such election or uses or threatens any violence or intimidation to any such officer or overseer or interrupts or improperly interferes with him in the execution of his duty or blocks up or attempts to block up the entrance or avenue to any enclosed space where the election is held or riotously disturbs the peace at any election or uses or practices any intimidation threats force or violence with design to influence unduly or overawe any elector or to prevent him from voting or to restrain the freedom of choice or unlawfully strikes wounds or commits any assault and battery upon the person of any elector at or near the election poll during the holding of any election shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five hundred dollars and be imprisoned for a term not less than one nor more than twelve months

Section 2135 INTIMIDATING OFFICERS AND VOTERS BLOCKING UP ENTRANCE AND RAISING DISTURBANCE BY PERSONS NOT OF THE DISTRICT Any person who on the day of any election visits a polling-place in any election district at which he is not entitled to vote and blocks up or attempts to block up the entrance or avenue to any enclosed space where the same is held or riotously disturbs the peace at any election or uses any intimidation or violence for the purpose of preventing any officer or election from performing the duties required of him by law or for the purpose of preventing any qualified voter of such district exercising his right to vote or from exercising his right to challenge any person offering to vote shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding two years or both

Section 2136 PENALTY FOR INTERFERING WITH OR INTIMIDATING WATCHERS Any election officer or officers officiating at any election refusing to permit a watcher appointed under the provisions of this act to be present at such election or any person who by violence or intimidation shall threaten or drive away any watcher so appointed shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000.00) dollars or to undergo an imprisonment not exceeding one year or both in the discretion of the court

Section 2137 ATTEMPTING TO INFLUENCE VOTERS AT ELECTIONS BY PERSONS NOT QUALIFIED Any person not qualified to vote in this Commonwealth (except the sons of qualified citizens) who appears at any place of election for the purpose of influencing the citizens qualified to vote shall for every such offense on conviction thereof be sentenced to pay a fine not exceeding one hundred dollars and be imprisoned for a term not exceeding three months

Section 2138 PRESENCE OF POLICE OFFICER AT POLLING-PLACE It is unlawful for any police officer in commission whether in uniform or in citizen's clothes to be within one hundred feet of a polling-place during the conduct of a primary or election unless in the exercise of his privilege of voting or for the purpose of serving warrants or in case of disturbance of the peace Any police officer violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars or to undergo imprisonment for a term not exceeding one year or both

Section 2139 CONSTABLES NEGLECTING TO REPORT TO COURT DISTURBANCES AT ELECTIONS If it is made to appear to any court of quarter sessions of this Commonwealth that any riot or disturbance occurred at the time and place of holding any election and the constables who are enjoined by law to attend at such electons have not given information thereof according to the provisions of this act the said court shall cause the officer or officers so neglecting the duty aforesaid to be proceeded against by indictment for misdemeanor in office and on conviction thereof the said officer shall be fined in any sum not exceeding one hundred dollars

Section 2140 JUSTICE OF THE PEACE REFUSING TO RECEIVE OR FAILING TO SAFELY KEEP BALLOT BOX Any justice of the peace who refuses to receive any ballot-box delivered to him in accordance with the provisions of this act or having received the same neglects the safe-keeping thereof shall on conviction of any such refusal or neglect be fined in any sum not less than one hundred nor more than one thousand dollars

Section 2141 FRAUDULENT ISSUE OF NATURALIZATION CERTIFICATES PERJURY IN SECURING SAME REGISTERING OR VOTING ON SUCH CERTIFICATE Any prothonotary clerk or the deputy of either or any other person who affixes the seal of any court to any naturalization paper or permits the same to be affixed or gives out or causes or permits such naturalization paper to be given out in blank whereby it may be fraudulently used or furnishes a naturalization certificate to any person who shall not have been duly examined and sworn in open court in the presence of some of the judges thereof according to the act of Congress shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars or undergo imprisonment for a term of not more than three years or both

Any person who on oath or affirmation in or before any court or officer authorized to administer oaths in order to procure a certificate of naturalization for himself or any person wilfully deposes declares or affirms any matter to be fact knowing the same to be false or in like manner denies any matter to be a fact knowing the same to be the truth shall be guilty of perjury Any certificate of naturalization issued in pursuance of any such false deposition declaration or affirmation is null and void The court having issued such certificate shall upon proof being made before it that it was fraudulently obtained take immediate measures for recalling the same for cancellation

Any person who registers or attempts to register or votes or attempts to vote on any naturalization certificate knowing that it was fraudulently issued or procured or on any certificate of naturalization not issued to him or who in any way aids in connives at or has any agency whatever in the issue circulation or use of any fraudulent naturalization certificate shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars or undergo imprisonment for a term of not more than three years or both

Section 2142 PAYMENT OF COSTS OF NATURALIZATION BY CANDIDATES POLITICAL COMMITTEES AND ORGANIZATIONS OR MEMBERS THEREOF DISPOSITION OF FINES It is unlawful for any officer or member of any political committee or organization of any political party or any candidate for office nominated by any political party or by nomination papers or any person in behalf of said committee organization or candidate to pay or furnish the money to pay or in any way become responsible for the payment of the fees and expenses directly or indirectly incurred by an alien in attending upon any court for the purpose of and in obtaining his naturalization papers

Any person violating the provisions of this section shall upon conviction thereof in any summary proceeding before any magistrate alderman or justice of the peace who are hereby authorized to try such offenders in a summary way be sentenced to pay a fine of fifty dollars and costs which when collected shall be paid into the county treasury of the county wherein the offense was committed

Any person sentenced to pay a fine under the provisions of this section who refuses or fails to forthwith pay said fine and costs to the magistrate alderman or justice of the peace before whom he is convicted or give satisfactory security to be approved by said magistrate alderman or justice of the peace to pay the same within ten days shall be committed to the county jail there to be held one day for every five dollars of the fine and costs which he has been sentenced to pay Such imprisonment shall not prevent the collection of said fine or fines and costs by legal process

Section 2143 CORRUPT SOLICITATION OF ELECTION OFFICERS AND OTHER PUBLIC OFFICERS BY BRIBERY OR INTIMIDATION Any person who directly or indirectly by offer or promise of money office appointment employment testimonial or other thing of value or by threats or intimidation endeavors to influence any member of the general assembly state county election municipal or other public officer in the discharge performance or non-performance of any act duty or obligation imposed thereon or provided by the provisions of this act shall be guilty of the offence of corrupt solicitation and liable to indictment for a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars and to undergo imprisonment not exceeding two years

Section 2144 ATTEMPTING TO BRIBE OR INTIMIDATE COUNTY OR EXECUTIVE COMMITTEE OR MEMBER OF RETURN BOARD FOR PRIMARY ELECTION ACCEPTANCE AND SOLICITATION OF BRIBE BY SAME Any person elected chosen or acting as a member of the county or executive committee of any party or as a judge of a return board to count up and cast the vote polled at a primary election or any person appointed a clerk of such return board who directly or indirectly accepts receives or solicits money office appointment employment testimonial reward or other thing of value or the promise of all or either of them to influence his vote or action in the discharge performance or non-performance of any act duty or obligation pertaining to such office shall be guilty of a misdemeanor and upon conviction thereof shall be setenced to pay a fine of not more than one hundred dollars and be imprisoned for a time not exceeding three months

Any person or persons who directly or indirectly by offer or promise of money office appointment employment testimonial reward or other thing of value or who by threats or intimidation endeavors to influence a member of a county or executive committee of any party or a judge or clerk of any return board in the discharge performance or non-performance of any act duty or obligation pertaining to such office shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of two hundred dollars and to undergo an imprisonment not exceeding six months

Section 2145 BRIBERY OR INTIMIDATION OF AN ELECTOR Any person who directly or indirectly gives or promises or offers to give any gift or reward in money goods or other valuable thing to any person with intent to induce him to vote or refrain from voting for any particular candidates at any election or directly or indirectly procures for or offers or promises to procure for such person any such gift or reward with the intent aforesaid or with the intent to influence or intimidate such person to give his vote or refrain from giving his vote for any particular candidate or candidates at any election gives to or obtains for or assists in obtaining for or offers or promises to give to or obtain for or assist in obtaining for such person any office place appointment or employment public or private or threatens such person with dismissal or discharge from any office place appointment or employment public or private then held by him the person so offending shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment for a period not exceeding three years or both

Section 2146 SOLICITATION OR ACCEPTANCE OF BRIBE BY ELECTORS Any elector qualified to vote at any election who directly or indirectly (a) accepts or receives from any person any gift or reward in money goods or other valuable thing or any office or employment under an agreement or promise express or implied that such elector shall give or withhold his vote for the nomination or election of any particular person at such election or (b) accepts or receives the promise of any person that he shall thereafter receive any gift or reward in money goods position or other valuable thing if he will vote for the nomination or election of any particular person or (c) offers to give his vote to any particular person in consideration that for such vote he is to receive any gift or reward in money goods or other valuable thing or any office or employment shall be guilty of a misdemeanor and upon conviction shall pay a fine not exceeding three hundred dollars and undergo a period of imprisonment not exceeding six months

Section 2147 GIVING OR RECEIVING BRIBES FOR VOTES ON PUBLIC QUESTIONS Any person who gives or promises or offers to give an elector any money reward or other valuable consideration for his vote at any election held for the purpose of voting on an amendment to the Constitution or any other public purpose or for withholding the same or who gives or promises to give such consideration to any other person or party for such elector's vote or for the withholding thereof and any elector who receives or agrees to receive for himself or for another any money reward or other valuable consideration for his vote at such election or for withholding the same shall be guilty of a misdemeanor and upon conviction thereof shall pay a fine of not exceeding one thousand dollars and undergo imprisonment not exceeding one year

Section 2148 CONTRIBUTIONS DEMANDED FROM PUBLIC EMPLOYES BY POLITICAL COMMITTEES It is unlawful for any political committee or member thereof directly or indirectly to demand of any public officer subordinate or employe holding any office or position of honor trust or profit in this Commonwealth or otherwise engaged or employed in the service of this State or from any officer subordinate or employe in any way engaged or employed in the service of any city or county of this State any assessment or percentage of any money property or their equivalent in anything of value with the understanding either expressed or implied that the same may or shall be used for any political purpose whatsoever

Any person violating any of the provisions of this section is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed one hundred dollars

Any person violating any of the provisions of this section is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed one hundred dollars

Section 2149 ASSESSMENT OF PUBLIC EMPLOYES FOR POLITICAL PURPOSES BY HEADS OF DEPARTMENTS It is unlawful for any officer of this Commonwealth or of any county thereof or for any mayor or head or department or other officer of any city of this Commonwealth to make or cause or knowingly permit to be made any assessment upon the pay wages or salary of any officer or employe appointed by or holding office or employment under him for any political or party purpose whatsoever or to make or cause or knowingly permit to be made any demand for the payment or gift of any money or other valuable thing to any political committee organization or person for use in any manner for any political or party purpose

Any person who violates any of the provisions of this section is guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars or to undergo imprisonment for not more than one year or both

Nothing herein contained shall prevent any officer or other employe appointed as aforesaid from making a voluntary contribution to any political committee or organization for legitimate political and campaign purposes

Section 2150 PRINTING POSTING OR DISTRIBUTING ANY LIBELOUS CIRCULAR WITH INTENT TO DEFEAT ANY CANDIDATE Any person who writes prints posts or distributes or causes to be written printed posted or distributed a circular or poster cartoon or other written or printed paper which is designated or tends to injure or defeat any candidate for nomination or election to public office by reflecting upon his personal character or political action unless the same shall be published in a newspaper avowedly responsible therefor or unless there appears upon such circular poster or paper in a conspicuous place either the names of the chairman and secretary or at least the names of two officers of the political or other organization issuing the same or the name of some duly registered elector with description of his election district as responsible therefor shall be punished by fine not exceeding one hundred dollars or by imprisonment not exceeding six months or both and if the statements are untrue the person so offending shall also be deemed guilty of libel and may be prosecuted in the civil or criminal courts or both thereof

Section 2151 BETTING ON ELECTIONS CERTAIN OFFICERS TO PROSECUTE GRAND JURY TO MAKE PRESENTMENT Wagering or betting on the event of an election is hereby prohibited and all contracts or promises founded thereon are entirely null and void Any person who makes any bet or wager upon the result of any election within this Commonwealth or who offers to make any such bet or wager either by verbal proclamation thereof or by any written or printed advertisement challenges or invites any person or persons to make such bet or wager shall upon conviction thereof forfeit any pay three times the amount so bet or offered to be bet

Any judge sheriff mayor alderman justice of the peace or constable knowing of any person having offended against the provisions of this section shall commence proceedings against the person so offending The grand juries of the respective counties shall make a presentment of all such offenses coming within their knowledge

Section 2152 DIRECTORS OF THE POOR TO SUE FOR AMOUNT OF WAGERS The several constituted authorities having care and charge of the poor in the respective counties districts and townships of this Commonwealth knowing or

being informed under oath of any person or persons having made any bet or wager of any land goods money or thing of value on the result of any election within this Commonwealth or deposited the same in the hands of any person within their respective counties districts or townships shall bring suit in the name of the Commonwealth of Pennsylvania for the use of the poor of such county district or township against such depositee or stakeholder where said bet is deposited in the hands of third person or against the party winning said bet when the same is not deposited for the recovery of the amount so bet and if on the trial it shall be made appear that said lands goods money or thing of value was bet on the result of any election within this Commonwealth said guardians directors or overseers of the poor shall be entitled to recover the amount or value thereof for the use of the poor from said stakeholder or person winning said bet where there is no stakeholder Provided Said suit is brought within two years from the time of making said bet And the stakeholder is hereby prohibited during said time to pay over the amount so bet to either of the parties and shall be liable for the same whether such bet is paid over or delivered to the parties or either of them or not and the party wining shall in like manner be liable to the payment of the whole amount so bet where the same is received by him and said bet or the value thereof may be recovered as debts of like amount are by law recoverable Any of the said guardians directors or overseers of the poor who neglects or refuses to bring such suit shall be guilty of a misdemeanor in office and on conviction shall be fined in any sum not less that the amount so bet nor more than double the amount

Section 2153 CONSTABLES TO RETURN TO COURT NAMES OF PERSONS SELLING OR FURNISHING LIQUOR ON ELECTION DAY The constables of the several towns townships wards and boroughs of this Commonwealth shall make return to the next court of quarter sessions of the proper county of the name or names of any person or persons keeping a public house or drinking place where in any spirituous or malt liquors wine or any other intoxicating beverages are sold furnished or given away on any election day Any constable wilfully violating the provisions of this section is guilty of a misdemeanor and upon conviction thereof shall be sentenced to a fine of not more than five hundred dollars and imprisonment for not more than one hundred days

Section 2154 VIOLATIONS OF ACT NOT SPECIFICALLY PROVIDED FOR Any person other than a public officer election officer or clerk of election who violates any of the provisions of this act for which a penalty is not herein specifically provided is guilty of a misdemeanor and for each such offense shall upon conviction thereof be sentenced to pay a fine not to exceed one thousand dollars or to imprisonment not exceeding one year or both

Section 2155 HOW FINES AND FORFEITURES MAY BE RECOVERED LIMITATION OF SUITS Every specific fine or forfeiture imposed by this act may be recovered by action of debt in the name of the Commonwealth as debts of like amount are by law recoverable or by indictment in the court of quarter sessions of the proper county and where the fine and forfeiture is not specific the proceeding shall be by indictment in the quarter sessions of the proper county All such suits and prosecutions shall be instituted within one year next after the cause thereof shall accrue unless otherwise herein provided

ARTICLE XXII
REPEALS

Section 2200 The following acts and parts of acts of assembly are hereby repealed as particularly set forth

The act approved the twenty-fourth day of August one thousand seven hundred and seventeen (Volume III Statutes at Large Page one hundred thirty-eight) entitled "An act for the better regulating of elections of sheriffs coroners and assessors" absolutely

The act approved the eleventh day of March one thousand seven hundred and fifty-two (Volume V Statutes at Large page one hundred fifty-nine) entitled "An act for preventing bribery and corruption in the election of sheriffs and coroners within this province" absolutely

The act approved the fourth day of October one thousand seven hundred and eighty-eight (Volume XIII Statutes at Large page one hundred forty) entitled "An act directing the time places and manner of holding elections for representatives of this State in the Congress of the United States and for appointing electors on the part of this State for choosing a President and Vice-President of the United States" absolutely

The act approved the twenty-ninth day of September one thousand seven hundred and ninety-one (three Smith's Laws forty-five) entitled "An act to regulate the trials of contested elections" absolutely

The act approved the sixth day of March one thousand seven hundred and ninety-three (three Smith Laws ninety-one) entitled "A supplement to the act entitled 'An act to regulate the trials of contested elections'" absolutely

The act approved the second day of April one thousand eight hundred and two (Pamphlet Laws one hundred forty-five) entitled "An act to provide for the election of Representatives of the People of this State in the Congress of the United States" absolutely

The act approved the twenty-first day of March one thousand eight hundred and eight (Pamphlet Laws eighty-six) entitled "An act to fix the number of senators from the State into districts and determine the portion to be allotted to each also to fix the number of Representatives for the city and the several counties of the Commonwealth in pursuance of the provisions of the constitution" absolutely

The act approved the twentieth day of March one thousand eight hundred and twelve (Pamphlet Laws one hundred twenty-seven) entitled "An act to provide for the election of representatives of the people of this state in the Congress of the United States" absolutely

The act approved the eighth day of March one thousand eight hundred and fifteen (Pamphlet Laws ninety-three) entitled "An act to fix the number of Senators and Representatives and form the state into districts in pursuance of the provisions of the constitution" absolutely

The act approved the twenty-fourth day of March one thousand eight hundred and seventeen (Pamphlet Laws two hundred four) entitled "An act to prevent the practice of wagering or betting on elections" absolutely

The act approved the twenty-third day of March one thousand eight hundred and eighteen (Pamphlet Laws two hundred fifty-eight) entitled "A further supplement to an act entitled 'An act to regulate the trials of contested elections' passed the twenty-ninth day of September one thousand seven hundred and ninety-one" absolutely

The act approved the twenty-fifth day of March one thousand eight hundred and twenty-two (Pamphlet Laws seventy-four) entitled "An act to fix the number of Senators and Representatives and form the State into districts in pursuance of the provisions of the constitution" absolutely

The act approved the twelfth day of January one thousand eight hundred and twenty-four (Pamphlet Laws five) entitled "A supplement to the act entitled 'An act to amend and consolidate the several acts relating to the settlement of the public accounts and the payment of the public moneys and for other purposes" absolutely

The act approved the nineteenth day of March one thousand eight hundred and twenty-four (Pamphlet Laws fifty-three) entitled "A supplement to the act entitled 'An act to regulate the trial of contested elections'" absolutely

The act approved the tenth day of April one thousand eight hundred and twenty-six (Pamphlet Laws three hundred ninety-eight) entitled "An act regulating election districts" absolutely

The act approved the twentieth day of April one thousand eight hundred and twenty-nine (Pamphlet Laws two hundred twelve) entitled "An act to fix the number of Senators and Representatives and form the state into districts in pursuance of the provisions of the constitution" absolutely

The act approved the sixteenth day of June one thousand eight hundred and thirty-six (Pamphlet Laws seven hundred ninety-four) entitled "An act to fix the number of Senators and Representatives and form the state into districts in pursuance of the provisions of the constitution" absolutely

The act approved the thirteenth day of December one thousand eight hundred and thirty-six (Pamphlet Laws one) entitled "A supplement to an act entitled 'An act to prescribe the times places and manner of choosing Senators to represent this State in the Senate of the United States'" absolutely

Section two of the act approved the twenty-first day of June one thousand eight hundred and thirty-nine (Pamphlet Laws three hundred seventy-six) entitled "An act providing for the election of Aldermen and Justices of the Peace" absolutely

The act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred nineteen) entitled "An act relating to the Elections of this Commonwealth" absolutely

Sections two three four five and seven of the act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred fifty-nine) entitled "An act to provide for the election of Prothonotaries Clerks Recorders and Registers" absolutely

Sections one twenty-seven twenty-eight and twenty-nine of the act approved the seventh day of March one thousand eight hundred and forty (Pamphlet Laws seventy-two) entitled "An act relative to the election of Borough and Township officers and for other purposes" absolutely

Section four of the act approved the sixteenth day of April one thousand eight hundred and forty (Pamphlet Laws four hundred ten) entitled "An act relating to Executions and for other purposes" absolutely

Sections one two three four five six seven eight ten eleven twelve fourteen and fifteen of the act approved the sixteenth day of April one thousand eight hundred and forty (Pamphlet Laws six hundred eighty-three) entitled "A supplement to an act entitled 'An act relating to the elections of this Commonwealth' passed the second day of July Anno Domini one thousand eight hundred and thirty-nine and for other purposes" absolutely.

Sections three and four of the act approved the thirteenth day of June one thousand eight hundred and forty (Pamphlet Laws six hundred eighty-nine) entitled "A further supplement to an act entitled 'An act providing for the election of Aldermen and Justices of the Peace' passed twenty-first day of June one thousand eight hundred and thirty-nine and for other purposes" absolutely

Section eighty-four of the act approved the fourth day of March one thousand eight hundred and forty-two (Pamphlet Laws forty-three) entitled "An act regulating Election Districts and for other purposes" absolutely

The act approved the twenty-fifth day of March one thousand eight hundred and forty-three (Pamphlet Laws one hundred fifteen) entitled "An act to divide the State into Congressional districts for the election of Representatives in the Congress of the United States" absolutely

The act approved the fourteenth day of April one thousand eight hundred and forty-three (Pamphlet Laws two hundred forty-seven) entitled "An act to fix the number of Senators and Representatives and form the State into districts in pursuance of the provisions of the Constitution" absolutely

Sections two three and four of the act approved the eleventh day of April one thousand eight hundred and forty-eight (Pamphlet Laws five hundred twelve) entitled "A further supplement to an act entitled 'An act relating to the elections in this Commonwealth'" absolutely

The act approved the fifteenth day of May one thousand eight hundred and fifty (Pamphlet Laws seven hundred seventy-seven) entitled "An act to fix the number of senators and representatives and form the state into districts in pursuance of the provisions of the constitution" absolutely

Section nine of the act approved the fifteenth day of April one thousand eight hundred and fifty-one (Pamphlet Laws six hundred forty-eight) entitled "An act to provide for the election of judges of the several courts of this Commonwealth and to regulate certain judicial districts" absolutely

The act approved the first day of May one thousand eight hundred and fifty-two (Pamphlet Laws four hundred ninety-two) entitled "An act to divide the State into Congressional districts for the election of Representatives in the Congress of the United States" absolutely

The act approved the thirty-first day of March one thousand eight hundred and fifty-four (Pamphlet Laws two hundred fifty) entitled "An act relative to the payment of Constables for attending the General and Township Elections" absolutely

The act approved the twentieth day of April one thousand eight hundred and fifty-four (Pamphlet Laws four hundred nineteen) entitled "An act in relation to establishing and changing the places for holding general elections throughout the Commonwealth" absolutely

The act approved the sixteenth day of January one thousand eight hundred and fifty-five (Pamphlet Laws one) entitled "A supplement to an act in relation to establishing to the Elections of this Commonwealth" passed the second day of July Anno Domini one thousand eight hundred and thirty-nine" absolutely

The act approved the thirty-first day of January one thousand eight hundred and fifty-five (Pamphlet Laws five) entitled "A supplement to an act in relation to establishing and changing the places for holding General Elections throughout the Commonwealth passed April twentieth one thousand eight hundred and fifty-four" absolutely

The act approved the twentieth day of May one thousand eight hundred and fifty-seven (Pamphlet Laws six hundred nineteen) entitled "An act to fix the number of Senators and Representatives and to form the State into Districts in pursuance of the provisions of the Constitution" absolutely

The act approved the eleventh day of April one thousand eight hundred and fifty-nine (Pamphlet Laws four hundred ninety-five) entitled "An act to provide for taking Testimony in cases of Contested Elections of Members of the General Assembly" absolutely

Sections fifty and fifty-one of the act approved the thirty-first day of March one thousand eight hundred sixty (Pamphlet Laws three hundred eighty-two) entitled "An act to Consolidate Revise and Amend the Penal Laws of this Commonwealth" absolutely

The act approved the second day of April one thousand eight hundred and sixty (Pamphlet Laws six hundred nine) entitled "An act relating to Township Elections" absolutely

The act approved the first day of May one thousand eight hundred and sixty-one (Pamphlet Laws four hundred seventy-one) entitled "An act to divide the State into Congressional Districts for the Election of Representatives in the Congress of the United States" absolutely

The act approved the tenth day of April one thousand eight hundred and sixty-two (Pamphlet Laws four hundred five) entitled "An act to re-organize the Congressional Districts of Pennsylvania in accordance with the act of Congress approved March fourth one thousand eight hundred and sixty-two" absolutely

The act approved the sixteenth day of March one thousand eight hundred and sixty-four (Pamphlet Laws ten) entitled "An act providing for the election of a State Treasurer" absolutely

The act approved the fifth day of May one thousand eight hundred and sixty-four (Pamphlet Laws two hundred fifty-eight) entitled "An act to fix the number of Senators and Representatives and to form the State into districts pursuance of the provisions of the Constitution" absolutely

The act approved the twenty-fifth day of August one thousand eight hundred and sixty-four (Pamphlet Laws nine hundred ninety) entitled "An act to regulate elections by soldiers in actual military service" absolutely

The act approved the twenty-fourth day of August one thousand eight hundred and sixty-four (Pamphlet Laws ten hundred fourteen) entitled "A supplement to an act to fix the number of Senators and Representatives and to form the State into districts in pursuance of the provisions of the constitution approved May fifth one thousand eight hundred and sixty-four" absolutely

The act approved the thirtieth day of March one thousand eight hundred and sixty-six (Pamphlet Laws ninety-two) entitled "An act regulating the mode of voting at all elections in the several counties of this Commonwealth" absolutely

The act approved the seventeenth day of April one thousand eight hundred and sixty-six (Pamphlet Laws one hundred seven) entitled "A supplement to an act entitled 'An act regulating boroughs' approved the third day of April Anno Domini one thousand eight hundred and fifty-one to authorize courts to fix and change the places for holding general elections" absolutely

The act approved the fourth day of June one thousand eight hundred and sixty-six (Pamphlet Laws eleven hundred seven) entitled "A further supplement to the election laws of this Commonwealth" absolutely

The act approved the eleventh day of January one thousand eight hundred and sixty-seven (Pamphlet Laws eighteen) entitled "An act to define the time and regulate the manner of electing Senators to represent this state in the Senate of the United States" absolutely

The act approved the fifteenth day of April one thousand eight hundred and sixty-seven (Pamphlet Laws eighty-six) entitled "A supplement to an act approved the seventeenth

day of April one thousand eight hundred and sixty-six authorizing the courts to fix and change the places for holding general elections in certain cases" absolutely

Sections one two three four five six seven eight nine ten eleven thirteen fourteen fifteen sixteen seventeen eighteen nineteen and thirty-eight of the act approved the seventeenth day of April one thousand eight hundred and sixty-nine (Pamphlet Laws forty-nine) entitled "An act further supplemental to the act relative to the elections of this Commonwealth" absolutely

Sections six seven and nine of the act approved the sixth day of April one thousand eight hundred and seventy (Pamphlet Laws fifty-three) entitled "A further supplement to the act relating to elections in this Commonwealth" absolutely

The act approved the sixth day of May one thousand eight hundred and seventy-one (Pamphlet Laws two hundred fifty-two) entitled "An act to fix the number of senators and representatives and to form the state into districts in pursuance of the provisions of the constitution" absolutely

The act approved the eleventh day of May one thousand eight hundred and seventy-one (Pamphlet Laws two hundred fifty-nine) entitled "A supplement to an act entitled 'An act to fix the number of senators and representatives and to form the state into districts in pursuance of the constitution' which became a law on the sixth day of May Anno Domini one thousand eight hundred and seventy-one" absolutely

The act approved the twenty-first day of February one thousand eight hundred and seventy-two (Pamphlet Laws seventeen) entitled "An act entitled 'A further supplement to an act relating to the elections of this Commonwealth' approved July second Anno Domini one thousand eight hundred and thirty-nine" absolutely

The act approved the thirteenth day of March one thousand eight hundred and seventy-two (Pamphlet Laws twenty-four) entitled "An act to prevent the sale of intoxicating drinks on election days" absolutely

The act approved the nineteenth day of March one thousand eight hundred and seventy-two (Pamphlet Laws thirty-two) entitled "An act supplementary to an act relative to the election of auditor general surveyor general and county surveyors by the people approved the ninth day of April Anno Domini one thousand eight hundred and fifty" absolutely

The act approved the twenty-eighth day of April one thousand eight hundred and seventy-three (Pamphlet Laws seventy-nine) entitled "An act to re-organize the Congressional districts of Pennsylvania" absolutely

The act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" absolutely

The act approved the thirteenth day of February one thousand eight hundred and seventy-four (Pamphlet Laws forty-four) entitled "An act declaratory of and amending the act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four" absolutely

The act approved the ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws fifty-four) entitled "An act designating the judicial districts of the Commonwealth and providing for the appointment and election of judges therein for issuing to additional judges learned in the law commissions as president judges and manner of fixing the terms of courts therein" absolutely

The act approved the eigtheenth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-four) entitled "An act to define the necessary and proper expenses incdient to the nomination and election of senators representatives state judicial municipal and county officers and to authorize the payment thereof" absolutely

The act approved the nineteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws two hundred eight) entitled "An act designating the several classes of contested elections in this Commonwealth and providing for the trial thereof" absolutely

The act approved the eighteenth day of March one thousand eight hundred and seventy-five (Pamphlet Laws twenty-nine) entitled "An act in relation to the payment of the costs and expenses of the division of election districts" absolutely

The act approved the eighth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred thirty-six) entitled "An act authorizing the commissioners of the several counties of this Commonwealth to fix the compensation for light rent and fuel for election districts in their respective counties" absolutely

The act approved the eighth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred forty-eight) entitled "A supplement to an act entitled 'An act designating the several classes of contested elections in this Commonwealth and providing for the trial thereof' approved the nineteenth day of May Anno Domini one thousand eight hundred and seventy-four providing for the payment of the costs in contested elections of president or additional law judges senators and members of the house of representatives and of county borough township or municipal officers when the court decides the complaint is not without probable cause" absolutely

The act approved the eighteenth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred seventy-eight) entitled "An act to prescribe the manner by which the courts of quarter sessions may change the boundaries of election districts and townships" absolutely

Section three of the act approved the tenth day of May one thousand eight hundred and seventy-eight (Pamphlet Laws fifty-one) entitled "A supplement to an act entitled 'An act to prescribe the manner in which the courts may divide boroughs into wards' approved the fourteenth day of May Anno Domini one thousand eight hundred and seventy-four" absolutely

The act approved the twelfth day of June one thousand eight hundred and seventy-eight (Pamphlet Laws two hundred four) entitled "An act to provide for an appeal to the supreme court in contested elections of judges of courts of records wherein constitutional questions are involved" absolutely

The act approved the ninth day of May one thousand eight hundred and seventy-nine (Pamphlet Laws fifty-one) entitled "An act to provide for the receiving opening and publishing of the returns of the election for State treasurer and of auditor general when elected at the same election" absolutely

The act approved the eighth day of June one thousand eight hundred and eighty-one (Pamphlet Laws seventy) entitled "An act to prevent bribery and fraud at nominating elections nominating conventions returning boards county or executive committees and at election of delegates to nominating conventions in the several counties in this Commonwealth" absolutely

The act approved the twenty-ninth day of June one thousand eight hundred and eighty-one (Pamphlet Laws one hundred and twenty-eight) entitled "An act to regulate the holding of and to prevent frauds in the primary elections of the several political parties in the Commonwealth of Pennsylvania" absolutely

The act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws ninety-two) entitled "An act for the better protection of the electors of this Commonwealth" absolutely

The act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws ninety-six) entitled "An act to prohibit political parties committees or members thereof from assessing upon or demanding from public officials contributions for political purposes in the several counties of this Commonwealth" absolutely

The act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred twenty-four) entitled "An act to empower any judge of any court of common pleas of any county in this Commonwealth to fix the place of election in certain cases" absolutely

The act approved the twenty-third day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred forty-four) entitled "An act for the regulation of advertising of general elections" absolutely

The act approved the twenty-fourth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred forty-nine) entitled "An act amendatory of an act entitled 'An act to prescribe the manner by which the courts of quarter sessions may change the boundaries of election districts and townships" absolutely

The act approved the nineteenth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred twenty-six) entitled "An act to preserve the purity of elections by declaring drunkenness on the part of elec-

tion officers and assessors of poll taxes to be a misdemeanor and by requiring elections to be held in rooms in which liquor is not sold so far as possible" absolutely

The act approved the nineteenth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred and thirty-six) entitled "An act to organize and define the congressional districts of Pennsylvania" absolutely

Section one of the act approved the twenty-sixth day of April one thousand eight hundred and eighty-nine (Pamphlet Laws sixty) entitled "An act providing for the issuing of commissions in cases of contested elections" absolutely

The act approved the ninth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and sixty-two) entitled "An act to punish bribery at certain elections" absolutely

The act approved the twenty-ninth day of May one thousand eight hundred and ninety-one (Pamphlet Laws one hundred and thirty-four) entitled "An act to amend sections one two and three of an act entitled "A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four changing the time and manner of making the registry of voters and the duties of registry assessors" absolutely

The act approved the eleventh day of June one thousand eight hundred and ninety-one (Pamphlet Laws two hundred ninety-six) entitled "An act to enable any township within this Commonwealth which surrounds or immediately adjoins any borough or city within this Commonwealth to hold all elections authorized by law within the corporate limits of such borough or city" absolutely

The act approved the sixteenth day of June one thousand eight hundred and ninety-one (Pamphlet Laws two hundred ninety-eight) entitled "An act to authorize the election of assisstant assessor for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" absolutely

The act approved the nineteenth day of June one thousand eight hundred and ninety-one (Pamphlet Laws three hundred forty-nine) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and certain other expenses to be paid by the Commonwealth and punishing certain offenses in regard to such elections" absolutely

The act approved the tenth day of May one thousand eight hundred and ninety-three (Pamphlet Laws thirty-six) entitled "An act relating to the naturalization of aliens and prohibiting the payment of the expenses connected therewith by officers and members of political organizations and by candidates" absolutely

The act approved the eighteenth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred one) entitled "An act to amend section six of the act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January one thousand eight hundred and seventy-four extending the power of the several courts of common pleas of the Commonwealth to appoint election officers in certain cases" absolutely

The act approved the eighteenth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred six) entitled "An act to empower the court of quarter sessions of any county of this Commonwealth to fix the place of holding the general election" absolutely

The act approved the eighteenth day of April one thousand eight hundred and ninety-three (Pamphlet Laws one hundred seven) entitled "An act providing that voters in this Commonwealth shall cast their ballots at polling places inside the election district in which they are domiciled and making it the duty of the courts of quarter sessions of the several counties to carry out the provisions of the same" absolutely

The act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred twenty-nine) entitled "An act to amend the thirty-second section of an act entitled 'An act relating to elections in this Commonwealth' approved the second day of July Anno Domini one thousand eight hundred and thirty-nine' providing for mileage for Presidential electors and increasing the contingent expenses of said electors" absolutely

The act approved the sixth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred twenty-four) entitled "An act amending the eighty-fourth section of an act entitled 'An act regulating election districts and for other purposes' approved the fourth day of March Anno Domini one thousand eight hundred and forty-two providing for the appointment of judges and inspectors of elections in case of tie votes in elections for said judges and inspectors" absolutely

The act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" absolutely

The act approved the twelfth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred fifty-five) entitled "An act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four as amended by the act of May twenty-ninth one thousand eight hundred and ninety-one fixing the place at which the assessors shall sit to perform the duties imposed upon them by the second section of the said supplement of May twenty-ninth one thousand eight hundred and ninety-one in all voting districts or precincts in this Commonwealth where temporary voting places are or may be established" absolutely

The act approved the sixteenth day of May one thousand eight hundred and ninety-five (Pamphlet Laws seventy-five) entitled "An act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May one thousand eight hundred and ninety-one changing the time and manner of making the registry of voters and the duties of registry assessors" absolutely

The act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred thirty-seven) entitled "An act regulating the pay of election officers at all elections hereafter to be held within this Commonwealth" absolutely

Theact approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred ninety) entitled "An act to amend the tenth section of an act entitled 'A supplement to an act entitled "An act relating to the elections of this Commonwealth" passed the second day of July Anno Domini one thousand eight hundred and thirty-nine and for other purposes' approved the thirteenth day of June Anno Domini one thousand eight hundred and forty providing for daily pay of judges for making returns of township elections" absolutely

Section two and three of the act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred ninety-six) entitled "An act requiring tax collectors of townships and boroughs of the Commonwealth to give a numbered tax receipt from a book to be furnished by the county commissioners containing a correspondingly numbered stub and requiring a sheet setting forth name amount of tax paid and number of receipt to be sent twenty days before each election to the county commissioners for public inspection and to provide for punishment of tax collectors violating the provisions of this act" absolutely

The act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and seventy-seven) entitled "An act to authorize the courts of quarter sessions to consolidate election districts in townships boroughs and cities and for the appointment of election officers and the fixing of the place of elections therein" absolutely

The act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and eighty-nine) entitled "An act punishing the printing posting and distributing of any libelous circular or poster or other written or printed paper" absolutely

The act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and ninety-two) entitled "An act to amend the tenth section of an act entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" absolutely

The act approved the fourteenth day of April one thousand eight hundred and ninety-seven (Pamphlet Laws twenty-three) entitled "An act to amend section twenty-nine of an act approved the tenth day of June one thousand eight hundred and ninety-three entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' providing for the filing of vacancies in contested elections where the tribunal trying the case shall declare the election to be invalid" absolutely

The act approved the fifth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws thirty-eight) entitled "An act to amend section six of the act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January one thousand eight hundred and seventy-four amended by the act entitled 'An act to amend section six of the act entitled "A further supplement to the act regulating elections in this Commonwealth" approved the thirtieth day of January one thousand eight hundred and seventy-four extending the power of the several courts of common pleas of the Commonwealth to appoint election officers in certain cases' which amending act was approved the eighteenth day of May one thousand eight hundred and ninety-three providing for the filling of vacancies in the election boards heretofore or hereafter elected or appointed by the judges of the courts of common pleas of the proper county" asboslutely

The act approved the nineteenth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws seventy-eight) entitled "An act amending the eighty-fourth section of an act entitled 'An act regulating election districts and for other purposes' approved the fourth day of March Anno Domini one thousand eight hundred and forty-two as amended by an act approved the sixth day of June Anno Domini one thousand eight hundred and ninety-three entitled 'An act amending the eighty-fourth section of an act entitled "An act regulating election districts and for other purposes" approved the fourth day of March Anno Domini one thousand eight hundred and forty-two providing for the appointment of judges and inspectors of elections in case of tie votes in the election of said judges and inspectors' by providing for a tie vote for either of said officers" absolutely

The act approved the fifteenth day of June one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and sixty-five) entitled "An act authorizing empowering and directing the county commissioners of the severalcounties ofthis Commonwealth to pay to the constables of their respective counties for the services rendered by such constables in making returns to court of elections attending special borough township or ward elections and traveling expenses incidental thereto since the first day of January Anno Domini one thousand eight hundred and ninety-six in all cases where the same remain unpaid" absolutely

The act approved the twenty-second day of June one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and seventy-nine) entitled "An act to amend section two of an act entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' approved June ten one thousand eight hundred and ninety-three providing for certifying nominations in cases where there is no opposition to a candidate or candidates" absolutely

The act approved the ninth day of July one housand eight hundred and ninety-seven (Pamphlet Laws two hundred and twenty-three) entitled "An act to amend sections three four five six nine and fourteen of the act entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by specifying how the names adopted by political bodies may be protected fixing the time for filing certificates of nominations and nomination papers limiting the number of times that names of candidates shall appear on the official ballot and prescribing how the same shall be certified by the Secretary of the Commonwealth" asbcslutely

The act approved the twelfth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred fifty-seven) entitled "An act to amend section one hundred and twenty of an act entitled 'An act relating to elections of this Commonwealth' approved the second day of July Anno Domini one thousand eight hundred and thirty-nine so as to increase the penalty for fraudulent and illegal voting and aiding and abetting the same" absolutely

The act approved the fourteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred sixty-one) entitled "An act to amend section one hundred and nineteen of an act entitled 'An act relating to the elections in this Commonwealth' approved the second day of July one thousand eight hundred and thirty-nine so as to increase the penalty for fraudulent and illegal voting and aiding and abetting the same" absolutely

The act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred seventy-five) entitled "An act to prohibit assessments of and demands for contributions from the officers and employes of this Commonwealth and of any county or city therein and providing penalties therefor" absolutely

The act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred seventy-six) entitled "An act to prohibit the payment of any occupation or poll tax assessed for State or county purposes of any elector by any person other than the elector against whom such tax is assessed except upon the written and signed order of such assessed elector and prescribing penalties" absolutely

The act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred three) entitled "A further supplement to an act designating the several classes of contested elections in this Commonwealth and providing for the trial thereof approved the nineteenth day of May Anno Domini one thousand eight hundred and seventy-four limiting the time within which testimony shall be taken in certain contested elections" absolutely

The act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred eighteen) entitled "An act to amend the ninth section of an act entitled 'An act designating the several classes of contested elections in this Commonwealth and providing for the trial thereof" approved the nineteenth day of May Anno Domini one thousand eight hundred and seventy-four providing that the costs in certain cases shall be placed on the petitioners" absolutely

The act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred twenty-seven) entitled "An act to amend section thirteen of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four to provide for the computation of the returns of the election of any officer of a district composed of two or more counties or parts of two or more counties other than a Representative or Senator of the State Legislature or a Representative in Congress or a judge of the Courts by return judges to be appointed by the courts of the counties comprising such district" absolutely

The act approved the sixth day of May one thousand eight hundred and ninety-nine (Pamphlet Laws two hundred fifty-four) entitled "An act to amend the tenth section of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four" absolutely

The act approved the fourteenth day of April one thousand nine hundred and three (Pamphlet Laws one hundred eighty-seven) entitled "An act relating to change of polling-places and authorizing the county commissioners to change the same" absolutely

The act approved the sixteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred thirteen) entitled "An act amending section twenty-three of the act of June tenth one thousand eight hundred and ninety-three (Pamphlet Laws four hundred thirty) relating to watchers at elections and providing that they must be residents of the district or division within which they act" absolutely

The act approved the sixteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred twenty)

entitled "An act amending an act entitled 'An act regulating the pay of election officers at all elections hereafter held within this Commonwealth approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five and fixing the pay of election officers" absolutely

The act approved the twenty-first day of April one thousand nine hundred and three (Pamphlet Laws two hundred twenty-four) entitled "An act to amend section six of the act of July the ninth one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred twenty-three) by providing that where objections to nomination certificate or paper are not sustained by any court the petitioner shall be compelled to pay the costs" absolutely

The act approved the twenty-ninth day of April one thousand nine hundred and three (Pamphlet Laws three hundred thirty-eight) entitled "An act to further amend the ninth and fourteenth sections of the act entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' approved the tenth day of June eighteen hundred and ninety-three as amended by an act approved the ninth day of July one thousand eight hundred and ninety-seven also to amend the twenty-second twenty-seventh twenty-eighth and thirtieth sections of said act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections approved the tenth day of June eighteen hundred and ninety-three by repealing the limit upon the number of times the names of candidates shall appear on the official ballots by specifying the form contents and manner of printing and counting of official ballots and of making return of all votes and of announcing the total vote by directing the manner in which voters may designate their choice of candidates and their votes upon constitutional amendments or other questions submitted for their votes by prescribing the duties of voters election officers police officers constables deputy constables and helpers and prescribing forms of punishment for violations thereof" absolutely

The act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" absolutely

The act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws seventy-eight) entitled "An act to regulate nomination and election expenses and to require accounts of nomination and election expenses to be filed and providing penalties for the violation of this act" absolutely

The act approved the twenty-fifth day of May one thousand nine hundred and seven (Pamphlet Laws two hundred fifty-one) entitled "An act amending sections three seven twelve and thirteen of an act entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions' approved the fifth day of March Anno Domini one thousand nine hundred and six increasing the compensation of registrars in said cities and providing an additional registration day" absolutely

The act approved the third day of June one thousand nine hundred and seven (Pamphlet Laws three hundred ninety-four) entitled "An act supplementary to an act entitled 'An act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violation of its provisions' approved the seventeenth day of February Anno Domini one thousand nine hundred and six providing for the continuance in office of the registration commissioners of consolidated cities" absolutely

An act approved the sixth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred twenty-five) entitled "An act to amend section thirteen of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four as amended by the act of April twenty-eight one thousand eight hundred and ninety-nine so as to reduce from three to two the minimum number of judges to be designated in the counties of Philadelphia and Allegheny to receive compute and certify the election returns required by said section to be presented by the prothonotary to the courts of common pleas thus assimilating the practice of said counties to that in the other counties of the Commonwealth" absolutely

The act approved the twenty-first day of April one thousand nine hundred and eleven (Pamphlet Laws eighty) entitled "An act to authorize any territory that may be annexed to a city under existing laws to be added to an adjacent ward or wards or created into a new ward and providing for the election of officers and places of holding elections in new wards thus created" absolutely

The act approved the sixteenth day of June one thousand nine hundred and eleven (Pamphlet Laws ten hundred and fourteen) entitled "An act amending sections one four five and ten of an act entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions' approved the fifth day of March Anno Domini one thousand nine hundred and six and sections three seven and twelve of said act as amended by the act entitled 'An act amending sections three seven twelve and thirteen of an act entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" approved the fifth day of March Anno Domini one thousand nine hundred and six increasing the compensation of registrars in said cities and providing for an additional registration day' approved the twenty-fifth day of May Anno Domini one thousand nine hundred and seven by further defining who may be appointed registrars increasing their terms of office changing the registration days and the form of register providing further regulations for the registration of electors and repealing all acts or parts of acts inconsistent herewith" absolutely

Section eight article seven of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" in so far as it applies to the mayor's proclamation preceding elections

The act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws six hundred thirty-two) entitled "An act regulating pay of election officers and clerks at certain elections hereafter held within this Commonwealth" absolutely

The act approved the seventh day of July one thousand nine hundred and thirteen (Pamphlet Laws six hundred ninety-three) entitled "An act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon as provided by Article eighteen section one of the Constitution" absolutely

The act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" absolutely

The act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) entitled "An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment

as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witiness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" absolutely

The act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred ninety-four) entitled "An act to provide for the appointment of registrars of electors to be deputy poll-tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith" absolutely

The act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred ninety-five) entitled "An act to provide for the nomination and election of candidates for the office of United States Senator and the filling of vacancies in said office" except that portion of section three which provides for the temporary appointment by the Governor to fill vacancies in the office of United State Senator

The act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws ten hundred forty-three) entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of assessors and registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers wilfully permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket" absolutely

The act approved the fourteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred twenty-two) entitled "An act requiring and regulating the declaring and posting of the vote at election districts at a primary election" absolutely

The act approved the twenty-eighth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred seventy-six) entitled "An act to amend section six of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July one thousand nine hundred and thirteen" absolutely

The act approved the twenty-eighth day of May one thousand nine hundred and fifteen (Pamphlet Laws six hundred thirty-eight) entitled "An act providing for the payment by the several counties of the Commonwealth of the expenses of holding primary elections" absolutely

The act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred twenty-four) entitled "An act fixing the compensation of election assessors in boroughs and townships at primary elections" absolutely

The act approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws ten hundred twenty-five) entitled "An act to amend section five of an act entitled 'An act regulating political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen" absolutely

The act approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws ten hundred and twenty-seven) entitled "An act to amend sections fifteen and eighteen of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July one thousand nine hundred and thirteen by providing for attendance of witnesses fees for subpoenas witness fees and the manner of payment of same and providing a penalty for disobedience to the lawful order of the commissioners or refusal to obey their subpoenas and by repealing inconsistent legislation" absolutely

The act approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws ten hundred and forty-four) entitled "An act amending section four of an act approved the twelfth day of July one thousand nine hundred and thirteen entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" absolutely

The act approved the twentieth day of April one thousand nine hundred and seventeen (Pamphlet Laws eighty-seven) entitled "An act to amend section one of an act approved the sixteenth day of June one thousand eight hundred ninety-one entitled 'An act to authorize the election of assistant assessor for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" absolutely

The act approved the eighteenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred forty-four) entitled "An act to amend the first sixth and seventh sections of an act entitled 'An act regulating certain political praties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen so as to change the time for filing petitions of nomination and the time for the organization of the State committees" absolutely

The act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty-eight) entitled "An act to further amend the act approved the fifth day of March one thousand nine hundred and six entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions' by providing for special registration for special elections" absolutely

The act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred fifty-three) entitled "An act to amend section three of an act approved the twelfth day of July one thousand nine hundred thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and

alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" absolutely

The act approved the nineteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eleven hundred eight) entitled "An act to amend the third section of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes fo this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved the twenty-fourth day of July Anno Domini one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-seven) by regulating the compensation of the registration commissioners" absolutely

The act approved the fourth day of April one thousand nine hundred and nineteen (Pamphlet Laws thirty-five) entitled "An act fixing the per diem compensation of borough and township assessors and assistant assessors and the method of ascertaining the number of days employed" in so far as it applies to assistant assessors

The act approved the fourth day of April one thousand nine hundred and nineteen (Pamphlet Laws thirty-eight) entitled "An act requiring assessors and assistant assessors for county purposes in cities of the third class to keep an account of days actually employed and make return thereof to the county commissioners and fixing their compensation" in so far as it applies to assistant assessors

The act approved the eighteenth day of April one thousand nine hundred and nineteen (Pamphlet Laws sixty-eight) entitled "An act amending section five of an act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws seventy-eight) entitled 'An act to regulate nomination and election expenses to be filed and providing penalties for the violation of this act'" absolutely

The act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred seventeen) entitled "A supplement to the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions' providing for the payment by the county for the use of room by registrars when sitting for the registration of electors" absolutely

The act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred sixty-nine) entitled "An act to amend section one of an act approved the fourteenth day of April one thousand nine hundred and three entitled 'An act relating to change of polling-places and authorizing the commissioners to change the same'" absolutely

The act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred five) entitled "An act to enable county commissioners to abolish election districts in which less than ten qualified electors reside" absolutely

The act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred twenty-nine) entitled "An act to further amend the twenty-second section of an act entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' approved the tenth day of June eighteen hundred and ninety-three as amended an act approved the twenty-ninth day of April nineteen hundred and three by providing a manner in which voters may designate their choice of candidates and repealing acts or parts of acts inconsistent therewith" absolutely

The act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred thirty-two) entitled "An act amending sections five six and seven of an act approved the tenth day of June one thousand eight hundred ninety-three entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' as the same was amended by an act approved the ninth day of July one thousand eight hundred ninety-seven and an act approved the twenty-first day of April one thousand nine hundred and three" absolutely

The act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred thirty-six) entitled "An act to amend section three of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' as amended" absolutely

The act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred thirty-nine) entitled "An act to amend sections seven ten thirteen fourteen and fifteen of an act entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candiates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) as amended so as to provide fully how many official and specimen ballots shall be provided for each party at the primaries and to whom the same shall be delivered what other election materials shall be furnished and what printed instructions shall be given voters and election officers how the official ballots shall be given to qualified electors how party membership shall be evidenced and how and when it may be challenged how the vote shall be counted recorded and returned by the election officers what shall be done with the ballots voted their stubs and the unused spoiled and void ballots tally papers oaths of election officers affidavits of voters et cetera lists of voters of each party triplicate and other return sheets and who shall have the custody of same to require the return and public inspection of all the spoiled and unused ballots from each election district before the computation of any returns therefrom to prescribe the method of computing and canvassing such returns publicly to provide who shall constitute the return board for any county wherein one or more of the commissioners are candidates at any primary to regulate the manner of correcting apparent errors in certain returns and the opening of ballot-boxes and the recounting of votes when any county commissioner prothonotary or judge of the court of common pleas deems it necessary in order to obtain a correct count or upon the petitin of three electors averring fraud or error to assure the right of any authorized representative of any party or candidate to hear record and check up the returns as read as well as to inspect the same and any other public document relating to any primary election to allow any person aggrieved by any decision of the county commissioners or prothonotary to appeal therefrom to the court of common pleas of the proper county to make certain violations of said act as amended

hereby misdemeanors an dto provide penalties for the punishment of such offenses to provide that nomination petitions of candidates for any municipal office to be filled by a vote of the electors of a senatorial district shall be signed by at least two hundred qualified electors of such district and to repeal inconsistent legislation" absolutely

The act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-five) entitled "An act to amend section three of an act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident therto to be paid by the several counties and punishing certain offenses in regard to such elections' as amended" absolutely

The act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and fifty-seven) entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting the same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences or electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of thos registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registrars and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provsions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith" absolutely

The act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and nineteen (Pamphlet Laws nine hundred sixty-six) entitled "An act providing for voting by soldiers sailors and marines in service or discharged therefrom returning to their home who have been unable to qualify themselves as electors in accordance with existing law" absolutely

The act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws ten hundred sixty-five) entitled "A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'" absolutely

The act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred thirty-nine) entitled "An act amending section sixteen of an act entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' approved July twenty-four one thousand nine hundred and thirteen providing for a change in salaries of the employes of the registration commissioners" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred ninety-two) entitled "An act to amend part of section thirteen of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled 'An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at electons and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain case s to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotares sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees

and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith'" absolutely

The act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred twenty-three) entitled "An act providing for the nomination and election of judges of courts of record and repealing certain acts" absolutely

The act approved the twelfth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred thirty-four) entitled "An act to amend the act approved the fourth day of April one thuosand nine hundred and nineteen (Pamphlet Laws thirty-five) entitled 'An act fixing the per diem compensation of borough and township assessors and assistant assessors and the method of ascertaining the number of days employed' by fixing the per diem compensation of assessors and assistant assessors in boroughs wards and townships of the second clas and providing the method of acertaining the number of days employed" in so far as it applies to assistant assessors

The act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighteen) entitled "An act to amend section six of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled 'A further supplement to the act regulating election in this Commonwealth' as amended authorizing the court of quarter sessions to appoint election officers in cases of vacancy" absolutely

The act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred sixty-nine) entitled "An act to further amend section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' as amended" absolutely

The act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty) entitled "An act to amend section five of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An act regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegatee to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for th eviolation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation'" absolutely

The act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred fifty-eight) entitled "An act to fix the time for filing nomination certificates and nomination papers to fill vacancies caused by the withdrawal of candidates" absolutely

The act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred seventy-seven) entitled "An act to amend section four of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions'" absolutely

The act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred ninety-four) entitled "An act to amend section forty-three of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled 'An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of partes or bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected and copied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all approprations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith' so as to increase the maximum compensation to be paid to the chief clerk of the registration commission" absolutely

The act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred seventy-nine) entitled "An act to amend section sixteen of an act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" absolutely

The act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eleven hundred twenty-five) entitled "An act to further amend section fifteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candi-

dates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' by empowering the court of common pleas instead of the return board to open ballot-boxes when fraud or error not manifest on the general return is alleged" absolutely

The act approved the third day of April one thousand nine hundred nad twenty-three (Pamphlet Laws fifty-three) entitled "An act fixing the per diem compensation of registry or assistant assessors in townships of the first class for the performance of election duties and the methods of ascertaining the number of days employed" absolutely

The act approved the third day of April one thousand nine hundred and twenty-three (Pamphlet Laws fifty-five entitled "An act to amend section one of the act approved the seventh day of July one thousand nine hundred and thirteen (Pamphlet Laws six hundred ninety-three) entitled 'An act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon as provided by article eighteen section one of the Constitution" absolutely

The act approved the eighteenth day of April one thousand nine hundred and twenty-htree (Pamphlet Laws sixty-seven) entitled "An act to amend section seven of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident there to be paid by the several counties and punishing certain offenses in regard to such elections' as amended" absolutely

The act approved the seventh day of May one thousand nine hundred and twenty-three (Pamphlet Laws one hundred forty-seven) entitled "An act to amend section seventy-four of an act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled 'An act relating to the elections of this Commonwealth' as amended" absolutely

The act approved the seventh day of May one thousand nine hundre dand twenty-three (Pamphlet Laws one hundred forty-eight entitled "An act to further amend section one of an act approved the fifth day of March Anno Domini one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violation of its provisions' " absolutely

The act approved the eighteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred fifty-six) entitled "An act to amend section three of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates fo such political parties for certain public offices of delegates and alternate delegates to national party conventions and of certain officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' as amended" absolutely

The act approved the nineteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred sixty-seven) entitled "An act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled 'A further supplement to the act regulating elections in this Commonwealth' as amended by authorizing the members of the board for receiving computing an dcertifying election returns to act when a majority of the members thereof are not qualified" absolutely

The act approved the twenty-first day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred and ninety-three) entitled "An act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' as amended" absolutely

The act approved the twenty-second day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred nine) entitled "An act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissioners in cities of the first and second class in relation thereto and providing penalties" absolutely

The act approved the twenty-third day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred forty) entitled "An act to amend esction eleven of the act approved the thirteenth day of June one thousand eight hundred and forty (Pamphlet Laws six hundred eighty-three) entitled 'A supplement to an act entitled "An act relating to the elections of this Commonwealth" passed the second day of July Anno Domini one thousand eight hundred and thirty-nine and for other purposes' allowing constables mileage for advertising elections and compensation for advertising elections where there is more than one polling place in a district said mileage and compensation to be paid by counties" absolutely

The act approved the twenty-fifth day of May one thousand nine hundred and twenty-three (Pamphlet Laws four hundred fifty-five) entitled "An act fixing the pay of election officers and clerks in cities of the first class" absolutely

The act approved the seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws six hundred eighty) entitled "An act to amend section one of an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand sixty-five) entitled 'A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) entitled "An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" ' " absolutely

The act approved the twelfth day of June one thousand nine hundred and twenty-three (Pamphlet Laws six hundred ninety-two) entitled "An act fixing the per diem compensation of assistant or registry assessors of boroughs and second class townships for attendance at election" absolutely

The act approved the twenty-ninth day of June one thousand nine hundred and twenty-three (Pamphlet Laws nine hundred twenty) entitled "An act to amend section fourteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party con-

ventons and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State commttee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' as amended" absolutely

The act approved the eleventh day of July one thousand nine hundred and twenty-three (Pamphlet Laws ten hundred thirty-four) entitled "An act concerning the domicile of a married woman" absolutely

The act approved the first day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred three) entitled "An act to further amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled 'A further supplement to the act regulating elections in this Commonwealth' as amended empowering associate judges to act as return boards where the resident president judge is a candidate" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws three hundred five) entitled "An act fixing the pay of election officers and clerks in counties of the second class" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws three hundred eleven) entitled "An act to amend section one of the act approved the seventh day of July one thousand nine hundred and thirteen (Pamphlet Laws six hundred ninety-three) entitled 'An act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon as provided by article eighteen section one of the Constitution' as amended" absolutely

The act approved the twenty-ninth day of April one thousand nine hundred and twenty-five (Pamphlet Laws three hundred sixty-one) entitled "An act to amend the first paragraph of the seventh section and the nineteenth section of an act entitled 'An act regulating certain political parties providing for the regulating and nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) as amended so far as to change the time for filing petitions of nomination and for withdrawal of candidates" absolutely

The act approved the thirteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred sixty-three) entitled "An act providing for the enumeration of registered persons in the Commonwealth and the publication of a tabulation thereof by the Secretary of the Commonwealth and imposing certain duties upon registrars assessors registry assessors and county commissioners" absolutely

The act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred ninety-three) entitled "An act to further amend section two of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions' by changing the compensation of registrars" absolutely

The act approved the twenty-third day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred sixty) entitled "An act providing for the opening of ballot boxes after general municipal special or primary elections upon petition to the court of common pleas or a judge thereof under certain circumstances and imposing certain duties in connection therewith upon the court the prothonotary and the county treasurer" absolutely

The act approved the twenty-third day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred sixty-three) entitled "An act to amend section twenty-six and section thirty as amended of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' by specifying the circumstances and conditions under which voters may have assistance in marking their ballots at general municipal special and primary elections prescribing certain duties to be performed by the Secretary of the Commonwealth and election officers providing penalties and repealing inconsistent legislation" absolutely

The act approved the twenty-third day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred sixty-seven) entitled "An act to amend section four of the act of the fifth day of March one thousand nine hundred and six (Pamphlet Laws seventy-eight) entitled 'An act to regulate nomination and election expenses and to require accounts of nomination an delection expenses to be filed and providing penalties for the violation of this act" absolutely

The act approved the twenty-third day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred sixty-eight) entitled "An act to amend the last paragraph of section four of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions' as amended" absolutely

The act approved the twenty-third day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred seventy) entitled "An act to amend part of section seven of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'" absolutely

The act approved the twenty-third day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred seventy-two) entitled "An act to fix the time for filing petitions for nomination with the county commissioners" absolutely

The act approved the twenty-third day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred seventy-five) entitled "An act to further amend section three of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions' by changing the hours of registration days" absolutely

The act approved the fifth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws eight hundred nineteen) entitled "An act fixing the pay of election officers and clerks appointed by the inspectors except in cities of the first class and counties of the second class" absolutely

The act approved the eleventh day of May one thousand nine hundred and twenty-seven (Pamphlet Laws nine hundred seventy-two) entitled "An act regulating the registration and enrollment of voters in boroughs and townships before the primary election" absolutely

The act approved the tenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred seventy-five) entitled "An act to amend section ten of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions' as amended requiring county commissioners to prepare "street lists" of registered voters and providing for the disposition of such "street lists'" absolutely

The act approved the eleventh day of April one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred eighty-three) entitled "An act to amend the last two paragraphs of section thirteen of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled 'An act to provide for the personal registration of electors as a condition of their right to vote at elections and their enrollment as members of political parties as a further condition of their right to vote at primaries in cities of the first class of this Commonwealth by removing from office all existing registration commissioners and their appointees in said cities and authorizing the Governor to appoint registration commissions therein defining the jurisdiction of said commissions and the powers and duties of the commissioners constituting same and of their appointees including registrars inspectors of registration clerks and counsel fixing their qualifications terms of office and compensation granting them certain immunity from arrest on registration days and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein and to supervise the conduct of registrars regulating the registration of electors at polling places by registrars and at the offices of commissions by commissioners and the right of parties of bodies of electors to have watchers thereat and the preparation and use of street lists and other records of those registered allowing the names of persons not entitled to vote to be struck from the registers in certain cases permitting all records regarding registration to be inspected an dcopied by any elector under certain conditions directing how the registers shall be used at elections and primaries compelling the attendance of witnesses and payment of witness fees and providing penalties for refusal to obey subpoenas directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor authorizing such clerks to administer oaths sign subpoenas and vouchers and to collect and disburse witness fees prescribing a method for challenging persons applying for registration and the procedure for the correction of registers and for appealing from actions of registrars to said commissions and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas imposing certain duties upon election officers and upon the councils treasurers controllers receivers of taxes police officers and other officials of said cities and upon the courts judges prothonotaries sheriffs commissioners peace officers and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive legalizing certain acts required hereby if done on any Sunday or legal holiday requiring said cities to provide for the maintenance of said commissions and the compensation of their appointees and the payment of all expenses necessary to carry out the provisions of this act and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions punishing and fixing penalties for violations hereof and repealing all legislation inconsistent herewith" absolutely

The act approved the twenty-fourth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws six hundred fifty-three) entitled "An act to amend the act approved the fourth day of April one thousand nine hundred and nineteen (Pamphlet Laws thirty-eight) entitled 'An act requiring assessors and assistant assessors for county purposes in cities of the third class to keep an account of days actually employed and make return thereof to the county commissioners and fixing their compensation'" in so far as it relates to assistant assessors

The act approved the twenty-sixth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred thirty-six) entitled "An act providing for a separate ballot when constitutional amendments or other questions are submitted to the vote of the people" absolutely

The act approved the ninth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws sixteen hundred ninety-one) entitled "An act relating to return boards computing general and municipal election returns" absolutely

The act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred thirty-eight) entitled "An act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled 'A further supplement to the act regulating elections in this Commonwealth' as amended by authorizing the members of the board for receiving computing and certifying election returns to provide for election returns in school districts which comprise the territory of or territory from two or more municipalities" absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred twenty-six) entitled "An act to amend section fourteen of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws seventy-eight) entitled 'An act to regulate nomination and election expenses and to require accounts of nomination and election expenses to be filed and providing penalties for the violation of this act'" absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred twenty-seven) entitled "An act providing a method for preventing any elector from depositing in the ballot box at primary municipal general or other elections any ballot other than that received from the election officers and imposing penalties" absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred twenty-eight) entitled "An act to further amend sections fourteen and twenty-two of an act approved the tenth day of June eighteen hundred ninety-three (Pamphlet Laws four hundred nineteen) entitled 'An act to regulate the nomination and lection of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' so as to provide that the names of candidates for Presidential electors shall no longer be printed on the ballot" absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred thirty-four) entitled "An act supplementing the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' by providing a method for determining the period of time as provided therein" absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred thirty-five) entitled "An act to amend section thirteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of

the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' as amended providing that electors in boroughs towns and townships may at primaries declare their party preference and vote on age" absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred thirty-eight) entitled "An act to amend the first paragraph section four of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violations of its provsions' as amended limiting the time allowed electors to petition the county commissioners to have their names placed on the registers" absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred eighty-five) entitled "An act to amend paragraph (d) of section seven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' as amended changing the number of signers required on the nomination petitions of candidates for the office of magistrate in cities of the first class" absolutely

The act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred three) entitled "An act to amend sections one and two of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred seventy-six) entitled 'An act to prohibit the payment of any occupation or poll tax assessed for State or county purposes of any elector by any person other than the elector against whom such tax is assessed except upon the written and signed order of such assessed elector and prescribing penalties" by providing certain exemptions" absolutely

All other acts and parts of acts supplied by or inconsistent with this act are hereby repealed

But nothing contained in this act shall be construed to repeal any local or special laws

Section 2300 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 575, as follows:

An Act to amend section eight of the act approved the twelfth day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred eighty-one) entitled "An act relating to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers" increasing the penalty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of the act approved the twelfth day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred eighty-one) entitled "An act relating to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fraud read as follows

Section 8 Any person who shall obtain food lodging or other accommodation at any hotel inn boarding or eating-house with intent to defraud the owner or keeper thereof shall be fined not exceeding one hundred dollars or be imprisoned in the county jail not exceeding [three months] one year

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. ARMSTRONG. Mr. President, I move that Senate Bill No. 648 (House Bill No. 990), on second reading, entitled:

An Act to amend section six of the act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred ninety-eight) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" as amended extending the jurisdiction of the county court of Allegheny County to certain cases transferred to such court.

be recommitted to the Committee on Judiciary General for further consideration.

Mr. BRANDT. Mr. President, I second the motion.

The motion was agreed to.

Mr. ARMSTRONG. Mr. President, I move that Senate Bill No. 649 (House Bill No. 991), on second reading, entitled:

An Act authorizing and empowering the court of common pleas of Allegheny County to transfer certain cases to the county court of Allegheny County

be recommitted to the Committee on Judiciary General.

Mr. BRANDT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second readng and consideration of Senate Bill No. 651 (House Bill No. 30), entitled:

An Act to amend section two thousand five hundred and fifty-six of the act, approved the twenty-third day of June, one thousand nine hundred and thirty (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," providing for the fixing of the salary of the city treasurer as collector of city, school and poor taxes and for the number and salaries of assistants jointly by the city council and board of school directors, and for payment of such salaries and other expenses in connection with his office equally by the city and school districts, and requiring the city and school district to pay the premiums on the bonds required to be given to the city and school district.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MANSFIELD. Mr. President, I move that Senate Bill No. 651 (House Bill No. 30), the bill just read, be recommitted to the Committee on Municipal Affairs.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 657 (House Bill No. 1236), entitled:

A Supplement to an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction; alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries and compensation of the members of the commission, its officers, counsel and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act"; providing for the establishment of joint rates over transportation facilities of local passenger transportation companies in cities of the first class and transportation facilities either owned leased or operated by such city of the first class when required by the Public Service Commission and prescribing and defining the duties of the Public Service Commission relating to such joint rates.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SALUS. Mr. President, I move that Senate Bill No. 657 (House Bill No. 1236), the bill just read, be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 785, entitled:

An Act to amend section fifty and section two hundred and twenty as amended of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by permitting and regulating the use of eel chutes

Whereas The eel (Anguilla rotsrata) is a catadromous fish going down stream in the fall of the year to spawn in the depths of the ocean and

Whereas It does not feed nor bite at bait while on its downward migration and therefore cannot be caught by any device now legal in Pennsylvania and

Whereas After having left our streams the same eels never return to them thus resulting in a permanent economic loss to our citizens and

Whereas The eels which go with legal protection down our streams and are caught by fishermen in other staets and regions below Pennsylvania are shipped back to us at high prices and

Whereas To permit our own fishermen to catch them while on their downward migrations would provide food and occupation for many of our citizens therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fifty of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" is hereby amended to read as follows

Section 50 DEVICES TO CATCH GAME-FISH AND BAIT-FISH No person shall use any device means or method whatsoever except as in this article otherwise provided for taking fish from the waters within this Commonwealth except the following that is to say for

(a) Game fish two rods and two lines and one hand line with not more than three hooks attached to either line

(b) Bait-fish two rods and two lines with not more than three hooks attached to each line a dip net or minnow seine not over four feet square or four feet in diameter a minnow trap with not more than one opening which shall not exceed one inch in diameter The rods hooks and lines must be under the immediate control of the person using the same

(c) Eels in rivers of this Commonwealth in addition to such rods and lines eel chutes from the first day of August to the last day of November in each year Sundays excepted but only from four o'clock in the afternoon to eight o'clock in the morning on such days when a special license therefor in addition to the regular fishing license has been first secured Eel chutes to be lawful shall not have any wings of netting of any kind or any cloth or wire netting but shall be constructed of wooden slats or lath which shall not be closer than one-half inch in the bottom Eel chutes shall not be more than five feet long and the width of entrance of an eel chute shall

not be more than ten feet A metal tag issued at the time the special license is secured shall be securely fastened to the eel chute in a conspicuous place

No wing walls of stone or other material shall be constructed for more than three-fourths of the distance across any river The heads of no two wing walls when constructed side by side shall be closer together than a distance of twenty feet

All eel chutes must be kept free of rubbish and all game fish found therein must be immediately returned to the water of the river uninjured

During the hours of each day and on Sunday when the operation and use of eel chutes is not legal under this section a portion of the bottoms of such chutes shall be removed to facilitate the unobstructed passage of fishes

Section 2 That section two hundred and twenty of said act which was amended by section one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred fifty-one) is hereby further amended to read as follows

Section 220 RESIDENT FISHING LICENSE FEES For the purposes of this article every person sixteen years of age and upward upon application to any county treasurer within the Commonwealth or to the Department of Revenue and the presentation of proof that he has been a bona fide resident of this Comomnwealth for a period of thirty days preceding his application and was born in the United States or was fully naturalized under the laws of the United States shall upon the payment to the county treasurer or the Department of Revenue of a license fee of one dollar and fifty cents for the use of the Commonwealth and in the event that the license is issued by a county treasurer a fee of ten cents for the use of the county treasurer be entitled to the license herein referred to as "A resident fishing license"

Upon the making of an application by any person to the Department or county treasurer for a special license to catch eels by the use and operation of eel chutes and the payment of a fee of one dollar for the use of the Commonwealth and ten cents for the use of the county treasurer where application is made to him such person shall be entitled to a special eel chute license and a special metal tag which shall give him the right to use and operate an eel chute in the Susquehanna River below the northern boundary of Berwick on the north branch below the bridge at the Northumberland-Lycoming County line on the west branch and in the Delaware River below Easton in accordance with the provisions of this act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

The PRESIDENT. Senate Bill No. 86 (House Bill No. 962), entitled

An Act relating to judicial sales of real estate the credits to be given upon obligations on account of certain sales giving the right of subrogation to mortgagors in the event of certain sales and providing the procedure in such cases.

is not up from the printer, because of errors in printing, and will go over in its order.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 864 (House Bill No. 864), entitled:

An Act to repeal article twenty-one of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 899 (House Bill No. 146), entitled:

An Act to amend sections four hundred nine and six hundred three of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolly omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of the local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by providing for change in regulating the registration of foreign motor vehicles and licensing of foreign operators.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 910 (House Bill No. 1415), as follows:

An Act imposing penalties for improper use of food orders issued by or under the authority of the State Emergency Relief Board or any poor board or other relief agency and improper furnishing of money food and other merchandise thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when used in this act the term "Food order" shall mean any order issued by or under the authority of the State Emergency Relief Board or any poor board or other relief agency authorizing the furnishing and delivery of food to any person or persons therein named or described

Section 2 It shall be unlawful for any person whether acting for himself or for another or for any firm or corporation directly or indirectly to furnish or deliver to any person money merchandise or anything other than food on or in exchange for a food order

Section 3 It shall also be unlawful for any person whether acting for himself or for another or for any firm or corporation to furnish or deliver food on or in exchange for a food order to any person other than the original recipient of the order or in quantities or for prices other than those itemized on the food order at the time the food is furnished or delivered

Section 4 This act shall not apply to the negotiation of a food order after food to the full amount of the order shall have been furnished thereon to the original recipient of the order

Section 5 Any person violating any of the provisions of this act shall upon summary conviction before a magistrate alderman justice of the peace mayor burgess or other officer having the powers of a committing magistrate be sentenced to pay a fine of not more than one hundred dollars ($100.00) and costs of prosecution and in default of payment thereof shall be sentenced to undergo imprisonment for not less than ten nor more than thirty days In addition to the penalties hereinbefore prescribed the defendant shall also be adjudged to pay to the board or other agency which shall have issued such food order the face amount thereof

Section 6 This act shall become effective immediately upon its passage by the General Assembly and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 999 (House Bill No. 903), entitled:

An Act to amend section four hundred and twenty-three of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by requiring application for payment of allowance for burial of widows of certain soldiers sailors or marines to be made within one year

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1000 (House Bill No. 979), entitled:

An Act to amend section five of the act approved the twenty-ninth day of June, one thousand nine hundred and twenty-three (P. L. 944), entitled "An act relating to salaries, compensation, bonds, offices and supplies of certain county officers, their deputies and clerks, in counties of the sixth class;" providing that county officers shall be members of the salary board when matters affecting their offices are under consideration.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1001 (House Bill No. 1200), entitled:

An Act making it unlawful to unnecessarily crop or cut off the ear or ears of dogs to show or exhibit such dogs and providing for the registration of dogs so cut or cropped before this act becomes effective with the county treasurer

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. QUIGLEY. Mr. President, I move that Senate Bill No. 1001 (House Bill No. 1200), the bill just read, be recommitted to the Committee on Game and Fisheries for the purpose of a hearing.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1009 (House Bill No. 1124), entitled:

An Act to amend section two hundred and ninety-five of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by limiting the compensation of thee clerk to the jury commissioners in counties of the sixth class

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1010 (House Bill No. 1125), entitled:

Au Act fixing the compensation and mileage of Jury commissioners in counties of the sixth class.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1012 (House Bill No. 1383), entitled:

An Act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for depositories of county funds in counties of the third class

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1013 (House Bill No. 1511), entitled:

An Act to amend section four hundred and twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh nd eighth classes and revising amending and consolidating the laws relating therto" as amended by defining the term "service man or woman"

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 1208 (House Bill No. 128), entitled:

An Act making an appropriation to the Margaret Henry Children's Home, New Castle, Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1209 (House Bill No. 264), as follows:

An Act making an appropriation to the Abington Memorial Hospital Montgomery County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Abington Memorial Hospital Montgomery County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capital in the public ward of said hospital

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1211 (House Bill No. 484), entitled:

An Act making an appropriation to the St. Francis Hospital of the City of Pittsburgh, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1214 (House Bill No. 670), entitled:

An Act making an appropriation to the New Future Association, located on Sherman Avenue, North Side, Pittsburgh Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1215 (House Bill No. 752), as follows:

An Act making an appropriation to the Northern Tier Home Harrison Valley Potter County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand six hundred dollars ($4,600) os so much thereof as may be necessary is hereby specifically appropriated to the Northern Tier Home Harrison Valley Potter County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1216 (House Bill No. 982), as follows:

An Act making an appropriation to the Home for the Aged Couples of the City of Philadelphia located at seventeen hundred and twenty-three Francis Street Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby specifically appropriated to the Home for Aged Couples of the City of Philadelphia located at seventeen hundred and twenty-three Frances Street Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1218 (House Bill No. 1063), entitled:

An Act making an appropriation to the Friendship Home, nineteen hundred thirty-nine North Twenty-second Street, Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1220 (House Bill No. 1313), entitled:

An Act making an appropriation to the Colored Children's Bureau located at seven hundred twenty-two North Forty-third Street, Philadelphia, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1223 (House Bill No. 1733), entitled:

An Act making an appropriation to Willow Crest for Convalescents, Philadelphia, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1227 (House Bill No. 1989), entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Property and Supplies to assist in the development of aeronautics.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 1227 (House Bill No. 1989), the bill just read, be recommitted to the Committee on Appropriations.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1228 (House Bill No. 2042), entitled:

An Act making an appropriation to the Milton Wright Memorial Home of Franklin County, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1229 (House Bill No. 2106), as follows:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby same That the sum of thirty-one thousand five hundred dollars ($31,500) or so much thereof as may be necessary is hereby specifically appropriated to the National Farm School at Doylestown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1230 (House Bill No. 10), entitled:

An Act to repeal the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 278), entitled "An act creating a 'Greater Pennsylvania Council' for the promotion of the economic, social, industrial, agricultural, educational, civic and recreational welfare of the Commonwealth of Pennsylvania and its citizens, prescribing the organization, powers and duties of said council and making an appropriation."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 1230 (House Bill No. 10), the bill just read, be recommitted to the Committee on Appropriations.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1248 (House Bill No. 1777), entitled:

An Act to amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint stock associations; providing the manner of collecting such tax, and prescribing penalties," by extending the exemptions from the tax imposed by the said tax.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1252 (House Bill No. 2103), entitled:

An Act providing for the reimbursement by the State of counties for costs and the maintenance of prisoners imposed as a result of prosecutions under laws, providing that fines and penalties imposed under such laws or forfeited bail recovered as the result of such prosecutions shall be payable into the State Treasury or any fund thereof; providing for the audit of the accounts of counties by the Auditor General, and for the collection of amounts due from counties, and for appeals by counties to the Board of Finance and Revenue; and imposing powers and duties on the Auditor General, Department of Revenue, and Department of Highways, and certain duties upon counties, and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1254 (House Bill No. 314), as follows:

An Act to amend section seven hundred five of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended permitting "cooperation only in the manner known as driving in" the killing of more than one legal deer bear or elk in one

season by a member at a camp or body of men hunting together so long as the number of deer killed by such camp does not exceed six

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven hundred five of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three. (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" which was amended by the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred fifty-five) is hereby further amended to read as follows

Section 705 Unlawful Killing of Elk and Deer and Bear It is unlawful for any person at any time standing on watch or otherwise to kill or attempt to kill a second male elk or a second deer or a second bear in one season It shall not be unlawful for a member of a camp or body of men hunting together who has killed a legal bear deer or elk to cooperate with the members of "such camp or body of men hunting together in the manner known as driving" while acting as a member of such camp or body of men hunting together so long as the number of deer killed by such camp or body of men hunting together shall not exceed six It is unlawful for any person at any time to shoot at or wound or kill or attempt to shoot at or wound or kill or have in possession a female elk or a deer without visible antlers or horns less than such weight as shall be fixed by resolution of the board or any part thereof or a male elk or a male deer or a bear of either sex found in a wild state or any part thereof that may not be lawfully taken except as otherwise provided by the laws of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 1266 (House Bill No. 1312), entitled:

An Act providing for the filling of vacancies in certain county offices in counties of the first class and fixing the terms of such appointees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1267 (House Bill No. 1499), entitled:

An Act to amend section three of Article five and section three of Article six of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one) entitled "An act for the better government of cities of the first class of this Commonwealth" by transferring the care management administration and supervision of electrical lighting from the Department of Public Safety to the Department of Public Works

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1268 (House Bill No. 1550), entitled:

A Supplement to the act approved the second day of April one thousand eight hundred and sixty (Pamphlet Laws five hundred thirty-eight), entitled "An act to authorize the erection of a Poor House by the township of Wilkes-Barre in Luzerne county" authorizing the central poor district to create indebtedness.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1272 (House Bill No. 425), entitled:

An Act making an appropriation to the Glen Mills School for Boys situate in Delaware County Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1273 (House Bill No. 427), as follows:

An Act making an appropriation to the Sleighton Farm School For Girls situate in Delaware County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three hundred thousand ($300,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to The Sleighton Farm School For Girls situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June Anno Domini one thousand nine hundred and thirty-three for the purpose of maintenance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1274 (House Bill No. 571), entitled:

An Act to amend section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by decreasing and limiting the compensiation of the members of the board of viewers in counties of the fourth fifth and sixth classes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1275 (House Bill No. 911), entitled:

An Act to amend sections four and five of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eighty) entitled "An act relating to delinquent taxes on seated lands and prescrib-

ing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by providing for the extension of the period during which such taxes shall remain liens on real estate and authorizing the filing of such liens in the prothonotary's office

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1278 (House Bill No. 1563), entitled:

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 883), entitled "An act relating to the proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the execution or process, and relieving the sheriff from liability therefor," by further prescribing procedure upon rules for inter-pleaders.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1284 (House Bill No. 1948), entitled:

An Act to amend section one of the act approved the eleventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred thirty-eight) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace in counties of this Commonwealth having a population of over eight hundred thousand inhabitants as computed by the last preceding United States census" as amended by extending said act to counties of the second class changing and further fixing the the fee to be charged by said clerks

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1286 (House Bill No. 413), entitled:

An Act to amend section four hundred and twenty-one of the act approved the fourteenth day of July one thousand nine hundred and seventeen (P. L. 840) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" as amended reducing the tax millage which township supervisors may levy

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1289 (House Bill No. 1022), entitled:

An Act to amend sections one hundred and one and six hundred and one of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," as amended by removing the raccoon from the list of fur-bearing animals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1292 (House Bill No. 1140), as follows:

An Act to amend paragraph nine of section one as amended and section thirteen of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred fifty-eight) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further extending the time limit for becoming original members of the retirement association and limiting total annuities to five thousand dollars

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred fifty-eight) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-sixth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred forty-four) is hereby further amended to read as follows

9 "Original member" of the retirement association shall mean a State employe who was at any time a State employe prior to January first one thousand nine hundred and twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before October first one thousand nine hundred and [twenty-nine] thirty-three

Any such State employe who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established Such back payments may be spread over a period of years by having such regular pay roll deduction of such person increased by not

less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred and thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed

Section 2 That section thirteen of said act is hereby amended to read as follows

Superannuation Retirement

Section 13 Retirement for superannuation shall be as follows

(1) Any contributor who has reached the superannuation retirement age may retire for superannuation by filing with the retirement board a written statement duly attested setting forth at what time subsequent to the execution of said application he or she desires to be retired Said application shall retire said contributor at the time so specfied or in the discretion of the retirement board at the end of the year in which the time so specified occurs

Allowance on Superannuation Retirement

(2) On retirement for superannuation a contributor shall consist of

(a) A member's annuity which shall be the actuarial equivalent to his or her accumulated deductions and

(b) A State annuity of one one-hundred-sixtieth (1-160) or one one-hundredth (1-100) of his or her final salary for each year of total service and

(c) In addition thereto if an original member of the retirement association a further State annuity of one one-hundred-sixtieth (1-160) or one one-hundredth (1-100) of his or her final salary for each year of prior service as certified to said original member in the certificate issued to him or her by the retirement board under the provisions of section ten of this act but in no event shall the total State annuity exceed fifty per centum of his or her final salary nor shall the total annuity exceed the sum of five thousand dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1293 (House Bill No. 1199), entitled:

An Act to amend section two hundred and eight of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrains, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, alderman, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garages keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" by providing for the continuance of a lien on motor vehicles where ownership is changed by operation of law or judicial sale, and determining the effect of the issuance of a certificate of title showing a lien or encumbrance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No 1294 (House Bill No. 1204), entitled:

An Act to abolish the action of account render, and to repeal certain acts and parts of acts relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1295 (House Bill No. 1206), entitled:

An Act to abolish the action of dower, and to repeal certain acts and parts of acts relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1296 (House Bill No. 1207)), entitled::

An Act to abolish the action of detinue.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1299 (House Bill No. 1441), entitled:

An Act to amend section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred thirty-four) entitled "An act to empower courts of competent jurisdiction to issue writs of execution against property of defendant and attachment execution or in the nature of attachment execution against trusts including those commonly known as spendthrift trusts no matter when such trusts were created in cases where an order award or decree has been made against a husband for the support of his wife or children or both making such attachment execution against trusts a continuing lien and levy for fifty per centum of such money or property until the order judgment or decree is paid in full with costs and abolishing the benefit of the exemption law in such cases" by making such support orders decrees and judgments liens against the real property of the husband.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1304 (House Bill No. 1524), entitled:

An Act defining the liability on the bond of the treasurer of poor districts in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MANSFIELD. Mr. President, I move that Senate Bill No. 1304 (House Bill No. 1524), the bill just read, be recommitted to the Committee on Municipal Affairs.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1305 (House Bill No. 1525), entitled:

An Act to add section two hundred and eighty-eight to the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" by defining the liability on the bond of the township treasurer in townships of the second class in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MANSFIELD. Mr. President, I move that Senate Bill No. 1305 (House Bill No. 1525), the bill just read, be recommitted to the Committee on Municipal Affairs.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1306 (House Bill No. 1526), entitled:

An Act to add section fifty-four and one-tenth to the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by defining the liability on the bonds of county officers given to the Commonwealth and to the county in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MANSFIELD. Mr. President, I move that Senate Bill No. 1306 (House Bill No. 1526), the bill just read, be recommitted to the Committee on Municipal Affairs.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1325 (House Bill No. 2156), entitled:

An Act to amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eight classes and revising amending and consolidating the laws relating thereto" changing the procedure to create the office of county controller including procedure where decrees have heretofore been entered

The first, second and third sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred thirty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 136 Establishment of Office of Controller by Decree of Court in Counties of the sixth seventh and eighth classes The office of controller may be established in any county of the sixth seventh or eighth class by petition to the court of common pleas of such county of twenty-five per centum of the number of electors who voted at the general or municipal election as the case may be next preceding the date of such petition The petition shall include the signatures of a majority of the board of county commissioners the clerk of the courts coroner county treasurer prothonotary recorder of deeds and register of wills of the county Upon presentation of such petition the court after consideration of the petition and hearing if any requested by taxpayers shall if it deems the same to be for the best interests of the county direct that at the next municipal election and quadrennially thereafter the electors of such county shall choose a citizen of the county for the office of controller in place of the county auditors Such person shall serve for a term of four years or until his successor is qualified if he shall so long behave himself well Upon the filing of such decree the prothonotary shall transmit certified copies thereof to the county commissioners the sheriff and to the Governor Upon receipt thereof the sheriff shall give at least thirty days public notice by proclamation in addition to any other notice required by law Such proclamation shall be printed three times in every newspaper of general circulation in the county and shall contain a notice that a citizen of said county is to be elected at the next ensuing municipal election for the office of county controller Such controller shall be nominated and elected in compliance with the provisions of the general election laws

Section 2 In any county where a petition has heretofore been presented to court for the creation of the office of county controller and a decree has been entered by the court directing an election to be held but where no appointment of a controller has been made by the Governor and no election held prior to the effective date of this act the court may upon petition of any taxpayer revoke its decree and proceed to a reconsideration of said petition and grant a hearing in accordance with this act and if the court deems the creation of the office to the best interests of the county it shall decree an election as in this act provided otherwise it shall dismiss the petition

Section 3 This act shall become effective immediately upon final enactment

The title of the bill was read as follows:

An Act to amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the procedure to create the office of county controller including procedures where decrees have heretofore been entered

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend page 1, line 5, of the title by striking out after the word "fourth" and before the word "sixth" the word "[fifty]" and inserting in lieu thereof the word "fifth."

Mr. EALY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1328 (House Bill No. 1761), entitled:

An Act authorizing the county commissioners of certain counties to levy and collect the taxes necessary to pay the interest and principal of any bonds heretofore issued by any one of said counties to repay the money borrowed to maintain and support their poor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. SALUS. Mr. President, I ask unanimous consent that Senate Bill No. 1329 (House Bill No. 1803), on second reading, entitled:

An Act relating to Sunday music permitting musicians to receive compensation for services rendered on Sunday authorizing pay concerts to be given and broadcast on Sunday under certain circumstances and allowing school and certain public buildings and parks to be used therefor conferring powers and imposing duties on the Department of Public Instruction and imposing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1331, as follows:

An Act relating to aeronautics providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth conferring powers and duties on the Department of Revenue with respect thereto and repealing certain acts and parts of acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Revenue in connection with the designation and establishment of civil airways within over and above the lands and waters of this Commonwealth as provided by law shall have the power to the extent to which the General Assembly shall have appropriated funds to it for the purpose

(a) Either alone or in cooperation with counties cities boroughs or townships to establish operate and maintain along such airways all necessary navigation facilities including intermediate landing fields

(b) To accept in the name of the Commonwealth donations of intermediate landing fields or grounds suitable for intermediate landing field purposes or necessary for safeguarding flying or buildings to be used in connection with intermediate landing fields

(c) To make recommendations to the Department of Property and Supplies for the acquisition in the name of the Commonwealth by lease purchase or condemnation of lands with or without buildings suitable for the establishment thereon of intermediate landing fields such lands to be acquired by the Commonwealth acting alone or in cooperation with counties cities boroughs or townships having authority to acquire and maintain such fields

(d) To make additions and improvements in or to intermediate landing fields and facilities under its control and either alone or in cooperation with others to provide personnel heat light water fuel telephone service drainage runways fueling facilities and lighting facilities and to remove or otherwise eliminate such obstructions as shall menace air travel

(e) Either alone or in cooperation with others to install equip maintain and operate intermediate landing field beacons landing lights markers and other air navigation facilities along civil airways established and set apart by it

(f) With the approval of the Governor to execute leases or licenses with or without consideration granting to the government of the United States or any agency thereof or to any county or municipality within this Commonwealth the right to erect operate and maintain upon intermediate landing fields belonging to the Commonwealth boundary lights and other equipment and air navigation facilities but all such leases and licenses shall be revocable upon six months' notice and shall require the lessee or licensee at its own expense to maintain any structures erected by it under its lease or license

Section 2 This act shall become effective on the first day of June one thousand nine hundred thirty-three

Section 3 All acts or parts of acts inconsistent herewith or supplied hereby are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1334, as follows:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the two fiscal years beginning June first one thousand nine hundred and thirty-three for aid to free public non-sectarian county libraries and for the purchase and transportation of books to be used for demonstration and circulation purposes to carry into effect the provisions of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred three) entitled "An act providing aid by the Commonwealth to free public non-sectarian county libraries authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries and making an appropriation"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1135, as follows:

An Act to amend section seven-hundred fifty-six article nine of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing counties in certain cases to pay the cost of repairing or rebuilding bridges other than county bridges

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven hundred fifty-six article nine of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 756 Record to be Kept by County Maintenance Repair and Rebuilding by Township or Municipalities The county commisisoners shall keep a record of all their proceedings in such cases and such bridges shall be maintained kept in repair and rebuilt when necessary by the respective townships boroughs or cities of the third class and the county shall [in no event] not be liable for the [same] costs of the maintenance repair or rebuilding of the same or any part of such cost Provided however that in case the report of a board of viewers appointed by the court for the purpose duly approved by the Grand Jury and the court shall set forth that the cost of the repair or rebuilding of such bridge is greater than it is reasonable that the said township or townships borough or city of the third class should bear then it shall be lawful for the county commissioners of the county in which such bridge is located to furnish such township or townships boroughs or city of the third class either the whole or part of the money necessary to repair or to rebuild such bridge or bridges as the said board of county commissioners may deem just and proper

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1337, as follows:

A Supplement to the act approved the eleventh day of June one thousand nine hundred and thirty-one (Appropriation Acts page sixteen) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one" providing for deficiencies in certain appropriations for the fiscal biennium ending May thirty-first one thousand nine hundred and thirty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or as much thereof as may be necessary for defiiciencies in certain appropriations to the Department of Public Instruction by the act to which this is a supplement are hereby specifically appropriated to the Department of Public Instruction for the following purposes

For the payment into the School Employes' Retirement Fund to the credit of the contingent reserve account the sum of five hundred thousand dollars ($500,000)

For the payment into the School Employes' Retirement Fund to the credit of the State annuity reserve account number two the sum of one million dollars ($1,000,000)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1351, as follows:

An Act making an appropriation for unemployment relief contingently upon the approval by the voters of a constitutional amendment authorizing the borrowing of twenty-five million dollars to defray the expenses of State government for the biennium beginning June first one thousand nine hundred thirty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty million dollars ($20,000,000) is hereby specifically appropriated to the State Emergency Relief Board for the purposes hereinafter named contingently upon the adofption by the electors at the municipal election in November one thousand nine hundred thirty-three of a certain proposed amendment to article nine of the Constitution of Pennsylvania which reads as follows

"Section 17 The Governor the Auditor General and the State Treasurer immediately upon the adoption of this amendment by the electors may borrow an amount not exceeding twenty-five million dollars to defray the expenses of the State Government for the biennium beginning June first one thousand nine hundred thirty-three provided the General Assembly at its regular session of one thousand nine hundred thirty-three has authorized the borrowing of money for this purpose"

Section 2 If said amendment is adopted by the electors and the appropriation made by this act becomes effective said sum of twenty million dollars ($20,000,000) shall be used by the State Emergency Relief Board to provide direct relief and work relief for residents of this Commonwealth who are unemployed and without means of support

Section 3 The amount hereby appropriated shall be paid over to the State Emergency Relief Board at any time after a loan or loans authorized by said constitutional amendment shall have been made as authorized by law

Section 4 The State Emergency Relief Board shall make allocations from time to time out of the moneys appropriated to its among the several counties of this Commonwealth on the basis of need

Section 5 The moneys so allocated to a county shall be available for expenditure in that county for relief as the State Emergency Relief Board shall determine

Whenever the State Emergency Relief Board has determined to expend any part of a county's allocation for work relief on State highways and bridges thereon it shall pay such part of the county's allocation into the Motor License Fund and it shall thereafter be expended in accordance with existing laws by the Department of Highways in such county in the construction and improvement of such State highways and bridges thereon as shall have been designed by the State Emergency Relief Board and the labor employed by the department (other than that required for supervision engineering and in the operation of road machinery) in such construction work shall be furnished by residents of such county in need of employment to be selected in accordance with the rules and regulations of the State Emergency Relief Board

The Department of Highways may cumulate the respective amounts in the Motor License Fund credited to a county until sufficient funds are available to undertake the construction work authorized by this section

Section 6 The amount available in any county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure for the purchase of food clothing fuel and shelter for the unemployed in such county through such public and private agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 7 The sum of one hundred thousand dollars ($100.-000) or as much thereof as may be necessary is hereby specifically appropriated to the State Emergency Relief Board for printing the payment of the compensation and expenses of clerical and other assistants required for supervising the expenditure of the appropriation made by this act postage traveling expenses and all other incidental and necessary expenses incurred by the board in administering this act

Section 8 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for investigation of applications for relief the cost of distributing food clothing fuel or shelter and the maintenance of proper records of receipts expenditures and other transactions of local relief distributing agencies

Section 9 Out of the appropriation made by this act the State Emergency Relief Board may from time to time allocate to the State Veterans Commission sums not exceeding an aggregate of three hundred thousand dollars ($300,000) for providing food clothing fuel or shelter for unemployed veterans who are without means of support

Section 10 The amounts expended under the provisions of this act shall be audited by the Auditor General as provided by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1352, as follows:

An Act to amend sections one two and three of the act approved the nineteenth day of August one thousand nine hundred thirty-two (Pamphlet Laws eighty-eight) entitled "An act creating the State Emergency Relief Board consisting of the Governor the Lieutenant Governor the Auditor General State Treasurer and the Speaker of the House of Representatives prescribing its powers and duties empowering the Governor to disburse moneys received from the Federal Government for the relief of the unemployed in accordance with plans adopted by the board and making ai appropriation"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the nineteenth day of August one thousand nine hundred thirty-two (Pamphlet Laws eighty-eight) entitled "An act creating the State Emergency Relief Board consisting of the Governor the Lieutenant Governor the Auditor General State Treasurer and the Speaker of the House of Reperesentatives prescribing its powers and duties empowering the Governor to disburse moneys received from the Federal Government for the relief of the unemployed in accordance with plans adopted by the board and making an appropriation" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created a State Emergency Relief Board to consist of the Governor the Lieutenant Governor the Auditor General State Treasurer and the Speaker of the House of Representatives whose duty it shall be to plan and adopt a comprehensive program for the expenditure by the Governor of Federal moneys received from the Reconstruction Finance Corporation or any other Federal agency for relief and work relief such program to provide for (a) an equitable allocation of the moneys for expenditure in the various counties of the Commonwealth taking into consideration the needs of the various communities and the relief funds available from taxation and other sources in such local communities (b) the nature character and location of the public works to be constructed or improved by the use of such Federal moneys (c) the method and manner of distributing direct relief and the public and private agencies through which such relief shall be distributed in the various counties and the manner in which private agencies shall be organized in communities where the same is deemed necessary and (d) the coordination of the relief work carried on by the Governor from Federal moneys and that provided for by any appropriation from the General Fund for unemployment relief so that the best results may be obtained duplication be avoided and the available funds from all sources be extended over the longest possible period of time

Such program may be revised by the board from time to time as experience shows the necessity for the same

Section 2 That section two of the said act is hereby amended to read as follows

Section 2 Whenever any funds are received from the Reconstruction Finance Corporation or any other Federal agency for relief and work relief by the Governor for the Commonwealth of Pennsylvania pursuant to the application of the Governor made in accordance with the act of Congress such moneys shall immediately upon receipt be deposited in a special fund in the State Treasury to be known as the "Federal Unemployment Relief Fund" The moneys deposited in said fund from time to time shall be held there without regard to the restrictions applicable to the ordinary revenues of the State

The funds received from time to time from the Reconstruction Finance Corporation or any other Federal agency and held in the Federal Unemployment Relief Fund shall be deposited in State depositories in like manner and at like interest rates as is now provided by law for active State deposits Any interest earned on such deposits shall be credited to the Federal Unemployment Relief Fund and shall be expended for the same purposes as the principal sum held in said fund

Section 3 That section three of said act is hereby amended to read as follows

Section 3 The funds received from the Reconstruction Finance Corporation or any other Federal agency shall immediately upon receipt and deposit in the State Treasury be made available for expenditure by the Governor and be expended by him under such system of administration as he may establish or under his direction and upon his responsibility

Section 4 This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1355, as follows:

A Supplement to an act approved the fourteenth day of June Anno Domini one thousand eight hundred and thirty-six (Pamphlet Laws six hundred thirty-seven) entitled "An act relating to Bonds with Penalties and Official Bonds'

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all bonds given or hereafter to be given to any county within this Commonwealth by any public officer or by any person appointed under authority of law to execute any public trust shall be held in trust for the use of the county the Commonwealth and such person or persons as may be interested therein and suits may be brought thereon from time to time by all persons interested therein as provided by section six of an act entitled "An act relating to bonds with penalties and official bonds" approved the fourteenth day of June Anno Domini one thousand eight hundred and thirty-six (Pamphlet Laws six hundred thirty-seven) in like manner and with the same effect as therein provided

Section 2 The writ in any such case shall issue in the name of the county and if final judgment be rendered against the defendant therein such judgment shall be as follows to wit

First for the county in the amount of such obligation or bond

Second For the plaintiff in such issue in the amount of damages assessed and the costs accrued between such plaintiff and the defendants

Section 3 That the judgment of the county as aforesaid shall remain for the satisfaction of all persons entitled to the benefit of the bond or obligation upon which it was rendered and for all and singular the like uses and purposes but the said judgment shall not be a lien upon the real estate of the defendants unless the county or the Commonwealth shall have commenced the action nor shall execution thereof be had except in the manner provided in the act of Assembly to which this is a supplement

Section 4 This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGES

RESOLUTION RETURNING TO THE GOVERNOR WITHOUT AMENDMENT HOUSE BILL No. 747

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 747, Printer's number 172, entitled:

An Act to amend section five hundred and three of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "Fiscal Code," as amended, providing for appeals from refusals of the Board of Finance and Revenue to allow refunds.

which was recalled from the Governor on April 13, 1933, be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RETURNING TO THE GOVERNOR WITHOUT AMENDMENT HOUSE BILL NO. 1243.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to.

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 1240, Printer's Number 176, entitled:

An Act creating a presumption of reasonableness of certain contracts for counsel fees made by the next friend or guardian of a minor, provided the same be evidenced by writing.

which was recalled from the Governor on April 13, 1933, for the purpose of amendment, be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 876

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 876, Printer's No. 529, entiled:

An Act to amend sections one hundred ten, six hundred twelve, six hundred twenty-one, six hundred twenty-two, eight hundred eight, clause two of section one thousand five hundred and two, and sections one thousand seven hundred and fifteen, two thousand and sixty-three, and two thousand three hundred and two of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "First Class Township Law," regulating advertising, fixing the voting powers at county conventions of township officers; correcting certain section headings; providing the security to be given by depositories; prescribing penalties for the enforcement of ordinances, and for the delinquent taxes; permitting certain municipal claims to be embraced in one claim; and providing that the width of sidewalks may be fixed by resolution.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1220

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and agreed to:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 1220, Printer's No. 228, entitled:

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "Sproul State Highway Law," as amended, relieving boroughs and incorporated towns from the responsibility for maintenance of highways and bridges under the control of the Department of Highways of the Commonwealth of Pennsylvania.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1253

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and agreed to:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 1253, Printer's No. 829, entitled:

An Act to amend article twenty of the act, approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "Public School Code," as amended, by prescribing the powers and duties of the boards of trustees of State teachers colleges and the Cheyney Training School for teachers; repealing inconsistent legislation, and making an appropriation.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 647

He also presented extract from the Journal of the House of Representatives, which was read as follows, considered and agreed to:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 647, entitled "An act to amend section three of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred fifteen), entitled 'An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom' by requiring registers of wills to notify charitable in stitutions of devises and bequests to them."

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. FRAZIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FRAZIER, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1288 (House Bill No. 960), entitled:

An Act to amend section one hundred and thirteen of the act approved the fifteenth day of April, one thousand eight hundred and thirty-four (P. L. 537), entitled "An act relating to counties and townships, and county and township officers, as amended; by requiring a deputy constable in cities of the first class to work under or through the constable who appoints him

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 1015 (House Bill No. 1714), entitled:

An Act authorizing the Department of Agriculture to establish and promulgate standards of quality, condition and fill of containers of canned food, and standards of containers or receptacles therefor, and for the marking, branding and labeling thereof; and providing penalties.

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZIESENHEIM, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1311 (House Bill No. 1636), entitled:

An Act to validate certain municipal liens in the several cities of the third class of the Commonwealth of Pennsylvania; and providing the proceedings for the revival and collection thereof.

Mr. GELDER. Mr. President, I ask unanimous censent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1326 (House Bill No. 663), entitled:

An Act to amend sections one, two and three of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 920), entitled "An act providing for the relocation and change of width, grades and lines of State highways in boroughs by the Secretary of Highways, with the approval of the Governor and the commissioners of the proper county, and for the payment of damages occasioned thereby by the county; and repealing certain acts," by extending said act to incorporated towns.

LEAVE OF ABSENCE

Mr. SALUS asked and obtained leave of absence for the Senator from Bucks, Mr. Buckman for the balance of the week owing to a death in the Senator's family.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess utnil 4.30 o'clock this afternoon.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 360

The Clerk of the House of Representatives being introduced presented communication from the House informing the Senate that the House of Representatives has concurred in resolution as follows:

In the Senate, April 19, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 360, entitled:

An Act to validate sheriffs' deeds acknowledged previous to the return day of the writ by virtue of which the real estate was sold or acknowledged defectively.

be recalled from the Governor for the purpose of amendment.

TIME OF NEXT MEETING

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution as follows:

In the Senate, April 19, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, April 24, at 9 o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, April 24, at nine o'clock.

HOUSE CONCURS IN SENATE BILL No. 2

He also returned to the Senate, Senate Bill No. 2, entitled:

An Act relating to the collection of delinquent county taxes in counties of the second class; repealing all acts or parts of acts, general, local or special inconsistent herewith.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 3

He also returned to the Senate, Senate Bill No. 3, entitled:

An Act authroizing cities of the first, second and third classes to defray the expenses of National encampment of certain organizations of veterans.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 48

He also returned to the Senate, Senate Bill No. 48, entitled:

An Act to amend sections nine hundred and one, and one thousand and eighty-one of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs"; providing for the appointment of the county treasurer as tax collector in certain cases

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 139

He also returned to the Senate, Senate Bill No. 139, entitled:

An Act fixing the pay and mileage of jurors and witnesses.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 185

He also returned to the Senate, Senate Bill No. 185, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 210

He also returned to the Senate, Senate Bill No. 210, entitled:

An Act fixing the compensation of assessors and registry or assistant assessors performing duties pertaining to the assessment and registration of voters in counties other than first and second class, and repealing existing acts relating thereto.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 223

He also returned to the Senate, Senate Bill No. 223, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 244

He also returned to the Senate, Senate Bill No. 244, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 253

He also returned to the Senate, Senate Bill No. 253, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia School of Design for Women at Philadelphia, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 538

He also returned to the Senate, Senate Bill No. 538, entitled:

An Act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies, associations, exchanges or persons not authorized to do business in this Commonwealth; requiring certificates from the Insurance Department before accepting insurance advertisements or broadcasting the same by radio; and fixing penalties.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 348

He also returned to the Senate, Senate Bill No. 348, entitled:

An Act permitting sheriffs in counties of the third class to collect the cost of schedules of distribution on sheriff's sales of real estate.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 460

He also returned to the Senate, Senate Bill No. 460, entitled:

An Act providing for the appointment of township police in townships of the second class; defining their powers and duties; providing for their compensation; requiring the keepers or persons in charge of jails, lockups or station houses to receive persons arrested by such policemen; and prohibiting such policemen from charging or accepting additional compensation.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 466

He also returned to the Senate, Senate Bill No. 466, entitled:

An Act to amend sections three and seven of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by regulating the pasteurization of milk and milk used for certain purposes.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 511

He also returned to the Senate, Senate Bill No. 511, entitled:

An Act making a deficiency appropriation to the Board of Finance and Revenue.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 616

He also returned to the Senate, Senate Bill No. 616, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yoemanettes, and nurses, who were killed in action or died during the World War, and conferring certain duties upon the State Veterans' Commission.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 629

He also returned to the Senate, Senate Bill No. 629, entitled:

An Act to prohibit the employment by the Commonwealth and by counties, cities, boroughs, towns, townships, departments, boards, commissions, and by certain corporations, hospitals, homes and institutions, of aliens who entered the United States unlawfully; and providing penalties.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 707

He also returned to the Senate, Senate Bill No. 707, entitled:

An Act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace and aldermen, unless names and addresses of prosecutors, defendants and witnesses appear on the transcript thereof.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 187

He also returned to the Senate, Senate Bill No. 187, entitled:

A Joint Resolution continuing the Senate Committee constituted to investigate charges against members of the Public Service Commission and related matters; defining the powers and duties of said committee; ratifying and confirming the filling of vacancies in the membership thereof; and making an appropriation for the payment of its past and future expenses.

with the information that the House has passed the same without amendment.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 65, entitled:

An Act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto.

Senate Bill No. 294, entitled:

An Act to amend section five of the act, approved the fifth day of March, one thousand nine hundred and six (P. L. 78), entitled "An act to regulate nominations and election expenses, and to require accounts of nomination and election expenses to be filed, and providing penalties for the violation of this act," as amended, by requiring the treasurers of political committees, concerned in the nomination of candidates, to file accounts of election expenses.

Senate Bill No. 321, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the expenses of government defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation.

Senate Bill No. 356, entitled:

A Joint Resolution proposing an amendment to article fifteen section four of the Constitution of the Commonwealth of Pennsylvania.

Senate Bill No. 361, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineers, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; principal cities and towns, and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, providing that in awarding damages to abutting property owners for changing the width or existing lines and location of State highways, the benefits to such property may be considered in mitigation thereof.

Senate Bill No. 598, entitled:

An Act to amend sections one hundred and sixty-four, one hundred and sixty-five, and one hundred and sixty-six of the act, approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," by making unlawful the counterfeiting, altering and uttering of scrip and possession of materials for falsely making the same.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

RECESS

Mr. SORDONI. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. ARMSTRONG. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

QUESTION OF PERSONAL PRIVILEGE

Mr. SCOTT. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Centre, Mr. Scott, will state his question of personal privilege.

Mr. SCOTT. Mr. President and members of the Senate: Again last night the Governor of this Commonwealth accused members of the Legislature of putting needless difficulties in the way of getting relief for the unemployed and their families. "For the last month," he said in his speech to this body, "the fight to guard Pennsylvanians against starvation has left me little or no time for anything else."

The truth is, Mr. President and members of the Senate, that the greatest single hindrance in the path of relief for the unemployed has been and is Gifford Pinchot, Governor of Pennsylvania. The truth is that the greatest single hindrance in the path of corrective legislation, not only during the present session but others since the beginning of his term, is and has been Gifford Pinchot. He has taken a leaf from the story of the bad boy and smeared jam on the Legislature's fingers. He

has dropped cookie crumbs in the legislative corner and behind his continual cry of "Wolf! Wolf!" is the story of his own obstinacy, and his desire to advance his own personal political interests.

Not long ago a conference of leaders of the Republican Organization agreed unanimously that every penny of the $14,000,000 received from the Dorrance estate could be appropriated for unemployment relief. In conference with Governor Pinchot, later, it was suggested that $10,000,000 of that Dorrance money be devoted to relief.

But the Governor said no. He intimated that his budget officer was probably mistaken as to possible revenues for the coming biennium. It was his hope that we would give him authority to spend that $14,000,000 as he saw fit. But so insistent were his conferes that finally, and under heaviest pressure, he agreed to permit appropriation of $5,000,000 of Dorrance money. And that has been done. But today $9,000,000 remains inactive in the State Treasury, awaiting the Executive's designs during the biennium which begins June 1.

Mr. President and members of the Senate, since we came to Harrisburg in January we have been subjected to the chronic scoldings of Governor Pinchot. He is not willing to admit that a member of the Legislature has a single duty or responsibility to the people of Pennsylvania. We are answerable only to him. Not long ago in one of his Wednesday essays he went out of his way to denounce Adolf Hitler, German dictator. But the truth is that wrapped in the package which we know as Gifford Pinchot are all of the arrogance, self-will and danger of Adolf Hitler. He can be satisfied with nothing less than supreme power.

That was evident prior to the Regular Session of 1931, when he tried to move heaven and earth in his effort to name the President Pro Tempore of the Senate. It was true in the Spring of 1930, when he sought the election of the lamented Van Brown as Chairman of the Republican State Committee. It was true several weeks ago, when by means known only to those who attended the seance, he forced the head of his Highway Department to sign a letter containing an abject reversal of testimony presented by the Highway Secretary before a legislative committee.

Mr. President, it was true again yesterday, when the Secretary to the Governor and a former Secretary to the Governor, who is now a Public Service Commissioner, moved among members of this body in an effort to line up sufficient votes to discharge the Committee on Executive Nominations from further consideration of the Governor's nomination of Clyde L. King as a member of the Public Service Commission.

I have all the sympathy in the world for Dr. King. It is common knowledge that he was practically forced by the Governor to accept the position he now holds. Because of his years of friendship for Gifford Pinchot he finally agreed to resign his place as Secretary of Revenue, and take the job he now fills so well.

All of us remember the Governor's fulsome words of praise when he appointed Dr. King. His eulogy was far more glowing even than that he accorded his former secretary, Mr. Stahlnecker. And if what the Governor said was true then, it is true now. Men of Dr. King's caliber do not change over night. They run true to form.

Undoubtedly, the Governor's present antagonism to Dr. King comes from the fact that Dr. King as Chairman of the Public Service Commission refuses to be bulldozed or bullied. Gifford Pinchot does not like that sort of man. And last night when he hung floral horseshoes on the shoulders of Messrs. Woodruff, Gruenberg, Goodnough and Stahlnecker I wondered what he would say if, after confirmation by this body, they exhibited the independence of thought and deed that has distinguished Dr. King. I tell you, Mr. President, that the Governor has simply chosen Dr. King as a "whipping boy," and his denunciation, as the Chairman has said, is only the first gun in his newest factional fight.

It is plain to me that you and I, and all of us, are pawns in the Governor's various games. Fortunately the people of Pennsylvania are beginning to sense the truth. But we will not receive the blessings of the Governor until we permit him to tell us who are to be Public Service Commissioners, how much money is to be spent for relief, how many miles of rural highways are to be improved, how we must draw our beer and how much is to be charged for it. Not until we, the representatives of the people, abandon all independence and disavow every duty to our constituents will Simon Legree be good to us.

Mr. President, it is time to end this bickering and tomfoolery, the annoyance and uncertainty that have characterized this session. It is time that the waste of money cease—and by that I mean the prodigious daily cost of this session. It is time that members of Senate and House enact the legislation they deem necessary, and go home. It is time to lay on the Governor's desk the bills we know are needed.

The executive refuses to listen to us. He tells us that we must do as he says, or do nothing. I for one am in favor of winding up the affairs of this legislative session as we know the people of Pennsylvania demand, and not as we are directed to do by Gifford Pinchot.

I call your attention to Section 1 of Article 2 of the Constitution of Pennsylvania:

> "The legislative power of this Commonwealth shall be invested in a General Assembly which shall consist of a Senate and House of Representatives."

Mr. President and members of the Senate, let us not abandon that power.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

APPROVAL OF SENATE BILL No. 369

Commonwealth of Pennsylvania,
Governor's Office Harrisburg, April 19, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 369, Printer's No. 64, entitled "An Act to amend section one of the act approved the twenty-first day of March one thousand nine hundred and twenty-nine (Pamphlet Laws thirty-seven) entitled 'An act for the compensation by counties of persons detained as material witnesses in criminal prosecution' reducing the compensation of detained witnesses.'"

GIFFORD PINCHOT.

SENATE BILL No. 639 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 639, entitled:

An Act relating to insurance companies, exchanges, associations, societies, orders and individuals under the supervision of the Insurance Department; authorizing the Insurance Commissioner during the existing emergency to suspend laws relating to certain payments by insurers and to impose conditions upon the conduct of the business of insurance; and providing penalties.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. NORTON. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constiution, were twice read as follows: Amend page 3, section 5, line 16, by striking out after the word "terminate" the words "six months" and inserting in lieu thereof the words "one year"; also line 17, by striking out after the words "the Governor" the following: "but the Governor may by proclamation extend the effective period of this act for a further period not exceeding two years." Amend section 317, page 4, line 23, by inserting after the word "and" and before the word "the" the words "the directors of"; also page 5, line 4, by inserting after the word "the" and before the word "poor" the word "county"; also line 6, by striking out before the word "maintain" the words "be sufficient to"; also by striking out after the article "a" the word "solvent"; also after the word "fund" by inserting the following: "[sufficient to meet all payments due or to become due and payable therefrom during the current year under the provisinos of this act The portion of such sum to be paid by each the county and the county poor district into such fund shall be such part thereof as the number of employes of such county or county poor district bears to the total number of members of the retirement fund In no case"; also line 9, by inserting after the word "employes" by inserting the following: "and in no case shall the directors of the county poor district pay a sum less than the total amount contributed by such county poor district employes"; also section 318, line 17, by striking out after the word "fund" the following: "Such monthly payments by an employe shall cease when such employe is entitled to receive the pension retirement allowance herein provided for"; also section 322, page 7, line 19, by inserting after the word "allowance" and before the word "No" the following: "except that three per centum of such amount shall be deducted in equal monthly installments and be paid into the retirement fund as the contribution of the person receiving such retirement allowance to the said fund."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 671 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 671, entitled:

An Act to amend sections three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen, three hundred sixteen, three hundred seventeen, three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred twenty-one, three hundred twenty-two, three hundred twenty-three, three hundred twenty-four, three hundred twenty-five and three hundred twenty-six, and to repeal section three hundred twenty-seven as added of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the amount of contributions to the retirement fund the retirement age, the length of service necessary to entitle members to retirement allowance, upon being totally disabled, and increasing the number of members of the retirement board, and authorizing counties of the second class and the county poor district to make appropriations to an employes retirement fund.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. ARMSTRONG, Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows: Amend section 1, page 5, line 1 by inserting after the syllable "propriate" the words "and pay"; also line 4 by inserting after the article "the" the word "county"; also line 6 by striking out at the beginning of the line the words "be sufficient to"; also after the article "a' by striking out the word "solvent"; also after the word "fund" by inserting the following: "sufficient to meet all payments due or to become due and payable therefrom during the current year under the provisions of this act The portion of such sum to be paid by each the county and the county poor district into such fund shall be such part thereof as the number of employes of such county or county poor district bears to the total number of members of the retirement fund"; also line 9 by inserting after the word "employes" the following: "and in no case shall the directors of the county poor district pay a sum less than the total amount contributed by such county poor district employes"; also line 17 by striking out after the word "fund" the following: "Such monthly payments by an employe shall cease when such employe is entitled to receive the pension retirement allowance herein provided for"; also page 7, line 20 by inserting after the syllable "ance" the following: "except that three per centum of such amount shall be deducted in equal monthly installments and be paid into the retirment fund as the contribution of the person receiving such retirment allowance to the said fund."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—0

NAYS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 271 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 271, entitled:

An Act making an appropriation to the Lee Homeopathic Hospital, Johnstown, Pennsylvania.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. BAUMER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and th Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. MANSFIELD. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows: Amend section 1, page 1, line 4, by striking out after the word "fifty" in brackets, the word "twenty" and inserting in lieu thereof the word "ten"; also by striking out "($20,000)" and inserting in lieu thereof "($10,000)."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 272 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 272, entitled:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital at Johnstown, Pennsylvania.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. BAUMER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. MANSFIELD. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows: Amend section 1, page 1, line 4 by striking out after the word "two hundred" by striking out the word "ninety-six" and inserting in lieu thereof: "one hundred twenty-five"; also line 5, by striking out the figures "($96,000)" and insert in lieu thereof: "($125,000)"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. WILLIAMSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WILLIAMSON, from the Committee on Municipal Affairs, re-reported as committed, Senate Bill No. 583 (House Bill No. 750), entitled:

An Act to amend section one thousand nine hundred and two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" permitting cities temporarily to construct and reconstruct highways and sewers without contract.

REPORTS FROM COMMITTEES

Mr. CLARK. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CLARK, from the Committee on Agriculture, re-reported as amended, Senate Bill No. 1203, entitled:

An Act requiring certain persons, associations, copartnerships and corporations to keep full accounts and records with respect to the sales and transactions relating to dairy products and to submit the same to inspection by the Secretary of Agriculture, and prescribing the effect of failure to comply with the orders of the Secretary of Agriculture.

Mr. PRINCE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PRINCE, from the Committee on Forestry, reported as committed, Senate Bill No. 1385 (House Bill No. 1765), entitled:

An Act empowering the Department of Forests and Waters and the Board of Game Commissioners to purchase, in the name of the Commonwealth, seated and unseated lands at tax sales held by county treasurers; providing for and regulating the payment of the purchase price and redemptions in such cases; and providing for the payment of State charges on such lands.

Mr. HARVEY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARVEY, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 1282 (House Bill 1809), entitled:

An Act to amend section forty of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "Fish Law of 1925," as amended, changing the number of trout to be caught in one day.

Also from the Committee on Federal Relations reported as committed, the following Resolution, which was laid on the table:

CONGRESS MEMORIALIZED TO ENACT LEGISLATION WHICH WILL EQUALIZE THE BURDEN OF TAXATION BETWEEN RIVER AND RAILROAD TRANSPORTATION

In the House of Representatives, January 16, 1933.

Whereas, In many cases boats on rivers are operated in open competition with railroad transportation, and

Whereas, Boats so operated are not compelled to maintain rights of way in the manner required of railroads and as a consequence can offer lower rates for transportation, and

Whereas, The belief prevails that river transportation is not subjected to a burden of Federal and State taxation equal to that imposed on railroads, and

Whereas, Railroad transportation is essential to the development of the commerce and business of the United States, and

Whereas, River transportation is in most instances a matter of interstate commerce over which the Federal Government has control, therefore be it

Resolved (if the Senate concur), That the General Assembly memorialize Congress of the United States to enact legislation which will equalize the burden of taxation between river and railroad transportation in order to enable railroads to secure a fair share of the business

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives to the President of the Senate and Speaker of the House of Representatives of the United States.

Mr. NORTON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. NORTON, from the Committee on Insurance, reported as amended, Senate Bill No. 1387 (House Bill No. 2107), entitled:

An Act to further amend section six hundred and three of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department, and amending, revising and consolidating the law relating to the licensing, qualification regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by further regulating the licensing of insurance agents.

Also from the Committee on Insurance, reported as committed, Senate Bill No. 1363, entitled:

An Act to amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by adding certain new sections, including corporations which have the power to insure owners of real property, mortgages and others interested in real property from loss by reason of defective titles, liens, and encumbrances within the scope of the act, and further providing for the supervision, examination, regulation, suspension, involuntary dissolution and liquidation of such corporations.

Mr. QUIGLEY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. QUIGLEY, from the Committee on Finance, reported as committed, the following Resolution:

CONTINUING LEGISLATIVE COMMITTEE ON FINANCES

In the Senate, April 18, 1933.

Resolved (if the House of Representatives concur), That the Legislative Committee on Finances authorized to be appointed pursuant to concurrent resolution approved April 30, 1929 (P. L. 1916), and continued pursuant to the concurrent resolution of April 22, 1931 (P. L. 1426), to devise ways and means of financing the Commonwealth is hereby continued for a further period of two years and shall make a further report of their recommendations to the General Assembly of 1935

Any vacancy existing on said committee, for any cause, shall be filled by an appointment of a Senator or member by the President pro tempore or Speaker as the case may be.

Referred to Committee on Finance, April 18.

Mr. QUIGLEY. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee be suspended and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION EXTENDING SYMPATHY TO THE HONORABLE CLARENCE J. BUCKMAN

Mr. HARRIS. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 19, 1933.

It is with genuine sorrow that the members of the Senate of Pennsylvania learn of the death of John Warner Buckman, of Yardley, Pennsylvania, brother of Senator Clarence J. Buckman, Therefore be it

Resolved, That the sympathy of the Senate be extended to Senator Buckman and the bereaved family and that a copy of this minute be sent to them.

REPORTS FROM COMMITTEES

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as amended, Senate Bill No. 1364, entitled:

An Act creating a commission to make a study of local government and report thereon, and making an appropriation.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 880, entitled:

An Act authorizing repayment to the Federal Unemployment Relief Fund and the State Emergency Relief Board of relief funds paid in to the Motor License Fund in certain cases, and appropriating moneys in the Motor License Fund for that purpose.

Mr. WOODWARD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. WOODWARD, from the Committee on Finance, reported as committed, amended, Senate Bill No. 1016 (House Bill No. 1808), entitled:

An Act to amend section one thousand eight hundred and six of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the adminstrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," defining the powers of persons appointed to police State parks.

Also from the Committee on Finance, reported as commited, Senate Bill No. 1007 (House Bill No. 1040), entitled:

An Act to amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled, "An act to provide revenue with counties, for citiy and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting certain non-interest or non-dividend paying loans and stocks from payment of tax.

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Finance, reported as committed, Senate Bill No. 1349 (House Bill No. 2155), entitled:

An Act to amend section twenty of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs. and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by abolishing the fee payable to police officers for killing and disposing of unlicensed dogs.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD, from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 308, entitled:

An Act to amend section one of the act approved the twenty-second day of July, one thousand nine hundred and nineteen (P. L. 1089), entitled "An act regulating the advertising of the sales of real estate by the sheriffs in the several counties of this Commonwealth; and repealing all acts and parts of acts general and inconsistent therewith," by stipulating the location of newspapers in which publication shall be made.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 956, entitled:

An Act to require and provide for the issuing of licenses and permits to persons, firms and corporations for the construction, maintenance and use of billboards and/or other structures for outdoor advertising, to regulate the same and providing penalties for violations hereof.

Mr. SORDONI. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SORDONI, from the Committee on Banks and Building and Loan Associations, re-reported as amended, Senate Bill No. 446, entitled:

An Act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers of private bankers, and of the officers, directors, trustees, shareholders, attorneys,, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts.

QUESTION OF PERSONAL PRIVILEGE

Mr. SORDONI. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Luzerne, Mr. Sordoni, will state his question of personal privilege.

Mr. SORDONI. When the 1931 Legislature appropriated a fund for the revision of the Banking Laws, it, of course, could not have foreseen the serious banking trouble which would set in the following October and which has required an intensive study and serious reconsideration of the whole structure of banking supervision and regulation.

As Chairman of your Banking Committee I full realized the responsibilities that were placed upon my shoulders and at times I have been seriously worried as to the outcome. However, I am pleased beyond words to report that the Codes are now ready to be enacted into law and I hope they will be on the Governor's desk by the end of the week and that he will forthwith sign them.

The Banking Code, as now reported, represents an enormous amount of research work and study ably done by the Attorney General and his assistants and the Secretary of Banking and his staff, over a long period. It also represents a large amount of constructive study and criticism by representative bankers from all parts of the State and their attorneys. Long conferences have been held between these groups, presided over by the Chairman of your Banking Committee and the Chairman of the similar House Committee. The discussion of points upon which there were differences of opinion was conducted in an admirable spirit of co-operation and compromise and to the credit of all—there were relatively few points not substantially agreed upon—considering all the difficulties and the wide range of the subject attempted to be covered. This greatly aided the work of the committee and if it had not been for the willing sacrifice by all of personal considerations of sleep and rest, necessitated by literally day and night work, this job could not have been accomplished in the limited time since the introduction of this Code. This is easily understood when it is realized that both governmental departments, as well as the bankers, during practically this whole time, have been going through a period of unprecedented strain. It must also be considered that every one of the several previous efforts to codify and revise the banking laws of Pennsylvania have failed because it became impossible to harmonize and compromise all the divergent interests and problems involved.

The new Code represents many important improvements over the present law for the protection of the public, depositors and stockholders. I shall refer to the more important changes:

1. Existing law imposes no limitations upon loans to a single corporation or individual if they are not officers or directors of the institution. The Code limits such loans very strictly unless secured by obligations of the United States or the Commonwealth of Pennsylvania or the political subdivisions thereof.

2. Loans to directors are limited to 10% of the capital and surplus of the institution, and unsecured loans to officers are limited to $1,000, and as to both classes additional safeguards have been provided.

3. Existing law imposes no limitation upon the investment in stocks by a bank or trust company other than stock of their own institution. The Code limits new investments in stocks to 25% of capital and surplus except as to the stocks of other regulated banks or trust companies.

4. Existing law contains no limitation upon the sale of securities or other assets held by the commercial department of a bank or trust company to its own trust department. This has resulted in abuses which it is hoped will be prevented by the provisions of the Code prohibiting such sales, except in special cases under the regulations therein provided.

5. Existing law provides no limitation upon loans by a banking institution to affiliated corporations, associations, etc. The Code provides for the incorporation into it of such definition of affiliates as may hereafter be adopted by Act of Congress, and the Department Code provides for the examination and regulation thereof to the same extent, as to State banks, as Congress shall provide as to national banks and members of the Federal Reserve System. This will result in making the State Act substantially identical with the Federal statute and impose no less and no greater burdens upon State banks than those which may be imposed upon the national banks.

6. The prohibition of existing law against the establishment of branch banks has resulted in many communities throughout the State being without banking facilities, and, as to the most of them, without hope of securing banking facilities in the near future unless the law is changed. The Code permits branch banks in communities where there are no adequate banking facilities, restricting the establishment thereof to counties contiguous to the county where the main office of the principal banking institution is located; and then only with the approval of the Secretary of Banking. There is further provision for an appeal to the Courts from an approval by the Secretary of Banking of the establishment of a branch bank, if it is believed by the community that the banking facilities are adequate for its needs without such branch bank.

7. The Code permits the issuance of preferred stock in line with the policy of the Federal Government, and extends the provisions of the Shapiro Act recently passed. This is important to assist in obtaining additional capital for closed banks, as well as open banks whose capital should be increased to serve the public.

8. Capital and surplus requirements have been increased, and institutions with too little will be required to build them up out of earnings.

9. The Code prevents the establishment of any new unincorporated or private banks and continues under supervision and regulation all such banks established since 1904. Provisisions of the present law exempting from regulation those private banks that have been continuously in business in the same locality for at least seven years prior to the Act of June 19, 1911, now almost 30 years, have not been changed. This exemption now applies to relatively few old established businesses, which have been built up and continued under the present law. The unlimited liability of each of their partners for all deposits, as distinguished from the limited liability of a corporation, was no doubt the reason for the distinction drawn by the Act of 1911, the constitutionality of which has been upheld by the Supreme Court of Pennsylvania.

The Banking Code, with its companion piece, the Department of Banking Code, represents an important step forward for the protection of depositors and stockholders in open banks, as well as aiding the re-organization or liquidation of banks which have had to close or are opened only under restrictions. In throwing these additional safeguards around banks every effort has been made to avoid undue interference with the ability of these institutions to meet the credit needs of the State and play every sound part in financing industry and agriculture.

The Codes chart the path for sounder and more conservative banking and the increased powers given the Department of Banking should make more difficult unsound or improper practices in the future.

Mr. PRESIDENT, and gentleman of the Senate, few, except those directly involved, can possibly ralize the burden that has been thrown on the shoulders of Dr. Gordon by the banking

problems of the past year and a half, and what untiring effort has been necessary to administer the assets of closed banks as well as supervise the open banks. These jobs have, in my opinion, been the most difficult ever asisgned to a cabinet officer of this Commonwealth in time of peace; and to have the burden of a general revision of all the banking laws at the same time has represented an almost impossible task.

In conclusion, I desire to compliment and thank Attorney General Schnader and his assistants and Dr. Gordon and his assistants for the help they have given the Committee in the study and revision of these Codes.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Law and Order, reported as amended, Senate Bill No. 1360 (House Bill No. 1087), entitled:

An Act providing for the registration of magazines and periodicals prohibiting the sale distribution and circulation of unregistered magazines or periodicals or magazines or periodicals containing indecent or immoral matter conferring powers and imposing duties on the Superintendent of Public Instruction and otherwise providing for the administration of this act and prescribing penalties.

BILLS INTRODUCED

Mr. SCOTT. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT read in his place and presented to the Chair, Senate Bill No. 1388, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by adding a new section providing for the reimbursement of the General Fund by the special operating funds for services rendered by the Department of Property and Supplies, and for space occupied in the Capitol buildings by departments, boards and commissions supported from the operating funds.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 1389, entitled:

An Act to amend paragraph (c) of section five and section seven of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 899), entitled "An act regulating public bathing places, swimming pools, public bath houses, public and private natatoriums, turkish bath houses, all places hired for any form of bathing or swimming, and all related appurtenances; fixing license fees; providing, in matters of sanitation, cleanliness and safety, for supervision by the Department of Health; and prescribing penalties for violations," by increasing the inspection and license fees chargeable by the Department of Health.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 1390, entitled:

An Act to amend section twenty, sections twenty-six, twenty-seven, twenty-nine, thirty and thirty-two, as amended, and to repeal section twenty-eight of the act approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs and for dogs temporarily imported for trial, show and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," changing the fee for killing dogs and disposing of their carcasses; and providing that appraisements for damages to live stock and poultry shall be made by an agent of the Commonwealth.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 1391, entitled:

An Act to amend section eleven of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of elevators outside of cities of the first and second and second A classes granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," fixing the fees for the approval of plans of elevators.

Which was committed to the Committee on Finance.

Mr. HARRIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 1392, entitled:

An Act requiring counties, cities, boroughs, towns, townships, school districts and poor districts to insert in contracts for public works and improvements, stipulations with respect to minimum wages to be paid to laborers and mechanics employed on such public works and improvements and providing for penalties and the enforcement thereof.

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEES

Mr. TRAINER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TRAINER, from the Committee on Elections, reported as committed, Senate Bill No. 1376 (House Bill No. 1051), entitled:

An Act to amend section seven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulat-

ing the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party offices including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent signers required for nomination petitions for magistrates in cities of the first class."

Mr. HOWELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on Finance, reported as committed, Senate Bill No. 993, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June, one thousand eight hundred ninety-five (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" as amended, by providing for the distribution of the two per centum tax paid by foreign insurance companies on premiums for what is commonly known as collision, liability and other accident insurance on motor vehicles, by the State Treasurer to the treasurers of the several cities, boroughs and townships within this Commonwealth for payment by them to the respective police pension associations of such cities, boroughs and townships.

Mr. PARKINSON, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ERIE COUNTY

Mrs. Nolene Houtz, Erie.

LAWRENCE COUNTY

Julius Blaha, New Castle.

LEHIGH COUNTY

Franklin H. Litchtenwalter, Center Valley.

PHILADELPHIA COUNTY

J. Raymond Rossiter, Philadelphia.

VENANGO COUNTY

Arthur E. Loebelenz, Oil City.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for re-appointment as a Notary Public, for a term of four years to compute from the date set opposite his name:

PHILADELPHIA COUNTY

Edward J. Logue, Philadelphia, April 22, 1933.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SCOTT,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. SCOTT,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. WOODWARD. Mr. President, I move that the Executive Session do now rise.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows and agreed to:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 1, Printer's No. 473, entitled:

An Act empowering cities, boroughs, towns and townships to enact ordinances prohibiting baseball and other outdoor sports on Sundays; requiring the partial repeal of such ordinances where it is ascertained the majority of the electors favor such repeal, and providing procedure to ascertain the will of the electors; and repealing inconsistent laws.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 392, RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 392, entitled:

An Act authorizing the compromise of tax claims on real property purchased by the county on county treasurers' sales for nonpayment of taxes, and the reconveyance of such property.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

REPORTS FROM COMMITTEES

Mr. WILLIAMSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WILLIAMSON, from the Committee on Education, reported as committed, amended, Senate Bill No. 1324 (House Bill No. 1888), entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" extending the time within which school districts of the second class may levy their taxes conferring jurisdiction upon certain courts to review the budgets of school districts of second third and fourth classes and relating to the effect of the institution of such proceedings upon contracts agreements undertakings and the tax levy made during their pendency.

BILLS INTRODUCED

Mr. COYNE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE read in his place and presented to the Chair Senate Bill No. 1393, entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January, one thousand eight hundred and seventy-four (P. L. 31), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended, providing that when the authorities of any county shall have provided a place for the safe keeping of ballot boxes, they shall after each election be delivered at such place to the sheriff.

Which was committed to the Committee on Elections.

REPORT FROM COMMITTEE

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Finance, reported as committed, Senate Bill No. 484, entitled:

An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this Commonwealth; prescribing the license and filing fees to be paid therefor, and the disposition thereof; and prescribing penalties.

MOTION TO READ BILLS FOR THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 5, entitled:

An Act making an appropriation for the preparation of the Eightieth Division History; and creating a commission for such purposes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 484, entitled:

An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this Commonwealth; prescribing the license and filing fees to be paid therefor, and the disposition thereof; and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 631, entitled:

An Act to regulate the mixture of manufactured gas with natural gas permitting the mixture to be distributed by natural gas companies, providing for the number of British Thermal Units in said mixture and requiring the consent of the municipality wherein said gas is to be distributed together with notice to the consumers.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 644, entitled:

An Act making an appropriation to the Department of Forests and Waters for the maintenance and improvement of Fort Washington Park.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 880, entitled:

An Act authorizing repayment to the Federal Unemployment Relief Fund and the State Emergency Relief Board of relief funds paid into the Motor License Fund in certain cases, and appropriating moneys in the Motor License Fund for that purpose.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 909 (House Bill No. 1337), entitled:

An Act to amend section one of the act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred fifty-eight) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing

administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" as amended by extending the provisions of said act to include marihuana.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 956, entitled:

An Act to require and provide for the issuing of licenses and permits to persons, firms and corporations for the construction, maintenance and use of billboards and/or other structures for outdoor advertising, to regulate the same and providing penalties for violations hereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 993, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June, one thousand eight hundred ninety-five (Pamphlet Laws four hundred eight), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" as amended, by providing for the distribution of the two per centum tax paid by foreign insurance companies on premiums for what is commonly known as collision, liability and other accident insurance on motor vehicles, by the State Treasurer to the treasuries of the several cities, boroughs and townships within this Commonwealth for payment by them to the respective police pension associations of such cities, boroughs and townships.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 998 (House Bill No. 846), entitled:

An Act to appropriate money in the Motor License Fund to the Department of Highways for the purpose of paying commissary supplies heretofore furnished said Department.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1007 (House Bill No. 1040), entitled:

An Act to amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by exempting certain non-interest or non-dividend paying loans and stocks from payment of tax.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1015 (House Bill No. 1714), entitled:

An Act authorizing the Department of Agriculture to establish and promulgate standards of quality, condition and fill of containers of canned food, and standards of containers or receptacles therefor, and for the marking, branding and labeling thereof; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1016 (House Bill No. 1808), entitled:

An Act to amend section one thousand eight hundred and six of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" defining the powers of persons appointed to police State parks.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1020 (House Bill No. 1891), entitled:

An Act making an appropriation to the Department of Property and Supplies to erect steps from the Soldiers and Sailors Memorial Bridge to Baum and Linden streets.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1065 (House Bill No. 1138), entitled:

An Act making an appropriation for the purchase of a history of the One Hundred and Ninth Field Artillery of the Pennsylvania National Guard, and providing for the distribution thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1249 (House Bill No. 1779), entitled:

An Act to amend section one of the act, approved the eighth day of June, one thousand nine hundred twenty-three (P. L. 685), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth," by increasing certain fees to be collected by the Secretary of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1255 (House Bill No. 1205), entitled:

An Act exempting household furniture and household goods leased, hired or conditionally sold from levy and sale on execution or distress for rent under certain conditions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1282 (House Bill No. 1809), entitled:

An Act to amend section forty of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," as amended, changing the number of trout allowed to be caught in one day.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1288 (House Bill No. 960), entitled:

An Act to amend section one hundred and thirteen of the act approved the fifteenth day of April, one thousand eight hundred and thirty-four (P. L. 537), entitled "An act relating to counties and townships, and county and township officers," as amended; by requiring a deputy constable in cities of the first class to work under or through the constable who appoints him.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1311 (House Bill No. 1636), entitled:

An Act to validate certain municipal liens in the several cities of the third class to the Commonwealth of Pennsylvania; and providing the proceedings for the revival and collection thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1326 (House Bill No. 663), entitled:

An Act to amend sections one, two and three of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 920), entitled "An act providing for the relocation and change of width, grades and lines of State highways in boroughs by the Secretary of Highways, with the approval of the Governor and commissioners of the proper county, and for the payment of damages occasioned thereby by the county; and repealing certain acts," by extending said act to incorporated towns.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1330 (House Bill No. 2009), entitled:

An Act exempting the net amount payable under policies of accident and disability insurance from the claims of creditors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1345 (House Bill No. 141), entitled:

An Act to amend sections two and three section four as amended sections seven and eight and section nine as amended of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by reducing the salaries of judges.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1347 (House Bill No. 1897), entitled:

An Act to further amend section twenty-four of the act approved the first day of June, Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred twenty), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by further defining deductions in case of reinsurance.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1348 (House Bill No. 1898), entitled:

An Act to further amend section seven hundred fourteen of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts, and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivision, every person, association and corporation, required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further defining deductions in case of reinsurance.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1349 (House Bill No. 2155), entitled:

An Act to amend section twenty of the act approved the eleventh day of May one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating

the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by abolishing the fee payable to police officers for killing and disposing of unlicensed dogs.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1350 (House Bill No. 1899), entitled:

An Act to further amend section three hundred twenty-one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further defining deductions in case of reinsurance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1360 (House Bill No. 1878), entitled:

An Act providing for the registration of magazines and periodicals prohibiting the sale distribution and circulation of unregistered magazines or periodicals or magazines or periodicals containing indecent or immoral matter conferring powers and imposing duties on the Superintendent of Public Instruction and otherwise providing for the administration of this act and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1363, entitled:

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders. the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges, providing penalties, and repealing existing laws," by adding certain new sections, including corporations which have the power to insure owners of real property, mortgagees and other to interested in ,real property from loss by reason of defective titles, liens, and encumbrances within the scope of the act, and further providing for the supervision, examination, regulation, suspension, involuntary dissolution and liquidation of such corporations,

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1364, entitled:

An Act creating a commission to make a study of local government and report thereon, and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1376 (House Bill No. 1051), entitled:

An Act to amend section seven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen), entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party offices including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent signers required for nomination petitions for magistrates in cities of the first class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1385 (House Bill No. 1765), entitled:

An Act empowering the Department of Forests and Waters and the Board of Game Commissoners to purchase in the name of the Commonwealth seated and unseated lands at tax sales held by county treasurers providing for and regulating the payment of the purchase price and redemptions in such cases and providing for the payment of State charges on such lands.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1387 (House Bill No. 2107), entitled:

An Act to further amend section six hundred and three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine), entitled as amended, "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associatons reciprocal and inter-insurance exchanges and certain societi s and others the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the licensing of insurance agents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10 o'clock.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5.26 P. M. until Thursday morning, April 20, 1933, at 10 o'clock A. M.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 19, 1933.

The House met at 11.00 o'clock A. M.
The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Dear Lord God, we thank Thee that another day finds us at our Post ready for the toils and care which my come to us in the line of duty.

We thank Thee for the consecrated talents, and the conscientious efforts of the Ladies and Gentlemen of this General Assembly, in their endeavors to do their full duty as Representatives.

We thank Thee that this Legislature is not what some would have the people believe—A petty turmoil of sound and fury signifying nothing—Rather, it has been and continues to be an honest effort of brave and simple men and women, to meet the overwhelming demands of the Commonwealth's multitudenous interests.

Continue to add Thy blessings, until the fruition of these weeks of labor shall be fully realized. For Thy glory. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when on motion of Mr. McCandless, the further reading was dispensed with and the Journal approved.

RESOLUTION

FIXING ORDER OF BUSINESS

Mr. HUTTON offered a resolution from the Committee on Rules, fixing the order of business for the day, which was twice read, considered and adopted as follows:

Resolved, That the order of the business of the House for the Session Wednesday, April 19, 1933, shall be as follows:

1. Communications from the Governor and the Senate, reference of bills or petitions to commtitees; siging of bills or other papers; clearing the tables may considered at any time.
2. The asking of leave of absence.
3. The receiving reports of Committees. Reports from committees may also be received immediately before or after a recess or before adjournment. (All bills reported from committee, as committed shall be read for the first time).
4. Resolutions:
   A. House and concurrent resolutions originating in the House other than those to discharge committees from consideration of bills.
   B. Resolutions recalling bills from the Governor or resolutions returning bills to the Governor are privileged at any time.
5. Motions to recommit (This motion may also be made when a bill is reached in its regular order).
6. Motions to reconsider may be made. (This motion may be made when necessary for any bill on the calendar).
7. Bills on first reading.
8. Bills on second reading.
9. Bills on final passage recalled from the Governor.
10. Bills on final passage (Bills on the final passage postponed calendar may be called up under this order of business).
11. Bills on third reading (Bills on third reading or final passage postponed calendars may be called up under this order of business).
12. Conference reports may be received or called up for consideration at any time.

RULES COMMITTEE,

GROVER C. TALBOT,
A. J. WHITE HUTTON,
MARTIN WITKIN,
THOMAS B. WILSON,

REPORTS FROM COMMITTEES

Mr. CONNER, from the Committee on Counties, reported as committed, House Bill No. 1807, entitled:

An Act to amend section one of the act, approved the twenty-seventh day of February, one thousand eight hundred and sixty-five (Pamphlet Laws, four) entitled "An act to increase the fees of mercantile appraisers in certain counties of this Commonwealth.

Mr. CONNER, from the Committee on Counties, reported as committed, House Bill No. 2064, (Senate Bill No. 487), entitled:

An Act to amend section one thousand thirty-four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing how executions on judgments against counties may be issued, the procedure thereon; authorizing the court to direct the levy of a tax to satisfy such judgments, and fixing the rate of interest which such judgments shall bear.

Mr. McHENRY, from the Committee on Agriculture, reported as committed, House Bill No. 2111, (Senate Bill No. 72), entitled:

An Act prescribing penalties to be imposed upon conviction of stealing poultry.

Mr. McKAY, from the Committee on Military Affairs, reported as committed, House Bill No. 2313, (Senate Bill No. 1027), entitled:

An Act authorizing the conveyance to the United States of America of a certain tract of land in or near Petersburg, Virginia.

Mr. BOYD, from the Committee on Corporations, reported as amended, House Bill No. 2305 (Senate Bill No. 206), entitled:

An Act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, division and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations.

BILLS ON FIRST READING

The following bills were read the first time pursuant to resolution presented by the Committee on Rules fixing the order of business for the day.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1807, entitled:

An Act to amend section one of the act approved the twenty-seventh day of February, one thousand eight hundred and sixty-five (Pamphlet Laws four), entitled "An act to increase the fees of mercantile appraisers in certain counties of this Commonwealth."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2064 (Senate Bill No. 487), entitled:

An Act to amend section one thousand thirty-four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing how executions on judgments against counties may be issued, the procedure thereon; authorizing the court to direct the levy of a tax to satisfy such judgments, and fixing the rate of interest which such judgments shall bear.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2111 (Senate Bill No. 72), entitled:

An Act prescribing penalties to be imposed upon conviction of stealing poultry.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2313 (Senate Bill No. 1027), entitled:

An Act authorizing the conveyance to the United States of America of a certain tract of land in or near Petersburg, Virginia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1374

Mr. WILSON. Mr. Speaker, I offer the report of the Committee of Conference on House Bill No. 1374.

The SPEAKER. The report of the Committee of Conference lies over for printing.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 9

Mr. TURNER. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 9, Messrs. Turner, Hutton and Rice.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON NON-CONCURRENCE IN HOUSE AMENDMENTS

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 9, entitled:

An Act to amend and further amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" making further provisions for the settlement assessment collection lien and procedure for collection of taxes and other moneys due the Commonwealth

RESOLUTION

DECLARING INTENTION TO TAX BREWED, MALT AND VINOUS BEVERAGES

Mr. JONES offered a resolution and asked unanimous consent for its immediate consideration.

The resolution was twice read by the Clerk as follows:

In the House of Representatives, April 19, 1933.

Whereas, The failure to finally enact legislation imposing a tax on malt and vinous beverages is resulting in the loss of a large amount of revenue to the State; and

Whereas, The continued honest disagreements as to the form of legislation relating to the regulation and taxation of these beverages unduly delays the day when these new revenues will be made available; therefore be it

Resolved (if the Senate concur), That the General Assembly hereby declares its intention that the State tax on brewed, malt, vinous and fruit juice beverage legalized by Act of Congress of the United States, shall be as follows: On brewed and malt beverages, one dollar and twenty-four cents ($1.24) a barrel, or equivalent; and on vinous and fruit juice beverages, three cents (3c) per gallon;

Resolved, That the General Assembly hereby declares its intention that the law imposing said tax when enacted, will be made retroactive to the date when this resolution becomes effective by approval by the Governor.

The SPEAKER. Will the House give its unanimous consent for the immediate consideration of the resolution? Are there objections?

Mr. WITKIN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

The resolution lies over for printing.

MOTION TO SUSPEND RULES

Mr. JONES. Mr. Speaker, I move that we suspend the rules on this resolution.

Mr. HERMANSEN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER. The question is on the motion of the gentleman from Luzerne, Mr. Jones, seconded by the gentleman from Luzerne, Mr. Hermansen, that the rules be suspended for the specific purpose of considering the resolution

which was read by the Clerk. The rule sought to be suspended is Rule 84 of the House and the motion is made pursuant to Rule 88, alteration or suspension of rules. The Chair will read Rule 88 for the information of the House:

"Any rule of the House may be suspended at any time for a specific purpose by a majority vote of the members elect; after the accomplishment of which purpose the rule shall remain in force as before."

Mr. SOWERS. Mr. Speaker and members of the House, you are now about to vote on a motion to suspend the rules of the House for the purpose of voting on a resolution.

Nothing more important could come before you than this motion.

If the rules of this House shall be suspended in the closing days of the session, it simply means that all business will run riot.

There is no urgent necessity to suspend the rules.

This House has passed a tax measure, and that tax measure can be approved or disapproved.

POINT OF ORDER

Mr. JOHN J. KANE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. JOHN J. KANE. Mr. Speaker, are we discussing the suspension of the rule or is it a question of tax measure?

The SPEAKER. The Chair is of the opinion that the gentleman from Philadelphia, Mr. Sowers, is giving his reasons why the rules should not be suspended.

Mr. SOWERS. Mr. Speaker and members of the House, I do not want to go into detail as to the issues raised, but in a very brief way I shall put the cards on the table, and then you can determine whether you want to suspend the rules.

The question that is involved here is whether judges, county treasurers or commissioners shall issue licenses. Those things are only subterfuges.

The question is whether chain stores should have licenses——

POINT OF ORDER

Mr. EROE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Lawrence will state his point of order.

Mr. EROE. Mr. Speaker, the gentleman is not discussing the motion.

The SPEAKER. The Chair is still of the opinion that the gentleman from Philadelphia, Mr. Sowers, is presenting his reasons why the rule should not be suspended. The point of order, in the opinion of the Chair, is not well taken.

Mr. SOWERS. Mr. Speaker and members of the House, the issue is whether chain stores shall distribute intoxicating liquor. If this House agrees to a tax bill without more regulations, there never will be regulations, and everybody, chain stores in particular, will be selling liquor.

I ask the members of the House not to suspend these rules, in order to accomplish the purpose of letting the chain stores sell beer, and I ask you for this reason also, that if the beer tax is not joined to regulations, then the Governor will approve a tax alone and the State will have beer in every little nook and corner. I know that my constituents do not want this to happen and I believe yours do not want it to happen.

I ask you to vote down this resolution.

Mr. JONES. Mr. Speaker and members of the House, the gentleman from Philadelphia is just trying to camouflage the real purpose of this resolution.

This resolution does not provide anything except to notify the brewers of Pennsylvania when the beer bill is finally enacted into law and signed by the Governor that they will have to pay the tax on the brew from the time that this resolution is signed by the Governor.

If the Governor vetoes the beer bill he has before him now, and we expect to be going home in a couple of weeks, and if the bill is declared unconstitutional we may be here for a month yet, and every day that we delay passing this resolution, of course, the State of Pennsylvania will lose ten thousand dollars in revenue. For the life of me I cannot see why anybody at this time would oppose ten thousand dollars revenue for the State in this depression.

Mr. LENAHAN. Mr. Speaker, may I interrogate the gentleman from Luzerne, Mr. Jones?

The SPEAKER. Will the gentleman from Luzerne, Mr. Jones, permit himself to be interrogated?

Mr. JONES. Gladly, Mr. Speaker.

Mr. LENAHAN. Mr. Speaker, will the gentleman from Luzerne state to this House, the way he voted on the Sowers-Conner bill?

Mr. JONES. "No," Mr. Speaker.

Mr. LENAHAN. Mr. Speaker and members of the House, I agree with the gentleman from Philadelphia, Mr. Sowers, that this bill is nothing more than a subterfuge. I believe it is sponsored by some special interests who have in mind the destruction and the effect of the bill already passed by this House.

If those special interests desire to secure revenue from taxation of brew, there is ample opportunity to sign this bill and thereby pour into the coffers of the Commonwealth of Pennsylvania thousands and thousands of dollars which we are now losing as a result of the inactivity on the part of the Executive Department of this Commonwealth. I, therefore, ask you, members of this House, not to be swayed by the subterfuge contained in this resolution. I ask the members of this House to vote against any motion that has for its purpose at this time the suspension of the rules of this House.

Mr. WITKIN. Mr. Speaker, may I interrogate the gentleman from Luzerne, Mr. Jones.

The SPEAKER. Will the gentleman from Luzerne, Mr. Jones, permit himself to be interrogated?

Mr. JONES. Mr. Speaker, I will.

Mr. WITKIN. Mr. Speaker, is the gentleman aware of the fact that this House, this Legislature, has passed a beer bill?

Mr. JONES. Yes, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, the preamble of this resolution reads as follows: "The failure to finally enact legislation imposing a tax on malt and vinous beverages is resulting in the loss of a large amount of revenue to the State." That is an incorrect statement, is it not?

Mr. JONES. No, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, may I not ask the gentleman if it does not say here, "that the failure to finally enact legislation." Has not this legislature enacted legislation?

Mr. JONES. It does not say "this legislature" if you will notice.

Mr. WITKIN. Mr. Speaker, I will read from this resolution "the failure to finally enact legislation."

Mr. JONES. Mr. Speaker, "to finally."

Mr. WITKIN. Has no tthis House enacted legislation may I ask the gentleman, Mr. Speaker?

Mr. JONES. The resolution does not say "this House." We thought that probably you would bring up that particular question. We had that chucked out of it.

Mr. WITKIN. Mr. Speaker, I call the gentleman's attention to the fact that we have not chucked anything out of it. What you say here is that this Legislature has failed finally to enact legislation. This Legislature, the gentleman will agree with me, has caused to be enacted insofar as its powers are concerned a beer revenue bill that is now on the Governor's desk. That is correct, is it not?

Mr. JONES. Mr. Speaker, the gentleman from Philadelphia is just arguing about something that is not in the resolution. When we say "to finally" it is not finally enacted until signed by the Governor. The gentleman will admit that.

The SPEAKER. Is the gentleman from Luzerne interrogating the gentleman from Philadelphia?

Mr. JONES. I think so, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, will the gentleman admit that this Legislature has done all in its power, insofar as its powers are concerned, to put on the Governor's desk a beer bill that carries with it a revenue? Will the gentleman please answer "yes" or "no"?

Mr. JONES. No, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, does the gentleman mean by his answer that he does not know that the Legislature has passed the Sowers-Conner bill?

Mr. JONES. Mr. Speaker, I know that they have passed the Sowers-Conner bill.

Mr. WITKIN. Mr. Speaker, does the gentleman know where it is now?

Mr. JONES. On the Governor's desk, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, does the gentleman know whether that bill provides for revenue or not?

Mr. JONES. It does, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, therefore, the gentleman does know that there is now a revenue bill passed by this Legislature on the Governor's desk?

Mr. JONES. I do, Mr. Speaker.

Mr. WITKIN. I am glad, Mr. Speaker, that the gentleman knows something.

Mr. JONES. Mr. Speaker, if I didn't know anything more than the gentleman did——

The SPEAKER. The Chair must insist that no personalities be injected into the interrogation.

Mr. WITKIN. Mr. Speaker, may I say to the gentleman from Luzerne that my comment was in jest and facetious and not meant in any way to offend him.

The SPEAKER. The Chair hopes that the gentleman from Luzerne will not take the remark seriously.

Mr. WITKIN. Mr. Speaker, does the gentleman know that we cannot impose taxation by resolution but only by a bill?

Mr. JONES. Right.

Mr. WITKIN. Mr. Speaker, therefore, when the gentleman in this resolution provided that the tax shall be retroactive did the gentleman not know that this resolution cannot make that a fact?

Mr. JONES. I know that it can, Mr. Speaker.

Mr. WITKIN. Mr. Speaker and members of the House, I am just going to take up two minutes of your time. I am going to ask you to vote not to suspend any rules, for the simple reason that we have done, insofar as our power lies, all that we could do.

There is now a tax raising measure on the Governor's desk. He may either ask that it be recalled, and in that manner compromise the situation or he may sign it, or he may veto it, but this Legislature has enacted such an act, which is a revenue raising act.

This resolution has facts in it, members of the House, that are incorrect. It says that we have failed finally to enact such legislation. I say to you that we have no right to move to suspend the rules in order to pass a resolution that says that we have failed to do something that we have done. Therefore, you should not so vote.

I also call your attention to the fact that a resolution cannot impose taxation, and it is folly for the gentleman from Luzerne to endeavor to pass this resolution and to suspend the rules of the House for that purpose, when he knows, you know and we all know that we cannot impose taxation by resolution, but only by a bill.

I take it from your applause that you want me to keep my word, and only talk for two minutes, and I will ask you not to suspend the rules in my two minutes here, and then I will sit down.

Mr. JOHN J. KANE. Mr. Speaker as a member of the House, who voted against the Sowers beer bill, I desired during that debate to make a few statements, but as a result of the debate being stopped by the previous question I was prevented from so doing.

I had intended to go along and not take up the time of this House, but I am going to make a statement and I am going to say that insofar as the Sowers bill is concerned, it is my opinion, whether it meets with the approval of the legal genius, the gentleman from Philadelphia, Mr. Witkin, or not—

The SPEAKER. The gentleman will not interject personalities in his discussion. Therefore, his statement will be withdraw so far as the record is concerned.

Mr. JOHN J. KANE. Mr. Speaker, when I voted against the Sowers bill, I voted so for the reason that I did not believe that the bill, as it was drafted and presented to this House was going to meet with the constitutional provisions, namely, that we could not put a regulation and a revenue measure into the same act.

I voted against it because I did not believe that we should put the power of licensing the applicants in the hands of the court.

I do believe now and I did believe then that the State of Pennsylvania should get every cent of tax that it is possible to get, whether we get it through a resolution or whether we get it through an act. We should get it from the brewers, and this House should not delay any action that will bring that revenue into the State of Pennsylvania. In my opinion, all that is going on here is an attempt to prevent the collection of a beer tax from the brewers of Pennsylvania.

I think that everybody here will agree, if he tells the truth about the situation, that the people back home want to know whether or not we are going to put a tax on beer. If we cannot do it and we know we cannot do it by the Sowers bill, then I think it is the duty of this House before we adjourn to take some kind of action to effect the collection of a tax on beer, and thus put this State in a position where it can use the tax to feed the people of Pennsylvania. That is the proposition that we have to consider. It is one of the sources of revenue from which we can get money to feed the people, and it is agreed by all the political factions in the State of Pennsylvania that we are not doing anything about it. I think that we can do it by a resolution or can do it by an act, but let us do it.

There are two bills in committee that will get that revenue. If we cannot do it by resolution there are two bills in committee that will put a tax on beer.

I think it is the duty of the members of this House to support something so that we can feed the people and at the same time equitably protect the brewers of Pennsylvania.

QUESTION OF PERSONAL PRIVILEGE

Mr. ANDREWS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. ANDREWS. Mr. Speaker, did I understand the Chair to rule that the gentleman from Philadelphia was not a legal genius?

The SPEAKER. The Chair is of the opinion that the question of the gentleman, talking under a question of personal privilege, is entirely out of order, and so rules.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Jones and Mr. J. Kane and were as follows:

YEAS—63

Andrews,	Furman,	Marcks,	Sheffer,
Baker,	Gallagher,	Mason,	Shellenberger,
Beech,	Hamilton,	McCreary,	Shettel,
Boyd,	Hermansen,	McGinnis,	Simon,
Brown, J.E.,	Hester,	McKinney,	Sinwell,
Brownfield,	Himes, L. R.,	Mumford,	Snyder,
Cannon,	Hoopes,	O'Keefe,	Stank,
Carson,	Howard,	Powers,	Sterling, R. B.,
Cramer,	Hutton,	Quinn,	Stevens,
Downey, G. E.,	Jones,	Raub,	Stone,
Dunmire,	Kane, J. J.,	Rhodes,	Surface,
Eroe,	Lane,	Ruth,	Walker, G. E.,
Evans,	Lovett, J. E.,	Schrock,	Welsh,
Fitzgerald,	Lovett, W. S.,	Schrope,	Williams, G. W.,
Flanagan,	Lynch, M.,	Schwab,	Wilson, L. M.,
Flinchbaugh,	Male,	Scott,	Wood,

NAYS—103

Baldi,	Hart,	Merrell,	Shreiner,
Barnhardt,	Heffernan,	Mohn,	Shugarts,
Bechtel,	Hefferon,	Moore,	Sowers,
Bennett,	Heffner,	Myers,	Spann,
Bernhard,	Hewitt,	Negley,	Steedle,
Brennan,	Himes, H. E.,	Nothnagle,	Stiteler,
Brown, W. L.,	Hoffman,	O'Connor,	Storb,
Carey,	Horst,	O'Rourke,	Stott,
Conner,	Hough,	Patterson,	Tahl,
Cooke,	Jaffe,	Peelor,	Turner,
Cordier,	King,	Pennock,	Wade,
Craig,	Kinney,	Perry, D. R.,	Walker, W. A.,
Davies,	Laubach,	Perry, J. J.,	Wall,
Denning,	Lenahan,	Peters,	Wasserman,
Downey, J.,	Lewis,	Powell,	Weidemann,
Duffy,	Long,	Price,	Westrick,
Emhardt,	Lord,	Rectenwald,	White,
Flynn,	Lose,	Reed,	Williams, J. J.,
Forrest,	Lynch, J. R.,	Rice,	Wilson, T. B.,
Gillette,	Malina,	Roan,	Witkin,
Gorman,	McBride,	Roth,	Yeakel,
Green,	McElwee,	Ruby,	Yourishin,
Greenstein,	McGregor,	Sautter,	Zimmerman,
Griffith,	McKay,	Schwartz,	Talbot,
Habbyshaw,	Melchiorre,	Shenkel,	Speaker.
Harris,	Meredith,	Shortz,	

So the question was determined in the negative and the motion was not agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 175, entitled:

An Act making an appropriation to the Department of Military Affairs for payment of property damages occasioned by a horse, the property of the Federal Government, issued to, and in possession of the National Guard of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1271, entitled:

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims of the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

STATEMENT BY Mr. McELWEE

Mr. McELWEE. Mr. Speaker, and members of the House, I believe the Speaker and members of this House are entitled to know why I have allowed House Bill No. 89 to be passed over thus far and have not called it up. I ask the indulgence of the House to permit me to state my reasons.

It is admitted that House Bill No. 89 proposes a radical departure from the beaten path in the matter of taxation. I am convinced that justice demands a radical departure; but I likewise am convinced that both prudence and good statemanship require care and deep study before we launch this Commonwealth upon untried seas or try to lead it through an unblazed wilderness.

In the twenty-five years or more that I have had to do with problems of taxation, I have observed some basic wrongs. I have seen the owner of a house rent it for $480 per year and pay two hundred dollars annual taxes upon it; while his tenant, who had an annual income of $5,000, and no real estate, paid a per capita school tax of $6; and other taxes for the support of local government of less than $4.

It is true that real estate pays more than its share of local taxation. Taxes not only are too high but they are not equitably distributed.

The term "potential income" of real estate is new in legislation. Some have said that even the thought is new. Be that as it may, I believe that in a combination of it and an actual income as a basis for county rates and levies lies the solution of our problem. In most boroughs and townships the basis of taxation for county rates and levies is also the basis for school and borough or township taxes. Therefore, if that basis is right, all these taxes are right.

Under the ancient Hebrew theocracy, divinely inspired and pronounced and instituted by Moses, the tithe, which was a form of taxation, was based, not on the market value of the real estate holdings, but upon the income thereof, even though that income might be "mint and annis."

If everybody lived upon his own land and cultivated it as he should, and his income was directly or indirectly the income of that land, such income would form a fair basis for taxation. Such is not the case. My county being a border county, we have large tracts of land owned by persons who reside in Ohio. No doubt all other counties have the same situation, differing only in the name of the foreign state. The increment of value brought about by the proper use of the money raised by taxation enures to the owner of the land and not to the tenant. Therefore to take all taxes off real estate and place them wholly upon the incomes of the persons residing in the municipal sub-division would not be fair.

Again, we have large tracts of land adjacent to cities or industrial plants that are growing up in briars and weeds and, due to neglect, yield no income. These tracts have been bought up as speculations in the hope that, as the city grows,

or the industrial plants developes, the land will become very valuable. This land has a "potential income" but it has no actual income, and, therefore, to tax only the actual income of land would be playing into the hand of the speculator who has set about to skim the cream off the milk of progress that the efforts of other men have produced. To let these people go scot free would not be fair.

I am allowing this bill to stay on the calendar without being voted upon by the House, because I want every member to study this bill with great care. I do not claim to know everything. Only by a full and complete study of this problem by all the members can a proper law be prepared and enacted. I, therefore, want to keep this bill before you as long as I can, in order that you may recognize its merits, if it has any, and detect and correct the faults that it doubtless has. It may be too big a problem to be solved at this Session

I think it is a good bill and a long step in the right direction.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1030, as follows:

An Act fixing the salaries of certain county officers in counties of the fourth class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the annual salaries of the following officers of all counties of the fourth class shall be as follows

Of county commissioners each four thousand dollars ($4,000)

Of district attorney four thousand dollars ($4,000)

Of county treasurer four thousand dollars ($4,000)

Of county controller four thousand dollars ($4,000)

Of recorder of deeds four thousand dollars ($4,000)

Of clerk of the courts of oyer and terminer and quarter sessions four thousand dollars ($4,000)

Of prothonotary four thousand dollars ($4,000)

Of register of wills and clerk of the orphans' court four thousand dollars ($4,000)

of sheriff four thousand dollars ($4,000)

Of jury commissioners each five hundred dollars ($500)

Of directors of the poor each two thousand five hundred dollars ($2,500)

The salaries fixed by this act shall become effective as to each office at the expiration of the term for which the officer now in office was elected

Section 2 All acts and parts of acts inconsistent therewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1732, as follows:

An Act to amend section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hunred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended providing for the number and compensation of the members of the board of viewers in counties of the third and fourth classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" which was amended by the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred one) is hereby further amended to read as follows

Section 171 Number of Members Qualifications Compensation There is hereby established in each county a board of viewers The board of viewers in counties of the second class shall consist of not less than six nor more than nine members one-third of whom may be learned in the law and members of the bar of the county In each county of the third and fourth class the board shall consist of three members one of whom shall be learned in the law and chairman of the board In each county of the [third fourth] fifth sixth seventh and eighth classes said board shall consist of not less than three nor more than nine members one-third of whom may be surveyors or members of the bar of the county The judges of the court of common pleas shall in each case determine within the aforesaid limits the total number of members of which the board shall be composed fixing and determining such number as shall be deemed necessary for the proper performance of the duties imposed upon the board The court may also from time to time change the total number of members within the above limits

In counties of the second class each member of the board of viewers shall receive an annual salary of six thousand five hundred dollars ($6,500)

In counties of the third and fourth classes [each member of the board of viewers shall receive the sum of twelve dollars (12.00) per day for each day actually and necessarily spent by him in the performance of the duties of his office and ten (10) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office Provided however That the amount so received by any member of the board of viewers in counties of the third class shall not exceed exclusive of traveling expenses the sum of two thousand dollars ($2,000) for any calendar year] the chairman of the board of viewers shall receive an annual salary of one thousand eight hundred dollars ($1,800) and each of the other members an annual salary of nine hundred dollars ($900) payable monthly and each member shall receive five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office Adequate stenographic and clerical help shall be provided for said board at the expense of the county

In counties of the fifth and sixth classes each member of the board of county viewers shall receive the sum of ten dollars ($10.00) per day for each day actually and necessarily spent by him in the performance of the duties of his office and the sum of five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office

In counties of the seventh and eighth classes each member of the board of viewers shall receive the sum of seven dollars and fifty cents ($7.50) per day for each day actually and necessarily spent by him in the performance of the duties of his office and five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office

The compensation of said viewers shall be paid monthly by the respective counties under such conditions as to the verification of the time of employment as may be prescribed by rules and regulations which shall be made by the courts of the respective counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2211 (Senate Bill No. 306), as follows:

An Act making an appropriation to the Women's Hospital of Philadelphia Preston and Parrish Streets Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ninety thousand dollars ($90,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Women's Hospital of Phialdelphia Preston and Parrish Streets Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thrity-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dolairs ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2289 (Senate Bill No. 897), as follows:

An Act authorizing the issuance of script certificates for relief purposes by political subdivisions of this Commonwealth providing for the printing and issuance of script and stamps by the Commonwealth for the creation of a script redemption fund in the State Treasury and for the redemption of script therefrom imposing duties on the State Emergency Relief Board and the State Treasurer appropriating the moneys in the script redemption fund and imposing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of this act

"Municipality" shall mean any city borough county township incorporated towns poor district or school district for the Commonwealth

"Emergency relief stamp" shall mean adhesive stamps in denominations of one two and three cents issued by the Commonwealth to be affixed to script certificates authorized by this act

"Board" shall mean the State Emergency Relief Board of the Commonwealth

Section 2 Subject to the conditions hereinafter prescribed any municipality may issue negotiable script certificates to be distributed in place of cash to persons entitled to direct unemployment relief and to pay for labor and materials utilized on work relief projects

Section 3 When any municipality shall desire to issue script certificates under this act it shall make application for permission to do so to the board in such form as the board shall require If the board shall be convinced that a proper case has been shown therefor it shall authorize the municipality to issue script certificates in such amounts and at such times as the board may deem proper

Section 4 All script certificates shall be printed and distributed to the respective municipalities by the Commonwealth in three denominations namely one dollar fifty cents and twenty-five cents and in such form as the board may determine Each dollar certificate shall contain thirty-six spaces for attachment of adhesive stamps hereinafter provided for each such space to bear a date as hereinafter mentioned

Section 5 Script certicates shall be negotiable They shall be redeemable at any time after the last date appearing in the stamp spaces thereon upon presentation to the State Treasurer with thirty-six emergency relief stamps of three cents each affixed to each dollar certicate and twenty-nine two-cent stamps to each fifty-cent certificate and thirty-three one-cent stamps to each twenty-five cent certificate

Section 6 The holder of any script certificate before or upon transferring it shall affix an emergency relief stamp of proper denomination to each unfilled stamp space thereon which bears a date prior to the date of transfer

Section 7 Emergency relief stamps in such form as the board may determine shall be provided and sold by the State Treasurer and he shall make provision for the sale of the stamps to municipalities which have been authorized to issue script certificates and sell stamps only to those designated to issue scrip

Section 8 The State Treasurer shall sell stamps only to those authorized to purchase stamps and issue scrip and shall sell them at one-third the retail value Any person who desires to purchase stamps must do so at the retail price from the municipality authorized to sell them in the district in which they are located The State Treasurer shall receive cash or certified check for the stamps when sold And it is unlawful for any person or municipality to sell stamps to any one at a price less than the full retail price

Section 9 Scrip certificates shall be redeemable at and by the State Treasurer's office in the following manner Before redeemable a dollar certificate shall have affixed thereto thirty-six three-cent stamps a fifty-cent certificate shall require twenty-nine two-cent stamps a twenty-five-cent certificate shall require thirty-three one-cent stamps One stamp shall be required each week as hereinafter mentioned The scrip certificate shall be dated by the municipality in the space designated for the stamp Each week's issue of scrip shall be so dated to prevent all certificates from requiring a stamp on any certain day of the week

The first issue of scrip shall call for the first stamp on the Tuesday following the Saturday of issue and then a stamp each Tuesday thereafter The second week's issue shall call for the first stamp on the Wednesday following the Saturday of issue and a stamp each week thereafter The third week's issue shall also call for the stamp the Wednesday following the Saturday of issue The fourth fifth sixth and seventh week's issue shall require a stamp the Thursday following the Saturday of issue and a stamp each Thursday thereafter The eighth ninth and tenth issue shall require a stamp the Friday following the Saturday of issue and a stamp each Friday thereafter The eleventh twelfth thirteenth fourteenth and fifteenth issue shall require a stamp the Saturday following the Saturday of issue and a full seven days after the date of issue The sixteenth seventeenth eighteenth nineteenth and twentieth issues shall be so dated as to require a stamp the second Monday following the Saturday of issue or a full nine days after the date of issue The twenty-first twenty-second twenty-third twenty-fourth and twenty-fifth issues shall be so dated as to require a stamp the second Tuesday following the Saturday of issue a full ten days after the date of issue The twenty-sixth twenty-seventh twenty-eighth twenty-ninth and thirtieth issues shall be so dated as to require a stamp the second Wednesday following the Saturday of issue or a full eleven days after the date of issue The thirty-first thirty-second thirty-third thirty-fourth thirty-fifth and thirty-sixth issues shall require a stamp the second Thursday following the Saturday of issue or a full twelve days after the date of issue The thirty-seventh thirty-eighth thirty-nine fortieth forty-first and forty-second issues shall require a stamp the second Friday following the Saturday of issue or a full thirteen days after date of issue The forty-third forty-fourth forty-fifth forty-sixth forty-seventh forty-eighth forty-ninth fiftieth fifty-first and fifty-second issues shall be so dated to require the first stamp the second Saturday following the Saturday of issue or a full fourteen days after issue and a stamp each week thereafter

No one shall be permitted and it shall be unlawful to take or transfer a scrip certificate in trade for merchandise or other goods or in payment of bills unless it is properly stamped each time it is passed from one person to another

Section 10 The board shall issue scrip certificates in the following manner only For each fifty thousand dollars issued ten thousand dollars shall be in one dollar certificates twenty

thousand dollars in fifty-cent certificates and twenty thousand dollars in twenty-five-cent certificates

Section 11 The board shall after the first issue of scrip inform all its subdivisions and directors of the poor to direct all able-bodied persons who apply for aid to the employment agent of the municipality in which they reside and the said municipality shall hire and pay the employed an hourly wage the minimum not less than thirty-five cents per hour for laborers and not exceeding sixty cents per hour for foremen or mechanics or any other employe under this plan Each employe shall not work more than five hours per day and not more than five days in any one week Each employe hired under this plane shall receive his pay or wages in scrip

Municipalities have the right to put those who receive scrip to work only on public works such as sidewalks sewers building of dams or any other work that the taxpayers would be later taxed to pay for

Section 12 This act is meant for relief measures only and does not allow the paying of regular employes of any municipality with scrip issued by the Emergency Relief Board under this act unless the said scrip comes into the hands of the municipality for the payment of taxes or other lawful debts owed the municipality If any of the scrip comes into the possession of the municipality or poor or school districts for taxes or any other lawful debt it can then be used for the payment of and to the employes of the municipality as the authorities of the municipality see fit

The municipality or whom the employer of persons under this act may be shall carry compensation on all employes paid in scrip the same as if they were being paid in cash

Section 13 If any merchant or any other person has on hand any emergency relief stamps at the end or termination of this Emergency Relief Act they shall return them to the municipalities from whom they were purchased and receive the same total amount of money of the value of the stamps (without any depreciation in value) and municipalities are granted the right to buy the stamps backs only from merchants or others who had previously purchased the stamps from them

In case of the repealing or termination of this act the State Treasurer is authorized to repurchase the stamps from any municipality or any other person who had previously purchased the stamps from the Treasurer's office

The State Treasurer shall keep on file the name date and amount of stamps bought by the municipalities and the municipalities or any others authorized to sell the stamps shall be required to keep the names of the persons to whom the sale was made providing the sale is for one dollar or more

Section 14 All moneys paid into the State Treasury as proceeds of the sale of emergency relief stamps shall constitute a special fund to be known as the "Scrip Redemption Fund" and all moneys which shall be credited to said fund or as much thereof as shall be necessary are hereby expressly appropriated to the State Treasurer for the redemption of scrip certificates issued under this act and for the payment into the General Fund of the cost of preparing and distributing scrip certificates and act and for the payment into the General Fund of the emergency relief stamps provided that not more than two per centum of the face value of stamps sold may be used for payment of such cost

Section 15 All municipalities are hereby authorized to accept scrip certificates issued under this act when properly stamped in payment of taxes and any other debts due to the municipality

Section 16 Any person who shall counterfeit raise or alter or who shall conspire with others to counterfeit raise or alter any scrip certificate authorized by this act or any emergency relief stamp or who shall utter or transfer any such certificate or stamp with knowledge or notice that it is counterfeit or has been raised or altered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars and not exceeding one thousand dollars or to undergo imprisonment for not more than two years or both

Any person who shall buy or sell emergency relief stamps at a price less than full retail value unless authorized so to do under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dolars and not more than one thousand dollars or to undergo imprisonment for not more than two years

Section 17 All acts and parts of acts inconsistent herewith are hereby repealed

Section 18 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1235, as follows:

An Act to amend section two hundred and twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by changing the qualification of the first deputy prothonotary in counties of the third class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" which was amended by section one of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred one) is hereby further amended to read as follows

Section 224 Appointment of First Deputies Compensation The prothonotary clerk of the courts of quarter sessions and oyer and terminer and clerk of the orphans' court and register of wills and recorder of deeds shall appoint one first deputy to act in the case of the death or resignation of his principal or when the office shall become vacant from other causes In counties of the second and third classes the first deputy prothonotary shall be designated from the force of clerks in the prothonotary's office and shall give bond in the penal sum of ten thousand dollars conditioned for the proper and faithful performance of his duties [In counties of the third class the first deputy prothonotary shall be learned in the law]

The salary or compensation of said deputies shall be fixed by the salary boards in counties where there are such boards and in other counties by the officer appointing the deputy

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2301 (Senate Bill No. 995), entitled:

An Act authorizing the Department of Highways to enter into an agreement or agreements with the Highway Commission of the State of New Jersey for the construction under certain terms and conditions of a free bridge across the Delaware River at or near Yardley granting certain powers to the Department of Highways in connection with said construction and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2117 (Senate Bill No. 691), entitled:

An Act to amend section fifty-seven of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-nine), entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the law srelating thereto" by requiring the county commissioners to furnish office supplies for county officers not located in county buildings or at the county seat.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2134 (Senate Bill No. 746), entitled:

An Act to amend section two hundred and four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing that the coroner shall act in case the sheriff resigns.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill 2170 (Senate Bill No. 820), entitled:

An Act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

STATEMENT BY THE SPEAKER

The Chair desires to announce that the next bill on the second reading calendar, House Bill No. 1103 (Senate Bill No. 314) is a bill on third reading, and will be passed over and taken up when that order of business is reached.

BILLS ON SECOND READING

Agreegably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

Th House proceeded to the second reading and consideration of House Bill No. 188, as follows:

An Act to amend section one hundred seventy-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" prescribing the oath to be taken by members of the board of viewers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred seventy-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 174 Term of Office Removal Each of the members of the board of viewers shall be appointed for a term of three years from the date of his appointment whether such appointment be to fill an original or partly expired term Members may be reappointed from time to time when vacancies occur All appointments shall be subject to the power of the court of common pleas at any time for causes to them satisfactory to remove members of said board before the expiration of their respective term of office and to appoint successors

Each member of the board of viewers before entering upon the duties of his office shall take and subscribe to an oath or affirmation which shall be filed in the office of the prothonotary of the respective county as follows "I do solemnly swear (or affirm) that I will support obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity that I will not knowingly receive directly or indirectly any money or any other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law" The said oath of office shall be deemed sufficient to qualify the members of a board of view for the performance of every duty to which they may be appointed and oaths or affirmations elsewhere prescribed shall be unnecessary Viewers now in office shall so qualify

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to beconsidered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1767, as follows:

An Act authorizing plaintiffs in actions on written instruments to join as defendants persons severally jointly or severally or jointly and severally liable thereon and regulating the effect thereof and the procedure in such actions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person having a right of action on a written instrument of any kind whatsoever except one creating a purely joint obligation may at his option join as defendants in a single action thereon all or any one or more persons alleged to be severally jointly or severally or jointly and severally liable to him upon such instrument regardless of the capacities in which such defendants are respectively liable thereon and whether or not all or any of them be makers drawers acceptors indorsers assignors sureties guarantors or accommodation parties Each such defendant shall have the same rights as if sued severally

Section 2 The plaintiff shall not discontinue or enter a nolle prosequi as to any such defendant unless he does so as to all nor shall any voluntary or involuntary nonsuit be entered except as to all such defendants until all the evidence in the case shall have been presented The plaintiff shall not during the pendency of any such action bring any other action or suit within this Commonwealth upon the same instrument against any such defendant who has been served with process in such action but may bring other actions or suits against other persons liable thereon

Section 3 Any defendant so joined who claims to be entitled to contribution or indemnity from or any other relief over in whole or in part against any other defendant may within thirty (30) days from the service upon him of the statement of claim or any amendment thereof file as of course a petition complying with the requirements for statements of claim in assumpsit setting forth particularly the nature of the relief claimed with a statement of the facts upon which such claim is based together with a prayer for such relief and

endorsed with a notice to file an answer thereto within fifteen (15) days from the service thereof A copy of such petition shall be served upon the defendant against whom such relief is claimed

Section 4 The defendant against whom such relief is claimed shall file an answer complying with the requirements for affidavits of defense in assumpsit within fifteen (15) days from the date of service of the petition upon him answering the allegations of the petition and setting forth his defense and the facts upon which it is based A copy of such answer shall be served upon the petitioner

Section 5 All questions of law and fact raised by petition and answer under Sections three (3) and four (4) hereof shall be decided by the court unless the petitioner or respondent within fifteen (15) days after the service of the answer shall demand a jury trial upon any disputed questions of fact In that event if the court finds there is a substantial dispute thereon it may require the jury to bring in a general verdict or may frame issues as to such matters in the form of separate questions for trial by jury and the verdict rendered upon such issues must consist only of answers to those questions As between the plaintiff and any or all of the defendants however the jury may render a general verdict

Section 6 The court may at its own instance or where cause is shown order separate trials as to any one or more of the defendants or may try all the issues together in which event any defendant or group of defendants having interests substantially antagonistic to those of the other defendants shall be entitled upon showing such fact to the court to the number of challenges to which he or such group would have been entitled if sued separately to cross-examine the witnesses for any other party and generally to conduct his or its case independently of that of the other defendants

Section 7 The court may upon the application of any party enter appropriate interlocutory or final judgments on the pleadings or otherwise including judgments for want of an answer or for want of a sufficient answer in favor of the plaintiff or of any one or more of the defendants and against any one or more of the defendants at any stage of the proceedings in accordance with legal and equitable principles and shall control execution on such judgments in like manner to the end that the respective rights and liabilities inter se of all the parties to the suit shall be enforced in the same proceeding

Section 8 Except as herein otherwise provided the procedure in such actions shall conform to that in other actions of assumpsit The courts shall make such rules as they deem advisable for the proper enforcement of this act

Section 9 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1925, as follows:

An Act authorizing persons employed under any system of State work relief to work out the per capita school taxes of himself and members of his family and providing for the payment of such taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person employed under any system of work relief and being paid out of any appropriation made by the Commonwealth for such purpose shall be permitted to work out the per capita school tax owing by himself and any other member or members of his family by working five hours during each week in addition to the time regularly allotted to him for such work at the same rate of pay which he receives for other time during which he is employed in such work

Section 2 All money earned by such extra hours of work shall be paid by the agency distributing such work relief moneys to the collector of taxes for the school district to which such taxes are due Such tax collector shall give receipt therefor in duplicate One copy thereof shall be retained by the agency making the payment and the other shall by it be delivered to the person who performed the work for the payment of such taxes

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No 2274, as follows:

An Act providing for the election of the members of the board of revision of taxes in counties of the first class and providing for the filling of vacancies in said office defining the powers and duties of said board terminating the terms of office of members of said board now in office and repealing inconsistent laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the members of the board of revision of taxes in counties of the first class shall be elected by the qualified electors of the county at municipal elections

At the municipal election in the year one thousand nine hundred and thirty-three and quadriennially thereafter the electors of each county of the first class shall elect three members of the board of revision to taxes for terms of four years each from the first Monday of January next succeeding their respective elections

Any vacancy happening by death resignation or otherwise in the office of member of the board of revision of taxes shall be filled for the unexpired term by the body authorized by law to levy taxes for county functions of government

Section 2 The board of revision of taxes shall have duties imposed by law upon boards of revision of taxes in such counties whether by general or local law and those conferred and imposed upon county commissioners with respect to the assessment and valuation of property persons and subjects of taxation and the revising and equalizing of assessments and valuations of subjects of taxation and upon such assessments and valuations so fixed in accordance with existing laws all taxes whether for county city school or poor purposes within or coextensive with such county shall be levied and assessed

Section 3 The terms of the members of the board of revision of taxes in office in counties of the first class when this act becomes effective shall cease and terminate upon the first Monday of January one thousand nine hundred and thirty-four

Section 4 All acts and parts of acts general local or special inconsistent with this act are hereby repealed

Section 5 This act shall become effective immediately upon final enactment

An said bill ahving been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1766, as follows:

An Act relating to procedure in actions of assumpsit and trespass

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter no praecipe or writ of summons shall be required in any action of assumpsit or trespass but any such action may be commenced by filing the statement of claim

Section 2 In any action so commenced a copy of the statement of claim shall be served upon the defendant and shall be returnable and served as are writs of summons in such actions return of service shall be made by affidavit not attached to the statement of claim in the same manner as affidavits of service of copies of statements of claim are made

Section 3 In any action so commenced that statement of claim shall have endorsed upon it in addition to such other endorsements as may be required by law or rule of court the date upon which return of service shall be made and a notice to the defendant in substantially the following form

"You are required within fifteen days after service hereof upon you to file or cause your attorney to file on your behalf a written appearance in this case otherwise judgment may be taken against you"

If the defendant fails to appear as required by such notice judgment for want of an appearance may be taken against him

Section 4 Nothing in this act shall change the existing law as to practice in actions of assumpsit and trespass except as herein expressly provided

Section 5 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1338, as follows:

An Act to amend sections six and eight of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred sixteen) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" as amended further regulating the licensing of such real estate brokers and real estate salesmen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections six and eight of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred sixteen) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" which were amended by the act approved the twenty-sixth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand four hundred ten) are hereby further amended to read as follows

Section 6 From and after January one one thousand nine hundred and thirty it shall be unlawful for any person copartnership association or corporation to engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without first obtaining a license as a real estate broker or real estate salesman from the department

No person copartnership association or corporation may be licensed by the department as a real estate broker unless such person and all of the members of any such copartnership or association who are actively engaged in the real estate business and all of the officers of any such corporation who are actively engaged are of the age of twenty-one years and upwards and are citizens of the United States

No person may hereafter be licensed as a real estate salesmen and no person copartnership association or corporation may hereafter be licensed for the first time as a real estate broker by the department unless such person and all of the members of any such copartnership or association and all of the officers of any such corporation intending to actually engage in or actually engaging in the real estate business as a real estate salesman or broker shall first submit to and pass an examination conducted by the department Said examination shall include the subjects of reading writing spelling elementary arithmetic general knowledge of the laws of the Commonwealth relating to real property conveyancing mortgages agreements of sale leases and the provisions of this act The department is hereby authorized to adopt such rules and regulations for the conduct of such examinations as may be deemed advisable Provided however That in event the license of any real estate broker or salesman shall be cancelled by the department subsequent to the enactment of this act no new license shall be issued to such person unless he complies with the provisions of this act Provided further however That the department may waive these requirements in the case of an application from a nonresident broker of those states under the laws of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmen in this State

Section 8 The fees to be charged by and paid to the department by licensees for all licenses and renewals thereof issued shall be as follows

(1) For each real estate broker's license a fee of ten dollars ($10.00) and an annual fee of five dollars ($5.00) for the renewal thereof Provided That there shall be an additional license fee of two and one-half ($2.50) dollars annually for each additional office or place of business

(2) For each license as real estate broker issued to an officer of a corporation or association or member of a copartnership other than the officer or member named in the license issued to such association corporation or copartnership a fee of five dollars ($5.00) and an annual fee of two and one-half dollars ($2.50) for the renewal thereof

(3) For each real estate salesman's license a fee of five dollars ($5.00) and an annual fee of two and one-half dollars ($2.50) for the renewal thereof

[(4) Upon failure of any broker or salesman to renew his her or its license annually the department shall notify the licensee of such failure to apply for the renewal of said license Unless the licensee shall make application for renewal of such license within thirty (30) days of the giving of such written notice by the department the department may revoke his her or its license for such failure to renew but the license may be reinstated by complying with the provisions specified in this act for original licensure]

(4) All licenses shall be renewed on or before the first day of January each year Upon the failure of any holder of a certificate of license to apply for a renewal of his or her license on or before the first day of January of each year his or her certificate of licensure shall be revoked by the department and a new license shall not be issued to such person until he or she shall again comply with all of the provisions of this act in the same manner as if he or she had never been licensed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2292 (Senate Bill No. 985), entitled:

An Act to amend clause nine of section one and clause two of section eleven of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred fifty-eight) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the use and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended opening the system further for original members and preserving the rights of certain State employes who re-enter State service

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2304 (Senate Bill No. 1035), entitled:

An Act to amend paragraph seventeen of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred fifty-eight) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "final salary"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2280 (Senate Bill No. 703), entitled:

An Act requiring cities boroughs towns townships school districts and poor districts to issue serial bonds when incurring increasing or refunding indebtedness and imposing powers and duties on the Department of Internal Affairs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2011, as follows:

An Act for the protection of the public health by regulating the outer wearing apparel and towels of employes in certain stores shops plants or restaurants where food and drink for human consumption are handled providing penalties and providing for the enforcement of the act by State departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "proprietor" shall mean any person association copartnership or corporation conducting or operating within this Commonwealth any store shop plant or restaurant in which are manufactured treated or sold bakery products dressed meats milk or milk products or other food and drink for human consumption which while handled in such store shop plant or restaurant are or may be exposed to and unprotected from human touch

The word "employe" shall include any cook baker butcher milk plant employe clerk waiter or other employe of any kind who in any manner whatever handles or comes in contact with unprotected food or drink for human consumption

The masculine pronoun shall be interpreted to include the feminine and neuter pronouns

Section 2 No proprietor shall permit an employe to work in a store shop plant or restaurant conducted or operated by him unless the outer garments of such employe are in a clean and sanitary condition and are washed and sterilized daily in a steam or power laundry

Section 3 Each such proprietor shall furnish at all times for the use of such employes an adequate number of towels which shall not again be used after each individual use thereof until they have been washed and sterilized in a steam or power laundry

Section 4 Any person association partnership or corporation who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding before any justice of the peace alderman or magistrate in the county in which the offense was committed be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than fifty ($50.00) to be paid to said county and the costs of prosecution

Section 5 This act shall be enforced by the agents of any and every department who under the provisions of this act are required to inspect or visit such stores shops and plants

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2324, as follows:

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" by changing certain representatives districts in Allegheny County and increasing the number of Representatives allowed such county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That that part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" which relates to Allegheny County is hereby amended to read as follows

The county of Allegheny shall elect twenty- [seven] eight members and shall be diveded into [thirteen] fourteen districts as follows

The first third and fifth wards in the city of Pittsburgh shall constitute the first district and elect two members

The second sixth ninth and tenth wards in the city of Pittsburgh shall constitute the second district and elect two members

The fourth and fifteenth wards in the city of Pittsburgh shall constitute the third district and elect one member

The seventh eighth and eleventh wards in the city of Pittsburgh shall constitute the fourth district and eleit one member

The twelfth thirteenth and fourteenth wards in the city of Pittsburgh shall constitute the fifth district and elect one member

The sixteenth seventeenth eighteenth nineteenth and twentieth wards in the city of Pittsburgh and the township of Chartiers shall constitute the sixth district and elect three members

The twenty-second twenty-third twenty-fourth and twenty-fifth wards in th city of Pittsburgh shall constitute the seventh district and elect two members

The twenty-first twenty-sixth and twenty-seventh wards in the city of Pittsburgh shall constitute the eighth district and elect two members

The city of McKeesport shall constitute the ninth district and elect one member

The boroughs and townships lying between the Allegheny and Youghiogheny Rivers and the boroughs and townships lying between the Youghiogheny and Monongahela Rivers shall constitute the tenth district and elect four members

The following cities boroughs and townships south of the Ohio and Monongahela Rivers the city of Clairton (Clairton North Clairton and Wilson Boroughs) the city of Duquesne the boroughs of Dravosburg Hays Homestead Munhall West Elizabeth West Homestead and Whitaker and the townships of Jefferson and Mifflin shall constitute the eleventh district and elect two members

All the boroughs and townships south of the Ohio and Monongahela Rivers not included in the eleventh district in-

cluding the township of Neville shall constitute the twelfth district and elect four members

[The boroughs and townships north of the Ohio and Allegheny Rivers shall constitute the thirteenth district and elect two members]

The boroughs of Brackenbridge Cheswick Springdale and Tarentum and the townships of East Deer Fawn Frazer Harrison and Springdale shall constitute the thirteenth district and elect one member

The boroughs of Aspinwall Avalon Bellevue Ben Avon Ben Avon Heights Blawnox Bradford Woods Edgeworth Elmsworth Etna Glenfield Haysville Leetsdale Millvale Osborne Sewickley Sharpsburg and West View and the townships of Aleppo Franklin Hampton Harmar Indiana Kilbuck Leet Marshall McCandless O'Hara Ohio Pine Reserve Richland Ross Sewickley Sewickley Heights and West Deer shall constitute the fourteenth district and elect two members

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 792 (Senate Bill No. 194), as follows:

An Act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eight classes and revising amending and consolidating the laws relating thereto" by authorizing counties of the second class to levy and collect tolls on certain county bridges for the purpose of paying off the indebtedness incurred in locating constructing and purchasing such bridges

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred and seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding after section seven hundred and eighty the following section

Section 781 Collection of Tolls to Pay off Indebtedness in Second Class Counties That hereafter in all counties of the second class whenever it is necessary in the location construction or purchase of any bridge as provided for under article nine (9) of this act to issue bonds in payment of same including the approaches thereto the damage sustained by the owner or owners of lands or buildings taken in the location construction or purchase thereof and including reasonable fees for necessary legal services required in such location construction or purchase the county commissioners may if the cost of such bridge is in excess of one million dollars ($1,000,000) assess supervise and collect tolls for the use of such bridge for all vehicle traffic as may be necessary to pay the interest on said bonds and to create a sinking fund for the payment and redemption of the same within thirty years from the date of the issue thereof and to pay also the costs and expenses of operating maintaining and repairing such bridge between the time of the location construction or purchase thereof and the date of the redemption of the last of said bonds to be redeemed by such tolls In no case shall any tolls be collected after the redemption of the original bonds issued

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Greenstein,	McGinnis,	Scott,
Baker,	Griffith,	McGrail,	Sheffer,
Baldi,	Habbyshaw,	McHenry,	Shellenberger,
Barnhardt,	Haines,	McKay,	Shenkel,
Bechtel,	Hamilton,	McKinney,	Shettel,
Beech,	Harmuth,	Melchiorre,	Shortz,
Bennett,	Harris,	Meredith,	Shugarts,
Bernhard,	Hart,	Merrell,	Simon,
Boyd,	Heffernan,	Metzler,	Snyder,
Brancato,	Hefferon,	Mohn,	Sowers,
Brennan,	Heffner,	Moore,	Spann,
Brown, J. E.,	Hermansen,	Mumford,	Steedle,
Brown, W. L.,	Hester,	Myers,	Sterling, P.,
Brownfield,	Hewitt,	Negley,	Stevens,
Cannon,	Himes, H. E.,	Nothnagle,	Stevenson,
Caputo,	Hoffman,	O'Connor,	Stiteler,
Carey,	Holmes, J. B.,	O'Keefe,	Stone,
Carson,	Hoopes,	O'Neill,	Storb,
Chervenak,	Horst,	O'Rourke,	Stott,
Cohen,	Hough,	Patterson,	Surface,
Conner,	Howard,	Peelor,	Tahl,
Cooke,	Hutton,	Pennock,	Terry,
Cordier,	Jaffe,	Perry, D. R.,	Turner,
Craig,	Jones,	Perry, J. J.,	Wade,
Dane,	Kane, J. J.,	Peters,	Wagner,
Davies,	Kane, L. P.,	Powell,	Walker, G. E.,
DeFrehn,	King,	Powers,	Walker, W. A.,
Denning,	Kinney,	Price,	Wall,
Downey, G. E.,	Lane,	Quinn,	Wasserman,
Downey, J.,	Laubach,	Raub,	Way,
Duffy,	Lenahan,	Rectenwald,	Weidemann,
Dunmire,	Lewis,	Reed,	Welsh,
Dwyer,	Long,	Reilly,	Westrick,
Ederer,	Lord,	Rhodes,	White,
Emhardt,	Lose,	Rice,	Wike,
Eroe,	Lovett, J. E.,	Roan,	Williams, G. W.,
Evans,	Lovett, W. S.,	Root,	Williams, J. J.,
Flanagan,	Lynch, J. R.,	Roth,	Wilson, L. M.,
Fleisher,	Lynch, M.,	Royle,	Wilson, T. B.,
Flinchbaugh,	Male,	Ruby,	Witkin,
Flynn,	Maloney,	Ruth,	Wood,
Forrest,	Marcks,	Sarig,	Woodside,
Furman,	Mason,	Sautter,	Wright,
Gallagher,	McBride,	Schrock,	Yeakel,
Gartner,	McCandless,	Schrope,	Yourishin,
Gillette,	McClure,	Schwab,	Zimmerman,
Gorman,	McCreary,	Schwartz,	Talbot,
Green,	McElwee,	Scorza,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2063 (Senate Bill No. 385), as follows:

An Act providing for the fixing of salaries or compensation of all appointed officers clerks and other employes paid from the county funds in counties of the fourth fifth sixth seventh and eighth classes and creating salary boards in certain counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of the fourth fifth sixth seventh and eighth classes the salaries or compensation of all appointed officers and of all clerks and other employes who are paid out of the county funds whether such salary or compensation is fixed by any other officer or tribunal under existing law shall hereafter be fixed by the salary board of the county

Section 2 In all such counties where no salary board is provided for by existing law a salary board to be composed of the county commissioners and the county controller if there is such an office otherwise the county treasurer is hereby created Whenever any salary or compensation is to be fixed for any appointed officer or employe of any county office court or tribunal the head of such county office court or tribunal shall also be a member of the salary board Any such officer clerk or employe dissatisfied with the amount of salary or compensation allowed by the salary board may appeal from the action of such board to the court of common pleas which court shall after hearing make an order fixing the salaries or compensation of such appointees

Section 3 All acts and parts of acts fixing the salary or compensation of any appointed officer or of any clerk or other

employe paid from the county funds in any such counties or providing for the fixing of such salaries or compensation by any other officer or tribunal are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Greenstein,	McGinnis,	Sheffer,
Baker,	Griffith,	McGrail,	Shellenberger,
Baldi,	Habbyshaw,	McGregor,	Shenkel,
Barnhardt,	Haines,	McHenry,	Shortz,
Bechtel,	Hamilton,	McKay,	Shreiner,
Beech,	Harris,	McKinney,	Shugarts,
Bennett,	Hart,	Melchiorre,	Simon,
Bernhard,	Hartman,	Meredith,	Sinwell,
Boyd,	Heffernan,	Merrell,	Snyder,
Brancato,	Hefferon,	Metzler,	Sowers,
Brennan,	Heffner,	Moore,	Spann,
Brown, J. E.,	Hermansen,	Mumford,	Steedle,
Brown, W. L.,	Hewitt,	Myers,	Sterling, P.,
Brownfield,	Himes, H. E.,	Negley,	Stevens,
Cannon,	Himes, L. R.,	Nothnagle,	Stevenson,
Caputo,	Hoffman,	O'Connor,	Stiteler,
Carey,	Holmes, J. J.,	O'Keefe,	Stone,
Carson,	Hoopes,	O'Neill,	Storb,
Chervenak,	Horst,	O'Rourke,	Stott,
Cohen,	Hough,	Patterson,	Surface,
Cooke,	Howard,	Peelor,	Tahl,
Cordier,	Hutton,	Pennock,	Terry,
Craig,	Jaffe,	Perry, D. R.,	Turner,
Cramer,	Jones,	Perry, J. J.,	Wade,
Dane,	Kane, J. J.,	Peters,	Wagner,
Davies,	Kane, L. P.,	Powell,	Walker, W. A.,
DeFrehn,	King,	Price,	Wall,
Denning,	Kinney,	Quinn,	Wasserman,
Downey, G. E.,	Labar,	Raub,	Way,
Downey, J.,	Lane,	Rectenwald,	Weidemann,
Duffy,	Laubach,	Reed,	Welsh,
Dunmire,	Lenahan,	Reilly,	Westrick,
Dwyer,	Lewis,	Rhodes,	White,
Ederer,	Long,	Rice,	Wike,
Emhardt,	Lord,	Roan,	Williams, G. W.,
Eroe,	Lovett, W. S.,	Root,	Williams, J. J.,
Evans,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Flanagan,	Lynch, M.,	Ruby,	Wilson, T. B.,
Fleisher,	Male,	Ruth,	Wood,
Flynn,	Maloney,	Sarig,	Woodside,
Forrest,	Marcks,	Sautter,	Wright,
Furman,	Mason,	Schrock,	Yeakel,
Gallagher,	McBride,	Schrope,	Yourishin,
Gartner,	McCandless,	Schwab,	Zimmerman,
Gillette,	McClure,	Schwartz,	Talbot,
Gorman,	McCreary,	Scott,	Speaker.
Green,	McElwee,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1729 (Senate Bill No. 639), as follows:

An Act relating to insurance companies exchanges associations societies orders and individuals under the supervision of the Insurance Department authorizing the Insurance Commissioner during the existing emergency to suspend laws relating to certain payments by insurers and to impose conditions upon the conduct of the business of insurance and providing penalties.

Whereas a public emergency exists affecting the health comfort and safety of the people of the Commonwealth by reason of the problems connected with the reopening of such banking institutions as have been closed during the banking holidays beginning March fourth one thousand nine hundred and thirty-three and by reason of the inability of insurers to function in a normal manner due to the circumstances hampering the ordinary conduct of the business of insurance and of trade commerce and industry

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That during the period of the emergency as hereinafter defined the Insurance Commissioner shall have the power to suspend in whole or in part any provisions of the insurance law relating to payment by insurers on account of policy loans surrenders or other withdrawals of cash in excess of two hundred and fifty dolars on each policy of insurance at the option of policyholders and in addition thereto and not in limitation thereof he shall have power to impose any conditions upon the methods used in the conduct of insurance in aid of policyholders who may be unable to met premium payments otherwise than by loan surrender or other withdrawals because of bank closings during banking holidays and generally to safeguard by rules and regulations adopted by him from time to time the interests of policyholders beneficiaries and the public The Insurance Commissioner may publish notice of any action taken by him hereunder or otherwise bring it to the attention of the insurers in any manner prescribed by him

Section 2 Such rules or regulations may to the extent hereinbefore stated be inconsistent with existing law and in such event shall supersede such existing law inconsistent therewith to the extent authorized by this act

Section 3 Any proclamation of the Insurance Commissioner issued since the declaration of the general banking holiday on March fourth one thousand nine hundred and thirty-three concerning the transaction of business by insurers within the limits defined in Section one of this act is hereby ratified and confirmed in all respects

Section 4 Any such suspension of law or any such rule or regulation provided for in any proclamation of the Insurance Commissioner since March fourth one thousand nine hundred and thirty-three or hereafter under the terms of this act shall become ineffective upon the termination of such emergency and thereupon all the provisions of law which may have been suspended or superseded pursuant to this act shall become effective

Section 5 The period of the emergency herein provided shall terminate one year after the approval of this act by the Governor

Section 6 Any person corporation exchange association society or order violating any provisions of this act or of any proclamation made by the Insurance Commissioner pursuant hereto shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo imprisonment for a term not exceeding one year or both

Section 7 The word "insurer" as used in this act includes all corporations exchanges associations societies orders and individuals under the supervision of the Insurance Department of this Commonwealth

Section 8 If any section part or provision of this act shall be declared unconstitutional invalid or ineffective by any court or other authority of competent jurisdiction such declaration shall not affect any other section provision or part hereof

Section 9 This act shall take effect immediately upon approval by the Governor

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159

Andrews,	Harris,	Metzler,	Sowers,
Baker,	Hart,	Moore,	Spann,
Baldi,	Heffernan,	Myers,	Steedle,
Barnhardt,	Hefferon,	Negley,	Sterling, R. B.,
Bechtel,	Himes, H. E.,	Nothnagle,	Stevenson,
Beech,	Hoffman,	O'Neill,	Stiteler,
Bennett,	Holmes, J. B.,	O'Rourke,	Stone,
Bernhard,	Holmes, J. L.,	Patterson,	Storb,
Brancato,	Hough,	Peelor,	Stott,
Brennan,	Hutton,	Perry, D. R.,	Surface,
Brown, J. E.,	Jaffe,	Peters,	Terry,

Brown, W. L.,	Jones,	Powers,	Turner,
Brownfield,	Kane, L. P.,	Price,	Wade,
Cannon,	King,	Raub,	Walker, G. E.,
Caputo,	Labar,	Rectenwald,	Walker, W. A.,
Carey,	Laubach,	Reed,	Wall,
Carson,	Lewis,	Reilly,	Wasserman,
Chervenak,	Long,	Rhodes,	Way,
Cooke,	Lord,	Rice,	Weidemann,
Cordier,	Lose,	Roan,	Welsh,
Dane,	Lynch, J. R.,	Root,	Westrick,
Davies,	Malina,	Roth,	Wike,
DeFrehn,	Maloney,	Royle,	Williams, G. W.,
Denning,	Marcks,	Ruby,	Wilson, T. B.,
Dwyer,	Mason,	Sarig,	Witkin,
Emhardt,	McBride,	Schrock,	Wood,
Eroe,	McCandless,	Schwartz,	Woodside,
Evans,	McClure,	Scott,	Wright,
Flynn,	McCreary,	Sheffer,	Yeakel,
Forrest,	McElwee,	Shellenberger,	Yourishin,
Gartner,	McGregor,	Shortz,	Zimmerman,
Green,	McKinney,	Shreiner,	Talbot,
Greenstein,	Meredith,	Simon,	Speaker.
Haines,			

NAYS—19

Boyd,	Hoopes,	McGrail,	Sinwell,
Cohen,	Howard,	Sautter,	Stevens,
Cramer,	Lenahan,	Schwab,	Tahl,
Dunmire,	Lovett, J. E.,	Shugarts,	Wilson, L. M.,
Furman,	Lynch, M.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1102 (Senate Bill No. 60), as follows:

An Act to amend sections two and three four as amended seven and eight of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by reducing the salaries of judges learned in the law

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections two and three of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" are hereby amended to read as follows

Section 2 The annual salary of the Chief Justice of the Supreme Court shall be [twenty] seventeen thousand dollars [($20,000)] ($17,000) the annual salary of each of the associate judges of said court shall be [nineteen] sixteen thousand [five hundred] five hundred and seventy-five dollars [($19,500)] ($16,575)

Section 3 The annual salary of the President Judge of the Superior Court shall be [eighteen] fifteen thousand [five hundred] seven hundred and twenty-five dollars [($18,500)] ($15,725) and the annual salary of each of the associate judges of said court shall be [eighteen] fifteen thousand three hundred dollars [($18,000)] ($15,300)

Section 2 That section four of said act which was amended the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred seventeen) is hereby further amended to read as follows

Section 4 The annual salary of each of the judges of the courts of common pleas of the first and fifth judicial districts shall be [fourteen] eleven thousand nine hundred dollars [($14,000)] ($11,900)

The annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of more than two hundred and fifty thousand and less than one million inhabitants shall be [twelve] ten thousand two hundred dollars [($12,000)] ($10,200) in judicial districts having a population of one hundred thousand and more but less than two hundred and fifty thousand inhabitants shall be [twelve] ten thousand two hundred dollars [($12,000)] ($10,200) in judicial districts having a population of sixty-five thousand or more and less than one hundred thousand inhabitants shall be [ten] eight thousand five hundred dollars [($10,000)] ($8,500) in judicial districts having a population of less than sixty-five thousand inhabitants shall be [nine] seven thousand six hundred and fifty dollars [($9,000)] ($7,650) The amounts of the salaries to be paid under this paragraph in the respective judicial districts shall be determined and fixed according to the population of such districts as ascertained by reference from time to time to the last preceding decennial United States census

Section 3 That sections seven and eight of said act are hereby amended to read as follows

Section 7 The annual salary of the President Judge of the Municipal Court of Philadelphia shall be [ten] eight thousand nine hundred and twenty-five dollars [($10,500)] ($8,925) and the annual salary of each of the other judges of said court shall be [ten] eight thousand five hundred dollars [($10,000)] ($8,500)

Section 8 The annual salary of the President Judge of the County Court of Allegheny County shall be [ten] eight thousand nine hundred and twenty-five dollars [($10,500)] ($8,925) and the annual salary of each of the other judges of said court shall be [ten] eight thousand five hundred dollars [($10,000)] ($8,500)

Section 4 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. WOODSIDE. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1668, as follows:

An Act to repeal paragraph (x) of section one of Article II and section eight of Article IV and to amend section forty-seven of Article VI of an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing

for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commisison and sections one and two of the act aprpoved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entilted 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" by authorizing additional fees to be collected for papers filed with the commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section forty-seven of article VI of an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its order and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entiteld 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" as amended by the act approved fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws six hundred eighty-four) is hereby further amended to read as follows

Section 47 The commission shall charge and collect the following fees for filing papers and for copies of all official orders documents papers records et cetera

For copies of papers and records not required to be certified or otherwise authenticated by the commission ten cents for each folio of one hundred words

For certified copies of official documents and orders filed in its office fifteen cents for each folio of one hundred words and one dollar for each certificate under seal affixed thereto

For copies of testimony and proceedings taken or had before the commission or a commissioner not required to be certified or otherwise authenticated by the commission ten cents for each folio of one hundred words

For certified copies of testimony and proceedings taken or had before the commission or a commissioner fifteen cents for each folio of one hundred words and one dollar for each certificate under seal affixed thereto

For certifying a copy of any report made by any public service company to the commission two dollars

For each certified copy of the annual report of the commission one dollar and fifty cents

For filing original tariffs and schedules five dollars and for figling each supplement thereto one dollar

For the filing of each application for a certificate of public convenience the sum of five dollars

For the filing of each certificate of notification the sum of [ten dollars] one mill upon each one hundred dollars of the par value of stock and securities issued and upon a face value of fifty dollars for each share of stock issued without par value

For the filing of each application for a certificate of valuation the sum of twenty-five dollars

No fee shall be charged or collected for copies of papers records official documents testimony or proceedings furnished to public officers for use in their official capacity nor for the annual report of the commission in the ordinary course of distribution All fees charged and collected by the commission shall be paid into the State Tresaury through the Department of Revenue

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Andrews,	Hamilton,	McGregor,	Sheffer,
Baker,	Harmuth,	McHenry,	Shellenberger,
Baldi,	Harris,	McKay,	Shenkel,
Barnhardt,	Hart,	McKinney,	Shortz,
Bechtel,	Hartman,	Melchiorre,	Shreiner,
Bennett,	Heffernan,	Meredith,	Shugarts,
Bernhard,	Hefferon,	Metzler,	Sinwell,
Blumberg,	Heffner,	Mohn,	Snyder,
Boyd,	Hermansen,	Moore,	Spann,

Brancato,	Hester,	Mumford,	Stank,
Brennan,	Hewitt,	Myers,	Steedle,
Brown, J. E.,	Himes, H. E.,	Negley,	Sterling, P.,
Brown, W. L.,	Himes, L. R.,	Nothnagle,	Stevens,
Brownfield,	Hoffman,	O'Connor,	Stevenson,
Cannon,	Holmes, J. B.,	O'Keefe,	Stiteler,
Caputo,	Horst,	O'Neill,	Storb,
Carey,	Hough,	O'Rourke,	Stott,
Carson,	Hutton,	Patterson,	Surface,
Chervenak,	Jaffe,	Peelor,	Tahl,
Cohen,	Jones,	Pennock,	Terry,
Conner,	Kane, L. P.,	Perry, D. R.,	Turner,
Cooke,	King,	Perry, J. J.,	Wade,
Cordier,	Kinney,	Peters,	Wagner,
Craig,	Labar,	Powell,	Walker, G. E.,
Dane,	Lane,	Powers,	Walker, W. A.,
Davies,	Laubach,	Price,	Wall,
Denning,	Lenahan,	Quinn,	Wasserman,
Duffy,	Long,	Raub,	Way,
Dunmire,	Lord,	Recternald,	Weidemann,
Dwyer,	Lose,	Reed,	Welsh,
Ederer,	Lovett, J. E.,	Reilly,	Westrick,
Emhardt,	Lovett, W. S.,	Rhodes,	White,
Eroe,	Lynch, J. R.,	Rice,	Wike,
Evans,	Lynch, M.,	Roan,	Williams, G. W
Flanagan,	Malina,	Root,	Williams, J. J.,
Fleisher,	Maloney,	Roth,	Wilson, T. B.,
Flynn,	Marcks,	Royle,	Witkin,
Forrest,	Mason,	Ruby,	Wood,
Furman,	McBride,	Sarig,	Woodside,
Gallagher,	McCandless,	Sautter,	Wright,
Gartner,	McClure,	Schrock,	Yeakel,
Gorman,	McCreary,	Schrope,	Yourishin,
Green,	McElwee,	Schwab,	Zimmerman,
Greenstein,	McGinnis,	Schwartz,	Talbot,
Griffith,	McGrail,	Scott,	Speaker.
Haines,			

NAYS—3

Hoopes,	Howard,	Wilson, L. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 1681.

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom restricting ownership and interest in licensed places providing penalties and repealing existing acts

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER. The Chair presents to the gentleman from Philadelphia, Mr. Sowers, the pen with which the bill was signed.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1781, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by adding new sections eliminating the duty of the Treasury Department to examine and audit requisitions for disbursements eliminating the duty of the Department of the Auditor General to audit the affairs of the State Workmen's Insurance Board providing for the adjustment and settlement of claims against the Commonwealth abolishing the publication of mercantile appraisers lists and providing for the reimbursement of the General Fund by the special operating funds for services rendered by the Department of the Auditor General and the Treasury Department

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three hundred six three hundred seven four hundred two four hundred four one thousand three one thousand two hundred four and one thousand five hundred two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended are hereby amended or further amended as the case may be to read as follows

Section 306 [Audit of Requisitions and] Adjustment of Claims The Treasury Department shall cooperate with the Department of the Auditor General [in the examination and audit of requisitions for disbursements and] in the examination and adjustment of claims against the Commonwealth as hereinafter in this act provided

Section 307 Disbursements No money shall be paid from any of the funds of the State Treasury except upon warrant of the Auditor General issued upon requisition pursuant to law except moneys in the State Workmen's Insurance Fund which may be disbursed by check of the State Treasurer upon requisition of the Secretary of Labor and Industry The State Treasurer in making disbursements from any of the funds of the State Treasury upon warrant of the Auditor General shall not be in any way liable for so doing upon his official bond or otherwise

Section 402 Audits of Affairs of Departments Boards and Commissions It shall be the duty of the Department of the Auditor General to make all audits which may be necessary in connection with the administration of the financial affairs of the government of this Commonwealth

At least one audit shall be made each year of the affairs of every department board except the State Workmen's Insurance Board and commission of the executive branch of the government and all collections made by departments boards or commissions and the accounts of every State institution shall be audited quarterly

Special audits of the affairs of all departments boards except the State Workmen's Insurance Board commissions or officers may be made whenever they may in the judgment of the Auditor General appear necessary and shall be made whenever the Governor shall call upon the Auditor General to make them

Copies of all audits made by the Department of the Auditor General shall be promptly submitted to the Governor and to the Legislative Reference Bureau

Unless the Department of the Auditor General shall fail or refuse to make annual quarterly or special audits as hereinabove required it shall be unlawful for any other administrative department any independent administrative board or commission or any departmental administrative or advisory board or commission to expend any money appropriated to it by the General Assembly for any audit of its affairs or in the case of departments of any boards or commissions connected with them except for the reimbursement of the General Fund for audits made by the Department of the Auditor General as provided by law or for the payment of the compensation and expenses of such auditors as are regularly employed as part of the administrative staffs of such departments boards or commissions respectively

Section 404 Audits of and Warrants for Disbursements The Department of the Auditor General shall carefully audit and examine all requisitions calling upon the Auditor General to draw his warrant upon the State Treasurer for the payment of any money out of any fund of the State Treasury and warrants shall be drawn by the Auditor General only [after approval of the requisition by the Treasurer or the Governor] as hereinafter provided

Section 1003 Adjustment and Settlement of Claims Against the Commonwealth The Auditor General and State Treasurer shall continue to have the power to adjust and settle claims against the Commonwealth as now provided by law and they shall settle an account with any claimant against the Commonwealth in the manner following

When the Department of the Auditor General shall have examined and adjusted any claim against the Commonwealth it shall submit the same together with the vouchers and all other papers and information appurtenant thereto to the Treasury Department for its revision and approbation [Thereafter the procedure shall be the same as in the case of the audit of requisitions as hereinafter in this act provided]

If the Treasury Department shall approve a claim which has been approved by the Department of the Auditor General it shall note its approval thereon in writing and return the same to the Department of the Auditor General Thereupon the Auditor General shall draw his warrant upon the State Treasury for the payment of the amount in which the claim has been approved

If on the other hand the Treasury Department shall disapprove such claim in whole or in part it shall note its disapproval in writing together with its reasons for disapproval and shall return the claim and all other papers and information pertinent thereto to the Department of the Auditor General and thereupon the Department of the Auditor General shall reconsider is approval

If the Treasury Department shall have entirely disapproved of the claim and upon reconsideration the Department of the Auditor General shall agree with such action the claim shall be returned to the source from which it came together with a written statement from the Department of the Auditor General explaining why the claim has been disapproved

If the Treasury Department has approved a claim in part only and upon reconsideration the Department of the Auditor General shall agree with the Treasury Department that the claim should be approved in part only it shall modify its prior approval of the claim and the Auditor General shall issue his warrant on the State Treasurer for the amount in which both departments have approved the claim

If the Department of the Auditor General upon reconsideration shall be unable to agree with the views of the Treasury Department it shall lay before the Governor the claim together with all the papers and correspondence attached or appertaining thereto and the Governor shall decide the issue raised between the two departments Should the Governor determine that the claim ought to be approved in whole or in part it shall be the duty of the Auditor General to issue his warrant in accordance with the directions of the Governor Should the Governor determine that the claim ought to be disapproved the Department of the Auditor General shall upon receiving it from the Governor return it to the source from which it came with a written statement of the reasons for which it was approved

Payment of any claim settled hereunder shall be made from appropriations made by the Legislature from time to time for this purpose

Section 1204 Procedure Relating to Collection of Mercantile License Taxes and Fees Assessable by the Mercantile Appraisers The Department of Revenue shall exercise the following powers and perform the following duties theretofore exercised and performed by the Auditor General in connection with the collection of mercantile license taxes auctioneers' brokers' agents' and factors' license taxes and all other license taxes and fees which it is the duty of mercantile appraisers to assess

The Department of Revenue shall have the power and its duty shall be

(a) To prepare cause to be printed and furnish blanks to be distributed by the mercantile appraisers of the several counties to vendors of and dealers in goods wares and merchandise auctioneers brokers agents and factors keeper for profit of shooting-galleries shuffle-board room billiard or pool rooms bowling alleys nine or ten pin alleys or any other alleys or places in which similar games are played owners or lessees of places of amusement buildings tents or enclosures who or which are now required by law to make returns to or file applications with the mercantile appraisers

All such blanks shall be in the form prescribed by the Department of Revenue shall request such information as may be necessary to assess the license tax or fee for the period to be covered by the return or application and shall contain an affidavit as to the correctness of the facts stated

(b) To prepare and furnish to the mercantile appraisers forms of notice to be left by them with vendors of or dealers in goods wares and merchandise brokers agents or factors and other persons assessable for license tax purposes specifying their respective classifications and the amount of license money due the Commonwealth

[(c) To publish the mercantile appraisers' list of names and classifications of each person subject to license in each county having a population of less than one million five hundred thousand in not less than two or more than three newspapers of general circulation in such counties and in conjunction with the city treasurer to direct that such list and classification shall be published in four newspapers in cities of the first class The respective county treasurers shall pay for all advertising authorized hereunder at the rates and subject to the limitations now provided by law and subject to the approval of the bills therefor by the Department of Revenue]

[(d)] (c) To exonerate any county treasurer from the collection of any amount shown upon the list certified to the department as due the Commonwealth if it be shown to the satisfaction of the department that the party listed as owing such amount is not subject to the payment thereof according to the true intent and meaning of the act imposing the tax or license fee or that it is impracticable to collect and recover such amount and

[(e)] (d) To investigate and ascertain the character and amount or volume of business transacted by any dealer vendor auctioneer broker agent factor or other person association or corporation required to make return to or file an application with the mercantile appraiser of any county if through fraud accident mistake neglect or otherwise such dealer vendor broker agent factor or other person shall fail to make a full complete and accurate return or the mercantile appraiser shall have failed to make a full complete and accurate report with respect thereto For the purpose of conducting such investigation the department shall have all the powers conferred upon it for the collection of State taxes in other cases and all taxes based upon such valuation shall be collectable at any time either before or after the expiration of the year for which the tax is to be paid

Section 1502 Audit of Requisitions and Issuance of Warrants [All requisitions] Every requisition shall be audited by the Department of the Auditor General and if [they appear] it appears to be lawful and correct in whole or in part the de-

partment shall approve it in whole or in part as the case may be [them] Thereupon the Auditor General shall draw his warrant upon the State Treasurer for the payment of the amount in which the requisition has been approved and the department shall transmit the warrant to the Treasury Department for [examination and approval] payment Otherwise [they] the requisition shall be returned to the source from which [they] it came for revision correction or cancellation together with a written statement from the Department of the Auditor General explaining why the requisition has been disapproved

[If the Treasury Department shall approve a requisition which has been approved by the Department of the Auditor General it shall note its approval thereon in writing and return the same to the Department of the Auditor General Thereupon the Auditor General shall draw his warrant upon the State Treasurer for the payment of the amount in which the requisition has been approved

If on the other hand the Treasury Department shall disapprove such requisition in whole or in part it shall note its disapproval in writing together with its reasons for disapproval and shall return the requisition to the Department of the Auditor General and thereupon the Department of the Auditor General shall reconsider its approval

If the Treasury Department shall have entirely disapproved of the requisition and upon reconsideration the Department of the Auditor General shall agree with such action the requisition shall be returned to the source from which it came together with a written statement from the Department of the Audior General explaining why the requisition has been disapproved

If the Treasury Department has approved a requisition in part only and upon reconsideration the Department of the Auditor General shall agree with the Treasury Department that the requisition should be approved in part only it shall modify its prior approval of the requisition and the Auditor General shall issue his warrant on the State Treasurer for the amount in which both departments have approved the requisition

If the Department of the Auditor General upon reconsideration shall be unable to agree with the views of the Treasury Department it shall lay before the Governor the requisition together with all the papers and correspondence attached or appertaining thereto and the Governor shall decide the issue raised between the two departments Should the Governor determine that the requisition ought to be approved in whole or in part it shall be the duty of the Auditor General to issue his warrant in accordance with the directions of the Governor Should the Governor determine that the requisition ought to be disapproved the Department of the Auditor General shall upon receiving it from the Governor return it to the source from which it came with a written statement of the reasons for which it was disapproved]

Section 2 At the end of article three of said act the following new section is hereby added

Section 308 Allocation of Disbursement Costs In order to reimburse the General Fund for the costs incurred by the Treasury Department in making disbursements for departments boards or commissions out of special operating funds in the State Treasury such departments boards or commissions to which special operating funds are appropriated for this purpose shall be billed at least quarterly by the Treasury Department upon a cost basis at such amount as the Treasury Department with the approval of the Executive Board shall determine Amounts payable hereunder for reimbursing the General Fund for the cost of disbursement shall be paid out of such special operating funds to the Department of the Auditor General and shall be by it paid into the General Fund of the State Treasury through the Department of Revenue

Section 3 At the end of article four of said act the following new section is hereby added

Section 408 Allocation of Costs of Audits In order to reimburse the General Fund for the costs incurred by the Department of the Auditor General in auditing requisitions by departments boards or commissions for disbursements out of special operating funds in the State Treasury and in auditing annually periodically or specially the affairs of any department board or commission which are supported out of a special operating fund in the State Treasury such departments boards or commissions to which special operating funds are appropriated for this purpose shall be billed at least quarterly by the Department of the Auditor General upon a cost basis at such amount as the Department of the Auditor General with the approval of the Executive Board shall determine Amounts payable hereunder for reimbursing the General Fund for the cost of audits shall be paid out of such special operating funds to the Department of the Auditor General and shall be by it paid into the General Fund of the State Treasury through the Department of Revenue

Section 4 It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 5 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170

Andrews,	Hamilton,	Meredith,	Shortz,
Baker,	Harmuth,	Merrell,	Simon,
Baldi,	Harris,	Metzler,	Sinwell,
Barnhardt,	Hart,	Mohn,	Snyder,
Bechtel,	Hartman,	Moore,	Sowers,
Beech,	Heffernan,	Myers,	Spann,
Bernhard,	Hefferon,	Negley,	Stank,
Blumberg,	Heffner,	O'Connor,	Steedle,
Boyd,	Hermansen,	O'Keefe,	Sterling, P.,
Brancato,	Hewitt,	O'Neill,	Sterling, R. B.,
Brennan,	Hoffman,	O'Rourke,	Stevens,
Brown, J. E.,	Holmes, J. B.,	Patterson,	Stone,
Brown, W. L.,	Holmes, J. L.,	Peelor,	Storb,
Brownfield,	Hoopes,	Pennock,	Stott,
Cannon,	Horst,	Perry, D. R.,	Surface,
Caputo,	Hough,	Perry, J. J.,	Tahl,
Carey,	Hutton,	Peters,	Terry,
Carson,	Jaffe,	Powers,	Turner,
Chervenak,	Jones,	Price,	Wade,
Cohen,	Kane, J. J.,	Quinn,	Wagner,
Conner,	Kane, L. P.,	Raub,	Walker, G. E.,
Cooke,	King,	Rectenwald,	Walker, W. A.,
Cordier,	Kinney,	Reed,	Wall,
Dane,	Lane,	Reilly,	Wasserman,
Davies,	Laubach,	Rhodes,	Way,
Denning,	Lewis,	Rice,	Weidemann,
Downey, J.,	Long,	Roan,	Welsh,
Duffy,	Lord,	Root,	Westrick,
Dwyer,	Lovett, J. E.,	Roth,	White,
Ederer,	Lovett, W. S.,	Ruby,	Wike,
Emhardt,	Male,	Ruth,	Williams, G. W.,
Eroe,	Malina,	Sarig,	Williams, J. J.,
Evans,	Maloney,	Sautter,	Wilson, L. M.,
Fitzgerald,	Marcks,	Schrock,	Wilson, T. B.,
Flanagan,	Mason,	Schrope,	Witkin,
Fleisher,	McBride,	Schwab,	Wood,
Flynn,	McCandless,	Schwartz,	Woodside,
Forrest,	McClure,	Scorza,	Wright,
Furman,	McGinnis,	Scott,	Yeakel,
Gallagher,	McGrail,	Sheffer,	Yourishin,
Gillette,	McGregor,	Shellenberger,	Zimmerman,
Gorman,	McHenry,	Shenkel,	Talbot,
Green,	McKay,	Shettel,	Speaker.
Greenstein,	Melchiorre,		

NAYS—9

Habbyshaw,	Howard,	McCreary,	Shreiner,
Himes, H. E.,	Lenahan,	Powell,	Stevenson,
Himes, L. R.,	Lynch, M.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1651, as follows:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred twenty) en-

titled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by extending the provisions of the act to include natural gas companies artificial gas companies water companies steam heat companies and limited partnerships associations joint-stock associations copartnerships and persons engaged in the natural gas artificial gas water or steam heat business and appropriating part of the tax to the Public Service Commission of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-three of the act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws six hundred sixty-two) is hereby further amended to read as follows

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company street passenger railway company traction company and every other company association joint-stock association or limited partnership now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every copartnership person or persons owning-operating or leasing to or from another corporation company association joint-stock association limited partnership copartnership person or persons any railroad pipe line conduit steamboat canal slack water navigation street passenger railway traction system or other device for the transportation of freight passengers baggage or oil except taxicabs motor buses and motor omnibuses and every limited partnership association joint-stock association corporation or company engaged in or hereafter engaged in the transportation of freight or oil within this State and every telephone company telegraph company express company electric light company water-power company hydro-electric company natural gas company artificial gas company water company steam heat company palace car company and sleeping car company now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every limited partnership association joint-stock association copartnership person or persons engaged in telephone telegraph express electric light and power water-power hydro-electric natural gas artificial gas water steam heat palace car or sleeping car business in this Commonwealth shall pay to the State Treasurer through the Department of Revenue a tax of eight mills except in the case of a natural gas artificial gas water and steam heat company in which case a tax of one mill upon the dollar upon the gross receipts of said corporation company or association limited partnership joint-stock association copartnership person or persons received from passengers baggage and freight transported wholly within this State from telegraph or telephone messages transmitted wholly within the State from express palace car or sleeping car business done wholly within this State or from electric light and power water-power and hydro-electric natural gas artificial gas water and steam heat business and from the transportation of oil done wholly within the State The said tax shall be paid within the time prescribed by law for the payment of taxes settled by the Department of Revenue and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of said company copartnership limited partnership association joint-stock association or corporation or person or persons to transmit to the Department of Revenue on or before the first days of February and August of each year a statement under oath or affirmation of the amount of gross receipts of the said companies copartnerships corporations associations joint-stock associations limited partnerships person or persons derived from all sources and of gross receipts from business done wholly within the State during the period of six months immediately proceding the first days of January and July of each year The time for filing reports may be extended estimated settlements may be made by the Department of Revenue if reports are not filed and the penalties for failing to file reports and pay the tax shall be as prescribed by the laws defining the powers and duties of the Department of Revenue Provided That in any case where the works of any corporation company copartnership association joint-stock association limited partnership person or persons are operated by another corporation company copartnership association joint-stock association limited partnership person or persons the taxes imposed by this section shall be opportioned between the said corporations companies copartnerships associations joint-stock associations limited partnerships person or persons in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the corporation company copartnership association joint stock association limited partnership person or persons operating the works and upon payment by the said company corporation copartnership association joint-stock association limited partnership person or persons of a tax upon the receipts as herein provided derived from the operation thereof no other corporation company copartnership association joint-stock association limited partnership person or persons shall be held liable under this section for any tax upon the proportion of said receipts received by said corporation company copartnership association joint-stock association limited partnership person or persons for the use of said works

Nothing contained in this act shall be construed to impose any tax upon any municipality nor upon the gross receipts derived from any municipality owned and operated public utility service furnished by any municipality

No tax shall be collected under the provisions of this act from any municipality upon the gross receipts derived from the ownership and operation of any public utility or from the furnishing by any municipality of any public utility service prior to the passage of this amendment

Section 2 All of the tax collected under the provisions of this section on gross receipts from natural gas artificial gas water and steamheat business and twelve and one-half per cent (12½%) of all other taxes collected under this section and paid into the General Fund of the State Treasurey under the provisions of this act shall be credited by the State Treasurer from time to time to the current general maintenance appropriation to the Public Service Commission of the Commonwealth and the moneys so credited are hereby appropriated to such commission for the same purpose for which the general maintenance appropriation is available

Section 3 This act shall become effective immediately upon its passage and approval by the Governor and shall be retroactive in effect from the first day of January one thousand nine hundred and thirty-three

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172

Andrews,	Habbyshaw,	McGinnis,	Sheffer,
Baker,	Haines,	McGrail,	Shellenberger,
Barnhardt,	Hamilton,	McGregor,	Shortz,
Bechtel,	Harmuth,	McHenry,	Shreiner,
Beech,	Harris,	McKay,	Shugarts,
Bennett,	Hartman,	Melchiorre,	Sinwell,
Bernhard,	Heffernan,	Meredith,	Snyder,
Boyd,	Hefferon,	Merrell,	Sowers,
Brancato,	Heffner,	Metzler,	Spann,
Brennan,	Hermansen,	Mohn,	Stank,
Brown, J. E.,	Hester,	Moore,	Steedle,
Brown, W. L.,	Hewitt,	Mumford,	Sterling, P.,
Brownfield,	Himes, H. E.,	Myers,	Stevens,
Cannon,	Hoffman,	Negley,	Stevenson,
Carey,	Holmes, J. L.,	Nothnagle,	Stone,
Carson,	Hoopes,	O'Connor,	Storb,
Chervenak,	Horst,	O'Neill,	Stott,
Cohen,	Hough,	O'Rourke,	Surface,
Conner,	Howard,	Patterson,	Tahl,
Cooke,	Hutton,	Peelor,	Terry,
Cordier,	Jaffe,	Pennock,	Turner,
Craig,	Jones,	Perry, D. R.,	Wade,
Cramer,	Kane, J. J.,	Perry, J. J.,	Wagner,
Dane,	King,	Peters,	Walker, W. A.,
Davies,	Kinney,	Powell,	Wall,
DeFrehn,	Labar,	Powers,	Wasserman,

Denning,	Lane,	Raub,	Way,
Downey, G. E.,	Lenahan,	Rectenwald,	Weidemann,
Downey, J.,	Lewis,	Reed,	Welsh,
Dunmire,	Long,	Reilly,	Westrick,
Dwyer,	Lord,	Rhodes,	White,
Ederer,	Lose,	Rice,	Wike,
Emhardt,	Lovett, J. E.,	Roan,	Williams, G. W.,
Eroe,	Lynch, J. R.,	Root,	Williams, J. J.,
Evans,	Male,	Roth,	Wilson, L. M.,
Flanagan,	Malina,	Ruby,	Wilson, T. B.,
Fleisher,	Maloney,	Ruth,	Witkin,
Flynn,	Marcks,	Sarig,	Wood,
Forrest,	Mason,	Sautter,	Woodside,
Gallagher,	McBride,	Schrock,	Wright,
Gillette,	McCandless,	Schwab,	Yeakel,
Gorman,	McClure,	Schwartz,	Zimmerman,
Green,	McCreary,	Scorza,	Talbot,
Greenstein,	McElwee,	Scott,	Speaker.

NAYS—3

Flinchbaugh,	Shettel,	Yourishin,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. TURNER. Mr. Speaker, I desire to call up at this time House Bill No. 6, Printer's No. 485, on page 45 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Turner.

The House resumed the consideration on final passage of House Bill No. 6, entitled:

An Act to further amend paragraph eight of section one thousand two hundred ten, of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, decreasing the minimum salaries of county superintendents and assistant county superintendents.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179

Andrews,	Gillette,	McClure,	Sheffer,
Baker,	Gorman,	McCreary,	Shellenberger,
Baldi,	Green,	McElwee,	Shenkel,
Barnhardt,	Greenstein,	McGrail,	Shortz,
Bechtel,	Griffith,	McKay,	Shreiner,
Bennett,	Haines,	McKinney,	Simon,
Bernhard,	Hamilton,	Melchiorre,	Sinwell,
Blumberg,	Harris,	Meredith,	Snyder,
Boyd,	Hart,	Merrell,	Sowers,
Brancato,	Heffernan,	Metzler,	Stank,
Brennan,	Hefferon,	Mohn,	Steedle,
Brown, J. E.,	Heffner,	Moore,	Sterling, P.,
Brown, W. L.,	Hermansen,	Mumford,	Stevens,
Brownfield,	Hewitt,	Myers,	Stevenson,
Cannon,	Himes, H. E.,	Negley,	Stone,
Caputo,	Himes, L. R.,	Nothnagle,	Storb,
Carey,	Hoffman,	O'Connor,	Stott,
Carson,	Holmes, J. L.,	O'Neill,	Surface,
Conner,	Hoopes,	O'Rourke,	Tahl,
Cooke,	Horst,	Patterson,	Terry,
Cordier,	Hough,	Peelor,	Turner,
Craig,	Howard,	Pennock,	Wade,
Cramer,	Hutton,	Perry, D. R.,	Wagner,
Dane,	Jaffe,	Perry, J. J.,	Walker, W. A.,
Davies,	Jones,	Peters,	Wall,
DeFrehn,	Kane, L. P.,	Powers,	Wasserman,
Denning,	King,	Price,	Way,
Downey, G. E.,	Kinney,	Quinn,	Weidemann,
Downey, J.,	Lane,	Raub,	Welsh,
Duffy,	Laubach,	Rectenwald,	Westrick,
Dunmire,	Lenahan,	Reed,	White,
Dwyer,	Lewis,	Reilly,	Wike,
Ederer,	Long,	Rhodes,	Williams, G. W.,
Emhardt,	Lord,	Rice,	Williams, J. J.,
Eroe,	Lose,	Roan,	Wilson, L. M.,
Evans,	Lovett, J. E.,	Root,	Wilson, T. B.,
Fitzgerald,	Lovett, W. S.,	Ruby,	Wood,
Flanagan,	Lynch, J. R.,	Ruth,	Woodside,
Fleisher,	Lynch, M.,	Sarig,	Wright,
Flinchbaugh,	Male,	Sautter,	Yeakel,
Flynn,	Maloney,	Schrock,	Yourishin,
Forrest,	Marcks,	Schrope,	Zimmerman,
Furman,	Mason,	Schwab,	Talbot,
Gallagher,	McBride,	Scorza,	Speaker.
Gartner,	McCandless,	Scott,	

NAYS—2

Beech,	Chervenak,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2081 (Senate Bill No. 645), as follows:

An Act to amend section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" is hereby amended to read as follows

Section 5 Assessment and Payment of Tax Every vendor at the time of making the return required under section 4 shall compute and pay to the department the tax due to the Commonwealth by him for the preceding six months' period The amount of all taxes imposed under the provisions of this act shall be due and payable at the time the return for such six months' period is required to be filed with the department by this act unless the vendor shall notify the department that he desires an extension of time to pay said tax and agrees therein to pay said tax in two equal instalments on the first day of April and the fifteenth day May Any such instalment of tax not paid on or before the dates specified herein shall be subject to the payment of interest at the rate of eight per centum per annum from such dates

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Green,	McClure,	Scott,
Baker,	Greenstein,	McCreary,	Sheffer,
Baldi,	Griffith,	McElwee,	Shellenberger,
Barnhardt,	Habbyshaw,	McGinnis,	Shettel,
Bechtel,	Haines,	McGrail,	Shortz,
Beech,	Hamilton,	McGregor,	Shreiner,
Bennett,	Harmuth,	McHenry,	Shugarts,
Bernhard,	Harris,	McKay,	Simon,
Boyd,	Hart,	McKinney,	Sinwell,
Brancato,	Heffernan,	Melchiorre,	Sowers,
Brennan,	Hefferon,	Meredith,	Spann,
Brown, J. E.,	Heffner,	Merrell,	Stank,
Brown, W. L.,	Hester,	Metzler,	Steedle,
Brownfield,	Hewitt,	Mohn,	Sterling, P.,
Cannon,	Himes, H. E.,	Moore,	Stevens,
Caputo,	Himes, L. R.,	Mumford,	Stevenson,
Carey,	Hoffman,	Myers,	Stiteler,
Carson,	Holmes, J. B.,	Negley,	Stone,
Chervenak,	Holmes, J. L.,	Nothnagle,	Storb,
Cohen,	Hoopes,	O'Connor,	Stott,
Conner,	Horst,	O'Keefe,	Surface,
Cooke,	Hough,	O'Rourke,	Terry,
Cordier,	Hutton,	Patterson,	Turner,
Craig,	Jaffe,	Peelor,	Wade,
Cramer,	Jones,	Pennock,	Wagner,
Dane,	Kane, J. J.,	Perry, D. R.,	Walker, G. E.,
Davies,	Kane, L. P.,	Perry, J. J.,	Wall,
DeFrehn,	King,	Peters,	Wasserman,
Denning,	Kinney,	Powell,	Way,
Downey, G. E.,	Labar,	Powers,	Weidemann,
Duffy,	Lane,	Price,	Welsh,
Dunmire,	Laubach,	Quinn,	Westrick,
Dwyer,	Lenahan,	Raub,	White,
Ederer,	Lewis,	Rectenwald,	Wike,
Emhardt,	Long,	Reed,	Williams, G. W.
Eroe,	Lord,	Rhodes	Williams, J. J.,
Evans,	Lose,	Rice,	Wilson, L. M.,
Fitzgerald,	Lovett, J. E.,	Roan,	Wilson, T. B.,
Flanagan,	Lovett, W. S.,	Root,	Witkin,
Fleisher,	Lynch, J. R.,	Ruby,	Wood,
Flinchbaugh,	Male,	Ruth,	Woodside,
Flynn,	Malina,	Sarig,	Wright,
Forrest,	Maloney,	Sautter,	Yeakel,
Gallagher,	Marcks,	Schrock,	Yourishin,
Gartner,	Mason,	Schrope,	Zimmerman,
Gillette,	McBride,	Schwab,	Talbot,
Gorman,	McCandless,	Scorza,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 397 (Senate Bill No. 62), entitled:

An Act to amend section nine of the act approved the sixteenth day of May, one thousand nine hundred and twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," as amended; reducing the compensation of judges presiding in other districts.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176

Andrews,	Gorman,	McBride,	Schrope,
Baker,	Green,	McCandless,	Schwab,
Baldi,	Greenstein,	McClure,	Schwartz,
Barnhardt,	Griffith,	McCreary,	Scorza,
Bechtel,	Habbyshaw,	McElwee,	Scott,
Beech,	Haines,	McGinnis,	Sheffer,
Bernhard,	Hamilton,	McGrail,	Shellenberger,
Brancato,	Harmuth,	McGregor,	Shenkel,
Brennan,	Hart,	McHenry,	Shettel,
Brown, J. E.,	Hartman,	McKay,	Shreiner,
Brown, W. L.,	Heffernan,	Melchiorre,	Shugarts,
Brownfield,	Hefferon,	Meredith,	Sinwell,
Cannon,	Hermansen,	Metzler,	Snyder,
Caputo,	Hester,	Moore,	Sowers,
Carey,	Hewitt,	Mumford,	Stank,
Carson,	Himes, H. E.,	Myers,	Steedle,
Chervenak,	Himes, L. R.,	Negley,	Sterling, P.,
Cohen,	Hoffman,	Nothnagle,	Stevens,
Conner,	Holmes, J. L.,	O'Connor,	Stevenson,
Cooke,	Hoopes,	O'Keefe,	Stiteler,
Cordier,	Horst,	O'Neill,	Storb,
Craig,	Hough,	Patterson,	Stott,
Cramer,	Howard,	Peelor,	Surface,
Dane,	Hutton,	Pennock,	Terry,
Davies,	Jaffe,	Perry, D. R.,	Turner,
DeFrehn,	Jones,	Perry, J. J.,	Wade,
Denning,	Kane, J. J.,	Peters,	Wagner,
Downey, G. E.,	King,	Powell,	Wasserman,
Downey, J.,	Kinney,	Price,	Way,
Dunmire,	Labar,	Quinn,	Welsh,
Dwyer,	Lane,	Rectenwald,	Westrick,
Ederer,	Laubach,	Reed,	White,
Emhardt,	Lenahan,	Reilly,	Wike,
Eroe,	Lewis,	Rhodes,	Williams, G. W.,
Evans,	Long,	Rice,	Williams, J. J.,
Fitzgerald,	Lose,	Roan,	Wilson, L. M.,
Flanahan,	Lovett, J. E.,	Root,	Wood,
Fleisher,	Lynch, J. R.,	Roth,	Woodside,
Flinchbaugh,	Lynch, M.,	Ruby,	Yeakel,
Flynn,	Male,	Ruth,	Yourishin,
Forrest,	Malina,	Sarig,	Zimmerman,
Furman,	Maloney,	Sautter,	Talbot,
Gallagher,	Marcks,	Schrock,	Speaker.
Gillette,	Mason,		

NAYS—6

Bennett,	Boyd,	Tahl,	Witkin,
Blumberg,	Spann,	Wilson, T. B.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2094 (Senate Bill No. 707), entitled:

An Act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174

Andrews,	Griffith,	McGinnis,	Shellenberger,
Baker,	Habbyshaw,	McGrail,	Shenkel,
Baldi,	Haines,	McHenry,	Shettel,
Barnhardt,	Hamilton,	McKay,	Shortz,
Bechtel,	Harmuth,	McKinney,	Shreiner,
Beech,	Harris,	Melchiorre,	Shugarts,
Bennett,	Hart,	Meredith,	Simon,
Bernhard,	Hartman,	Metzler,	Sinwell,
Blumberg,	Heffner,	Mohn,	Snyder,
Brennan,	Hester,	Moore,	Sowers,
Brown, J. E.,	Himes, L. R.,	Mumford,	Spann,
Brown, W. L.,	Holmes, J. B.,	Myers,	Stank,
Brownfield,	Holmes, J. L.,	Negley,	Steedle,
Cannon,	Hoopes,	Nothnagle,	Sterling, P.,
Caputo,	Horst,	O'Connor,	Sterling, R. B.,

Carey,	Hough,	O'Keefe,	Stevens,
Carson,	Howard,	O'Neill,	Stevenson,
Chervenak,	Hutton,	O'Rourke,	Stiteler,
Cohen,	Jaffe,	Peelor,	Stone,
Cooke,	Jones,	Pennock,	Storb,
Cordier,	Kane, J. J.,	Perry, D. R.,	Stott,
Craig,	Kane, L. P.,	Perry, J. J.,	Surface,
Cramer,	King,	Powers,	Turner,
Dane,	Kinney,	Price,	Wade,
Davies,	Labar,	Quinn,	Wagner,
DeFrehn,	Lane,	Raub,	Walker, G. E.,
Denning,	Laubach,	Rectenwald,	Walker, W. A.,
Downey, G. E.,	Lenahan,	Reed,	Wall,
Downey, J.,	Long,	Reilly,	Wasserman,
Dunmire,	Lord,	Rhodes,	Welsh,
Dwyer,	Lose,	Rice,	Westrick,
Ederer,	Lovett, J. E.,	Roan,	White,
Emhardt,	Lovett, W. S.,	Root,	Wike,
Eroe,	Lynch, J. R.,	Roth,	Williams, G. W.,
Fitzgerald,	Lynch, M.,	Royle,	Williams, J. J.,
Flanagan,	Malina,	Ruth,	Wilson, L. M.,
Flinchbaugh,	Maloney,	Sarig,	Witkin,
Flynn,	Marcks,	Sautter,	Wood,
Gallagher,	Mason,	Schrock,	Woodside,
Gartner,	McBride,	Schrope,	Wright,
Gillette,	McCandless,	Schwab,	Yeakel,
Gorman,	McClure,	Schwartz,	Yourishin,
Green,	McCreary,	Scott,	Talbot,
Greenstein,	McElwee,	Sheffer,	Speaker.

NAYS—3

Boyd,	Forrest,	Furman,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

BILL ON THIRD READING

Mr. HUTTON asked and obtained unanimous consent to call up out of order House Bill No. 2162, Senate Bill No. 699, Printer's No. 338, on page 37 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2162 (Senate Bill No. 699), entitled:

An Act to amend clause five of section three of the act approved the thirteenth day of May one thousand nine hundred and nine (Pamphlet Laws five hundred twenty) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of unadulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" as amended further regulating the use of sulphur dioxide in the preparation of dried fruits and molasses.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HUTTON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, third line from the end, by inserting after the word "amended" the following: "permittting the use of harmless colors in fruits used in fruit cake, and."

Amend Section 1, page 2, line 29, by inserting after the part-word "fectionery" the following: "or in fruits used in fruit cake."

Amend Section 1, page 3, line 17, by striking out the words and figures "fifteen hundred (1500)" and inserting in lieu thereof: "twenty-five hundred (2500)."

Amend Section 1, page 3, line 24, by striking out with light-faced brackets the word "benzoates" and inserting in lieu thereof: "benzoate."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1210 (Senate Bill No. 325), entitled:

A Supplement to the act approved the third day of April, one thousand nine hundred and three (P. L. 137), entitled "An act regulating the confinement of children, under the age of sixteen years, awaiting trial"; providing for the management of houses of detention for juveniles in counties of the second class, imposing expense in connection therewith on the county and permitting and authorizing the county commissioners thereof to appropriate money or issue bonds for the purchase of lands, or erecting, constructing and equipping of buildings for such purpose.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Andrews,	Green,	McCandless,	Schrope,
Baker,	Greenstein,	McClure,	Schwab,
Baldi,	Griffith,	McCreary,	Schwartz,
Barnhardt,	Habbyshaw,	McElwee,	Scott,
Bechtel,	Haines,	McGinnis,	Shellenberger,
Beech,	Hamilton,	McGrail,	Shenkel,
Bennett,	Harmuth,	McHenry,	Shettel,
Bernhard,	Hart,	McKay,	Shreiner,
Blumberg,	Hartman,	McKinney,	Shugarts,
Brancato,	Heffernan,	Melchiorre,	Simon,
Brennan,	Hefferon,	Meredith,	Snyder,
Brown, J. E.,	Heffner,	Merrell,	Sowers,
Brown, W. L.,	Hermansen,	Metzler,	Spann,
Brownfield,	Hester,	Mohn,	Steedle,
Cannon,	Hewitt,	Moore,	Sterling, P.,
Caputo,	Himes, H. E.,	Mumford,	Sterling, R. B.,
Carey,	Himes, L. R.,	Myers,	Stevenson,
Carson,	Holmes, J. B.,	Negley,	Stiteler,
Chervenak,	Holmes, J. L.,	Nothnagle,	Stone,
Cohen,	Horst,	O'Connor,	Storb,
Cooke,	Hough,	O'Keefe,	Stott,
Cordier,	Howard,	O'Rourke,	Surface,
Craig,	Hutton,	Patterson,	Tahl,
Cramer,	Jaffe,	Peelor,	Terry,
Dane,	Jones,	Pennock,	Turner,
Davies,	Kane, J. J.,	Perry, D. R.,	Wade,
DeFrehn,	Kane, L. P.,	Perry, J. J.,	Wagner,
Denning,	King,	Peters,	Walker, W. A.,
Downey, G. E.,	Kinney,	Powell,	Wall,
Downey, J.,	Labar,	Powers,	Wasserman,
Dunmire,	Lane,	Price,	Way,
Dwyer,	Laubach,	Quinn,	Welsh,
Ederer,	Lenahan,	Rectenwald,	Westrick,
Emhardt,	Lewis,	Reed,	Williams, G. W.,
Eroe,	Long,	Reilly,	Williams, J. J.,
Evans,	Lose,	Rhodes,	Wilson, L. M.,
Fitzgerald,	Lovett, J. E.,	Rice,	Witkin,
Flanagan,	Lovett, W. S.,	Roan,	Wood,
Fleisher,	Lynch, J. R.,	Root,	Woodside,
Flinchbaugh,	Male,	Roth,	Wright,
Forrest,	Malina,	Ruby,	Yeakel,
Furman,	Maloney,	Ruth,	Yourishin,
Gallagher,	Marcks,	Sarig,	Zimmerman,
Gartner,	Mason,	Sautter,	Talbot,
Gillette,	McBride,	Schrock,	Speaker.
Gorman,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

(MR. HUTTON IN THE CHAIR)

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1212 (Senate Bill No. 348), entitled:

An Act permitting sheriffs in counties of the third class to collect the cost of schedules of distribution on sheriff's sales of real estate

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140

Andrews,	Harmuth,	McGregor,	Sheffer,
Baker,	Harris,	McHenry,	Shenkel,
Baldi,	Hart,	McKinney,	Shortz,
Barnhardt,	Heffernan,	Melchiorre,	Shreiner,
Bechtel,	Hefferon,	Merrell,	Simon,
Beech,	Heffner,	Metzler,	Snyder,
Bennett,	Hewitt,	Moore,	Sowers,
Brancato,	Himes, H. E.,	Mumford,	Spann,
Brennan,	Himes, L. R.,	Myers,	Steedle,
Cannon,	Hoffman,	Nothnagle,	Sterling, P.,
Caputo,	Holmes, J. B.,	O'Rourke,	Sterling, R. B.,
Carey,	Holmes, J. L.,	Patterson,	Stevenson,
Carson,	Hough,	Peelor,	Stiteler,
Conner,	Hutton,	Pennock,	Stone,
Cooke,	Jaffe,	Perry, D. R.,	Storb,
Cordier,	Jones,	Perry, J. J.,	Stott,
Craig,	Kane, J. J.,	Peters,	Surface,
Dane,	Kane, L. P.,	Powell,	Tahl,
Davies,	Kinney,	Powers,	Turner,
Downey, G. E.,	Labar,	Reed,	Wagner,
Duffy,	Laubach,	Reilly,	Walker, G. E.,
Dwyer,	Lenahan,	Rhodes,	Wasserman,
Ederer,	Long,	Rice,	Way,
Emhardt,	Lord,	Roan,	Williams, G. W.,
Eroe,	Lose,	Roth,	Williams, J. J.,
Flynn,	Lovett, W. S.,	Royle,	Wilson, T. B.,
Forrest,	Lynch, J. R.,	Ruby,	Witkin,
Gallagher,	Malina,	Ruth,	Wood,
Gartner,	Maloney,	Sarig,	Woodside,
Gillette,	Marcks,	Sautter,	Wright,
Gorman,	Mason,	Schrock,	Yeakel,
Green,	McBride,	Schrope,	Yourishin,
Greenstein,	McCandless,	Schwartz,	Zimmerman,
Griffith,	McClure,	Scorza,	Talbot,
Habbyshaw,	McCreary,	Scott,	Speaker.
Haines,	McElwee,		

NAYS—29

Boyd,	Hester,	McGrail,	Shugarts,
Brown, J. E.,	Hoopes,	Mohn,	Sinwell,
Brownfield,	Lane,	O'Keefe,	Stank,
Chervenak,	Lovett, J. E.,	Quinn,	Stevens,
Cramer,	Lynch, M.,	Raub,	Welsh,
Evans,	Male,	Schwab,	Westrick,
Fitzgerald,	McGinnis,	Shettel,	Wilson, L. M.,
Furman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1209 (Senate Bill No. 2), entitled:

An Act relating to the collection of delinquent county taxes in counties of the second class repealing all acts or parts of acts general local or special inconsistent herewith.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Andrews,	Gorman,	McClure,	Schwartz,
Baker,	Green,	McCreary,	Scorza,
Baldi,	Greenstein,	McElwee,	Scott,
Barnhardt,	Griffith,	McGrail,	Sheffer,
Bechtel,	Haines,	McGregor,	Shellenberger,
Beech,	Hamilton,	McHenry,	Shenkel,
Bennett,	Harmuth,	McKay,	Shettel,
Bernhard,	Harris,	McKinney,	Shortz,
Blumberg,	Hart,	Meredith,	Shreiner,
Boyd,	Heffernan,	Merrell,	Simon,
Brancato,	Hefferon,	Metzler,	Sinwell,
Brennan,	Heffner,	Mohn,	Snyder,
Brown, J. E.,	Hermansen,	Moore,	Sowers,
Brown, W. L.,	Hester,	Mumford,	Spann,
Brownfield,	Hewitt,	Myers,	Steedle,
Caputo,	Himes, H. E.,	Negley,	Sterling, P.,
Carey,	Himes, L. R.,	Nothnagle,	Stevens,
Carson,	Hoffman,	O'Connor,	Stevenson,
Chervenak,	Holmes, J. L.,	O'Keefe,	Stiteler,
Cohen,	Hoopes,	O'Neill,	Stone,
Conner,	Horst,	O'Rourke,	Storb,
Cooke,	Hough,	Patterson,	Stott,
Cordier,	Howard,	Peelor,	Surface,
Craig,	Hutton,	Pennock,	Tahl,
Cramer,	Jaffe,	Perry, D. R.,	Terry,
Davies,	Jones,	Perry, J. J.,	Turner,
DeFrehn,	Kane, J. J.,	Peters,	Wade,
Denning,	King,	Powell,	Walker, G. E.,
Downey, G. E.,	Kinney,	Powers,	Wall,
Downey, J.,	Labar,	Quinn,	Wasserman,
Duffy,	Lane,	Raub,	Way,
Dumire,	Laubach,	Rectenwald,	Weidemann,
Dwyer,	Lenahan,	Reed,	Welsh,
Ederer,	Lewis,	Reilly,	Westrick,
Emhardt,	Long,	Rice,	White,
Eroe,	Lord,	Roan,	Wike,
Evans,	Lose,	Root,	Williams, J. J.,
Flanagan,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Fleisher,	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Flinchbaugh,	Male,	Ruth,	Wood,
Flynn,	Malina,	Sarig,	Woodside,
Forrest,	Maloney,	Sautter,	Wright,
Furman,	Marcks,	Schrock,	Yourishin,
Gallagher,	Mason,	Schrope,	Zimmerman,
Gartner,	McBride,	Schwab,	Talbot,
Gillette,	McCandless,		Speaker.

NAYS—1

Walker, W. A.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 629 (Senate Bill No. 139), entitled:

An Act fixing the pay and mileage and jurors and witnesses

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Baker,	Gillette,	McClure,	Shellenberger,
Baldi,	Gorman,	McCreary,	Shettel,
Barnhardt,	Green,	McElwee,	Shortz,
Bechtel,	Greenstein,	McGrail,	Shreiner,

Beech,	Habbyshaw,	McHenry,	Shugarts,
Bennett,	Haines,	McKay,	Simon,
Bernhard,	Hamilton,	McKinney,	Sinwell,
Blumberg,	Harmuth,	Meredith,	Snyder,
Boyd,	Hart,	Merrell,	Sowers,
Brancato,	Heffernan,	Metzler,	Steedle,
Brennan,	Hefferon,	Mumford,	Sterling, P.,
Brown, J. E.,	Heffner,	Myers,	Stevens,
Brown, W. L.,	Hermansen,	Negley,	Stevenson,
Cannon,	Hewitt,	Nothnagle,	Stiteler,
Caputo,	Himes, H. E.,	Patterson,	Stone,
Carey,	Himes, L. R.,	Peelor,	Storb,
Carson,	Hoffman,	Pennock,	Surface,
Chervenak,	Holmes, J. L.,	Perry, D. R.,	Tahl,
Cohen,	Horst,	Perry, J. J.,	Terry,
Conner,	Hough,	Peters,	Turner,
Cooke,	Howard,	Powell,	Wade,
Cordier,	Hutton,	Powers,	Wagner,
Craig,	Jaffe,	Price,	Walker, G. E.,
Cramer,	Jones,	Raub,	Walker, W. A.,
Davies,	Kane, J. J.,	Rectenwald,	Wall,
DeFrehn,	King,	Reed,	Wasserman,
Denning,	Kinney,	Rhodes,	Way,
Downey, G. E.,	Labar,	Rice,	Weidemann,
Downey, J.,	Lane,	Roan,	Welsh,
Duffy,	Laubach,	Root,	White,
Dunmire,	Lenahan,	Roth,	Wike,
Ederer,	Long,	Royle,	Williams, G. W.,
Emhardt,	Lord,	Ruby,	Williams, J. J.,
Eroe,	Lose,	Ruth,	Wilson, T. B.,
Evans,	Lovett, W. S.,	Sarig,	Witkin,
Fitzgerald,	Lynch, J. R.,	Sautter,	Woodside,
Flanagan,	Male,	Schrock,	Wright,
Fleisher,	Maloney,	Schwab,	Yeakel,
Flinchbaugh,	Marcks,	Schwartz,	Yourishin,
Flynn,	Mason,	Scorza,	Zimmerman,
Furman,	McBride,	Scott,	Talbot,
Gallagher,	McCandless,	Sheffer,	Speaker.
Gartner,			

NAYS—6

Hoopes,	O'Connor,	Westrick,	Wilson, L. M.,
Malina,	Stank,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 627 (Senate Bill No. 102), entitled:

An Act authorizing county treasurers to make, execute, acknowledge and deliver deeds of seated lands sold by them for delinquent taxes under the provisions of an act of Assembly of the Commonwealth of Pennsylvania, approved the ninth day of May, one thousand nine hundred and twenty-nine (P. L. 1684), entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assessed on such seated lands by authority of any county, borough, town, township, school district and poor district are delinquent and remain unpaid, and fixing penalties for such delinquency; authorizing county commissioners to purchase such lands under certain circumstances"; prior to its repeal, notwithstanding that said deeds were not made, issued, acknowledged or delivered and surplus bond not given prior to said repeal; and authorizing the making, execution, acknowledgment and delivery of said deeds by said county treasurers after the expiration of term of office or by their successors in office; and confirming the title to lands so sold where the deeds have been made, executed and delivered and the surplus bonds filed since the repeal of said act, and whether the said deeds were made, executed or delivered by the county treasurer who made said sale during the term of his office or after its expiration or by his successor in office.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175

Andrews,	Griffith,	McGrail,	Shreiner,
Baker,	Habbyshaw,	McHenry,	Shugarts,
Baldi,	Haines,	McKay,	Simon,
Barnhardt,	Harris,	McKinney,	Sinwell,
Bechtel,	Hart,	Meredith,	Snyder,
Bennett,	Hartman,	Merrell,	Sowers,
Bernhard,	Heffernan,	Metzler,	Spann,
Blumberg,	Hefferon,	Mohn,	Steedle,
Brancato,	Heffner,	Mumford,	Sterling, P.,
Brennan,	Hermansen,	Myers,	Sterling, R. B.,
Brown, W. L.,	Hewitt,	Negley,	Stevens,
Brownfield,	Himes, H. E.,	Nothnagle,	Stevenson,
Cannon,	Hoffman,	O'Connor,	Stiteler,
Caputo,	Holmes, J. L.,	O'Neill,	Stone,
Carey,	Hoopes,	O'Rourke,	Storb,
Carson,	Horst,	Patterson,	Stott,
Cohen,	Hough,	Peelor,	Surface,
Conner,	Hutton,	Pennock,	Tahl,
Cooke,	Jaffe,	Perry, D. R.,	Terry,
Cordier,	Jones,	Perry, J. J.,	Turner,
Craig,	Kane, J. J.,	Peters,	Wade,
Dane,	Kane, L. P.,	Powell,	Wagner,
Davies,	King,	Powers,	Walker, W. A.,
DeFrehn,	Kinney,	Price,	Wall,
Downey, G. E.,	Labar,	Quinn,	Wasserman,
Downey, J.,	Lane,	Rectenwald,	Way,
Duffy,	Laubach,	Reed,	Weidemann,
Dunmire,	Lenahan,	Reilly,	Welsh,
Dwyer,	Lewis,	Rhodes,	Westrick,
Ederer,	Long,	Rice,	White,
Emhardt,	Lord,	Roan,	Wike,
Evans,	Lose,	Root,	Williams, G. W.,
Fitzgerald,	Lovett, W. S.,	Ruby,	Williams, J. J.,
Flanagan,	Lynch, J. R.,	Ruth,	Wilson, L. M.,
Fleisher,	Male,	Sarig,	Wilson, T. B.,
Flinchbaugh,	Malina,	Sautter,	Witkin,
Flynn,	Maloney,	Schrock,	Wood,
Forrest,	Marcks,	Schwab,	Woodside,
Furman,	Mason,	Schwartz,	Wright,
Gallagher,	McBride,	Scorza,	Yeakel,
Gartner,	McCandless,	Sheffer,	Yourishin,
Gorman,	McClure,	Shellenberger,	Zimmerman,
Green,	McCreary,	Shenkel,	Talbot,
Greenstein,	McElwee,	Shettel,	Speaker.

NAYS—1

Beech,

The majority required by the Constituiton having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2102 (Senate Bill No. 721), as follows:

An Act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or withou nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith

Section 2 Any such corporation heretofore or hereafter created by incorporation reorganization or consolidation having a capital stock consisting of shares either with or without nominal or par value or both may at any time authorize and issue capital stock of any class or kind with or without nominal or par value or change or convert any or all of the shares of its authorized or outstanding capital stock into one or more classes and kinds either with or without nominal or par value with such designations terms relative rights privi-

leges limitations preferences and voting powers or prohibitions restrictions or qualifications of the voting and other rights and powers as may be specified as to the shares of any given class or kind in the same manner and by the same stock vote as may now or may hereafter be prescribed by law for increasing the capital stock of such corporation Provided however That in any case where shares without nominal or par value shall be provided for a stated capital shall be fixed the amount of which shall be set forth in such proceedings which stated capital shall be governed by and be subject to the provisions of this act Such proceedings may as an incident to such change or conversion increase or decrease the capital stock which such corporation is authorized to issue or the aggregate par value of or stated capital applicable to its outstanding shares of stock may alter or adjust the division of its authorized capital stock as between outstanding stock and authorized stock unissued or make any similar adjustment of the capital structure or share structure of such corporation Provided That no such change or alteration in the value of the aggregate par value of the outstanding stock shall be valid in law unless notices to all persons interested shall be given as now required by law where it is proposed to increase or reduce the capital stock of any corporation

Section 3 No corporation authorized to issue shares of stock without nominal or par value in pursuance of the provisions of the first section of this act shall begin to carry on business or shall incur any indebtedness until the amount of its capital stated in pursuance of said section shall have been fully paid in cash or in property taken at its actual value.

Section 4 For the purposes of this act the "stated capital" of a corporation issuing shares without nominal or par value shall be the capital with which the corporation will begin business as stated in the certificate of incorporation or reorganization or the joint agreement of merger of consolidation or the amount fixed and set forth as "stated capital" in the proceedings referred to in the second section of this act plus any net additions thereto or minus any net deductions therefrom Provided That "stated capital" shall not include any net profits or surplus earnings so long and during such period as the same may be paid out in the form of dividends under the provisions of section nine of this act And provided further That "stated capital" shall not be larger in amount than the excess as shown by the books of the corporation of its assets over and above its liabilities other than liabilities on account of shares of stock issued or to be issued by such corporation In the case of a corporation having outstanding shares with a nominal or par value as well as shares without a nominal or par value for the purpose of this act the portion of "stated capital" applicable to the shares without a nominal or par value shall be the excess of "stated capital" over and above the total par value of outstanding shares having a nominal or par value

Section 5 Preferences rights limitations privileges and restrictions authorized by the Constitution and laws of this Commonwealth may be stated in dollars or cents per share in respect to shares of stock without nominal or par value issued in pursuance of the provisions of this act

Section 6 Any such corporation may issue and may dispose of its authorized shares having no nominal or par value from time to time for such consideration as may be prescribed in the certificate of incorporation or reorganization or the joint agreement of merger or consolidation or the proceedings referred to in the second section of this act or determined by the stockholders at any annual or special meeting duly called and held for that purpose or determined by the board of directors acting under authority conferred by the stockholders or by the certificate of incorporation or reorganization by the joint agreement of merger or consolidation or by the proceedings referred to in the second section of this act

Section 7 Any and all shares without nominal or par value issued for the consideration prescribed or fixed in accordance with the provisions of section six hereof shall be deemed fully paid and nonassessable and the holder of such shares shall not be liable thereon to the corporation or to its creditors except for the liability of stockholders in their individual capacity now imposed by law for work or labor done to carry on the operations of the corporation or for debts due laborers mechanics and clerks.

Section 8 Every certificate for shares of stock without any nominal or par value shall have plainly stated upon its face the number of shares which it represents and no certificate shall express any par value for such shares or any rate of dividend to which it shall be entitled in terms of percentage of any par or other value

Section 9 No corporation having shares without nominal or par value issued under the provisions of this act shall declare or pay any dividend out of capital or out of anything except net profits or surplus earnings In case any such dividend shall be declared or paid other than from net profits or surplus earnings the directors in whose administration the same shall have been declared or paid except those who may have caused their dissent therefrom to be entered upon the minutes of such directors' meetings at the time or who being absent therefrom when such action was taken shall have filed their objections with the secretary of the corporation upon learning of such action shall be liable jointly and severally to such corporation and to the creditors thereof to the full amount of any loss sustained by such corporation or by its creditors by reason of such dividend.

Section 10 Any corporation authorized to have shares without any nominal or par value under the provisions of this act or of any prior act or acts may increase or reduce the number of shares which it may issue or the "stated capital" applicable thereto may alter or adjust the division of its authorized capital stock as between outstanding stock and authorized stock unissued and may make any similar adjustment of its capital structure or share structure in the manner and by the same stock vote as may now or may hereafter be prescribed by law for increasing the capital stock of such corporation

Section 11 Except as to any preferences rights limitations privileges and restrictions lawfully granted or imposed with respect to any stock or class thereof shares of stock without nominal or par value shall be deemed to be an aliquot part of the aggregate capital of the corporation issuing the same and equal to every other share of stock of the same class

Section 12 For the purpose of computing any tax or taxes the determination of which is based on the par value of shares of stock and not on the number of shares or the actual or ascertained value thereof and for the purpose of determining the amount of the liability of stockholders in their individual capacity for work or labor done to carry on the operations of a corporation or for debts due laborers mechanics and clerks each share of stock without any nominal or par value issued under the provisions of this act shall be considered the equivalent of a share having a nominal or par value of an amount equal to the "stated capital" applicable to such share

Nothing in this act contained shall be construed as excepting or relieving any such corporation from any requirement of law as to the payment of bonus but bonus shall be imposed computed collected and paid at the rate and in the manner now or hereafter provided by law

For the purpose of any certificate of notification report return or similar instrument wherein the amount or par value of stock or capital or capital stock paid in outstanding or retired is required to be stated in the case of shares without nominal or par value and with respect to such shares the amount or par value thereof outstanding or paid in prior to the date of such certificate report return or similar instrument shall be considered as the amount of "stated capital" in excess of the total par value of outstanding shares having a par value if any and the amount or par value thereof retired shall be considered as the amount of decrease if any of "stated capital" due to such retirement In the case of shares without nominal or par value presently to be issued in lieu of stating the amount or par value thereof in any such certificate report return or similar instrument an accurate and detailed description of the consideration received or to be received therefor or of the assets received or to be received for which the proceeds from the disposition of the said shares are to be used to pay or reimburse the treasury of the company and the net changes if any in the corporation's "stated capital" due to the receipt of such consideration shall be stated In the case of shares without nominal or par value authorized but unissued and not presently to be issued it shall not be necessary in such certificate report return or similar instrument to show the amount or par value thereof and only the number thereof need be stated

For the purpose of any stautory provisions limiting the amount of capital stock which a corporation may have or the relation between indebtedness and capital stock or prescribing

the portion or amount or par value of stock or capital which must be paid in cash or otherwise whether at the time of formation before commencing to do business or from time to time subsequent thereto the "stated capital" of a corporation having shares without nominal or par value shall be deemed to be its capital stock or the amount thereof

Nothing in this act contained shall be construed as excepting or relieving a corporation from any requirement of law as to the amount in dollars of paid in capital in cash or otherwise which it must have at any time

In any investigation or proceeding by the Commonwealth of Pennsylvania or any agency thereof to determine the value of the property assets or capital stock of a corporation having shares without nominal or par value under the provisions of this act neither the stated capital of such corporation nor the number of shares of its outstanding stock without nominal or par value shall be controlling but the same may be disregarded or considered only to such extent as the Commonwealth or its agency shall deem necessary or proper for the purpose of such investigation or proceeding

Section 13 Except as otherwise provided by this act corporations issuing shares without any nominal or par value under the provisions hereof shall be and remain subject to the laws of this Commonwealth now or hereafter in force relating to the formation regulation reorganization consolidation or merger rights powers and privileges of such corporations and all other laws applicable thereto

Section 14 The act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred fourteen) entitled "An act authorizing stock corporations other than building and loan associations and corporations authorized by law to transact a banking or insurance business to make provision upon formation reorganization merger or consolidation for the issue of either or both preferred or common shares without nominal or par value regulating the same and such corporations and prescribing the method of determining the number of shares and capital of corporations issuing shares in such manner" and sections one and two of the act approved the twenty-first day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred eighty-eight) entitled "An act authorizing certain corporations to authorize create and issue capital stock of any class or kind without nominal or par value and to change or convert their authorized or outstanding capital stock of any class or kind into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof" and all other acts or parts of acts inconsistent with this act are hereby repealed

Section 15 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 16 This act shall become effective immediately upon its passage by the General Assembly and approval by the Governor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179

Baker,	Habbyshaw,	McGinnis,	Shellenberger,
Baldi,	Hamilton,	McGregor,	Shettel,
Barnhardt,	Harmuth,	McHenry,	Shortz,
Bechtel,	Harris,	McKay,	Shreiner,
Bennett,	Hart,	McKinney,	Shugarts,
Bernhard,	Hartman,	Melchiorre,	Simon,
Blumberg,	Heffernan,	Meredith,	Sinwell,
Boyd,	Hefferon,	Merrell,	Snyder,
Brancato,	Heffner,	Metzler,	Sowers,
Brennan,	Hermansen,	Mohn,	Spann,
Brown, J. E.,	Hester,	Moore,	Stank,
Brown, W. L.,	Hewitt,	Mumford,	Steedle,
Brownfield,	Himes, H. E.,	Myers,	Sterling, P.,
Caputo,	Himes, L. R.,	Negley,	Stevens,
Carey,	Hoffman,	Nothnagle,	Stevenson,
Carson,	Holmes, J. B.,	O'Connor,	Stiteler,
Chervenak,	Holmes, J. L.,	O'Neill,	Stone,
Cohen,	Hoopes,	O'Rourke,	Stott,
Conner,	Horst,	Patterson,	Surface,
Cooke,	Hough,	Peelor,	Tahl,
Cordier,	Howard,	Pennock,	Terry,
Cramer,	Hutton,	Perry, D. R.,	Turner,
Dane,	Jaffe,	Perry, J. J.,	Wagner,
Davies,	Jones,	Peters,	Walker, G. E.,
DeFrehn,	Kane, L. P.,	Powell,	Walker, W. A.,
Denning,	King,	Powers,	Wall,
Downey, J.,	Kinney,	Quinn,	Wasserman,
Duffy,	Labar,	Raub,	Way,
Dunmire,	Lane,	Rectenwald,	Weidemann,
Dwyer,	Laubach,	Reed,	Welsh,
Ederer,	Lenahan,	Rhodes,	Westrick,
Eroe,	Long,	Rice,	White,
Evans,	Lord,	Roan,	Wike,
Fitzgerald,	Lose,	Root,	Williams, G. W.,
Flanagan,	Lovett, J. E.,	Roth,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Royle,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Ruth,	Wilson, T. B.,
Flynn,	Male,	Sarig,	Witkin,
Furman,	Malina,	Sautter,	Woodside,
Gallagher,	Marcks,	Schrock,	Wright,
Gartner,	Mason,	Schwab,	Yeakel,
Gillette,	McBride,	Schwartz,	Yourishin,
Gorman,	McCandless,	Scorza,	Zimmerman,
Green,	McClure,	Scott,	Talbot,
Greenstein,	McCreary,	Sheffer,	Speaker.
Griffith,	McElwee,		

NAYS—0

The majority required by the Constituiton having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2101 (Senate Bill No. 720), as follows:

An Act to authorize certain corporations organized under the laws of Pennsylvania including railroad corporations organized under the laws of Pennsylvania and of any other state or states to increase or decrease the par value of the shares of their capital stock providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock or alter or affect the division of authorized stock unissued prescribing the manner in which such change shall be made and repealing all acts and parts of acts inconsistent herewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful fo rany corporation except corporations authorized to do the business of a bank a trust company or an insurence company organized under the laws of this State and for any railroad corporation organized under the laws of this State and any other state or states to change the par value or face value of the shares into which its capital stock is divided Such change of par value shall not increase or diminish the aggregate amount of capital stock which such corporatio nis authorized to issue but may reduce the aggregate par value of its outstanding capital stock and may change or alter the division of its authorizer capital stock as between outstanding stock and authorized stock unissued

Section 2 Every such change of par value shall be authorized by a vote of a majority of the stockholders of such corporation who are lawfully entitled to vote present in person or by proxy at any annual meeting or any special meeting duly called and any change of par value which shall be accompanied by any such reduction of the aggregate par value of outstanding capital stock or by any such change or alteration of the division of authorized capital stock as between outstanding stock and authorized stock unissued shall be authorized in the same manner and by the same stock vote as may now or may hereafter be prescribed by law for reducing the capital stock of such corporation Provided That no such change or alteration in the value of the aggregate par value of the outstanding stock shall be valid in law unless notices

to all persons interested shall be given as now required by law where it is proposed to increase or reduce the capital stock of any corporation

Section 3 In any and every case in which the stockholders of any such corporation shall authorize any such change as aforesaid it shall be the duty of the proper officers of such corporation to file a certificate of that fact in the office of the Secretary of the Commonwealth under the seal of the corporation and thereupon the proper officers of such corporation shall issue to the stockholders the proper number of shares of capital stock of the new par value in exchange for outstanding shares of the former par value upon surrender of such outstanding shares by the respective holders and upon the cancellation thereof

Section 4 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 5 The act approved the sixth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred thirty-one) entitled "An act authorizing railroad companies organized under the laws of Pennsylvania and operating railroad either in whole within or partly within and partly without the State to increase or diminish the par value of the shares of their capital stock" and all other acts or parts of acts inconsistent with this act are hereby repealed

Section 6 This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Baker,	Greenstein,	McClure,	Scott,
Baldi,	Griffith,	McCreary,	Sheffer,
Barnhardt,	Habbyshaw,	McElwee,	Shellenberger,
Bechtel,	Haines,	McGrail,	Shenkel,
Beech,	Hamilton,	McGregor,	Shortz,
Bennett,	Harmuth,	McKay,	Shreiner,
Bernhard,	Harris,	McKinney,	Shugarts,
Blumberg,	Hart,	Melchiorre,	Simon,
Boyd,	Hartman,	Merrell,	Sinwell,
Brancato,	Heffernan,	Metzler,	Snyder,
Brennan,	Heffner,	Moore,	Sowers,
Brown, J. E.,	Hermansen,	Myers,	Spann,
Brown, W. L.,	Hester,	Negley,	Stank,
Brownfield,	Hewitt,	Nothnagle,	Steedle,
Cannon,	Himes, H. E.,	O'Connor,	Sterling, R. B.,
Carey,	Hoffman,	O'Keefe,	Stevens,
Carson,	Holmes, J. B.,	O'Neill,	Stevenson,
Chervenak,	Holmes, J. L.,	O'Rourke,	Stiteler,
Cohen,	Hoopes,	Patterson,	Stone,
Cooke,	Horst,	Peelor,	Storb,
Cordier,	Hough,	Pennock,	Stott,
Craig,	Howard,	Perry, D. R.,	Surface,
Cramer,	Hutton,	Perry, J. J.,	Tahl,
Dane,	Jones,	Peters,	Terry,
Davies,	Kane, J. J.,	Powell,	Turner,
DeFrehn,	Kane, L. P.,	Powers,	Wade,
Denning,	King,	Price,	Wagner,
Downey, G. E.,	Kinney,	Quinn,	Walker, G. E.,
Downey, J.,	Labar,	Raub,	Walker, W. A.,
Dunmire,	Lane,	Reed,	Wall,
Dwyer,	Laubach,	Reilly,	Way,
Ederer,	Lenahan,	Rhodes,	Welsh,
Emhardt,	Lewis,	Rice,	Westrick,
Eroe,	Long,	Roan,	Wike,
Evans,	Lord,	Root,	Williams, G. W.,
Fitzgerald,	Lose,	Roth,	Wilson, T. B.,
Fleisher,	Lovett, W. S.,	Royle,	Witkin,
Flinchbaugh,	Lynch, J. R.,	Ruby,	Wood,
Flynn,	Male,	Ruth,	Woodside,
Forrest,	Malina,	Sarig,	Wright,
Furman,	Maloney,	Sautter,	Yeakel,
Gallagher,	Mason,	Schrock,	Yourishin,
Gartner,	Marcks,	Schrope,	Zimmerman,
Gillette,	McBride,	Schwab,	Talbot,
Gorman,	McCandless,	Schwartz,	Speaker.
Green,			

NAYS—0

The majority required by the Constituiton having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1490 (Senate Bill No. 460), entitled:

An Act providing for the appointment of township police in townships of the second class; defining their powers and duties; providing for their compensation; requiring the keepers or persons in charge of jails, lockups or station houses to receive persons arrested by such policemen; and prohibiting such policemen from charging or accepting additional compensation.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174

Baker,	Gorman,	McCreary,	Scott,
Baldi,	Green,	McElwee,	Sheffer,
Barnhardt,	Greenstein,	McGinnis,	Shenkel,
Bechtel,	Habbyshaw,	McGregor,	Shettel,
Beech,	Haines,	McHenry,	Shortz,
Bennett,	Hamilton,	McKay,	Shreiner,
Bernhard,	Harmuth,	McKinney,	Simon,
Blumberg,	Harris,	Meredith,	Sinwell,
Boyd,	Hart,	Merrell,	Snyder,
Brancato,	Hartman,	Metzler,	Sowers,
Brennan,	Hefferon,	Mohn,	Spann,
Brown, J. E.,	Heffner,	Moore,	Steedle,
Brown, W. L.,	Hermansen,	Mumford,	Sterling, P.,
Brownfield,	Hester,	Myers,	Stevens,
Cannon,	Himes, H. E.,	Negley,	Stevenson,
Caputo,	Himes, L. R.,	Nothnagle,	Stiteler,
Carey,	Hoffman,	O'Connor,	Stone,
Carson,	Holmes, J. B.,	O'Keefe,	Storb,
Chervenak,	Holmes, J. L.,	O'Neill,	Stott,
Cohen,	Hoopes,	O'Rourke,	Surface,
Conner,	Horst,	Peelor,	Tahl,
Cooke,	Hough,	Pennock,	Turner,
Cordier,	Hutton,	Perry, D. R.,	Wade,
Craig,	Jaffe,	Perry, J. J.,	Wagner,
Cramer,	Jones,	Peters,	Walker, G. E.,
Dane,	Kane, J. J.,	Powell,	Wall,
Davies,	King,	Powers,	Wasserman,
DeFrehn,	Kinney,	Price,	Way,
Denning,	Labar,	Quinn,	Weidemann,
Downey, G. E.,	Laubach,	Raub,	Welsh,
Downey, J.,	Lenahan,	Rectenwald,	Westrick,
Duffy,	Lewis,	Reed,	White,
Dunmire,	Long,	Reilly,	Wike,
Dwyer,	Lord,	Rhodes,	Williams, G. W.,
Ederer,	Lose,	Rice,	Williams, J. J.,
Emhardt,	Lovett, J. E.,	Roan,	Wilson, L. M.,
Eroe,	Lovett, W. S.,	Root,	Wilson, T. B.,
Evans,	Lynch, J. R.,	Roth,	Witkin,
Fitzgerald,	Lynch, M.,	Royle,	Wood,
Flanagan,	Male,	Ruby,	Woodside,
Fleisher,	Malina,	Ruth,	Wright,
Flinchbaugh,	Maloney,	Sarig,	Yeakel,
Flynn,	Marcks,	Sautter,	Yourishin,
Forrest,	Mason,	Schrope,	Zimmerman,

Furman,	McBride,	Schwab,	Talbot,
Gallagher,	McCandless,	Schwartz,	Speaker.
Gillette,			

NAYS—2

Griffith, Schrock,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1134 (Senate Bill No. 363), entitled:

An Act to amend sections one, two, four, five, six and seven of the act, approved the first day of June, one thousand nine hundred and fifteen (P. L. 678), entitled "An act to regulate the sale for agricultural purpose of crushed limestone, lime, gypsum, and related products; defining said products; and prescribing penalties for the violation of this act," extending the provisions of said act so as to regulate the sale of all "liming materials for agricultural purposes," defining said term, and giving the Secretary of Agriculture power in certain cases to revoke licenses issued under this act.

On the question,

Will the House agree to the bill on third reading?

Mr. HAINES. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerks read the amendment as follows:

Amend section 1, page 9, line 21, by inserting after the word "products" the following: "if such deliveries do not exceed one hundred tons in any one year."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

RESOLUTION

RECALLING HOUSE BILL No. 647 FROM THE GOVERNOR

Mr. RAUB asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 18, 1933.

Resolved (if the Senate concur), That House Bill No. 647, entitled "An act to amend section three of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred fifteen) entitled 'An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom' by requiring registers of wills to notify charitable institutions of devises and bequests to them" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2095 (Senate Bill No. 466), entitled:

An Act to amend sections three and seven of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk and for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" by regulating the pasteurization of milk and milk used for certain purposes

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

MOTION TO POSTPONE

Mr. DENNING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. HAINES. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Denning.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Denning, permit himself to be interrogated?

Mr. DENNING. I will, Mr. Speaker.

Mr. HAINES. May I ask the purpose of moving to postpone this bill?

Mr. DENNING. To consider amendments to correct features of the bill that are objectionable to some of my constituents.

Mr. HAINES. Mr. Speaker, I see no reason why the amendments cannot be offered on the floor at this time by reconsidering the vote by which the bill passed third reading and then offering amendments.

Mr. DENNING. Mr. Speaker, I have not the amendments ready at the present time. As soon as they are ready I will present them.

On the question,

Will the House agree to the motion.

It was not agreed to.

On the question recurring,

Shall the bill pass finally?

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—121

Baker,	Gillette,	Mason,	Shettel,
Baldi,	Griffith,	McCandless,	Shreiner,
Barnhardt,	Habbyshaw,	McClure,	Shugarts,
Beech,	Haines,	McElwee,	Simon,
Boyd,	Hamilton,	McKay,	Sinwell,
Brancato,	Heffner,	Meredith,	Snyder,
Brennan,	Hermansen,	Negley,	Stevens,
Brown, J. E.,	Hoffman,	Nothnagle,	Stevenson,
Carey,	Holmes, J. L.,	O'Connor,	Stone,
Carson,	Hoopes,	O'Neill,	Stott,
Cohen,	Horst,	O'Rourke,	Surface,
Conner,	Howard,	Patterson,	Terry,
Cooke,	Hutton,	Pennock,	Turner,
Cordier,	Jaffe,	Perry, D. R.,	Wade,
Craig,	Jones,	Peters,	Way,
Cramer,	Kane, J. J.,	Powers,	Weidemann,
DeFrehn,	Kane, L. P.,	Quinn,	Westrick,
Downey, G. E.,	King,	Rectenwald,	Wike,
Downey, J.,	Kinney,	Reed,	Williams, G. W.

Duffy,	Lane,	Rice,	Williams, J. J.,
Dwyer,	Labar,	Roan,	Wilson, L. M.,
Ederer,	Laubach,	Root,	Wilson, T. B.,
Emhardt,	Long,	Ruby,	Wood,
Evans,	Lord,	Ruth,	Woodside,
Fitzgerald,	Lose,	Schrock,	Wright,
Fleisher,	Lynch, J. R.,	Schrope,	Yeakel,
Flynn,	Lynch, M.,	Sheffer,	Zimmerman,
Forrest,	Male,	Shellenberger,	Talbot,
Furman,	Malina,	Shenkel,	Speaker.
Gartner,			

NAYS—20

Bechtel,	Davies,	Hewitt,	Sautter,
Bennett,	Denning,	Lenahan,	Walker, G. E.,
Brown, W. L.,	Flinchbaugh,	McKinney,	Wall,
Brownfield,	Green,	Moore,	Welsh,
Dane,	Greenstein,	Perry, J. J.,	Yourishin,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2069 (Senate Bill No. 629), entitled:

An Act to prohibit the employment by the Commonwealth and by counties, cities, boroughs, towns, townships, departments, boards, commissions and by certain corporations, hospitals, homes and institutions, of aliens who entered the United States unlawfully; and providing penalties.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Baker,	Gorman,	McBride,	Schwartz,
Baldi,	Green,	McCandless,	Scott,
Barnhardt,	Greenstein,	McClure,	Sheffer,
Bechtel,	Griffith,	McCreary,	Shellenberger,
Beech,	Habbyshaw,	McElwee,	Shenkel,
Bennett,	Haines,	McGrail,	Shortz,
Bernhard,	Hamilton,	McGregor,	Shreiner,
Blumberg,	Harris,	McHenry,	Shugarts,
Boyd,	Hart,	McKay,	Simon,
Brancato,	Hartman,	McKinney,	Sinwell,
Brennan,	Heffernan,	Melchiorre,	Sowers,
Brown, J. E.,	Heffner,	Merrell,	Spann,
Brown, W. L.,	Hermansen,	Metzler,	Stank,
Brownfield,	Hester,	Mohn,	Steedle,
Cannon,	Hewitt,	Moore,	Stevens,
Caputo,	Himes, H. E.,	Mumford,	Stevenson,
Carey,	Hoffman,	Myers,	Stiteler,
Chervenak,	Holmes, J. L.,	Negley,	Stott,
Cohen,	Hoopes,	Nothnagle,	Surface,
Conner,	Horst,	O'Connor,	Tahl,
Cooke,	Hough,	O'Keefe,	Terry,
Cordier,	Howard,	O'Rourke,	Turner,
Craig,	Hutton,	Patterson,	Wade,
Cramer,	Jaffe,	Peelor,	Wagner,
Dane,	Jones,	Pennock,	Walker, G. E.,
Davies,	Kane, J. J.,	Perry, D. R.,	Walker, W. A.,
DeFrehn,	Kane, L. P.,	Perry, J. J.,	Wasserman,
Denning,	King,	Peters,	Way,
Downey, J.,	Kinney,	Powers,	Weidemann,
Duffy,	Labar,	Price,	Welsh,
Dunmire,	Laubach,	Raub,	Westrick,
Dwyer,	Lenahaan,	Rectenwald,	Wike,
Ederer,	Lewis,	Reed,	Williams, G. W.
Emhardt,	Long,	Reilly,	Williams, J. J.,
Eroe,	Lord,	Rhodes,	Wilson, L. M.,
Evans,	Lose,	Rice,	Wilson, T. B.,
Fitzgerald,	Lovett, J. E.,	Roan,	Witkin,
Flanagan,	Lovett, W. S.,	Root,	Woodside,
Fleisher,	Lynch, J. R.,	Ruby,	Wright,
Flynn,	Male,	Sarig,	Yeakel,
Forrest,	Malina,	Sautter,	Yourishin,
Furman,	Maloney,	Schrock,	Zimmerman,
Gallagher,	Marcks,	Schrope,	Talbot,
Gartner,	Mason,	Schwab,	Speaker.
Gillette,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

RECONSIDERATION OF VOTE

Mr. WOODSIDE. Mr. Speaker, I move that the vote by which House Bill No. 397, Senate Bill No. 62, Printer's No. 10, entitled

An Act to amend section nine of the act approved the sixteenth day of May, one thousand nine hundred and twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the Courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Alelgheny County," as amended, reducing the compensation of judges presiding in other districts.

passed finally be reconsidered.

Mr. SHREINER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Dauphin, Mr. Woodside, vote on the final passage of the bill?

Mr. WOODSIDE. I vote "aye," Mr. Speaker.

The SPEAKER. How did the gentleman from Dauphin, Mr. Shreiner, vote on final passage of the bill?

Mr. SHREINER. I voted "aye," Mr. Speaker.

The motion was agreed to.

Mr. WOODSIDE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WOODSIDE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 9, page 2, line 16, by inserting before the word "ten" the following: "actual traveling expenses not in excess of."

Amend bill, page 2, by inserting after line 22, the following section: "Section 2. This act shall become effective on the first day of June, one thousand nine hundred and thirty-three."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2083 (Senate Bill No. 3), entitled:

An Act authorizing cities of the first second and third classes to defray the expenses of National encampments of certain organizations of veterans.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162

Baker,	Forrest,	Maloney,	Schwartz,
Baldi,	Furman,	Marcks,	Scorza,
Barnhardt,	Gartner,	Mason,	Sheffer,
Bechtel,	Gillette,	McBride,	Shenkel,
Beech,	Gorman,	McCandless,	Shortz,
Bennett,	Green,	McClure,	Shreiner,
Bernhard,	Greenstein,	McCreary,	Simon,
Blumberg,	Griffith,	McElwee,	Snyder,
Boyd,	Habbyshaw,	McGrail,	Sowers,
Brancato,	Haines,	McGregor,	Spann,
Brennan,	Hamilton,	McHenry,	Stank,
Brown, J. E.,	Harmuth,	McKay,	Steedle,
Brown, W. L.,	Harris,	McKinney,	Sterling, P.,
Brownfield,	Hart,	Meredith,	Stevens,
Cannon,	Heffernan,	Merrell,	Stevenson,
Caputo,	Hefferon,	Mohn,	Stiteler,
Carson,	Heffner,	Moore,	Stone,
Chervenak,	Hermansen,	Mumford,	Storb,
Cohen,	Hewitt,	Negley,	Stott,
Conner,	Himes, H. E.,	Nothnagle,	Surface,
Cooke,	Hoffman,	O'Connor,	Tahl,
Cordier,	Horst,	O'Keefe,	Terry,
Craig,	Hough,	O'Rourke,	Turner,
Cramer,	Howard,	Patterson,	Wade,
Dane,	Hutton,	Peelor,	Wagner,
Davies,	Jaffe,	Pennock,	Walker, W. A.,
DeFrehn,	Jones,	Perry, D. R.,	Wall,
Denning,	Kane, L. P.,	Perry, J. J.,	Wasserman,
Downey, G. E.,	King,	Powers,	Way,
Duffy,	Kinney,	Rectenwald,	Weidemann,
Dunmire,	Labar,	Reed,	Welsh,
Dwyer,	Lane,	Reilly,	Westrick,
Ederer,	Laubach,	Rhodes,	Witkin,
Emhardt,	Lenahan,	Rice,	Wood,
Eroe,	Long,	Roan,	Woodside,
Evans,	Lord,	Roth,	Wright,
Fitzgerald,	Lose,	Royle,	Yeakel,
Flanagan,	Lovett, W. S.,	Sarig,	Yourishin,
Fleisher,	Lynch, J. R.,	Sautter,	Zimmerman,
Flinchbaugh,	Lynch, M.,	Schrope,	Talbot,
Flynn,	Malina,		Speaker.

NAYS—2

Hoopes,	Wilson, L. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1445 (Senate Bill No. 48), entitled:

An Act to amend sections nine hundred and one, and one thousand and eighty-one of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs;" providing for the appointment of the county treasurer as tax collector in certain cases.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172

Baker,	Gillette,	Mason,	Schrock,
Baldi,	Gorman,	McBride,	Schrope,
Barnhardt,	Green,	McCandless,	Schwab,
Bechtel,	Greenstein,	McCreary,	Schwartz,
Beech,	Griffith,	McElwee,	Scorza,
Bennett,	Habbyshaw,	McGinnis,	Scott,
Bernhard,	Hamilton,	McGregor,	Sheffer,
Blumberg,	Harmuth,	McHenry,	Shellenberger,
Boyd,	Harris,	McKay,	Shenkel,
Brancato,	Hart,	McKinney,	Shreiner,
Brown, J. E.,	Heffernan,	Meredith,	Shugarts,
Brown, W. L.,	Hefferon,	Merrell,	Simon,
Brownfield,	Heffner,	Metzler,	Sinwell,
Cannon,	Hermansen,	Mohn,	Snyder,
Caputo,	Hester,	Moore,	Spann,
Carey,	Hewitt,	Mumford,	Stank,
Chervenak,	Himes, L. R.,	Myers,	Steedle,
Cohen,	Hoffman,	Negley,	Sterling, P.,
Conner,	Holmes, J. B.,	Nothnagle,	Stevenson,
Cooke,	Holmes, J. L.,	O'Connor,	Stiteler,
Cordier,	Hoopes,	O'Keefe,	Stone,
Craig,	Horst,	O'Rourke,	Storb,
Cramer,	Howard,	Patterson,	Stott,
Dane,	Hutton,	Peelor,	Surface,
Davies,	Jaffe,	Pennock,	Turner,
Denning,	Jones,	Perry, D. R.,	Walker, G. E.,
Downey, G. E.,	Kane, J. J.,	Perry, J. J.,	Wall,
Downey, J.,	Kane, L. P.,	Peters,	Way,
Duffy,	King,	Powers,	Wike,
Dunmire,	Labar,	Price,	Williams, G. W.,
Dwyer,	Lane,	Quinn,	Williams, J. J.,
Ederer,	Laubach,	Raub,	Wilson, L. M.,
Emhardt,	Lenahan,	Rectenwald,	Wilson, T. B.,
Eroe,	Lewis,	Reed,	Witkin,
Evans,	Long,	Reilly,	Wood,
Fitzgerald,	Lord,	Rhodes,	Woodside,
Fleisher,	Lovett, J. E.,	Rice,	Wright,
Flinchbaugh,	Lovett, W. S.,	Roan,	Yeakel,
Flynn,	Lynch, J. R.,	Root,	Yourishin,
Forrest,	Male,	Royle,	Zimmerman,
Furman,	Malina,	Ruby,	Talbot,
Gallagher,	Maloney,	Ruth,	Speaker.
Gartner,	Marcks,	Sautter,	

NAYS—2

Brennan,	Lose,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1488 (Senate Bill No. 210), entitled:

An Act fixing the compensation of assessors and registry or assistant assessors performing duties pertaining to the assessment and registration of voters in counties other than first class and repealing existing acts relating thereto

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Furman,	Lovett, J. E.,	Ruby,
Baker,	Gallagher,	Lovett, W. S.,	Ruth,
Baldi,	Gartner,	Lynch, J. R.,	Sarig,
Barnhardt,	Gillette,	Lynch, M.,	Sautter,
Bechtel,	Gorman,	Male,	Schrock,
Beech,	Green,	Malina,	Schrope,
Bennett,	Greenstein,	Maloney,	Schwartz,
Bernhard,	Griffith,	Marcks,	Scorza,
Blumberg,	Haines,	Mason,	Shellenberger,
Boyd,	Hamilton,	McBride,	Shenkel,
Brennan,	Harmuth,	McCandless,	Shortz,
Brown, J. E.,	Harris,	McClure,	Shreiner,
Brown, W. L.,	Hart,	McElwee,	Simon,
Brownfield,	Hartman,	McGregor,	Sinwell,
Cannon,	Hefferon,	McKay,	Sowers,
Carey,	Heffner,	McKinney,	Spann,
Carson,	Hermansen,	Metzler,	Steedle,
Chervenak,	Hester,	Mohn,	Sterling, P.,
Cohen,	Hewitt,	Moore,	Stevens,
Conner,	Himes, H. E.,	Myers,	Stevenson,
Cooke,	Himes, L. R.,	Negley,	Stone,
Cordier,	Hoffman,	Nothnagle,	Stott,

Craig,	Holmes, J. B.,	O'Keefe,	Surface,
Cramer,	Holmes, J. J.,	O'Neill,	Terry,
Dane,	Hoopes,	O'Rourke,	Turner,
Davies,	Horst,	Peelor,	Wade,
DeFrehn,	Hough,	Pennock,	Walker, G. E.,
Denning,	Howard,	Peters,	Walker, W. A.,
Downey, G. E.,	Hutton,	Powell,	Wall,
Downey, J.,	Jaffe,	Powers,	Wasserman,
Duffy,	Kane, J. J.,	Price,	Way,
Dunmire,	Kane, L. P.,	Quinn,	Welsh,
Dwyer,	King,	Raub,	Williams, G. W.,
Ederer,	Kinney,	Rectenwald,	Williams, J. J.,
Emhardt,	Labar,	Reed,	Wilson, L. M.,
Eroe,	Lane,	Reilly,	Witkin,
Evans,	Laubach,	Rhodes,	Wood,
Flanagan,	Lenahan,	Rice,	Woodside,
Fleisher,	Lewis,	Roan,	Yeakel,
Flinchbaugh,	Long,	Root,	Zimmerman,
Flynn,	Lord,	Roth,	Talbot,
Forrest,	Lose,	Royle,	Speaker.

NAYS—3

McCreary,	O'Connor,	Perry, J. J.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 534

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House and Senate, recalling from the Governor House Bill No. 534, Printer's No. 817, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. HERMANSEN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. HERMANSEN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HERMANSEN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 12 of the title by striking out after the word "of" and before the word "and" the word [Health]"; and inserting in lieu thereof the following: "Public Instruction; providing for appeals to certain courts by applicants and licensees."

Amend section 1, page 2 by striking out lines 1 to 13 inclusive.

Amend section 1, page 2, line 14 by striking out at the beginning of the line before the word "includes" the word "[culture]"; and inserting in lieu thereof the following: "Definitions.——The following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section: "Beauty Culture."

Amend section 3, page 3 by inserting between lines 3 and 4 the following: "Department" means the Department of Public Instruction of this Commonwealth. Section 2 Practice of Beauty Culture without Registration Prohibited. It shall be unlawful for any person to practice or teach beauty culture or manage a beauty shop or to use or maintain any place for the practice or teaching of beauty culture for compensation unless he or she shall have first obtained from the department a certificate of registration as provided in this act. Nothing contained in this act however shall apply to or affect any person who is now actually engaged in any such occupation except as hereinafter provided."

Amend section 4, page 3, line 4 by striking out after the figure "[3]" and before the word "Requirements" the figure: "[4]" and inserting in lieu thereof the figure: "3."

Amend section 4, page 3, line 5 by striking out after the word "practice" and before the word "or" the word: "[manage]"

Amend section 4, page 3, line 6 by inserting after the word "culture" and before the word "[or" the words: "or manage a beauty shop"

Amend section 4, page 3, line 14 by striking out after the word "the" and before the word "fee" the word "[required]" and inserting in lieu thereof the word: "registration"

Amend section 4, page 3, line 17 by inserting at the end of the line after the word "for]" the words: "as hereinafter provided in this act."

Amend section 5, page 3, line 18 by striking out after the figure "[4]" and before the word "[Age" the figure "[5]" and inserting in lieu thereof the figure: "4"

Amend section 5, page 3, line 20 by inserting after the word "permitted" and before the word "to" the words: "by the department"

Amend section 5, page 3, line 25 by inserting after the word "as" and before the word "provided" the word: "hereinafter"

Amend section 5, page 3, line 25 by striking out after the word "in" and before the word "this" the words: "[section seven of]"

Amend section 5, page 3, line 27 by striking out at the beginning of the line before the word "[Department]" the word: "[said]"

Amend section 5, page 4, line 4 by inserting after the word "as" and before the syllable "pro-" the word: "hereinafter"

Amend section 5, page 4, line 5 by inserting after the word "in" and before the word "[sections]" the words: "this act"

Amend section 5, page 4, line 5 by striking out after the word "[sections]" and before the word "[seven]" the word: "[section]"

Amend section 5, page 4, line 5 by striking out after the word "[seven]" and before the word "[and" the words: "[eleven hereof]"

Amend section 5, page 4, line 15 by inserting after the word "person" and before the word "be" the word: "shall"

Amend section 5, page 4, line 18 by striking out after the word "had" and before the word "training" the word: "[a]"

Amend section 5, page 4, line 19 by striking out after the word "registered" and before the word "school" the word: "[beauty]"

Amend section 5, page 4, line 19 by inserting after the word "school" and before the word "of" the words: "of beauty culture"

Amend section 6, page 4, line 23 by striking out after the word "Section" and before the word "Manicuring" the figure "[6]" and inserting in lieu thereof the figure: "5"

Amend section 7, page 5, line 3 by striking out after the figure "[5]" and before the word "Requirements" the figure "[7]" and inserting in lieu thereof the figure "6."

Amend section 7, page 5, line 3 by inserting after the word "School" and before the word "No" the words "of Beauty Culture."

Amend section 7, page 5, line 6 by striking out after the word "this" and before the word "to" the word "[State]" and inserting in lieu thereof the word "Commonwealth."

Amend section 7, page 5, line 12 by inserting after the word "student" and before the word "maintain" the word "shall."

Amend section 7, page 5, line 13 by inserting after the word "hours" and before the word "established" the word "shall."

Amend section 8, page 6, line 1 by striking out after the word "Section" and before the word "Student" the figure "[8]" and inserting in lieu thereof the figure "7."

Amend section 8, page 6, line 2 by inserting after the word "school" and before the word "to" the words "of beauty culture."

Amend section 8, page 6, line 7 by inserting after the word "school" and before the word "shall" the words "of beauty culture."

Amend section 8, page 6, line 8 by striking out at the end of the line after the word "students" the word "[even]"

Amend section 8, page 6, line 9 by striking out at the beginning of the line before the word "for" the words "[though such charge be only]" and inserting in lieu thereof the word "or."

Amend section 8, page 6, line 9 by striking out after the word "for" and before the word "used" the words "[actual material]" and inserting in lieu thereof the word "materials."

Amend section 8, page 6, line 9 by inserting at the end of the line after the word "used" the words "in such treatment."

Amend section 9, page 6, line 10 by striking out after the word "Section" and before the word "Practice" the figure "[9]" and inserting in lieu thereof the figure "8."

Amend section 9, page 6, line 10 by inserting after the word "in" and before the word "Shops" the word "Beauty."

Amend section 10, page 8, line 1 by striking out after the word "Section" and before the word "Exceptions" the figure "[10]" and inserting in lieu thereof the figure "9."

Amend section 10, page 8, line 4 by striking out after the word "or" and before the word "school" the word "[beauty]."

Amend section 10, page 8, line 4 by inserting after the word "school" and before the word "under" the words "of beauty culture."

Amend section 10, page 8, line 4 by striking out after the article "a" and before the word "certificate" the word "[similar]."

Amend section 10, page 8, line 7 by striking out after the word "this" and before the word "for" the word "[State]" and inserting in lieu thereof the word "Commonwealth."

Amend section 10, page 8, line 9 by striking out after the word "this" and before the word "at" the word "[State]" and inserting in lieu thereof the word "Commonwealth."

Amend section 10, page 8, line 10 by striking out after the word "effect" and before the word "secure" the word "[shall]" and inserting in lieu thereof the word: "may"

Amend section 10, page 8, line 10 by striking out after the word "secure" and before the word "[license]" the word: "[such]"

Amend section 10, page 8, line 10 by inserting after the word "[license]" and before the word "certificate" the word: "the"

Amend section 10, page 8, line 11 by inserting after the sylable "tration" and before the word "without" the words: "required by this act"

Amend section 10, page 8, line 12 by striking out after the word "education" and before the syllable "appli-" the words "[providing due]" and inserting in lieu thereof the words: "provided such person shall make"

Amend section 10, page 8, line 13 by inserting after the syllable "cation" and before the word "for" the words; "to the department"

Amend section 10, page 8, line 13 by striking out after the word "registration" and before the word "within" the words: "[shall be made]"

Amend section 10, page 8, line 14 by striking out after the word "act" and before the word "application" the word "[which]" and inserting in lieu thereof the word: "such"

Amend section 10, page 8, line 17 by striking out after the word "the" and before the word "fee" the word "[required]" and inserting in lieu thereof the word "registration"

Amend section 10, page 8, line 17 by striking out at the end of the line after the word "fee" the word: "[paid]"

Amend section 10, page 8, line 18 by striking out at the beginning of the line before the word "Any" the words "[by such person under the rules of said department]" and inserting in lieu thereof the words: "required by this act"

Amend section 10, page 8, line 19 by striking out after the article "a" and before the word "school" the word: "[beauty]"

Amend section 10, page 8, line 19 by inserting after the word "school" and before the word "or" the words: "of beauty culture"

Amend section 10, page 8, line 20 by inserting after the article "a" and before the word "shop" the word: "beauty"

Amend section 10, page 8, line 20 by striking out after the word "this" and before the word "at" the word "[State]" and inserting in lieu thereof the word: "Commonwealth"

Amend section 10, page 8, line 23 by inserting after the syllable "ments" and before the word "as" the words: "of this act"

Amend section 10, page 8, line 23 by striking out at the end of the line after the word "education" the words: "[providing a]"

Amend section 10, page 8, line 24 by striking out at the beginning of the line before the word "application" the word "[due]" and inserting in lieu thereof the words: "provided such person shall make"

Amend section 10, page 8, line 24 by striking out after the word "application" and before the word "for" the words "[shall be made]" and inserting in lieu thereof the words: "to the department]"

Amend section 10, page 8, line 27 by inserting after the word "schools" and before the word "may" the words: "of beauty culture"

Amend section 10, page 8, line 29 by inserting at the end of the line after the word "examination" the words "held by the department under the provisions of this act."

Amend section 11, page 9, line 1 by striking out after the word "Section" and before the word "Apprentices" the figure "[11]" and inserting in lieu thereof the figure "10."

Amend section 11, page 9, line 1 by inserting after the word "in" and before the word "Shops" the word "Beauty."

Amend section 11, page 9, line 2 by inserting after the article "a" and before the word "shop" the word "beauty."

Amend section 11, page 9, line 2 by striking out at the end of the line after the word "owner" the words "[after first]."

Amend section 11, page 9, line 3 by striking out at the beginning of the line before the article "a" the word "[receiving]" and inserting in lieu thereof the words "and who is a holder of."

Amend section 11, page 9, line 6 by striking out at the end of the line after the word "shop" the words "[and in]."

Amend section 11, page 9, line 7 by striking out at the beginning of the line before the word "provided" the words "[their regular course of business]" and inserting in lieu thereof the word "and."

Amend section 11, page 9, line 7 by striking out at the end of the line after the word "provided" the words "[they do not]."

Amend section 11, page 9, line 8 by striking out at the beginning of the line before the word "out" the words "[hold themselves]" and inserting in lieu thereof the words "such shop is not held."

Amend section 11, page 9, line 8 by inserting after the word "school and before the word "Such" the words "of beauty culture."

Amend section 11, page 9, line 10 by inserting after the word "examination" and before the word "and" the words "held by the department."

Amend section 12, page 9, line 16 by striking out after the figure "[8]" and before the word "Rules" the figure "[12]" and inserting in lieu thereof the figure "11."

Amend section 12, page 9, line 21 by striking out after the word "or" and before the word "schools" the word "[beauty]."

Amend section 12, page 9, line 21 by inserting after the word "schools" and before the word "and" the words "of beauty culture."

Amend section 13, page 9, line 27 by striking out after the figure "[9]" and before the word "Examinations" the figure "[13]" and inserting in lieu thereof the figure "12."

Amend section 13, page 9, line 29 by inserting after the word "required" and before the word "for" the words "by this act."

Amend section 13, page 10, line 1 by striking out after the word "the" and before the word "fee" the word "[required]" and inserting in lieu thereof the word "registration."

Amend section 13, page 10, line 1 by inserting after the word "fee' and before the word "the" the words "required by the act."

Amend section 13, page 10, line 1 by striking out after the word "the" and before the word "department" the word "[said]."

Amend section 13, page 10, line 6 by striking out at the beginning of the line before the word "[Such" the words "[said examinations]" and inserting in lieu thereof the words "required examination."

Amend section 13, page 10, line 13 by striking out at the beginning of the line before the word "for" the word "[examinations]" and inserting in lieu thereof the word: "examination."

Amend section 13, page 10, line 17 by striking out after the word "culture" and before the word "ability" the words "[as well as include]" and inserting in lieu thereof the word: "including"

Amend section 13, page 10, line 17 by striking out after the word "to" and before the word "teach" the word: "[properly]"

Amend section 13, page 10, line 17 by inserting at the end of the line after the word "teach" the word: "properly"

Amend section 13, page 10, line 18 by inserting at the end of the line after the word "theories" the words: "of beauty culture"

Amend page 10 by striking out lines 19 to 29 inclusive.

Amend section 15, page 11, line 1 by striking out after the figure "[11]" and before the word "Powers" the figure "[15]" and inserting in lieu thereof the figure: "13"

Amend section 15, page 11, line 6 by striking out after the word "the" and before the word "department" the word: "[said]"

Amend section 15, page 11, line 21 by inserting after the word "application" and before the word "have" the words: "to the department"

Amend section 15, page 11, line 22 by striking out after the word "satisfactory" and before the word "that" the word "[showing]" and inserting in lieu thereof the word: "proof"

Amend section 15, page 11, line 27 by striking out at the beginning of the line before the word "violation" the word: "[said]"

Amend section 16, page 12, line 3 by striking out after the figure "[12]" and before the word "Sanitary" the figure "[16]" and inserting in lieu thereof the figure: "14"

Amend section 16, page 12, line 3 by striking out after the article "The" and before the word "[Department]" the word: "[said]"

Amend section 16, page 12, line 9 by inserting after the word "school" and before the word "to" the words: "of beauty culture"

Amend section 16, page 12, line 12 by inserting at the end of the line after the word "school" the words: "of beauty culture."

Amend section 17, page 12, line 13 by striking out after the figure "[13]" and before the word "Appeal" the figure "[17]" and inserting in lieu thereof the figure: "15"

Amend section 17, page 12, line 14 by striking out after the article "the" and before the word "[Department]" the word: "[said]"

Amend section 18, page 13, line 3 by striking out after the word "Section" and before the word "Fees" the figure "[18]" and inserting in lieu thereof the figure: "16"

Amend section 18, page 13, line 8 by inserting after the word "for" and before the word "shop" the word: "beauty"

Amend section 18, page 13, line 8 by striking out after the word "owners" and before the syllable "man-" the word: "[and]"

Amend section 18, page 13, line 9 by striking out after the word "and" and before the word "two" the words "[school instructors]" and inserting in lieu thereof the word: "teachers"

Amend section 18, page 13, line 11 by inserting after the word "schools" and before the word "Annual" the words: "of beauty culture"

Amend section 18, page 13, line 14 by inserting after the word "schools" and before the article "The" the words: "of beauty culture"

Amend section 19, page 13, line 19 by striking out after the figure "[15]" and before the word "To" the figure "[19]" and inserting in lieu thereof the figure: "17"

Amend section 20, page 14, line 8 by striking out after the figure "[20]" and inserting in lieu thereof the figure: "18"

Amend section 21, page 14, line 13 by striking out after the figure "[17]" and before the word "Duration" the figure "[21]" and inserting in lieu thereof the figure: "19"

Amend section 21, page 14, line 23 by striking out after the word "provided" and before the word "[fourteen]" the words: "[by section]"

Amend section 21, page 14, line 23 by striking out after the word "[fourteen]" and before the word "this" the words "[eighteen of]" and inserting in lieu thereof the word: "in"

Amend section 22, page 14, line 24 by striking out after the figure "[18]" and before the word "Penalties" the figure "[22]" and inserting in lieu thereof the figure: "20 (a)"

mend section 22, page 14, line 27 by inserting at the end of the line after the word "conviction" the word: "thereof"

Amend section 22, page 14, line 28 by striking out after the word "be" and before the word "one" the words "[fined not to exceed]" and inserting in lieu thereof the words: "sentenced to pay a fine not exceeding"

Amend section 22, page 14, line 29 by striking out after the word "or" and before the word "ninety" the words "[shall be imprisoned for not more than]" and inserting in lieu thereof the words: "undergo an imprisonment not exceeding"

Amend section 22, page 15, line 1 by inserting after the word "both" and before the word "Each" the words: "at the discretion of the court"

Amend section 22, page 15, line 2 by inserting the letter "(b)" before the word "Any" and starting a new paragraph therewith.

Amend section 22, page 15, line 11 by inserting at the beginning of the line before the word "Any" the letter "(c)."

Amend section 22, page 15, line 18 by inserting the letter "(d)" before the word "All" and starting a new paragraph therewith.

Amend section 22, page 15, line 20 by striking out at the end of the line after the word "by" the words "[the department shall]."

Amend section 22, page 15, line 21 by striking out at the beginning of the line before the word "paid" the word "[be]" and inserting in lieu thereof the word "it."

Amend section 23, page 15, line 23 by striking out after the figure "[19]" and before the word "Effect" the figure "[23]" and inserting in lieu thereof the figure "21."

Amend section 24, page 16, line 3 by striking out after the figure "[25]" and before the word "Effective" the figure "[24]" and inserting in lieu thereof the figure "22."

Amend section 24, page 16, line 6 by striking out after the word "Section" and before the word "Repeal" the figure "[25]" and inserting in lieu thereof the figure "23."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question.

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Govenor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 179

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 179, Printer's No. 298, for the purpose of amendment

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. WEIDEMANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. WEIDEMANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agere to the bill on third reading?

Mr. WEIDEMANN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend page 1, line 9 of the title by inserting at the end of the line after the word "by" the following: "requiring poor districts to pay premiums on treasurers' bonds and."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objections? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question.

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 456

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 456, Printer's No. 598, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. WEIDEMANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. WEIDEMANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. WEIDEMANN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 2, line 6 of the title by striking out after the word "three" and before the word "[of]" the word: "[to]"

Amend page 2, line 6 of the title by striking out the bracket before the word "of."

Amend page 2, line 6 of the title by striking out the bracket after the word "of."

Amend section 1806, page 12, line 21 by striking out at the end of the line after the word "the" the syllable: "Com-"

Amend section 1806, page 12 by striking out line 22.

Amend section 1806, page 12, line 23 by striking out at the beginning of the line before the word "a" the following: "[sion of the Commonwealth being]" and inserting in lieu thereof the words: "township which is"

Amend section 2301, page 14, line 21 by striking out after the word "walks" and before the word "any" the word "upon" and inserting in lieu thereof the word: "along"

Amend page 20 by inserting after line 20 the following: "Section 4 This act shall become effective immediately upon its final enactment"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1933

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 2933, Printer's No. 536, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. HUTTON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. HUTTON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HUTTON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend section 1, page 3, line 1 by striking out after the word "degree" and before the word "murder" the word "[or]" and inserting in lieu thereof the word: "of"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 19, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, April 24, at nine o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, April 24, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 18, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 360, Printer's No. 65, entitled:

An Act to validate sheriffs' deeds acknowledged previous to the return day of the writ by virtue of which the real estate was sold or acknowledged defectively.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1656

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1656, entitled:

An Act to further amend Section 9 of the act approved the sixteenth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, seventeen hundred eighty), entitled "An act to fix the salaries and compensations of the judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' court, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County" by reducing the compensation and of judges presiding in other districts.

And has appointed Messrs. Coyne, Graff and Krause a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 18, 1933.

Resolved (if the Senate concur), That House Bill No. 876, entitled "An act [To amend sections one hundred ten six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight clause two of section one thousand five hundred and two and sections one thousand seven hundred and fifteen two thousand and sixty-three and two thousand three hundred and two] To amend sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight one thousand seven hundred and fifteen one thousand eight hundred and six two thousand sixty-three two thousand seventy two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one to repeal sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred and two three thousand two hundred and three three thousand two hundred and four three thousand two hundred and five and three thousand two hundred and six and to add sections two hundred nine two hundred nine a three thousand two hundred and two and three thousand two hundred and three to [of] the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' regulating advertising fixing the voting powers at county conventions of township officers correcting certain section headings providing the security to be given by depositories prescribing penalties for [the enforcement of ordinances and for] delinquent taxes permitting certain municipal claims to be embraced in one claim and providing that the width of sidewalks may be fixed by resolution regulating the carrying of Workmen's Compensation Insurance providing for the laying out and ordaining of sidewalks for the removal of shrubbery and obstructions within highways for the filling of vacancies in office for the reestablishment of a first class township as a second class township and defining the powers and duties of the planning commission," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1099

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1099.

An Act authorizing counties cities boroughs townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities in relation to said funds and fixing a penalty for the violation thereof.

STATEMENT BY MR. WILSON

Mr. WILSON. Mr. Speaker, I wish to announce to the members of the House that the report of the Committee of Conference on House Bill No. 1374 will be called up this afternoon and we would greatly appreciate it if the members of the House would be in their seats so that we may consider the report.

BILL RECOMMITTED

Mr. J. J. WILLIAMS. Mr. Speaker, I move that House Bill No. 2280, Senate Bill No. 703, Printer's No. 466, entitled

An Act requiring cities boroughs towns townships school districts and poor districts to issue serial bonds when incurring increasing or refunding indebtedness and imposing powers and duties on the Department of Internal Affairs

on page 6 of today's calendar, bills on second reading, be recommitted to the Committee on Municipal Corporations for the purpose of further study.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 800, entitled:

An Act providing for assistance by the Commonwealth to the cities of the second class, second class A, and third class, for street and highway purposes; and making an appropriation.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2317 (Senate Bill No. 788), entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase of certain veins and seams of coal or minerals underlying lands of the Commonwealth occupied by the State Tuberculosis Sanatorium at Cresson.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2300 (Senate Bill No. 987), entitled:

An Act relating to unemployment relief; making an appropriation to the State Emergency Relief Board for direct relief and work relief; prescribing the powers and duties of the board with reference thereto; and conferring powers and imposing duties upon certain State departments.

Mr. STEEDLE, from the Committee on Appropriations, rereported as amended, House Bill No. 2251 (Senate Bill No. 874), entitled:

An Act making an appropriation to the Clearfield Hospital, Clearfield, Pennsylvania.

Mr. STEEDLE, from the Committee on Appropriations, rereported as amended, House Bill No. 2252 (Senate Bill No. 891), entitled:

An Act making an appropriation to the Allegheny Temporary Home for Children Pittsburgh Pennsylvania.

Mr. BLUMBERG, from the Committee on Corporations, reported as amended, House Bill No. 2306 (Senate Bill No. 262), entitled:

An Act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations

BILLS ON FIRST READING

The following bills were read the first time pursuant to resolution presented by the Rules Committee, fixing the order of business for the day.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 800, entitled:

An Act providing for assistance by the Commonwealth to the cities of the second class, second class A, and third class, for street and highway purposes; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2317 (Senate Bill No. 788), entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase of certain veins and seams of coal or minerals underlying lands of the Commonwealth occupied by the State Tuberculosis Sanatorium at Cresson.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2300 (Senate Bill No. 987), entitled:

An Act relating to unemployment relief making an appropriation to the State Emergency Relief Board for direct relief and work relief prescribing the powers and duties of the board with reference thereto and conferring powers and imposing duties upon certain State departments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 3.00 P. M. The Chair hears none and declares (at 1.42 P. M.) a recess until 3.00 P. M.

AFTER RECESS

The House reconvened at 3.00 P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 173.

An Act to amend section one thousand five hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended providing for cooperation by school districts with municipal districts in health work

HOUSE BILL No. 380.

An Act to amend section three of the act approved the fifth day of March one thousand nine hundred and six (P. L. 63) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" as amended by changing the hours when registrars are to sit

HOUSE BILL No. 257.

An Act to amend sections thirty-seven and thirty-eight of the act approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections, and their enrollment as members of political parties as a further condition of their right to vote at primaries, in cities of the first class of this Commonwealth, by removing from office all existing registration commissioners and their

appointees in said cities, and authorizing the Governor to appoint registration commissions therein; defining the jurisdiction of said commissions, and the powers and duties of the commissioners constituting same, and of their appointees, including registrars, inspectors of registration, clerks, and counsel; fixing their qualifications, terms of office, and compensation; granting them certain immunity from arrest on registration days; and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence, as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof, to copy or demand a list of the lodgers therein, and to supervise the conduct of registrars; regulating the registration of electors at polling places by registrars, and at the offices of commissions by commissioners, and the right of parties or bodies of electors to have watchers thereat, and the preparation and use of street lists and other records of those registered; allowing the names of persons not entitled to vote to be struck from the registers in certain cases; permitting all records regarding registration to be inspected and copied by any elector under certain conditions; directing how the registers shall be used at elections and primaries; compelling the attendance of witnesses and payment of witness fees; and providing penalties for refusal to obey subpoenas; directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor; authorizing such clerks to administer oaths, sign subpoenas and vouchers, and to collect and disburse witness fees; prescribing a method for challenging persons applying for registration, and the procedure for the correction of registers, and for appealing from actions of registrars to said commissions; and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas; imposing certain duties upon election officers and upon the councils, treasurers, controllers, receivers of taxes, police officers, and other officials of said cities and upon the courts, judges, prothonotaries, sheriffs, commissioners, peace officers, and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive; legalizing certain acts required hereby if done on any Sunday or legal holiday; requiring said cities to provide for the maintenance of said commissions, and the compensation of their appointees, and the payment of all expenses necessary to carry out the provisions of this act, and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions; punishing and fixing penalties for violations hereof; and repealing all legislation inconsistent herewith"; regulating the correction of registers upon petitions of electors, by placing the burden of proof upon the petitioner in proceedings to strike names from the register.

HOUSE BILL No. 1025.

An Act giving courts of common pleas jurisdiction of actions for injuries to or breaches of contracts or covenants relative to lands situate without the Commonwealth or estates or interests in such lands

HOUSE BILL No. 206.

An Act providing for the transfer of the State Nursery at Milton from the Department of Highways to the Department of Forests and Waters

HOUSE BILL No. 1674.

An Act to amend sections eight and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases.

HOUSE BILL No. 324.

An Act to further amend section one of the act approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws, one hundred eighteen), entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States," by providing that certain descriptions and plans heretofore required to be filed with the Secretary of the Commonwealth shall hereafter be filed in the Department of Internal Affairs, and requiring the transfer to the Department of the Internal Affairs of such descriptions and plans now filed with the Secretary of the Commonwealth.

HOUSE BILL No. 1635.

An Act to amend section eleven of the act approved the eleventh day of May one thousand nine hundred and twenty-five (Pamphlet Laws five hundred sixty-one) entitled "An act to provide for the selection of jurors to serve in the several courts criminal and civil of counties of the second class and defining the qualifications of such jurors providing for the organization of a commission for the selection of jurors in such counties and prescribing its powers and duties and authorizing it to investigate as to the qualifications of prospective jurors imposing the expense of maintaining and operating said commission upon said counties and requiring the county commissioners to provide suitable quarters equipment and supplies authorizing the employment of the necessary clerks and other employes and providing for a salary board composed of the commission the county commissioners and the controller of said counties to fix the number and compensation of such employees requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service repealing inconsistent legislation and prescribing punishment for the violation hereof" by changing the method of giving notice to persons selected as jurors.

HOUSE BILL No. 1824.

An Act to amend section two of the act approved the third day of April, one thousand nine hundred and twenty-nine (P. L. 135), entitled, "An act authorizing the Department of Justice, acting for the Department of Forests and Waters, to institute suits on behalf of the Commonwealth to recover from persons, associations, copartnerships, and corporations, and their officers, agents, and employes, causing forest fires, the expenses incurred by the Department of Forests and Waters on account of such fires," authorizing the Department of Forests and Waters to institute suit for such purposes where such expenses do not exceed three hundred dollars

HOUSE BILL No. 95.

An Act to amend section one of the act approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage, stationery and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," as amended, decreasing the compensation of members of the General Assembly, and the amount they shall receive for postage and mileage.

HOUSE BILL No. 1340.

An Act to amend clause (d) as amended of section fifty-nine of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedent's

widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase fo real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by providing for the action by the natural guardian or the person by whom the minor is maintained for the minor upon leave of court and without formal appointment in matters relating to real estate in which the share of the minor does not exceed two hundred dollars.

HOUSE BILL No. 1945.

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended and paragraphs one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 80.

An Act making an appropriation to the Kittanning General Hospital, Kittanning, Pennsylvania.

HOUSE BILL No. 118.

An Act making an appropriation to the Nason Hospital Association of Roaring Spring, Blair County, Pennsylvania.

HOUSE BILL No. 167.

An Act making an appropriation to the Miners' Hospital of Northern Cambria at Spangler, Cambria County, Pennsylvania.

HOUSE BILL No. 186.

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

HOUSE BILL No. 252.

An Act making an appropriation to the Westmoreland Hospital Association of Greensburg Pennsylvania.

HOUSE BILL No. 266.

An Act making and appropriation to the Hospital of the Woman's Medical College of Pennsylvania located at Henry Avenue and Abbotsford Road East Falls Philadelphia Pennsylvania.

HOUSE BILL No. 275.

An Act making an appropriation to the Mount Sinai Hospital of Philadelphia Pennsylvania.

HOUSE BILL No. 283.

An Act making an appropriation to the Westmoreland Children's Aid Society at Greensburg, Pennsylvania.

HOUSE BILL No. 294.

An Act making an appropriation to the Latrobe Hospital Latrobe Pennsylvania.

HOUSE BILL No. 295.

An Act making an appropriation to the York Hospital West College Avenue York Pennsylvania

HOUSE BILL No. 301.

An Act making an appropriation to the Christian H. Buhl Hospital Sharon Pennsylvania.

HOUSE BILL No. 302.

An Act making an appropriation to the Brookville Hospital Brookville Pennsylvania.

HOUSE BILL No. 303.

An Act making an appropriation to the Pennsylvania Memorial Home of Brookville Pennsylvania.

HOUSE BILL No. 304.

An Act making an appropriation to the Adrian Hospital Association of Punxsutawney Jefferson County Pennsylvania.

HOUSE BILL No. 322.

An Act making an appropriation to the Baby Welfare Association of Philadelphia.

HOUSE BILL No. 353.

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education.

HOUSE BILL No. 416.

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries.

HOUSE BILL No. 503.

An Act making an appropriation to the Johnson Industrial School of Scranton Pennsylvania.

HOUSE BILL No. 583.

An Act making an appropriation to the several fire companies of the city of Harrisburg Pennsylvania.

HOUSE BILL No. 349.

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania.

HOUSE BILL No. 356.

An Act making an appropriation to the Pennsylvania Home Teaching Society and Free Circulating Library for the Blind at Philadelphia.

HOUSE BILL No. 377.

An Act making an appropriation to the Florence Crittenton Home of Erie, Pennsylvania.

HOUSE BILL No. 378.

An Act making an appropriation to the Zem Zem Hospital for Crippled Children of Erie Pennsylvania.

HOUSE BILL No. 381.

An Act making an appropriation to the Erie Home for the Friendless of the City of Erie Pennsylvania.

HOUSE BILL No. 391.

An Act making an appropriation to the Erie Infants' Home and Hospital of Erie, Pennsylvania.

HOUSE BILL No. 404.

An Act making an appropriation to the Ellwood City Hospital of Ellwood City Pennsylvania.

HOUSE BILL No. 409.

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital at Wilkes-Barre Pennsylvania.

HOUSE BILL No. 412.

An Act making an appropriation to the Chester Day Nursery and Children's Home at Chester, Pennsylvania.

HOUSE BILL No. 414.

An Act making an appropriation to the Suburban General Hospital of Bellevue Allegheny County Pennsylvania.

HOUSE BILL No. 418.

An Act making an appropriation to the Hamot Hospital Association, of Erie, Pennsylvania.

HOUSE BILL No. 453.

An Act making an appropriation to the Coatesville Hospital Coatesville Pennsylvania.

HOUSE BILL No. 458.

An Act making an appropriation to the Home for the Veterans of the Grand Army of the Republic and Wives, Philadelphia, Pennsylvania.

HOUSE BILL No. 466.

An Act making an appropriation to the Centre County Hospital located at Bellefonte Centre County Pennsylvania

HOUSE BILL No. 467.

An Act making an appropriation to the Indiana Hospital of Indiana County Pennsylvania

HOUSE BILL No. 471.

An Act making an appropriation to the Homeopathic Hospital West Chester Chester County Pennsylvania

HOUSE BILL No. 474.

An Act making an appropriation to the Corry Hospital Association of Corry Pennsylvania

HOUSE BILL No. 485.

An Act making an appropriation to the Home for the Friendless of Harrisburg Pennsylvania

HOUSE BILL No. 486.

An Act making an appropriation to the Harrisburg Polyclinic Hospital of Harrisburg Pennsylvania

HOUSE BILL No. 493.

An Act making an appropriation to the Henry Clay Frick Memorial Hospital at Mount Pleasant Pennsylvania

HOUSE BILL No. 497.

An Act making an appropriation to the Pittsburgh Hospital Association Pittsburgh Pennsylvania

HOUSE BILL No. 498.

An Act making an appropriation to the Belvedere General Hospital of Pittsburgh Allegheny County Pennsylvania

HOUSE BILL No. 507.

An Act making an appropriation to the Sewickley Valley Hospital Association Incorporated of Allegheny County Pennsylvania

HOUSE BILL No. 509.

An Act making an appropriation to the Home for Friendless Children of Lancaster Pennsylvania

HOUSE BILL No. 510.

An Act making an appropriation to the Lancaster County Tuberculosis Society

HOUSE BILL No. 519.

An Act making an appropriation to the Quakertown Hospital Association Quakertown Pennsylvania

HOUSE BILL No. 520.

An Act making an appropriation to the Grand View Hospital located near Sellersville Bucks County Pennsylvania

HOUSE BILL No. 521.

An Act making an appropriation to the Tabor Home for Children, Doylestown, Bucks County, Pennsylvania.

HOUSE BILL No. 472.

An Act making an appropriation to the Phoenixville Hospital Phoenixville Chester County Pennsylvania

HOUSE BILL No. 516.

An Act making an appropriation to the Saint Vincent's Hospital Association of the City of Erie Pennsylvania

HOUSE BILL No. 533.

An Act making an appropriation to the Mary M. Packer Hospital Sunbury Pennsylvania

HOUSE BILL No. 538.

An Act making an appropriation to the Allegheny Valley Hospital at Tarentum Pennsylvania

HOUSE BILL No. 540.

An Act making an appropriation to the Jamison Memorial Hospital Association New Castle Pennsylvania.

HOUSE BILL No. 542.

An Act making an appropriation to the Women's Homeopathic Hospital Philadelphia (now known as Broad Street Hospital) Philadelphia Pennsylvania.

HOUSE BILL No. 543.

An Act making an appropriation to the Pennsylvania Seamen's Friend Society of Philadelphia, Pennsylvania.

HOUSE BILL No. 545.

An Act making an appropriation to the Lock Haven Hospital Lock Haven Pennsylvania

HOUSE BILL No. 546.

An Act making an appropriation to the Renovo Hospital Renovo Pennsylvania

HOUSE BILL No. 547.

An Act making an appropriation to the Mercy Hospital of Philadelphia, Pennsylvania.

HOUSE BILL No. 551.

An Act making an appropriation to the York Society to Protect Children and Aged Persons of York Pennsylvania

HOUSE BILL No. 552.

An Act making an appropriation to the Children's Home of the City of York Pennsylvania

HOUSE BILL No. 556.

An Act making an appropriation to the J. C. Blair Memorial Hospital of Huntingdon Pennsylvania.

HOUSE BILL No. 557.

An Act making an appropriation to the Homestead Hospital Homestead Pennsylvania.

HOUSE BILL No. 560.

An Act making an appropriation to the Providence Hospital Beaver Falls Pennsylvania.

HOUSE BILL No. 561.

An Act making an appropriation to the Rochester General Hospital of Rochester Beaver County Pennsylvania.

HOUSE BILL No. 562.

An Act making an appropriation to the Beaver Valley General Hospital at New Brighton Pennsylvania.

HOUSE BILL No. 563.

An Act making an appropriation to the Beaver County Children's Home at New Brighton Pennsylvania.

HOUSE BILL No. 577.

An Act making an appropriation to the Mercy Hospital of Altoona Pennsylvania.

HOUSE BILL No. 581.

An Act making an appropriation to the Children's Home of Harrisburg Pennsylvania.

HOUSE BILL No. 582.

An Act making an appropriation to the Harrisburg Hospital Harrisburg Pennsylvania.

HOUSE BILL No. 584.

An Act making an appropriation to the Altoona Hospital of Altoona Pennsylvania.

HOUSE BILL No. 621.

An Act making an appropriation to the Hahnemann Hospital City of Scranton Pennsylvania.

HOUSE BILL No. 622.

An Act making an appropriation to the Frederick Douglass Memorial Hospital and Training School at Philadelphia Pennsylvania.

HOUSE BILL No. 633.

An Act making an appropriation to the Pottstown Homeopathic Hospital, Pottstown, Pennsylvania.

HOUSE BILL No. 634.

An Act making an appropriation to the Pottstown Hospital Pottstown Pennsylvania

HOUSE BILL No. 636.

An Act making an appropriation to the Philadelphia Association for the Protection of Colored Women Philadelphia Pennsylvania

HOUSE BILL No. 638.

An Act making an appropriation to the Pennsylvania Working Home for Blind Men, Philadelphia, Pennsylvania.

HOUSE BILL No. 646.

An Act making an appropriation to the McKeesport Hospital Pennsylvania

HOUSE BILL No. 653.

An Act making an appropriation to the Pottsville Hospital Pottsville Pennsylvania

HOUSE BILL No. 661.

An Act making an appropriation to the Children's Hospital Bainbridge Street Philadelphia Pennsylvania

HOUSE BILL No. 662.

An Act making an appropriation to the Bethel Orphanage located at Osceola Tioga County Pennsylvania

HOUSE BILL No. 665.

An Act making an appropriation to the Taylor Hospital Association of the Borough of Taylor Lackawanna County Pennsylvania

HOUSE BILL No. 667.

An Act making a nappropriation to the Pittsburgh and Allegheny Home for the Friendless Pittsburgh Pennsylvania

HOUSE BILL No. 668.

An Act making an appropriation to the Presbyterian Hospital of Pittsburgh Pennsylvania

HOUSE BILL No. 682.

An Act making an appropriation to the Mercy Hospital Wilkes-Barre Pennsylvania

HOUSE BILL No. 685.

An Act making an appropriation to the Northern Home for Friendless Children of Philadelphia Pennsylvania

HOUSE BILL No. 686.

An Act making an appropriation to the Memorial Hospital at Roxborough Philadelphia Pennsylvania

HOUSE BILL No. 707.

An Act making an appropriation to the Carbondale General Hospital, Carbondale, Pennsylvania.

HOUSE BILL No. 708.

An Act making an appropriation to the Mid-Valley Hospital Association at Blakely, Pennsylvania.

HOUSE BILL No. 709.

An Act making an appropriation to the Saint Joseph's Hospital, Carbondale, Pennsylvania.

HOUSE BILL No. 710.

An Act making an appropriation to the Robert Packer Hospital of Sayre Pennsylvania.

HOUSE BILL No. 714.

An Act making an appropriation to the Tuberculosis League of Pittsburgh Pennsylvania.

HOUSE BILL No. 715.

An Act making an appropriation to the Passavant Hospital of Pittsburgh, Pennsylvania.

HOUSE BILL No. 719.

An Act making and appropriation to the Grove City Hospital in the Borough of Grove City Pennsylvania.

HOUSE BILL No. 735.

An Act making an appropriation to the Taylor Hospital Ridley Park Delaware County Pennsylvania.

HOUSE BILL No. 741.

An Act making an appropriation to the General Hospital, East Stroudsburg, Monroe County, Pennsylvania.

HOUSE BILL No. 745.

An Act making an appropriation to the Pittston Hospital Association of the City of Pittston, Pennsylvania.

HOUSE BILL No. 754.

An Act making and appropriation to the George Junior Republic Association of Western Pennsylvania.

HOUSE BILL No. 766.

An Act making an appropriation to the Lewistown Hospital, Lewistown, Pennsylvania.

HOUSE BILL No. 770.

An Act making an appropriation to the Benevolent Association's Home for Children, Pottsville, Pennsylvania.

HOUSE BILL No. 809.

An Act making an appropriation to the Temple University Garreston Hospital Philadelphia Pennsylvania

HOUSE BILL No. 820.

An Act making an appropriation to the Home for Aged of Westmoreland County

HOUSE BILL No. 853.

An Act making an appropriation to the Children's Home of Easton Pennsylvania (formerly the Easton Home for Friendless Children)

HOUSE BILL No. 854.

An Act making an appropriation to the Home of Aged and Infirm Women of Easton Pennsylvania

HOUSE BILL No. 863.

An Act making an appropriation to the Northern Liberties Hospital Philadelphia Pennsylvania

HOUSE BILL No. 865.

An Act making an appropriation to the Trustees of the A. C. Millikin Hospital Pottsville Pennsylvania (formerly the Anthracite Hospital)

HOUSE BILL No. 867.

An Act making an appropriation to the Chambersburg Hospital, at Chambersburg, Pennsylvania.

HOUSE BILL No. 868.

An Act making an appropriation to the Waynesboro Hospital Waynesboro Pennsylvania

HOUSE BILL No. 874.

An Act making an appropriation to the Children's Aid Society of Franklin County Pennsylvania

HOUSE BILL No. 907.

An Act making an appropriation to the Simon H. Barnes Memorial Hospital of Susquehanna Pennsylvania

HOUSE BILL No. 934.

An Act making an appropriation to the Braddock General Hospital Braddock Pennsylvania

HOUSE BILL No. 951.

An Act making an appropriation to the Western Pennsylvania Hospital Pittsburgh Pennsylvania

HOUSE BILL No. 978.

An Act making an appropriation to the Philadelphia College of Osteopathy and Osteopathic Hospital of Philadelphia

HOUSE BILL No. 980.

An Act making an appropriation to the Saint Christopher's Hospital for Children, Philadelphia, Pennsylvania.

HOUSE BILL No. 983.

An Act making an appropriation to the Saint John's General Hospital at Pittsburgh, Pennsylvania.

HOUSE BILL No. 994.

An Act making an appropriation to the Christian Home of Johnstown Pennsylvania.

HOUSE BILL No. 1003.

An Act making an appropriation to the Butler County Memorial Hospital, Butler, Butler County, Pennsylvania.

HOUSE BILL No. 1006.

An Act making an appropriation to the Oil City Hospital, Oil City, Pennsylvania.

HOUSE BILL No. 1012.

An Act making an appropriation to The United Charities of Hazelton Pennsylvania.

HOUSE BILL No. 1016.

An Act making an appropriation to the Pittsburgh Homeopathic Medical and Surgical Hospital, Pittsburgh, Pennsylvania.

HOUSE BILL No. 1024.

An Act making an appropriation to the Delaware County Hospital Lansdowne Avenue and Garrett Road Upper Darby Delaware County Pennsylvania

HOUSE BILL No. 1055.

An Act making an appropriation to the Nazarene Home for the Aged at Philadelphia Pennsylvania

HOUSE BILL No. 1113.

An Act making an appropriation to the Warren General Hospital of Warren Pennsylvania

HOUSE BILL No. 1129.

An Act making an appropriation to the Eagleville Sanatorium for Consumptives, located at Eagleville, Montgomery County, Pennsylvania.

HOUSE BILL No. 1132.

An Act making an appropriation to the Northwestern General Hospital of Philadelphia Pennsylvania

HOUSE BILL No. 1141.

An Act making an appropriation to the Stetson Hospital of Philadelphia, Pennsylvania.

HOUSE BILL No. 1144.

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia, Pennsylvania.

HOUSE BILL No. 1174.

An Act making an appropriation to the Kensington Hospital for Women Philadelphia Pennsylvania

HOUSE BILL No. 1181.

An Act making an appropriation to the Frankford Hospital located at Frankford Philadelphia Pennsylvania

HOUSE BILL No. 1328.

An Act making an appropriation to the Community Hospital of Kane Pennsylvania

HOUSE BILL No. 1329.

An Act making an appropriation to the Kane Summit Hospital Association of Kane McKean County Pennsylvania

HOUSE BILL No. 1332.

An Act making an appropriation to the Home for the Friendless for the city of Scranton.

HOUSE BILL No. 1341.

An Act making an appropriation to the Hanover General Hospital of Hanover York County Pennsylvania

HOUSE BILL No. 1388.

An Act making an appropriation to the Good Samaritan Hospital Lebanon Pennsylvania.

HOUSE BILL No. 1464.

An Act making an appropriation to the Meadville Children's Aid Society and Home for the Aged Meadville Crawford County Pennsylvania.

HOUSE BILL No. 1465.

An Act making an appropriation to the Spencer Hospital Meadville Meadville Pennsylvania.

HOUSE BILL No. 1467.

An Act making an appropriation to the Titusville Hospital, at Titusville, Pennsylvania.

HOUSE BILL No. 1481.

An Act making an appropriation to the Berean Manual Manual Training and Industrial School.

HOUSE BILL No. 1484.

An Act making an appropriation to the Working Men's Home for the Aged, located at Warrington, Bucks County, Pennsylvania.

HOUSE BILL No. 1503.

An Act making an appropriation to the Julia White Priscilla Home for Aged Colored People located at LaMott, Montgomery County, Pennsylvania.

HOUSE BILL No. 1510.

An Act making an appropriation to the Montgomery Hospital at Norristown, Montgomery County, Pennsylvania.

HOUSE BILL No. 1533.

An Act making an appropriation to the Bradford Hospital, Bradford, Pennsylvania.

HOUSE BILL No. 1534.

An Act making an appropriation to the Beacon Light Mission near the city of Bradford Pennsylvania.

HOUSE BILL No. 1555.

An Act making an appropriation to the Children's Home Society of Pennsylvania.

HOUSE BILL No. 1724.

An Act making an appropriation to the Ohio Valley General Hospital at McKees Rocks Pennsylvania.

HOUSE BILL No. 2105.

An Act making an appropriation to the Elk County General Hospital Ridgway Pennsylvania.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 377. (HOUSE BILL No. 2325).

An Act abolishing the State Council of Education and conferring the powers and imposing the duties invested in and imposed on said board on the Department of Public Instruction.

Referred to the Committee on Education.

SENATE BILL No. 668. (HOUSE BILL No. 2326).

An Act for the relief of owners and operators of motor vericles from liability for injuries, death and loss suffered by guests except in certain cases.

Referred to the Committee on Judiciary General.

SENATE BILL No. 952. (HOUSE BILL No. 2327).

An Act to amend section two hundred and twenty-one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing a procedure to provide for the holding of two or more county offices in certain counties by the same person.

Referred to the Committee on Counties.

SENATE BILL No. 955. (HOUSE BILL No. 2328).

An Act authorizing the Department of Highways to enter into an agreement or agreements with the Highway Commission of the State of New Jersey for the construction under certain terms and conditions of a free bridge across the Delaware River at or near Yardley; granting certain powers to the Department of Highways in connection with said construction and making an appropriation.

Referred to the Committee on Highways.

SENATE BILL No. 994. (HOUSE BILL No. 2329).

An Act to prevent fraud and deception in the sale and offering for sale of rebuilt electric storage batteries, and prescribing penalties for violation thereof.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1206 (HOUSE BILL No. 2330).

An Act to secure the compulsory attendance of non-resident witnesses in criminal cases and to make uniform the law relating thereto.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1207. (HOUSE BILL No. 2331).

An Act to amend section two of the act approved the first day of June, one thousand nine hundred and thirty-one (Pamphlet Laws two hundred and ninety-nine), entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax, separately from the price of such liquid fuels, on liquid fuels price display signs; and imposing a penalty," and providing for disposition of fine.

Referred to the Committee on Ways and Means.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 392.

An Act authorizing the compromise of tax claims on rail property purchased by the county on county treasurers' sales for nonpayment of taxes, and the reconveyance of such property.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 12 by inserting after the word "property" the word "or"; also by striking out after the word "heirs" the word "or authorized"; also in line 13, by striking out at the beginning of said line the word "representative."

Amend section 2, page 2 by striking out beginning in line 7 as follows: "in all such proceedings the county commissioners shall be the respondent and shall represent and act for all of the taxing authorities entitled to share in the distribution of the moneys to be received under such compromise agreement At any such hearing no more than five witnesses on each side shall be heard" and inserting in lieu thereof the following: "At least five days' notice of such hearing shall be given to the taxing authorities of each municipal subdivision having tax claims against such real estate."

Amend section 3, page 2, line 20 by striking out at the beginning of said lines the words "or his or their nominee"; also in line 21 by inserting after the word "proceeding" the following: "The proceeds of such compromise shall be distributed to the respective taxing authorities in proportion to their tax claims The title conveyed shall be free and clear of all tax liens but shall not discharge any liens which would not have been discharged on sale for the taxes"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Gorman,	McHenry,	Shellenberger,
Baker,	Greenstein,	McKinney,	Shettel,
Baldi,	Habbyshaw,	Melchiorre,	Shortz,
Barnhardt,	Hamilton,	Merrell,	Shreiner,
Bechtel,	Harris,	Metzler,	Shugarts,
Beech,	Hart,	Mohn,	Simon,
Bennett,	Heffernan,	Moore,	Sinwell,
Bernhard,	Heffner,	Mumford,	Sowers,
Blumberg,	Hermansen,	Myers,	Spann,
Boyd,	Hester,	Negley,	Stank,
Brancato,	Hewitt,	O'Connor,	Steedle,
Brennan,	Himes, H. E.,	O'Keefe,	Sterling, F.,
Brown, W. L.,	Hoffman,	O'Neill,	Stevens,
Brownfield,	Holmes, J. B.,	O'Rourke,	Stevenson,
Cannon,	Holmes, J. L.,	Patterson,	Stiteler,
Caputo,	Hoopes,	Peelor,	Storb,
Carey,	Horst,	Pennock,	Stott,
Carson,	Hough,	Perry, D. R.,	Tahl,
Chervenak,	Howard,	Perry, J. J.,	Terry,
Cohen,	Hutton,	Peters,	Turner,
Conner,	Jaffe,	Powell,	Wagner,
Cooke,	Jones,	Powers,	Walker, G. E.,
Cordier,	Kane, J. J.,	Price,	Walker, W. A.,
Craig,	Kane, L. P.,	Quinn,	Wall,
Cramer,	King,	Raub,	Wasserman,
Dane,	Kinney,	Rectenwald,	Way,
Davies,	Labar,	Reed,	Weidemann,
DeFrehn,	Lane,	Reilly,	Welsh,
Denning,	Laubach,	Rhodes,	Westrick,
Downey, G. E.,	Lewis,	Rice,	White,
Downey, J.,	Long,	Roan,	Wike,
Duffy,	Lose,	Root,	Williams, G. W.,
Dunmire,	Lovett, J. E.,	Roth,	Williams, J. J.,
Dwyer,	Lovett, W. S.,	Royle,	Wilson, L. M.,
Ederer,	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Emhardt,	Male,	Ruth,	Witkin,
Eroe,	Malina,	Sarig,	Wood,
Evans,	Maloney,	Sautter,	Woodside,
Fitzgerald,	Mason,	Schrock,	Wright,
Fleisher,	McBride,	Schrope,	Yeakel,
Flinchbaugh,	McCandless,	Schwab,	Yourishin,
Flynn,	McCreary,	Schwartz,	Zimmerman,
Furman,	McElwee,	Scorza,	Talbot,
Gallagher,	McGinnis,	Scott,	Speaker.
Gillette,	McGregor,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1146

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1146, Printer's No. 268, entitled "An act to repeal section three of the act approved the eighth day of April one thousand eight hundred and fifty-two (Pamphlet Laws two hundred ninety-six) entitled 'An act relative to the county offices of Clarion county to certain streets in the borough of Brookville and to hawkers and pedlers in Bedford County."

GIFFORD PINCHOT.

REPORTS FROM COMMITTEES

Mr. WOODSIDE, from the Committee on Judiciary General, reported as committed, House Bill No. 1121, entitled:

An Act providing for the discharge or parole of persons serving imprisonment for failure to make restitution under sentence of any court.

Mr. GREENSTEIN, from the Committee on Counties, reported as committed, House Bill No. 1299, entitled:

An Act to supplement the act, approved the twenty-sixth day of June, one thousand nine hundred and thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons,

property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities," by validating assessments made otherwise than as provided therein and authorizing county commissioners to pay for services of assessors making such assessments.

Mr. WITKIN, from the Committee on Judiciary General, reported as committed, House Bill No. 1395, entitled:

An Act to stay writs of eviction, distress or other writs of possession under certain circumstances, and providing procedure therefor.

Mr. McELWEE, from the Committee on Judiciary General, reported as committed, House Bill No. 1903, entitled:

An Act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real estate property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs.

Mr. TAHL, from the Committee on Judiciary General, reported as committed, House Bill No. 2314 (Senate Bill No. 996), entitled:

An Act to validate sales mortgaged real estate made by sheriffs on writs of fieri facias without inquisition where the sales were made under judgments upon the bonds, not containing waivers of inquisition, accompanying such mortgages.

Mr. CRAIG, from the Committee on Judiciary General, reported as committed, House Bill No. 2315 (Senate Bill No. 1032), entitled:

An Act authorizing the courts of common pleas of this Commonwealth in certain cases, to extend the return days of writs and providing for the effect of such extensions.

Mr. McELWEE, from the Committee on Judiciary General, reported as committed, House Bill No. 2311 (Senate Bill No. 973), entitled:

A Supplement to the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," to exempt persons furnished work as an emergency unemployment relief measure by welfare or relief officers from the provisions thereof.

Mr. TAHL, from the Committee on Judiciary General, reported as amended, House Bill No. 1120, entitled:

An Act providing a method for computing the time of imprisonment to be served by persons sentenced to pay any fine or costs in default of the payment thereof.

Mr. TAHL, from the Committee on Judiciary General, reported as amended, House Bill No. 1050, entitled:

An Act making it unlawful to give public moneys for the relief of the unemployed or the poor, to any alien who entered the United States unlawfully.

Mr. GREENSTEIN, from the Committee on Counties, reported as amended, House Bill No. 2116 (Senate Bill No. 678), entitled:

An Act to amend sections four hundred and twenty-two and four hundred and twenty-three of the act approved the second day of May, one thousand nine hundre and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; removing the expenditure limit within which counties may contribute to the cost of the funerals of deceased service persons.

Mr. MALINA, from the Committee on Judiciary General, reported as committed, House Bill No. 1259, entitled:

An Act relating to criminal procedure imposing upon officers conducting preliminary hearings, the duty of obtaining names of persons whom defendants desire notified of time of trial and imposing upon the district attorney the duty of notifying such persons thereof.

Mr. STERLING, from the Committee on Banking, re-reported as amended, House Bill No. 2135 (Senate Bill No. 748), entitled:

An Act authorizing and regulating the reorganization of banks and trust companies.

BILLS ON FIRST READING

The following bills were read the first time pursuant to resolution presented by the Rules Committee fixing the order of business for the day.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1121, entitled:

An Act providing for the discharge or parole of persons serving imprisonment for failure to make restitution under sentence of any court.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1299, entitled:

An Act to supplement the act, approved the twenty-sixth day of June, one thousand nine hundred and thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the ofifce of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities." by validating assessments made otherwise than as provided therein and authorizing county commissioners to pay for services of assessors making such assessments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1395, entitled:

An Act to stay writs of eviction, distress or other writs of possession under certain circumstances, and providing procedure therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1903, entitled:

An Act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bil No. 2314 (Senate Bill No. 996), entitled:

An Act to validate sales of mortgaged real estate made by sheriffs on writs of fieri facias without inquisition where the sales were made under judgments upon the bonds, not containing waivers of inquisition, accompanying such mortgages.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2315 (Senate Bill No. 1032), entitled:

An Act authorizing the courts of common pleas of this Commonwealth in certain cases, to extend the return days of writs, and providing for the effect of such extensions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2311 (Senate Bill No. 973), entitled:

A Supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," to exempt persons furnished work as an emergency unemployment relief measure by welfare or relief officers from the provisions thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

UNANIMOUS CONSENT REFUSED TO INTRODUCE BILL

Mr. McCREARY. Mr. Speaker, I ask unanimous consent to introduce a bill at this time.

The SPEAKER. Wil the House give its unanimous consent to introduce a bill at this time? Are there objections?

Mr. DUFFY. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

BILLS ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1459 (Senate Bill No. 458), entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens, in the several cities of the third class of this Commonwealth, and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessments and claims.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177

Andrews,	Greenstein,	McCreary,	Shettel,
Baker,	Griffith,	McElwee,	Shortz,
Baldi,	Habbyshaw,	McGinnis,	Shugarts,
Barnhardt,	Haines,	McGrail,	Simon,
Bechtel,	Hamilton,	McGregor,	Sinwell,
Beech,	Harmuth,	McHenry,	Snyder,
Bennett,	Harris,	McKay,	Spann,
Blumberg,	Hart,	McKinney,	Stank,
Boyd,	Hartman,	Melchiorre,	Steedle,
Brancato,	Heffernan,	Meredith,	Sterling, P.,
Brennan,	Heffner,	Metzler,	Stevens,
Brown, J. E.,	Hermansen,	Mohn,	Stevenson,
Brown, W. L.,	Hester,	Moore,	Stiteler,
Brownfield,	Hewitt,	Mumford,	Stone,
Caputo,	Himes, H. E.,	Negley,	Storb,
Carey,	Himes, L. R.,	Nothnagle,	Stott,
Carson,	Holmes, J. B.,	O'Connor,	Surface,
Chervenak,	Hoopes,	O'Neill,	Tahl,
Conner,	Horst,	O'Rourke,	Terry,
Cooke,	Hough,	Patterson,	Turner,
Cordier,	Howard,	Peelor,	Wade,
Craig,	Hutton,	Pennock,	Wagner,
Cramer,	Jones,	Perry, D. R.,	Walker, G. E.,
Dane,	Kane, J. J.,	Perry, J. J.,	Wall,
Davies,	Kane, L. P.,	Powell,	Wasserman,
DeFrehn,	King,	Powers,	Way,
Denning,	Kinney,	Price,	Weidemann,
Downey, G. E.,	Labar,	Raub,	Welsh,
Downey, J.,	Lane,	Rectenwald,	Westrick,
Dunmire,	Laubach,	Reed,	White,
Dwyer,	Lenahan,	Reilly,	Wike,
Ederer,	Lewis,	Rice,	Williams, G. W.,
Emhardt,	Lord,	Roan,	Williams, J. J.,
Eroe,	Lose,	Root,	Wilson, L. M.,
Evans,	Lovett, J. E.,	Ruby,	Wilson, T. B.,
Flanagan,	Lovett, W. S.,	Ruth,	Witkin,
Fleisher,	Lynch, J. R.,	Sarig,	Wood,
Flinchbaugh,	Lynch, M.,	Schrock,	Woodside,
Flynn,	Male,	Schrope,	Wright,
Forrest,	Malina,	Schwartz,	Yeakel,
Furman,	Marcks,	Scorza,	Yourishin,
Gallagher,	Mason,	Scott,	Zimmerman,
Gillette,	McBride,	Sheffer,	Talbot,
Gorman,	McCandless,	Shellenberger,	Speaker.
Green,	McClure,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1364 (Senate Bill No. 467), entitled:

An Act relating to Trusts for Charitable or Benevolent Purposes and providing for the combining of the same under certain conditions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177

Andrews,	Greenstein,	McGrail,	Shellenberger,
Baker,	Habbyshaw,	McGregor,	Shenkel,
Baldi,	Haines,	McHenry,	Shettel,
Barnhardt,	Hamilton,	McKay,	Shortz,
Bechtel,	Harmuth,	McKinney,	Shreiner,
Beech,	Harris,	Meredith,	Shugarts,
Bennett,	Hart,	Merrell,	Simon,
Bernhard,	Hartman,	Metzler,	Sinwell,

Blumberg,	Hefferon,	Mohn,	Snyder,
Boyd,	Heffner,	Moore,	Sowers,
Brancato,	Hermansen,	Mumford,	Stank,
Brennan,	Hewitt,	Negley,	Steedle,
Brown, J. E.,	Himes, H. E.,	Nothnagle,	Sterling, P.,
Brown, W. L.,	Hoffman,	O'Connor,	Stevens,
Brownfield,	Holmes, J. B.,	O'Keefe,	Stevenson,
Caputo,	Holmes, J. L.,	O'Neill,	Stiteler,
Carey,	Hoopes,	O'Rourke,	Stott,
Carson,	Horst,	Peelor,	Surface,
Chervenak,	Howard,	Pennock,	Tahl,
Cohen,	Hutton,	Perry, D. R.,	Terry,
Conner,	Jaffe,	Perry, J. J.,	Turner,
Cooke,	Kane, J. J.,	Peters,	Wade,
Cordier,	Kane, L. P.,	Powell,	Wagner,
Craig,	King,	Powers,	Walker, G. E.,
Cramer,	Kinney,	Price,	Walker, W. A.,
Dane,	Lane,	Raub,	Wall,
Davies,	Laubach,	Rectenwald,	Wasserman,
DeFrehn,	Lenahan,	Reed,	Way,
Downey, G. E.,	Lewis,	Reilly,	Weidemann,
Downey, J.,	Long,	Rhodes,	Welsh,
Duffy,	Lord,	Rice,	Westrick,
Dunmire,	Lose,	Roan,	Williams, G. W.,
Ederer,	Lovett, J. E.,	Root,	Williams, J. J.,
Emhardt,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Eroe,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Evans,	Lynch, M.,	Ruby,	Witkin,
Flanagan,	Male,	Sarig,	Wood,
Fleisher,	Malina,	Sautter,	Woodside,
Flynn,	Marcks,	Schrock,	Wright,
Forrest,	Mason,	Schrope,	Yeakel,
Furman,	McBride,	Schwab,	Yourishin,
Gallagher,	McCandless,	Schwartz,	Zimmerman,
Gillette,	McClure,	Scorza,	Talbot,
Gorman,	McCreary,	Scott,	Speaker.
Green,	McElwee,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2067 (Senate Bill No. 548), as follows:

A Supplement to act number four-A approved the fourteenth day of April one thousand nine hundred thirty-one (Appropriation Acts of one thousand nine hundred thirty-one page five) entitled "An act providing for the investigation and study of the effect of the diversion of water for water supply purposes upon the lower Delaware River and the purposes upon the lower Delaware River and the industries using water therefrom imposing certain duties upon the Sanitary Water Board and making and appropriation" authorizing the Sanitary Water Board to continue the investigation and study of the effect of the diversion of water for water supply purposes from the lower Delaware River and the industries using water therefrom and extending the scope of the investigation and study

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Sanitary Water Board is hereby authorized and directed during the two fiscal years commencing June one one thousand nine hundred thirty-three to continue the investigation and study of the effect of the diversion of water from the tributaries of the upper Delaware River upon the lower Delaware River and the industries using water therefrom which was authorized by the act to which this act is a supplement and to investigate and study the effect of such diversion upon municipalities using water from such river and the effect of any other diversion of water from the Delaware River

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170

Baker,	Gartner,	McBride,	Roth,
Baldi,	Gillette,	McCandless,	Ruby,
Barnhardt,	Gorman,	McClure,	Sarig,
Bechtel,	Green,	McCreary,	Sautter,
Beech,	Griffith,	McElwee,	Schrope,
Bennett,	Habbyshaw,	McGinnis,	Schwab,
Bernhard,	Haines,	McGrail,	Scorza,
Blumberg,	Hamilton,	McGregor,	Sheffer,
Boyd,	Harris,	McHenry,	Shellenberger,
Brancato,	Hart,	McKay,	Shenkel,
Brennan,	Hartman,	McKinney,	Shugarts,
Brown, J. E.,	Heffernan,	Melchiorre,	Simon,
Brown, W. L.,	Hermansen,	Meredith,	Sinwell,
Brownfield,	Hester,	Merrell,	Sowers,
Cannon,	Hewitt,	Metzler,	Stank,
Caputo,	Himes, H. E.,	Mohn,	Steedle,
Carey,	Hoffman,	Moore,	Stevens,
Carson,	Holmes, J. B.,	Mumford,	Stevenson,
Chervenak,	Holmes, J. L.,	Myers,	Stone,
Cohen,	Hoopes,	Negley,	Storb,
Conner,	Hough,	Nothnagle,	Surface,
Cooke,	Howard,	O'Connor,	Tahl,
Cordier,	Hutton,	O'Keefe,	Terry,
Cramer,	Jaffe,	O'Neill,	Wade,
Dane,	Jones,	O'Rourke,	Wagner,
Davies,	Kane, J. J.,	Patterson,	Walker, G. E.,
DeFrehn,	King,	Peelor,	Wall,
Denning,	Kinney,	Pennock,	Way,
Downey, G. E.,	Labar,	Perry, D. R.,	Weidemann,
Downey, J.,	Lane,	Perry, J. J.,	Welsh,
Dunmire,	Laubach,	Peters,	Westrick,
Dwyer,	Lewis,	Powell,	Wike,
Ederer,	Long,	Powers,	Williams, G. W.,
Emhardt,	Lord,	Price,	Wilson, L. M.,
Eroe,	Lose,	Quinn,	Wilson, T. B.,
Evans,	Lovett, J. E.,	Raub,	Wood,
Fitzgerald,	Lovett, W. S.,	Rectenwald,	Woodside,
Flanagan,	Lynch, J. R.,	Reed,	Wright,
Flinchbaugh,	Male,	Reilly,	Yeakel,
Flynn,	Malina,	Rice,	Zimmerman,
Forrest,	Maloney,	Roan,	Talbot,
Furman,	Marcks,	Root,	Speaker.
Gallagher,	Mason,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1443 (Senate Bill No. 386), entitled:

An Act to amend section one of the act approved the ninth day of July, one thousand nine hundred and nineteen (P. L. 795), entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. WOODSIDE. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1211 (Senate Bill No. 345), as follows:

An Act prohibiting contractors subcontractors and builders and their agents from paying out using or appropriating moneys and funds received for the erection construction alteration completion and repair of buildings and for additions thereto before first paying in full or pro rata all claims due to architects surveyors engineers and persons furnishing labor and material

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all moneys or funds whatsoever received by a contractor subcontractor or builder or his her or its agent for the erection construction completion alteration or repair of any building or for additions to a building are hereby declared to be trust funds in the hands of the contractor or subcontractor or builder or his her or its agent It shall be unlawful for any contractor subcontractor builder or his her or its agent to pay out use or appropriate any of said moneys or funds until the same have first been applied to the payment of the full amount of all bona fide claims due and owing by such contractor subcontractor or builder to architects surveyors engineers and to persons furnishing labor and material to such contractor subcontractor or builder for the erection construction completion alteration or repair of or for additions to such building whether or not the said labor or material enter into or become component parts of the building or additions thereto

No moneys or funds shall be paid for the erection construction completion alteration on repair of any building or for additions to a building except for payment of all bona fide claims due and owing by such contractor or builder to architects surveyors engineers and persons furnishing labor or materials thereto and if paid in one payment the owner of said building or his disbursing agent shall require the contractor to present a schedule supported by affidavit of said contractor showing the amounts owing to architects surveyors engineers and persons furnishing labor or materials whether or not the said labor or material enter into or become component parts of the building or additions thereto and the payment shall be made to the contractor as agent of said architect surveyor engineer and person furnishing labor or materials in accordance with said schedule.

If paid in one or more payments no payment after the first payment may be made by the owner or his disbursing agent unless the contractor furnish to the owner or his disbursing agent a statement supported by his affidavit showing that any money previously paid to the contractor had been expended in payment to the architects surveyors engineers and persons furnishing labor or materials for services work labor or material supplied or done in connection with the particular building or buildings and none other allowing a reasonable amount to the contractor for overhead not exceeding ten per centum of any amount received

Before final payment the owner or his disbursing agent shall require a schedule of all amounts remaining due the said architects surveyors engineers and persons furnishing labor or materials and shall give fifteen days notice to all such architects surveyors engineers and persons furnishing labor or materials that final payment is about to be made and where it shall be made and said final payment shall be made to the contractor as the agent of the sub-contractors contained in the list or schedule so presented.

The failure of a contractor or subcontractor or builder to pay in full or pro-rata from time to time to the full extent of the moneys and funds received by him her or it all of the bona fide claims of architects surveyors engineers and of persons furnishing labor and material as required by this act within sixty days after the receipt of any moneys or funds for the erection construction completion alteration or repair of any such building or any addition thereto shall be prima facie evidence of the payment use or appropriation of the trust moneys and funds for purposes other than the payments of bona fide claims of architects surveyors engineers and of persons furnishing labor and material

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177

Baker,	Green,	McClure,	Schwartz,
Baldi,	Greenstein,	McCreary,	Scorza,
Barnhardt,	Griffith,	McElwee,	Sheffer,
Bechtel,	Habbyshaw,	McGinnis,	Shenkel,
Beech,	Haines,	McGrail,	Shortz,
Bennett,	Hamilton,	McGregor,	Shugarts,
Bernhard,	Harmuth,	McHenry,	Simon,
Blumberg,	Hart,	McKay,	Sinwell,
Boyd,	Hartman,	McKinney,	Snyder,
Brancato,	Heffernan,	Meredith,	Sowers,
Brennan,	Hefferon,	Merrell,	Stank,
Brown, J. E.,	Heffner,	Metzler,	Steedle,
Brown, W. L.,	Hester,	Mohn,	Sterling, R. B.,
Brownfield,	Hewitt,	Moore,	Stevenson,
Caputo,	Himes, H. E.,	Mumford,	Stiteler,
Carey,	Hoffman,	Myers,	Stone,
Carson,	Holmes, J. B.,	Negley,	Stott,
Chervenak,	Holmes, J. L.,	Nothnagle,	Surface,
Cohen,	Horst,	O'Connor,	Tahl,
Conner,	Hough,	O'Keefe,	Terry,
Cooke,	Howard,	O'Neill,	Turner,
Cordier,	Hutton,	O'Rourke,	Wagner,
Craig,	Jaffe,	Patterson,	Walker, G. E.,
Cramer,	Jones,	Peelor,	Walker, W. A.,
Dane,	Kane, J. J.,	Pennock,	Wall,
DeFrehn,	Kane, L. P.,	Perry, D. R.,	Wasserman,
Denning,	King,	Peters,	Way,
Downey, G. E.,	Kinney,	Powell,	Weidemann,
Downey, J.,	Labar,	Powers,	Welsh,
Duffy,	Lane,	Price,	Westrick,
Dunmire,	Laubach,	Quinn,	White,
Dwyer,	Lewis,	Raub,	Williams, G. W.,
Ederer,	Long,	Rectenwald,	Williams, J. J.,
Emhardt,	Lord,	Reed,	Wilson, L. M.,
Eroe,	Lose,	Reilly,	Wilson, T. B.,
Evans,	Lovett, J. E.,	Rhodes,	Witkin,
Fitzgerald,	Lovett, W. S.,	Rice,	Wood,
Fleisher,	Lynch, J. R.,	Roan,	Woodside,
Flinchbaugh,	Lynch, M.,	Roth,	Wright,
Flynn,	Male,	Royle,	Yeakel,
Forrest,	Malina,	Ruth,	Yourishin,
Furman,	Maloney,	Sautter,	Zimmerman,
Gallagher,	Marcks,	Schrock,	Talbot,
Gartner,	Mason,	Schwab,	Speaker.
Gillette,	McBride,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1692 (Senate Bill No. 535), as follows:

An Act to amend section eight of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eighty) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" as amended by further providing for the sales of seated lands for delinquent taxes assessed and levied for the year one thousand nine hundred and thirty or any year prior thereto where no sales have previously been made for delinquent taxes of that year and validating liens on lands of taxes heretofore returned when land has not been advertised or sold

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General

Assembly met and it is hereby enacted by the authority of the same That section eight of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eighty) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" as last amended by section one of the act approved the fifteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws fifty) is hereby further amended to read as follows

Section 8 Such sale shall be made on the first Monday of August in the second year succeeding the year in which the respective taxes are assessed and levied or on any day to which such sale may be adjourned or readjourned from time to time except in the case of taxes levied for the year one thousand nine hundred and thirty or any year prior [to the year one thousand nine hundred and thirty] thereto and returned under the provisions of this or any other law in which case and for such taxes the sale shall be held in the year one thousand nine hundred [thirty-one] thirty-three or on any day to which such sale is adjourned or readjourned Provided That the advertisement and notice of a sale as required by this act may be given preceding the date of any adjourned or readjourned sale in which case no prior advertisement or notice shall be required and in case the sales for different years' taxes be held on the same date the advertisements and notices may be consolidated Provided further That if any such sale be adjourned or readjourned after advertisement and notice by public announcement at such sale adjournment or readjournment no additional advertisement or notice shall be necessary for such adjourned or readjourned sale Provided further That no such adjournment or readjournment shall be for a longer period than thirty days unless the county treasurer with the consent in writing of the county commissioners and the approval of the judge of the court of the county in which the sale is pending shall declare at the time fixed for a sale or any adjournment or readjournments thereof that because of widespread economic and business depression and usual unemployment incident thereto a sale would be inadvisable in which case any such sale may be adjourned or readjourned at any one time and from time to time for a period not exceeding two years and six months and in no case beyond the date of the actual holding of the first subsequent sale for any other year's taxes provided that when after advertisement of a sale it has been determined as aforesaid to adjourn any sale for taxes the county treasurer shall publish at the expense of the county in at least two newspapers of general circulation in the county if so many be published in the county a brief notice or advertisement announcing said adjournment and the actual new date to which such sale for taxes has been adjourned

For each tract of land so disposed of the county treasurer shall be entitled to the following fees which shall be taxed as part of the costs of such proceedings and shall be paid the same as other costs

Advertising each tract including printer's charge the actual cost

Selling each tract or part thereof	.25
Writing and signing each deed	1.50
Acknowledging every deed	.50
Writing and filing every bond to acknowledge the purchase money	.25

The county shall in the first instance be liable for the cost of advertising treasurers' sales and the fees collected for such advertising shall be paid into the county treasury for the use of the county

For receiving and paying over the purchase money or taxes collected by him the county treasurer shall be entitled to a commission of two per centum (2%) thereof such commission to be deducted from the amount to be paid to the taxing district upon any settlement with the taxing district and upon presentation to the taxing district of a transcript of the information required to be compiled by the county treasurer by section eleven hereof

Section 2 No failure to advertise for sale any lands heretofore returned under this or any other act of Assembly and no failure to hold any treasurers sale of any such lands at the time required by law shall be deemed to invalidate the lien of any tax assessed against such lands but the lien of any such tax is hereby validated and any such lands may be advertised and sold under the provisions of this act and the taxes due thereon collected in the same manner as if said lands had been returned under the provisions of this act

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177

Baker,	Green,	McClure,	Schwartz,
Baldi,	Greenstein,	McCreary,	Scott,
Barnhardt,	Habbyshaw,	McElwee,	Sheffer,
Bechtel,	Haines,	McGinnis,	Shellenberger,
Beech,	Hamilton,	McGrail,	Shenkel,
Bennett,	Harmuth,	McGregor,	Shortz,
Bernhard,	Harris,	McKay,	Shreiner,
Blumberg,	Hart,	McKinney,	Shugarts,
Boyd,	Heffernan,	Melchiorre,	Simon,
Brancato,	Hefferon,	Merrell,	Sinwell,
Brown, J. E.,	Heffner,	Metzler,	Snyder,
Brown, W. L.,	Hermansen,	Mohn,	Sowers,
Brownfield,	Hewitt,	Moore,	Spann,
Cannon,	Himes, H. E.,	Mumford,	Steedle,
Caputo,	Himes, L. R.,	Negley,	Sterling, P.,
Carey,	Hoffman,	Nothnagle,	Sterling, R. B.,
Carson,	Holmes, J. L.,	O'Connor,	Stevens,
Chervenak,	Hoopes,	O'Keefe,	Stiteler,
Cohen,	Horst,	O'Neill,	Stone,
Conner,	Hough,	Patterson,	Storb,
Cooke,	Howard,	Peelor,	Stott,
Cordier,	Hutton,	Pennock,	Wade,
Craig,	Jaffe,	Perry, D. R.,	Walker, G. E.,
Cramer,	Jones,	Perry, J. J.,	Walker, W. A.,
Davies,	Kane, J. J.,	Peters,	Wall,
DeFrehn,	King,	Powell,	Wasserman,
Denning,	Kinney,	Powers,	Way,
Downey, G. E.,	Labar,	Price,	Welsh,
Downey, J.,	Lane,	Quinn,	Westrick,
Duffy,	Laubach,	Rectenwald,	White,
Dwyer,	Lenahan,	Reed,	Wike,
Ederer,	Lewis,	Reilly,	Williams, G. W.,
Emhardt,	Long,	Rhodes,	Williams, J. J.,
Eroe,	Lord,	Rice,	Wilson, L. M.,
Evans,	Lose,	Roan,	Wilson, T. B.,
Fitzgerald,	Lovett, J. E.,	Root,	Witkin,
Flanagan,	Lynch, J. R.,	Roth,	Wood,
Fleisher,	Lynch, M.,	Royle,	Woodside,
Flinchbaugh,	Male,	Ruby,	Wright,
Flynn,	Malina,	Ruth,	Yeakel,
Forrest,	Maloney,	Sarig,	Yourishin,
Furman,	Marcks,	Sautter,	Zimmerman,
Gallagher,	Mason,	Schrope,	Talbot,
Gartner,	McBride,	Schwab,	Speaker.
Gorman,	McCandless,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1690 (Senate Bill No. 516), entitled:

An Act to amend section one of the act, approved the twenty-fifth day of May, one thousand eight hundred and ninety-seven (P. L. 89), entitled "An act authorizing and requiring grand and petit juries to dispose of the costs in criminal prosecutions for larceny, where the value of the goods alleged to be stolen is less than ten dollars, and in the prosecutions for assault or assault and battery where felony is charged, and in which the

prosecutor had no reasonable ground for making the charge of felong," by giving to juries jurisdiction over the costs in prosecutions for larceny and receiving stolen goods.

And said bill having been read at length the tihrd time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177

Baker,	Green,	Mason,	Ruth,
Baldi,	Greenstein,	McBride,	Sarig,
Barnhardt,	Griffith,	McCandless,	Sautter,
Bechtel,	Habbyshaw,	McClure,	Schrock,
Beech,	Haines,	McCreary,	Schrope,
Bernhard,	Harmuth,	McElwee,	Schwat
Blumberg,	Harris,	McGrail,	Schwartz,
Boyd,	Hart,	McGregor,	Scorza,
Brancato,	Hartman,	McHenry,	Sheffer,
Brennan,	Heffernan,	McKay,	Shellenberger,
Brown, J. E.,	Heffner,	McKinney,	Shettel,
Brown, W. L.,	Hermansen,	Melchiorre,	Shortz,
Brownfield,	Hester,	Meredith,	Shugarts,
Cannon,	Hewitt,	Metzler,	Simon,
Caputo,	Himes, H. E.,	Mohn,	Sinwell,
Carey,	Himes, L. R.,	Moore,	Sowers,
Carson,	Hoffman,	Myers,	Spann,
Chervenak,	Holmes, J. B.,	Negley,	Stank,
Cohen,	Holmes, J. L.,	Nothnagle,	Steedle,
Conner,	Hoopes,	O'Connor,	Sterling, P.,
Cordier,	Horst,	O'Keefe,	Sterling, R. B.,
Craig,	Hough,	O'Neill,	Stevens,
Cramer,	Howard,	O'Rourke,	Stiteler,
Dane,	Hutton,	Patterson,	Storb,
Davies,	Jaffe,	Peelor,	Stott,
DeFrehn,	Jones,	Pennock,	Surface,
Denning,	Kane, L. P.,	Perry, D. R.,	Tahl,
Downey, G. E.,	King,	Perry, J. J.,	Terry,
Downey, J.,	Kinney,	Peters,	Turner,
Dunmire,	Labar,	Powell,	Wagner,
Dwyer,	Lane,	Powers,	Walker, G. E.,
Ederer,	Laubach,	Price,	Wall,
Emhardt,	Lenahan,	Quinn,	Way,
Eroe,	Lewis,	Raub,	Weidemann,
Evans,	Long,	Rectenwald,	Westrick,
Fitzgerald,	Lord,	Reed,	White,
Fleisher,	Lose,	Reilly,	Williams, G. W.
Flinchbaugh,	Lovett, J. E.,	Rhodes,	Wilson, L. M.,
Flynn,	Lovett, W. S.,	Rice,	Witkin,
Forrest,	Lynch, J. R.,	Roan,	Woodside,
Furman,	Lynch, M.,	Root,	Yeakel,
Gallagher,	Male,	Roth,	Zimmerman,
Gartner,	Malina,	Royle,	Talbot,
Gillette,	Maloney,	Ruby,	Speaker.
Gorman,	Marcks,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILL INTRODUCED

Mr. McCREARY. Mr. Speaker, I understand the objection that was made to the introduction of a bill at this time has been removed, and I now ask unanimous consent to introduce the bill.

The SPEAKER. Will the House give its unanimous consent to the introduction of a bill at this time? Are there objections? The Chair hears none and consent is granted.

The bill will be filed with the Bill Clerk.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2100 (Senate Bill No. 640), entitled:

An Act to amend the first "Whereas" clause the first paragraph of article one clause (d) of article two and article ten of section one and section two as amended of the act approved the twenty-fifth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand three hundred and fifty-two) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" by providing for the appointment of an engineer by the commission and for the repayment to the Commonwealth of appropriation herein made

And said bill having been read at length the tihrd time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177

Baker,	Griffith,	McClure,	Sarig,
Baldi,	Habbyshaw,	McCreary,	Sautter,
Barnhardt,	Haines,	McGinnis,	Schrope,
Bechtel,	Hamilton,	McGrail,	Schwartz,
Beech,	Harris,	McGregor,	Scorza,
Bennett,	Hart,	McHenry,	Scott,
Blumberg,	Hartman,	McKay,	Sheffer,
Boyd,	Heffernan,	McKinney,	Shenkel,
Brancato,	Hefferon,	Melchiorre,	Shettel,
Brennan,	Heffner,	Meredith,	Shortz,
Brown, J. E.,	Hermansen,	Merrell,	Shreiner,
Brown, W. L.,	Hester,	Metzler,	Shugarts,
Brownfield,	Hewitt,	Mohn,	Simon,
Cannon,	Himes, H. E.,	Moore,	Sinwell,
Caputo,	Himes, L. R.,	Mumford,	Snyder,
Carey,	Hoffman,	Myers,	Sowers,
Carson,	Holmes, J. L.,	Negley,	Spann,
Chervenak,	Hoopes,	Nothnagle,	Sterling, P.,
Conner,	Horst,	O'Connor,	Sterling, R. B.,
Cooke,	Hough,	O'Keefe,	Stevenson,
Cordier,	Howard,	O'Neill,	Stiteler,
Craig,	Hutton,	O'Rourke,	Stone,
Cramer,	Jaffe,	Patterson,	Storb,
Dane,	Kane, J. J.,	Peelor,	Surface,
Davies,	Kane, L. P.,	Pennock,	Tahl,
DeFrehn,	King,	Perry, D. R.,	Terry,
Downey, G. E.,	Kinney,	Perry, J. J.,	Wagner,
Downey, J.,	Labar,	Peters,	Walker, W. A.,
Dunmire,	Lane,	Powell,	Wasserman,
Duffy,	Laubach,	Powers,	Weidemann,
Ederer,	Lenahan,	Price,	Welsh,
Emhardt,	Lewis,	Quinn,	Wike,
Eroe,	Long,	Raub,	Williams, G. W.,
Evans,	Lord,	Rectenwald,	Williams, J. J.,
Fitzgerald,	Lose,	Reed,	Wilson, L. M.,
Flanagan,	Lovett, J. E.,	Reilly,	Witkin,
Flinchbaugh,	Lynch, J. R.,	Rhodes,	Wood,
Flynn,	Lynch, M.,	Rice,	Woodside,
Forrest,	Male,	Roan,	Wright,
Furman,	Malina,	Root,	Yeakel,
Gallagher,	Maloney,	Roth,	Yourishin,
Gartner,	Marcks,	Royle,	Zimmerman,
Gorman,	Mason,	Ruby,	Talbot,
Green,	McBride,	Ruth,	Speaker.
Greenstein,	McCandless,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1685 (Senate Bill No. 187), entitled:

A Joint Resolution continuing the Senate Committee constituted to investigate charges against members of the Public Service Commission and related matters; defining the powers and duties of said committee; ratifying and confirming the filling of vacancies in the membership thereof; and making an appropriation for the payment of its past and future expenses.

And said bill having been read at length the tihrd time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173

Baldi,	Green,	McCreary,	Schrope,
Barnhardt,	Greenstein,	McGinnis,	Schwab,
Bechtel,	Griffith,	McGregor,	Schwartz,
Beech,	Habbyshaw,	McHenry,	Scorza,
Bennett,	Hamilton,	McKay,	Scott,
Bernhard,	Harmuth,	McKinney,	Sheffer,
Blumberg,	Hart,	Melchiorre,	Shellenberger,
Boyd,	Hartman,	Meredith,	Shenkel,
Brancato,	Heffernan,	Merrell,	Shettel,
Brennan,	Heffner,	Metzler,	Shortz,
Brown, J. E.,	Hermansen,	Mohn,	Shugarts,
Brown, W. L.,	Hester,	Moore,	Simon,
Brownfield,	Hewitt,	Mumford,	Sowers,
Cannon,	Himes, H. E.,	Myers,	Steedle,
Caputo,	Himes, L. R.,	Negley,	Stevens,
Carey,	Hoffman,	Nothnagle,	Stevenson,
Carson,	Holmes, J. L.,	O'Connor,	Stiteler,
Cohen,	Horst,	O'Keefe,	Storb,
Conner,	Hough,	O'Neill,	Stott,
Cooke,	Howard,	O'Rourke,	Surface,
Cordier,	Hutton,	Patterson,	Tahl,
Craig,	Jaffe,	Peelor,	Terry,
Cramer,	Jones,	Pennock,	Wade,
Dane,	Kane, J. J.,	Perry, D. R.,	Wagner,
DeFrehn,	Kane, L. P.,	Perry, J. J.,	Wall,
Denning,	King,	Peters,	Wasserman,
Downey, G. E.,	Kinney,	Powell,	Way,
Downey, J.,	Labar,	Powers,	Weidemann,
Duffy,	Lane,	Price,	Welsh,
Dwyer,	Laubach,	Quinn,	Westrick,
Ederer,	Lewis,	Raub,	White,
Emhardt,	Long,	Rectenwald,	Wike,
Eroe,	Lord,	Reed,	Williams, G. W.,
Evans,	Lose,	Reilly,	Williams, J. J.,
Fitzgerald,	Lovett, J. E.,	Rice,	Wilson, T. B.,
Flanagan,	Lynch, J R.,	Roan,	Witkin,
Fleisher,	Lynch, M.,	Root,	Wood,
Flinchbaugh,	Male,	Roth,	Woodside,
Flynn,	Maloney,	Royle,	Wright,
Forrest,	Marcks,	Ruby,	Yeakel,
Furman,	Mason,	Ruth,	Yourishin,
Gallagher,	McBride,	Sarig,	Zimmerman,
Gillette,	McCandless,	Sautter,	Talbot,
Gorman,	McClure,	Schrock,	Speaker.

NAYS—5

Baker,	Turner,	Walker, G. E.,	Wilson, L. M.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

(MR. HUTTON IN THE CHAIR)

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 372 (Senate Bill No. 58), as follows:

An Act to amend section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy-nine) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" as amended by changing the compensation of members of the General Assembly

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy-nine) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" as amended by the act approved the tenth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws eight hundred eighty) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of the members of the General Assembly shall be [three thousand dollars ($3,000)] two thousand seven hundred dollars ($2,700) for each biennial session and mileage to and from their homes at the rate of five cents per mile circular for each week a member was in actual attendance at the session to be computed by the ordinary mail route between their homes and the capital of the State The salary of the members of the General Assembly shall be five hundred dollars ($500) and mileage as aforesaid for each special or extraordinary session and no other compensation shall be allowed whatever except one hundred and fifty dollars ($150) in postage for each regular biennial session and fifty ($50) for each Special or Extraordinary Session

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. TURNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of further study.

On the question,

Will the House agree to the motion?

The SPEAKER declared the ayes appear to have it,

Whereupon, a division was called for, one hundred and seven members or more than a majority having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1355 (Senate Bill No. 67), entitled:

An Act increasing the discretionary powers of the county commissioners in counties of the third class with reference to the assessment levy and collection of taxes

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Gillette,	Maloney,	Schwab,
Baker,	Gorman,	Marcks,	Scorza,
Baldi,	Green,	Mason,	Scott,
Barnhardt,	Greenstein,	McBride,	Sheffer,
Bechtel,	Griffith,	McCandless,	Shellenberger,
Beech,	Habbyshaw,	McClure,	Shettel,
Bernhard,	Haines,	McElwee,	Shortz,
Blumberg,	Hamilton,	McGinnis,	Shreiner,
Boyd,	Harmuth,	McGrail,	Shugarts,
Brancato,	Harris,	McGregor,	Simon,
Brennan,	Hart,	McHenry,	Sinwell,
Brown, J. E.,	Hartman,	McKay,	Snyder,
Brown, W. L.,	Heffernan,	Merrell,	Sowers,
Brownfield,	Hefferon,	Metzler,	Spann,
Cannon,	Heffner,	Mohn,	Stank,
Caputo,	Hermansen,	Moore,	Steedle,
Carey,	Hester,	Negley,	Sterling, P.,
Carson,	Hewitt,	Nothnagle,	Sterling, R. B.,
Cohen,	Himes, H. E.,	O'Connor,	Stevens,
Conner,	Himes, L. R.,	O'Keefe,	Stevenson,
Cooke,	Hoffman,	O'Rourke,	Stiteler,
Cordier,	Holmes, J. L.,	Peelor,	Stone,
Craig,	Hoopes,	Pennock,	Stott,
Cramer,	Horst,	Perry, D. R.,	Surface,
Dane,	Hough,	Perry, J. J.,	Tahl,
Davies,	Howard,	Peters,	Terry,
DeFrehn,	Hutton,	Powell,	Turner,
Denning,	Jaffe,	Powers,	Wade,
Downey, G. E.,	Jones,	Price,	Wagner,
Downey, J.,	Kane, L. P.,	Quinn,	Walker, G. E.,
Duffy,	King,	Raub,	Walker, W. A.,
Dunmire,	Kinney,	Rectenwald,	Wall,
Dwyer,	Labar,	Reed,	Wasserman,
Ederer,	Lane,	Reilly,	Way,
Emhardt,	Laubach,	Rhodes,	Weidemann,
Eroe,	Lenahan,	Rice,	Welsh,
Evans,	Lewis,	Roan,	Williams, G. W.,
Fitzgerald,	Long,	Root,	Wilson, L. M.,
Flanagan,	Lord,	Roth,	Wilson, T. B.,
Fleisher,	Lose,	Royle,	Woodside,
Flinchbaugh,	Lovett, W. S.,	Ruby,	Yeakel,
Flynn,	Lovett, J. E.,	Sarig,	Yourishin,
Forrest,	Lynch, J. R.,	Sautter,	Zimmerman,
Gallagher,	Lynch, M.,	Schrock,	Talbot,
Gartner,	Malina,	Schrope,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2099 (Senate Bill No. 727), entitled:

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in and ownership of space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. McKAY. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2090 (Senate Bill No. 561), entitled:

An Act to amend section one of the act approved the first day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred fifty-five) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" providing that in such cases separate contracts shall be awarded for the structural steel work

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHN J. KANE. Mr. Speaker, is there any member of the House present who can explain the purpose of this bill?

The SPEAKER. For the information of the gentleman, this is a Senate bill. Is there any member in the House who can explain this bill?

Mr. TURNER. Mr. Speaker and members of the House, I do no know whether I can explain to you all of the details of the bill, but it is my understanding that this bill would be very helpful to the Pennsylvania manufacturers of structural steel. I think there are a number of bills that follow it of a similar nature. Where the Department of Property and supplies asks for bids, a lump sum bid would permit the contractor to secure structural steel out of the State, while if the bids are taken separately for the structural steel, it would enable the manufacturers in Pennsylvania to get in their bids and get the business, and that would help the steel industry and help the Commonwealth and help all the people in the Commonwealth.

Mr. HOUGH. Mr. Speaker and members of the House, at the time that you put the thing in the position that it helps the steel manufacturer; it also puts the Pennsylvania contractor in a position that all the responsibility for the construction is taken away from him. So, I feel that this measure, while it really is helping one branch of the business, is a discrimination against the other.

I ask you to vote it down.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. JOSEPH R. LYNCH. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2089 (Senate Bill No. 560), entitled:

An Act to amend section one thousand eight hundred and five of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel work.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. JOHN J. KANE. Mr. Speaker, this bill is similar to Senate Bill No. 561, which has just been placed on the postponed calendar, and I therefore move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2087 (Senate Bill No. 558), entitled:

An Act to amend section five hundred and sixty-three of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel work.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. HOUGH. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2086 (Senate Bill No. 557), entitled:

An Act to amend section two thousand five hundred and eleven of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing that in awarding certain contracts for the erection, construction and alteration of public buildings separate bids shall be received for the structural steel work.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. MELCHIORRE. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreably to order,

The House proceeded to the third reading and consideration of House Bill No. 2088 (Senate Bill No. 559), as follows:

An Act to amend section one thousand nine hundred and six of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; providing that in awarding certain contracts for the erection, construction, and alteration of public buildings, separate bids shall be received for the structural steel work.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand nine hundred and six of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 1906 Separate Bids for Plumbing Heating Ventilating and Electrical Work and Structural Steel work In the preparation of specifications for the erection construction and alteration of any public building when the entire cost of such work shall exceed one thousand dollars the architect engineer or other person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work and the structural steel work. The person or persons authorized to enter into contracts for the erection construction or alteration of such public buildings shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder for each of said branches

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOOPES. Mr. Speakers and members of the House, this is the same sort of bill as the previous four that have been placed upon the postponed calendar. I seriously doubt whether many of the members have had a chance to study them. It seems to me that it should go the same way as the others have, in order that we may have a chance to look at all of them.

There is a great deal of opposition to these bills, and I think it is better to place them on the postponed calendar and consider them them all at the same time. That is the reason why we have asked to place them on the postponed calendar.

BILL POSTPONED

Mr. HOOPES. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2128 (Senate Bill No. 454), as follows:

An Act authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and members of the school board in relation to said funds and fixing a penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That to meet the emergency occasioned by the extraordinary decrease in tax collections due to business depression and widespread unemployment it shall be lawful for the board of school directors of any school district to issue and sell at not less than par bonds bearing interest at a rate not exceeding six (6) per centum per annum payable in not more than ten (10) years from the date of issue in an amount not exceeding the amount of uncollected taxes due on real estate at the date of the adoption of the resolution authorizing such action Any

subsequent borrowing under the provisions of this act shall be limited to an amount which when added to the amount or amounts previously borrowed shall not exceed the amount of uncollected taxes and the proceeds of any bonds issued under the provisions of this Act by any school board shall be used only for the payment of the operating expenses of the school district

Section 2 For the purpose of creating a sinking fund for the payments of the bonds issued under the provisions of this act the board of directors of the school district issuing the same shall annually (until payment of said bonds and the interest and any taxes covenanted to be paid thereon be fully provided for) levy and collect in addition to other taxes a tax sufficient to pay the interest and principal of the indebtedness and any taxes covenanted to be paid thereon which tax shall be called the "Emergency Sinking Fund Tax" which shall be paid into the school district treasury and shall be kept separate and distinct from all other funds in a fund to be called "Emergency Sinking Fund" and shall be applied towards the redemption of said bonds and the payment of the interest and taxes if any thereon and to no other purpose whatever and the said bonds when so redeemed shall be cancelled

Section 3 Each resolution authorizing the issuing of said bonds shall recite an amount of the uncollected taxes then due at least equal to the amount of the proposed issue of bonds which said amount of uncollected taxes so recited shall become a trust fund for the redemption of said bonds and the payment of the interest and taxes if any thereon and it shall be the duty of the secretary of the school board to credit the Emergency Sinking Fund and of the treasurer of the school district to deposit in the said Emergency Sinking Fund immediately upon receipt thereof any and all said uncollected taxes provided that the amount of said uncollected taxes received and deposited in the Emergency Sinking Fund in any year may be deducted the following year from the amount of the annual tax levy to be levied and collected for the redemption of said bonds and the payment of the interest and taxes if any thereon

Section 4 Any person who shall directly or indirectly apply or use any of said uncollected taxes to or for any purpose other than the Emergency Sinking Fund shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding one thousand dollars ($1,000.00) or imprisoned for a term not exceeding one (1) year or either or both in the discretion of the court

Section 5 The trust fund and the emergency sinking fund covering each issue of bonds under the provisions of this act shall be numbered alike and in consecutive order and the amount thereof as well as the uncollected taxes shall be deducted from the gross indebtedness in ascertaining the net indebtedness of the school district

Section 6 The temporary emergency power hereby granted shall be in addition to the powers granted school districts to issue bonds and create indebtedness under existing law

Section 7 Any bonds issued under the provisions of this Act shall be in accordance with the provisions of the Constitution and the Act of April twentieth one thousand eight hundred seventy-four entitled "An act to regulate the manner of increasing the indebtedness of municipalities etc" as supplemented and amended and shall require the approval of the Department of Internal Affairs

Section 8 This act shall become effective immediately upon its approval by the Governor and remain in force and effect only for five (5) years thereafter

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Green,	McClure,	Schwab,
Baker,	Greenstein,	McCreary,	Scorza,
Baldi,	Griffith,	McElwee,	Scott,
Barnhardt,	Habbyshaw,	McGinnis,	Sheffer,
Bechtel,	Haines,	McGrail,	Shellenberger,
Beech,	Harmuth,	McGregor,	Shenkel,
Bennett,	Harris,	McKay,	Shettel,
Bernhard,	Hart,	McKinney,	Shreiner,
Blumberg,	Hartman,	Melchiorre,	Shugarts,
Boyd,	Heffernan,	Meredith,	Simon,
Brancato,	Hefferon,	Merrell,	Sinwell,
Brown, J. E.,	Heffner,	Metzler,	Snyder,
Brown, W. L.,	Hermansen,	Mohn,	Sowers,
Brownfield,	Hester,	Moore,	Spann,
Cannon,	Himes, H. E.,	Mumford,	Steedle,
Caputo,	Himes, L. R.,	Myers,	Sterling, P.,
Carey,	Hoffman,	Nothnagle,	Sterling, R. B.,
Carson,	Holmes, J. L.,	O'Connor,	Stevens,
Chervenak,	Hoopes,	O'Keefe,	Stevenson,
Cohen,	Horst,	O'Neill,	Stiteler,
Conner,	Hough,	O'Rourke,	Stone,
Cooke,	Howard,	Patterson,	Storb,
Cordier,	Hutton,	Peelor,	Surface,
Craig,	Jaffe,	Pennock,	Tahl,
Cramer,	Jones,	Perry, D. R.,	Terry,
Dane,	Kane, J. J.,	Perry, J. J.,	Turner,
Davies,	Kane, L. P.,	Peters,	Wade,
DeFrehn,	King,	Powell,	Wagner,
Denning,	Kinney,	Powers,	Walker, G. E.,
Downey, J.,	Labar,	Price,	Walker, W. A.,
Duffy,	Lane,	Quinn,	Wall,
Dunmire,	Laubach,	Raub,	Wasserman,
Dwyer,	Lenahan,	Rectenwald,	Way,
Ederer,	Lewis,	Reed,	Weidemann,
Emhardt,	Long,	Reilly,	Welsh,
Eroe,	Lord,	Rhodes,	Westrick,
Evans,	Lose,	Rice,	Wike,
Fitzgerald,	Lovett, W. S.,	Roan,	Williams, G. W.,
Flanagan,	Lynch, J. R.,	Root,	Wilson, L. M.,
Fleisher,	Lynch, M.,	Roth,	Witkin,
Flinchbaugh,	Male,	Royle,	Wood,
Flynn,	Malina,	Ruby,	Wright,
Furman,	Maloney,	Ruth,	Yeakel,
Gallagher,	Marcks,	Sarig,	Zimmerman,
Gartner,	Mason,	Sautter,	Talbot,
Gillette,	McBride,	Schrock,	Speaker.
Gorman,	McCandless,	Schrope,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2130 (Senate Bill No. 537), entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred ten) entitled "A further supplement to 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four" by providing that all corporations organized not for profit shall have authority to issue capital stock to an amount not exceeding five hundred thousand dolars

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Greenstein,	McCreary,	Shellenberger,
Baker,	Griffith,	McElwee,	Shenkel,
Baldi,	Habbyshaw,	McGinnis,	Shettel,
Barnhardt,	Haines,	McGrail,	Shortz,
Bechtel,	Hamilton,	McGregor,	Shreiner,
Beech,	Harmuth,	McHenry,	Shugarts,
Bennett,	Hart,	McKay,	Simon,
Bernhard,	Hartman,	McKinney,	Sinwell,
Blumberg,	Hefferon,	Meredith,	Snyder,
Boyd,	Heffner,	Merrell,	Spann,
Brancato,	Hester,	Metzler,	Stank,
Brennan,	Hewitt,	Mohn,	Steedle,

Brown, J. E.,	Himes, H. E.,	Moore,	Sterling, P.,
Brown, W. L.,	Himes, L. R.,	Mumford,	Sterling, R. B.,
Brownfield,	Hoffman,	Myers,	Stevens,
Cannon,	Holmes, J. B.,	Negley,	Stiteler,
Caputo,	Holmes, J. L.,	O'Connor,	Stone,
Carey,	Hoopes,	O'Neill,	Storb,
Carson,	Horst,	O'Rourke,	Surface,
Chervenak,	Hough,	Peelor,	Tahl,
Conner,	Howard,	Pennock,	Terry,
Cooke,	Hutton,	Perry, D. R.,	Turner,
Cordier,	Jaffe,	Perry, J. J.,	Wade,
Craig,	Jones,	Peters,	Wagner,
Cramer,	Kane, J. J.,	Powell,	Walker, G. E.,
Dane,	Kane, L. P.,	Powers,	Walker, W. A.,
Davies,	King,	Price,	Wall,
DeFrehn,	Kinney,	Quinn,	Wasserman,
Denning,	Labar,	Raub,	Way,
Downey, G. E.,	Lane,	Rectenwald,	Weidemann,
Downey, J.,	Laubach,	Reed,	Welsh,
Duffy,	Lenahan,	Reilly,	Westrick,
Dwyer,	Lewis,	Rhodes,	White,
Ederer,	Long,	Rice,	Wike,
Emhardt,	Lord,	Roan,	Williams, G. W.,
Eroe,	Lose,	Root,	Williams, J. J.,
Evans,	Lovett, J. E.,	Roth,	Wilson, T. B.,
Fitzgerald,	Lovett, W. S.,	Royle,	Witkin,
Flanagan,	Lynch, J. R.,	Ruby,	Wood,
Flinchbaugh,	Lynch, M.,	Ruth,	Woodside,
Flynn,	Male,	Sarig,	Wright,
Forrest,	Malina,	Sautter,	Yeakel,
Furman,	Maloney,	Schrock,	Yourishin,
Gallagher,	Marcks,	Schrope,	Zimmerman,
Gartner,	Mason,	Schwab,	Talbot,
Gorman,	McBride,	Schwartz,	Speaker.
Green,	McCandless,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

RESOLUTION

RECALLING HOUSE BILL No. 1 FROM THE GOVERNOR

Mr. SCHWARTZ asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate occur), That House Bill No. 1, Printer's No. 473, entitled "An act relating to baseball and football on Sunday prohibiting baseball and football on Sunday during certain hours and also during certain other hours unless the electors of a municipality are in favor of the same and in certain cases a license has first been accured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2150 (Senate Bill No. 671), as follows:

An Act to amend sections three hundred eleven three hundred twelve three hundred thirteen three hundred fourteen three hundred fifteen three hundred sixteen three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three three hundred twenty-four three hundred twenty-five and three hundred twenty-six and to repeal section three hundred twenty-seven as added of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the amount of contributions to the retirement fund the retirement age the length of service necessary to entitle members to retirement allowance upon being totally disabled and increasing the number of members of the retirement board and authorizing counties of the second class and the county poor district to make appropriations to an employes retirement fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three hundred eleven three hundred twelve three hundred thirteen three hundred fourteen three hundred fifteen three hundred sixteen three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three three hundred twenty-four three hundred twenty-five and three hundred twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classees and revising amending and consolidating the laws relating thereto" are hereby amended to read as follows

Section 311 "County Employe" Defined A county employe for the purpose of this subdivision of this act is any person employed by the county or by the county poor district at a wage or salary payable at stated intervals that is to say semimonthly monthly quarterly or annually The term [does not] may at their option include any person eleceted by the vote of the people

Section 312 [Pension] Retirement System and Fund to Be Established Each county of the second class shall provide a [pension system for such] county employes retirement system for such county for employes of the county and the county poor district and shall establish and regulate a [pension] retirement fund in connection therewith

Section 313 [Pension] Retirement Board The [pension] retirement system shall be under the sole direction of a [pension] retirement board hereinafter designated the board which shall consist of the county commissioners the treasurer [and] the controller of the county and two persons elected from among the members of the retirement system one to serve for two years and one for four years Following the completion of the initial terms the stated terms of such members shall be four years A vacancy occurring during the term of any member of the retirement board shall be filled for the unexpered term by the appointment or election of a successor in the same manner as his predecessor A majority of the members of the retirement board shall constitute a quorum for the transaction of any business

Section 314 Treasurer and Secretary of Board The county treasurer shall be the treasurer of the board and shall give such bond for the proper performance of his duties as is required by the board The premium on said bond shall be paid from the [pension] retirement fund on warrants of the board The treasurer shall receive for his services the sum of one hundred dollars ($100.00) per annum from the [pension] retirement fund payable on warrants of the board The county controller shall be the secretary of the board

Section 315 Register of Employes Regulations of Board The board shall keep a register of employes containing the names ages residence nature of employment time of entering the employ of the county or of the county poor district and such other information as the board deems necessary in the performance of its duties The board may adopt amend revise and abolish in its discretion such regulations not inconsistent with law as it deems necessary

Section 316 List of Employes The head of each department or office of the county or of the county poor district shall file with the board a list of all employes of such department or office with the amount of the salary or wage received by each the age of the employe time of entering the county or county poor district employ and such other information relative to such employes as is required by the board From time to time and whenever requested by the board all dismissals appointments resignations transfers changes in salaries or in

employment and other information relative to employes shall be furnished to the board by the head of each such department or office

Section 317 Appropriations to [Pension] Retirement Fund The county commissioners and the directors of the poor district shall [annually January appropriate and pay into the pension fund not less than one-half of one per centum and not more than two per centum of all available moneys received by the county as taxes during the preceding calendar year] prior to February fifteenth of each year set aside apportion and appropriate and pay out of all taxes and income of said county and county poor district unto the retirement fund a certain sum of money which shall be an obligation of the county and the county poor district and which together with the contributions of all employes during the preceding year shall maintain a retirement fund sufficient to meet all payments due or to become due and payable therefrom during the current year under the provisions of this act The portion of such sum to be paid by each the county and the county poor district into such fund shall be such part thereof as the number of employes of such county or county poor district bears to the total number of members of the retirement fund In no case shall the county commissioners appropriate a sum less than the total amount contributed by such county employes and in no case shall the directors of the county poor district pay a sum less than the total amount contributed by such county poor district employes

Section 318 Payment by Employes Each county employe shall each month pay into the [pension] retirement fund [one] three per centum of the amount received by him or her as salary or wages from the county or the county poor district during the preceding calendar month In no event however paying at a rate greater than eight dollars ($8.00) a month Such amount shall be collected by the county treasurer and by him paid into the [pension] retirement fund Such monthly payments by an employe shall cease when such employe is entitled to receive the [pension] retirement allowance herein provided for No employe shall be entitled to a [pension] retirement allowance who does not make the monthly payment herein required

Section 319 Investment or Deposit of Fund The Board may in its discretion invest the money of the [pension] retirement fund or any part thereof in obligations of the United States or of this State or of any political division of this State or it may deposit such moneys or any part thereof in one or more banks or trust companies of the county selected by the board The banks or trust companies offering to pay the highest rate of interest and that have a paid-in capital and surplus of not less than three hundred thousand dollars shall be selected A contract with a depositary shall be for a period covering the term of the county treasurer No moneys shall be paid to a depositary until it shall have executed to the board a bond for the proper safeguarding of the funds so deposited The bonds shall have such surety as is approved by the court of common pleas No moneys exceeding in the aggregate the amount of the bond shall be paid to any depository

Section 320 Persons Entitled to [Pensions] Retirement Allowances Every person now or hereafter in the employ of the county or the county poor district who has reached the age of fifty-five years or upwards and who shall have been in the employ of the county or the county poor district during a period of not less than twenty years shall upon application to the board be retired from service and shall thereafter receive during life a [pension] retirement allowance as herein provided for The time spent in the employ of the county or the county poor district need not necessarily have been continuous

Section 321 Exception in Favor of Persons Totally and Permanently Disabled Any employe who has been in the county or county poor district employ for a period of not less than [ten] fifteen years shall be entitled to a [pension] retirement allowance if he or she becomes totally and permanently disable even though such employe has not reached the age of fifty-five years Proof of total and permanent disability shall be by the sworn statement of three practicing physicians of the county designated by the board to the effect that such employe is totally and permanently disabled from performing the duties of his or her position or office The provisions of this section shall not apply to persons hereafter employed by the county or county poor district after arriving at the age of fifty years unless such persons had prior service with the county or county poor district commencing before they reached such age

Section 322 Amount of [Pensions] Retirement Payment The [pension] retirement allowance paid under the provisions of this act shall equal annually fifty per centum of the average annual amount received by the employe as salary or wages during the two years immediately preceding the date of retirement of the employe receiving the [pension] retirement allowance except that three per centum of such amount shall be deducted in equal monthly installments and be paid into the retirement fund as the contribution of the person receiving such retirement allowance to the said fund No [pension] retirement allowance shall exceed the sum of one hundred dollars per month [Pensions] Retirement allowances shall be paid in monthly instalments on warrant on the board

Section 323 [Pension] Retirement Allowance After Leaving County or County Poor District Service If any employe after twenty years in the county or county poor district employ is dismissed or retires voluntarily or is in any other manner deprived of his or her employment before attaining the age of fifty-five years such employe if he continues to contribute to the [pension] retirement fund monthly a sum equal to the last monthly contribution paid while in the county or county poor district employ shall when he or she reaches the age of fifty-five years be entitled to a [pension] retirement allowance

Section 324 Refund of Contributions If any county employe contributing monthly to the [pension] retirement fund shall for any cause cease to be an employe of the county or county poor district before [the expiration of the twenty-year period] he shall receive the benefits of the retirement allowances the total amount of the contributions paid into the [pension] retirement fund by such employe shall upon demand in writing be repaid to him or her or to his or her personal representatives or to such person or persons as are legally entitled thereto out of the fund

Section 325 Reinstatement should any county or county poor district employe who has withdrawn his contribution paid into the [pension] retirement fund by such employe shall upon demand become a beneficiary he or she may do so by the payment in full of the amount withdrawn and by paying the assessments provided for in section three hundred and eighteen of this act

Section 326 [Pension] Retirement Allowance Not Subject to Attachment or Assignment Suspension of Retirement Allowance No [pensions] retirement allowance herein provided for shall be subject to execution or to attachment It shall be payable only to the beneficiary herein provided for and shall not be subject to assignment or transfer If any member of the retirement system is receiving a retirement allowance and he or she shall or may hereafter be employed by the government of the United States or the Commonwealth of Pennsylvania or any political subdivision thereof then the retirement board shall and is hereby given the authority to suspend the retirement allowance to such member of the retirement system during such employment

Section 2 That section three hundred twenty-seven of said act as added by section ten of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred one) is hereby repealed

Section 3 This act shall become effective on the first day of the month next following its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Habbyshaw,	McGregor,	Shenkel,
Baker,	Hamilton,	McHenry,	Shettel,
Baldi,	Harmuth,	McKay,	Shortz,
Barnhardt,	Harris,	McKinney,	Shreiner,
Bechtel,	Hart,	Melchiorre,	Shugarts,
Beech,	Hartman,	Meredith,	Simon,
Bennett,	Heffernan,	Merrell,	Sinwell,
Bernhard,	Hefferon,	Metzler,	Snyder,
Blumberg,	Heffner,	Mohn,	Sowers,
Boyd,	Hermansen,	Moore,	Spann,
Brancato,	Hester,	Mumford,	Stank,
Brennan,	Hewitt,	Myers,	Steedle,

Brown, W. L.,	Himes, H. E.,	Negley,	Sterling, P.,
Brownfield,	Himes, L. R.,	Nothnagle,	Stevens,
Cannon,	Hoffman,	O'Connor,	Stevenson,
Caputo,	Holmes, J. B.,	O'Keefe,	Stiteler,
Carey,	Holmes, J. L.,	O'Neill,	Stone,
Carson,	Hoopes,	O'Rourke,	Storb,
Chervenak,	Horst,	Patterson,	Stott,
Cohen,	Hough,	Peelor,	Surface,
Conner,	Howard,	Pennock,	Tahl,
Cooke,	Hutton,	Perry, D. R.,	Terry,
Cordier,	Jaffe,	Perry, J. J.,	Turner,
Craig,	Jones,	Peters,	Wagner,
Cramer,	Kane, J. J.,	Powell,	Walker, G. E.,
Dane,	Kane, L. P.,	Powers,	Walker, W. A.,
Davies,	King,	Price,	Wall,
DeFrehn,	Kinney,	Quinn,	Wasserman,
Downey, J.,	Labar,	Raub,	Way,
Duffy,	Lane,	Rectenwald,	Welsh,
Dunmire,	Laubach,	Reed,	Westrick,
Dwyer,	Lewis,	Reilly,	White,
Ederer,	Long,	Rhodes,	Wike,
Emhardt,	Lose,	Rice,	Williams, G. W.,
Eroe,	Lovett, W. S.,	Roan,	Williams, J. J.,
Evans,	Lynch, J. R.,	Root,	Wilson, L. M.,
Fitzgerald,	Male,	Roth,	Wilson, T. B.,
Fleisher,	Malina,	Royle,	Witkin,
Flinchbaugh,	Maloney,	Ruby,	Wood,
Flynn,	Marcks,	Sarig,	Woodside,
Furman,	Mason,	Sautter,	Wright,
Gallagher,	McBride,	Schrock,	Yeakel,
Gartner,	McCandless,	Schrope,	Yourishin,
Gillette,	McClure,	Scorza,	Zimmerman,
Gorman,	McCreary,	Scott,	Talbot,
Green,	McGinnis,	Sheffer,	Speaker.
Griffith,	McGrail,	Shellenberger,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1362 (Senate Bill No. 433), entitled:

An Act to amend section four hundred and forty-eight of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by increasing the membership of the State Military Reservation Commission.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Gillette,	Marcks,	Sarig,
Baker,	Gorman,	Mason,	Sautter,
Baldi,	Green,	McBride,	Schrock,
Barnhardt,	Greenstein,	McCandless,	Schrope,
Bechtel,	Griffith,	McClure,	Schwartz,
Beech,	Habbyshaw,	McElwee,	Scorza,
Bennett,	Haines,	McGinnis,	Sheffer,
Bernhard,	Hamilton,	McGrail,	Shellenberger,
Blumberg,	Harris,	McHenry,	Shenkel,
Boyd,	Hart,	McKay,	Shortz,
Brancato,	Hartman,	McKinney,	Shreiner,
Brown, J. E.,	Heffernan,	Melchiorre,	Sinwell,
Brown, W. L.,	Hefferon,	Meredith,	Sowers,
Brownfield,	Heffner,	Merrell,	Spann,
Cannon,	Hermanson,	Metzler,	Stank,
Caputo,	Hester,	Mohn,	Steedle,
Carey,	Hewitt,	Moore,	Sterling, P.,
Carson,	Himes, H. E.,	Mumford,	Sterling, R. B.,
Chervenak,	Himes, L. R.,	Myers,	Stevenson,
Cohen,	Hoffman,	Negley,	Stiteler,
Conner,	Holmes, J. L.,	Nothnagle,	Storb,
Cooke,	Hoopes,	O'Connor,	Stott,
Cordier,	Horst,	O'Keefe,	Surface,
Craig,	Hough,	O'Neill,	Tahl,
Cramer,	Howard,	O'Rourke,	Terry,
Dane,	Hutton,	Patterson,	Turner,
Davies,	Jones,	Peelor,	Wade,
DeFrehn,	Kane, J. J.,	Perry, D. R.,	Wagner,
Denning,	Kane, L. P.,	Perry, J. J.,	Walker, G. E.,
Downey, G. E.,	King,	Peters,	Wall,
Duffy,	Kinney,	Powell,	Wasserman,
Dunmire,	Labar,	Powers,	Way,
Dwyer,	Lane,	Price,	Welsh,
Ederer,	Laubach,	Quinn,	Westrick,
Emhardt,	Lenahan,	Raub,	Wike,
Eroe,	Long,	Rectenwald,	Williams, J. J.,
Evans,	Lord,	Reed,	Wilson, T. B.,
Fitzgerald,	Lose,	Reilly,	Witkin,
Flanagan,	Lovett, J. E.,	Rhodes,	Woodside,
Fleisher,	Lovett, W. S.,	Rice,	Wright,
Flinchbaugh,	Lynch, J. R.,	Roan,	Yeakel,
Flynn,	Lynch, M.,	Roth,	Zimmerman,
Furman,	Malina,	Royle,	Talbot,
Gallagher,	Maloney,	Ruby,	Speaker.
Gartner,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1448 (Senate Bill No. 266), as follows:

An Act to provide for the hospitalization of tubercular patients in State and State-aided hospitals when State owned institutions established for that purpose are unable to provide therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Health is hereby authorized and empowered to send to State owned medical and surgical hospital and State-aided hospitals properly equipped to care for and treat tubercular patients and located within the State of Pennsylvania if such hospitals agree to receive them any tubercular patients eligible for admittance to the State owned institutions provided for the care and treatment of such patients when and if such State institutions are unable to provide for the care and treatment of such patients

Section 2 Patients sent to State and State-aided hospitals in accordance with the provisions of this act may be transferred to State owned institutions established for the care and treatment of such patients at any time within the discretion of the Department of Health

Section 3 The cost of the care and treatment of patients of the character herein mentioned and described in State and State-aided hospitals shall be paid by the State out of any appropriation made to the Department of Health and available for the care and treatment of tubercular patients in State institutions the per diem cost of the care and treatment of such patients in State and State-aided hospitals shall be the cost as determined quarterly and reported to the Pennsylvania Department of Welfare by each hospital concerned not to exceed $3 per day

Section 4 This act shall take effect immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Andrews,	Griffith,	McElwee,	Scorza,
Baker,	Haines,	McGinnis,	Scott,
Baldi,	Hamilton,	McGrail,	Sheffer,
Barnhardt,	Harris,	McGregor,	Shellenberger,
Bechtel,	Hart,	McHenry,	Shenkel,
Beech,	Hartman,	McKay,	Shettel,
Bernhard,	Heffernan,	McKinney,	Shortz,
Blumberg,	Heffner,	Melchiorre,	Shugarts,
Boyd,	Hermansen,	Merrell,	Simon,
Brancato,	Hester,	Metzler,	Sinwell,
Brown, J. E.,	Hewitt,	Mohn,	Snyder,
Brown, W. L.,	Himes, H. E.,	Moore,	Sowers,
Brownfield,	Himes, L. R.,	Mumford,	Spann,
Cannon,	Hoffman,	Myers,	Stank,
Caputo,	Holmes, J. L.,	Negley,	Steedle,
Carey,	Hoopes,	O'Connor,	Sterling, P.,
Carson,	Horst,	O'Neill,	Stevens,
Chervenak,	Howard,	O'Rourke,	Stevenson,
Cohen,	Hutton,	Patterson,	Stiteler,
Conner,	Jaffe,	Peelor,	Stone,
Cooke,	Jones,	Pennock,	Storb,
Cordier,	Kane, J. J.,	Perry, D. R.,	Stott,
Craig,	Kane, L. P.,	Perry, J. J.,	Surface,
Dane,	King,	Peters,	Tahl,
Davies,	Kinney,	Powell,	Wade,
DeFrehn,	Labar,	Powers,	Wagner,
Denning,	Lane,	Price,	Walker, G. E.,
Downey, J.,	Laubach,	Quinn,	Walker, W. A.,
Duffy,	Lenahan,	Raub,	Wasserman,
Dunmire,	Lewis,	Rectenwald,	Way,
Dwyer,	Long,	Reed,	Weidemann,
Ederer,	Lord,	Reilly,	Welsh,
Emhardt,	Lose,	Rhodes,	Westrick,
Evans,	Lovett, W. S.,	Roan,	Wike,
Fitzgerald,	Lynch, J. R.,	Root,	Williams, G. W.,
Flanagan,	Lynch, M.,	Roth,	Williams, J. J.,
Flinchbaugh,	Mal,	Royle,	Wilson, T. B.,
Flynn,	Malina,	Ruby,	Witkin,
Forrest,	Maloney,	Ruth,	Wood,
Furman,	Marcks,	Sarig,	Wright,
Gartner,	Mason,	Sautter,	Yeakel,
Gillette,	McBride,	Schrock,	Yourishin,
Gorman,	McCandless,	Schrope,	Zimmerman,
Green,	McClure,	Schwab,	Talbot,
Greenstein,	McCreary,	Schwartz,	Speaker.

NAYS—5

Habbyshaw,	Shreiner,	Turner,	Woodside,
Rice,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1684 (Senate Bill No. 155), as follows:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream French ice cream French custard frozen custard sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream French ice cream French custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of this act "ice cream" is defined as any frozen sweetened milk product which is agitated during the process of freezing and includes every frozen milk product which contains more than five per centum (5%) by weight of total milk solids or skim milk solids and which in any manner simulates the texture or characteristics of ice cream no matter under what coined or trade name it may be sold Ice cream shall be made from a combination of one or more of the following ingredients viz cream milk condensed milk sweetened condensed milk dried milk skimmed milk condensed skimmed milk sweetened condensed skimmed milk or dried skimmed milk and with or without one or more of the following ingredients butter water sugar flavor stabilizer harmless color which does not conceal damage or inferiority any one and all of which ingredients shall be wholesome edible material and the finished products shall contain not less than ten per centum (10%) of butter fat by weight except when fruits or nuts or both are used for flavoring when it shall contain not less than eight per centum (8%) of butter fat by weight

For the purpose of this act "custard ice cream" "French ice cream" "French custard" and "frozen custard" shall conform to the definition and standards hereinbefore defined for "ice cream" no matter under what trade or coined name it may be sold or offered for sale and furthermore it shall contain not less than five (5) dozen clean wholesome egg yolks or the equivalent of such egg yolks in any wholesome form for each ninety (90) pounds of finished product

For the purpose of this act "sherbet" is defined as any frozen sweetened fruit flavored product containing five per centum (5%) or less by weight of total milk solids or skim milk solids the process of manufacture of which is similar to the process of manufacture of ice cream no matter under what trade or coined name it may be sold or offered for sale It shall be made from milk or milk products including ice cream mix with one or more of the following ingredients viz sugar water stabilizer or harmless color which does not conceal damage or inferiority and fruit or fruit flavoring material and the finished product (except vanilla and chocolate flavors) shall contain not less than thirty-five hundredths of one per cetum (0.35%) of harmless organic acid as determined by titration with standard alkali and calculated as lactic acid and derived in whole or in part from the fruit or fruit flavoring material or by the addition of citric tartaric or lactic acid

"Sherbet" when sold or offered for sale under any coined or trade name shall be plainly and distinctly marked as "a sherbet" in addition to the said coined or trade name designation and in juxtaposition thereto

For the purpose of this act "ice" or "fruit ice" is hereby defined as any frozen sweetened fruit flavored product the process of manufacture of which is similar to the process of manufacture of ice cream no matter under what trade or coined name it may be sold or offered for sale and shall contain no milk solids whatsoever It shall be made from one or more of the following ingredients viz sugar water stabilizer harmless color which does not conceal damage or inferiority fruit or fruit flavoring material and the finished product shall contain not less than thirty-five hundredths of one per centum (0.35%) of harmless organic acid as determined by titration with standard alkali and calculated as lactic acid and derived in whole or in part from the fruit or fruit flavoring material or by the addition of citric tartaric or lactic acid

For the purpose of this act "imitation ice cream" "ice cream substitute" or "coated imitation ice cream" is defined as any frozen sweetened product containing milk solids manufactured in a manner similar to the process of manufacturing ice cream hereinbefore defined and which contains less that the per centum of butter fat as hereinbefore adopted for ice cream or more than five per centum (5%) of total milk solids or skim milk solids

For the purpose of this act an "ice cream plant" shall mean any place premises or establishment where ice cream sherbet ice fruit ice or similar frozen products are manufactured prepared or processed for distribution or sale

Section 2 It is unlawful for any person association partnership or corporation by himself herself itself or themselves or by his or their agents servants or employes to sell offer for

sale expose for sale or have in possession with intent to sell ice cream custard ice cream French ice cream French custard frozen custard sherbet ice or fruit ice including coated ice cream and the coating thereof which is adulterated within the meaning of this act or to sell offer for sale or expose for sale or have in possession with intent to sell any imitation ice cream ice cream substitute or coated imitation ice cream as defined in this act

Section 3 Ice cream custard ice cream French ice cream French custard frozen custard sherbet ice and fruit ice and the coating thereof shall be deemed to be adulterated within the meaning of this act

First If it contains boric acid formaldehyde saccharin or any other added substance or compound that is deleterious to health

Second If it contains salts of copper iron oxide ochres or any coloring substance deleterious to health Provided That this paragraph shall not be construed to prohibit the use of harmless coloring matter when not used for fraudulent purposes

Third If it contains any deleterious flavoring matter or flavoring matter not true to name

Fourth If it contains any fats oils or paraffin other than milk fats added to or blended or compounded with it Provided however That chocolate ice cream and the coating of coated ice cream may contain cocoa butter

Fifth If it is an imitation ice cream ice cream substitute or coated imitation ice cream as defined in this act

Sixth If it is offered for sale from any container compartment or cabinet which contains any article other than ice cream custard ice cream French ice cream French custard frozen custard sherbet ice or fruit ice

Seventh If it falls below the standards or any of them fixed for the particular product by the definition thereof contained in this act or is falsely labeled or labeled contrary to the provisions of this act

Section 4 It is unlawful for any person association partnership or corporation to sell offer for sale expose for sale or have in possession with intent to sell any ice cream custard ice cream French ice cream French custard frozen custard sherbets ices or fruit ices in any container which is falsely labeled or branded as to the name of the manufacturer thereof or to misrepresent in any way the place of manufacture thereof

It is unlawful for any person to use or cause or allow to be used any equipment cabinet can or other container belonging to one manufacturer for the purpose of preserving or holding any ice cream custard ice cream French ice cream French custard frozen custard sherbet ice or fruit ice manufactured by another manufacturer or for any person manufacturer or employe or agent of any manufacturer to knowingly supply or place or deposit ice cream custard ice cream French ice cream French custard frozen custard sherbet ice or fruit ice of one manufacturer in any equipment cabinet can or other container belonging to another manufacturer It is unlawful for any person other than the owner to remove erase obliterate cover or conceal any manufacturer's or owner's name insignia device or distinguishing mark which may appear or be placed on any ice cream equipment cabinet can or other container

Section 5 Every ice cream plant shall be maintained and operated with strict regard for the purity and wholesomeness of the ice cream sherbet and ice produced therein The entire establishment and its appertaining premises including fixtures furnishings machinery apparatus implements utensils receptacles and all equipment used in the production keeping storing handling or distributing shall be maintained and operated in a clean sanitary manner All equipment and utensils used in the production of ice cream custard ice cream French ice cream French custard frozen custard sherbet ice and fruit ice shall be thoroughly sterilized The clothing habits and conduct of the employes shall be conducive to and promote cleanlines and sanitation There shall be proper suitable and adequate toilets and lavatories and equipment for cleansing constructed maintained and operated in a clean and sanitary manner

Section 6 It shall be the duty of every person copartnership association and corporation whether resident or non-resident of this Commonwealth operating an ice cream plant to apply to the Department of Agriculture for a license to do so and to register with the department each and every brand or product produced or manufactured in such plant on or before the first day of July one thousand nine hundred and thirty-three and thereafter before the first day of January of each succeeding year and pay to the department at the time such application fro registration and license is filed an annual license fee as follows For each ice cream plant producing annually not in excess of one hundred thousand (100,000) gallons ten dollars ($10.00) in excess of one hundred thousand (100,000) gallons and not in excess of two hundred and fifty thousand (250,000) gallons fifty dollars ($50.00) and in excess of two hundred and fifty thousand (250,000) gallons one hundred dollars ($100.00)

The license fee from the first day of July one thousand nine hundred and thirty-three to the first day of January one thousand nine hundred and thirty-four shall be one-half of the above amounts The application for a license and registration amounts The application for a license and registration shall be made on a form to be supplied by the department The application shall have attached thereto to the affidavit of the person or of some member or officer of the association copartnership or corporation applying therefor stating the facts set forth therein are true and correct

From and after the first day of July one thousand nine hundred and thirty-three it shall be unlawful for any person to operate an ice cream plant unless the same is duly licensed in accordance with the provisions of this act

Upon approval of application for registration and license and payment of required license fee and also approval of sanitary conditions in an ice cream plant the Department of Agriculture shall issue to each applicant a license or certificate of registration which shall expire at the end of each calendar year and which will authorize the operation of said plant for the calendar year or portion thereof for which a license or certificate of registration shall be issued

Section 7 The Department of Agriculture is hereby authorized to revoke any license for cause and where it shall be properly ascertained that the ice cream plants are not operated in a proper and sanitary condition as hereinbefore provided

Section 8 The Department of Agriculture is charged with the enforcement of the provisions of this act

The department is authorized to adopt and promulgate such rules and regulations as are necessary for the proper enforcement of the provisions of this act

Section 9 Any person association partnership or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) or in the case of an individual or the officers and members of an association partnership or corporation to undergo an imprisonment of not less than thirty (30) days nor more than sixty (60) days or both

All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Department of Agriculture and when so collected and paid shall thereafter be paid into the State Treasury through the Department of Revenue for the use of the Commonwealth

Section 10 Nothing contained in this act shall be construed to apply to ice cream and similar frozen products manufactured and sold by social fraternal charitable educational religious or beneficial organizations nor to a farmer making and selling from the products of his farm ice cream custard French ice cream French custard frozen custard sherbert or ice provided that the standards of purity in all cases of manufacture and sale permitted by the provisions of this section

Section 11 The act approved the twentieth day of March one thousand nine hundred and twenty-three (Pamphlet Laws twenty-five), entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream including coated ice cream and the coating thereof fixing a standard of butter-fat for ice cream providing penalties for the violation thereof and providing for the enforcement thereof" and the amendments thereto are hereby repealed

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 12 This act shall take effect on the first day of May one thousand nine hundred and thirty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—36

Bennett,	Hough,	Pennock,	Wall,
Conner,	Jaffe,	Peters,	White,
Dane,	Lenahan,	Root,	Williams, J. J.,
Cramer,	Lewis,	Schwab,	Wilson, L. M.,
Greenstein,	Lord,	Shreiner,	Witkin,
Haines,	Lovett, J. E.,	Sterling, P.,	Woodside,
Harris,	Lynch, J. R.,	Stott,	Wright,
Heffernan,	McGinnis,	Turner,	Yeakel,
Hoopes,	Melchiorre,	Wagner,	Zimmerman,
Horst,			

NAYS—74

Baker,	Hester,	McGregor,	Sinwell,
Barnhardt,	Hewitt,	McKay,	Snyder,
Bechtel,	Himes, H. E.,	McKinney,	Stank,
Bernhard,	Holmes, J. L.,	Meredith,	Sterling, R. B.,
Brennan,	Howard,	Mohn,	Stevens,
Brown, W. L.,	Jones,	O'Connor,	Stevenson,
Brownfield,	Kane, L. P.,	Peelor,	Stiteler,
Cannon,	King,	Perry, J. J.,	Stone,
Caputo,	Labar,	Raub,	Terry,
Carey,	Lane,	Roan,	Wade,
Carson,	Laubach,	Roth,	Walker, W. A.,
DeFrehn,	Long,	Sautter,	Way,
Downey, G. E.,	Lose,	Schrock,	Welsh,
Downey, J.,	Lovett, W. S.,	Schrope,	Westrick,
Dunmire,	Lynch, M.,	Shellenberger,	Williams, G. W.,
Eroe,	Male,	Shettel,	Wilson, T. B.,
Gartner,	McBride,	Shortz,	Wood,
Hefferon,	McCreary,	Shugarts,	Yourishin,
Heffner,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2065 (Senate Bill No. 388), as follows:

An Act providing for the appointment promotion reduction removal and reinstatement of paid officers firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the second and third class and defining the powers and duties of civil service commissions for such purposes and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of July one thousand nine hundred and thirty-three appointments to and promotions in all paid fire departments or as fire alarm operators and fire box inspectors in the bureaus of electricity of cities of the second and the third class shall be made according to qualifications and fitness to be ascertained by examinations which so far as practicable shall be competitive as hereinafter provided On and after said date no person shall be reinstated appointed promoted demoted or discharged as a paid member of any fire department (except the chief and deputy chiefs) regardless of rank or position in any fire department or as a fire alarm operator or fire box inspector in the bureau of electricity in any city of the second or third class in any manner or by any means other than those prescribed in this act

Section 2 The civil service commission in each city within the terms of this act shall

First Prescribe amend and enforce rules and regulations for carrying into effect the provisions of this act All rules so prepared may from time to time be added to amended or rescinded All rules shall be approved by the mayor and the council before they go into effect and when so approved shall not be annulled or changed except by the commission with the approval of the mayor and the council If the mayor or council takes no action on a rule or amendment submitted to them within a period of twenty days from the date of its submission then the rule or amendment shall become effective as though approved by the mayor and council

Second Keep minutes of its own proceedings and records of its examinations and other official actions All recommendations of applicants for employment received by the commission or by any officer having authority to make appointments shall be kept and preserved for a period of ten years and all such records (recommendations of former employes excepted) and all written causes of removal filed with it shall subject to reasonable regulation be open to public inspection

Third Make investigations either as a body or through a single commissioner concerning all matters touching the enforcement and effect of the provisions of this act and the rules and regulations prescribed thereunder concerning the action of any examiner or subordinate of the commission or of any person in the public service in respect to the execution of this act In the course of such investigations each commissioner shall have the power to administer oaths and affirmations and to take testimony

Fourth Have power to subpoena and require the attendance of witnesses and the production of books and papers pertinent to the investigations and inquiries hereby authorized and to examine them and such public records as it shall require in relation to any matter which it has the authority to investigate The fees of such witnesses for attendance and travel shall be the same as for witnesses before the courts of common pleas and shall be paid from the appropriations for the incidental expenses of the commission All officers in the public service and their deputies clerks subordinates and employes shall attend and testify when required to do so by the commission Any disobedience to or neglect of any subpoena issued by the said commissioners or any one of them to any person shall be held a contempt of court and shall be punished by the court of common pleas as if such subpoena had been issued therefrom Any judge of any of said courts shall upon the application of any one of said commissioners in such cases cause the process of said court to issue to compel such person or persons disobeying or neglecting any such subpoena to appear and to give testimony before the said commissioners or any one of them and shall have power to punish any such contempt

Fifth Make an annual report to the mayor showing its own actions and rules and regulations and all the exceptions thereto in force and the practical effects thereof and any suggestions it may approve for the more effectual accomplishment of the purposes of this act Such report shall be available for public inspection five days after the same shall have been delivered to the mayor

Section 3 The civil service commission in each city shall make rules and regulations providing for examinations for positions in the paid fire department and as fire alarm operators and fire box inspectors in the bureau of electricity in each city and for appointments to and promotions therein and for such other matters as are necessary to carry out the purposes of this act Due notice of the contents of such rules and regulations and of any modifications thereof shall be given by mail in due season to appointing officers affected thereby Such rules and regulations and modifications thereof shall also be printed for public distribution All original appointments to any positions in the fire department and as fire alarm operators and fire box inspectors within the terms of this act shall be for a probationary period of three months At any time during the probationary period the appointee may be dismissed for just cause in the manner provided in section sixteen of this act If at the close of such probationary term the conduct or capacity of the probationer has not been satisfactory to the appointing officer the probationer shall be notified in writing that he will not receive permanent appointment whereupon his employment shall cease otherwise his retention in the service shall be equivalent to his permanent appointment

Section 4 All examinations for positions or promotions shall be practical in their character and shall relate to such matters and include such inquiries as will fairly and fully

test the comparative merit and fitness of the persons examined to discharge the duties of the employment sought by them All examinations shall be open to all applicants who have fulfilled the preliminary requirements required by this act All applicants for any position in the fire department and as fire alarm operators and fire box inspectors in the bureau of electricity shall subject to regulations adopted by the civil service commission be required to submit to a physical examination before being admitted to the regular examinations held by the commission Each applicant shall have been a resident of the city in which he seeks employment for one year next preceding date of his application Adequate public notice of the time and place of every examination held under the provisions of this act together with information as to the kind of position or place to be filled shall be given at least one week prior to such examinations The commission shall adopt reasonable regulations for permitting the presence of representatives of the press at the examinations The commission shall post in a public place at its office the eligible lists containing the names and grades of those who have passed examinations and shall indicate thereon such appointments as may be made from said lists

Section 5 The civil service commission in each city shall require persons applying for admission to any examination provided for under this act or under the rules and regulations of the said commission to file in its office within a reasonable time prior to the proposed examination a formal application in which the applicant shall state under oath or affirmation

First His full name residence and post office address

Second His citizenship age and the place and date of his birth

Third His health and his physical capacity for public service

Fourth His business and employments and residences for at least three years previous

Fifth Such other information as may reasonably be required touching the applicant's qualifications and fitness for the public service

Blank forms for such applications shall be furnished by the commission without charge to all persons requesting the same The commission may require in connection with such application such certificate of citizens physicians or others having knowledge of the applicant as the good of the service may require The commission may refuse to examine an applicant or after examination to certify as eligible one who is found to lack any of the established preliminary requirements for the examination or position or employments for which he applies or who is physically so disabled as to be rendered unfit for the performances of the duties of the position to which he seeks appointment or who is addicted to the habitual use of intoxicating liquors or drugs or who has been convicted of any crime or whose conduct is infamous or notoriously disgraceful or who has been dismissed from the public service for delinquency or misconduct or who has made a false statement of any material fact or practiced or attempted to practice any deception or fraud in his application in his examination or in establishing his eligibility or who refuses to comply with the rules and regulations of the commission

If any applicant feels himself aggrieved by the action of the commission in refusing to examine him or after an examination to certify him as an eligible as provided in this section the commission shall at the request of such applicant appoint a time and place for a public hearing at which time such applicant my appear by himself or counsel or both and the commission shall then review its refusal to make such examination or certification and testimony shall be taken The commission shall subpoena at the expense of the applicant any competent witnesses requested by him After such review the commission shall file the testimony taken in its records and shall again make a decision which decision shall be final

Section 6 Every position or employment unless filled by promotion reinstatement or reduction shall be filled only in the following manner The appointing officer shall notify the civil service commission of any vacancy in the service which he desires to fill and shall request the certification of eligibles The commission shall forthwith certify from the appropriate eligible list the names of the three persons thereon who received the highest averages at the last preceding examination held under the provisions of this act The appointing officer shall thereupon with sole reference to the relative merit and fitness of the candidates make an appointment from the three names so certified If the appointing officer makes objection to the commission to one or more of the persons named for any of the reasons stated in section eleven of this act and if such objections are sustained by the commission the commission shall thereupon strike the name of such person from the eligible list and certify the next highest name for each person so stricken off If any name shall be three times rejected for the same or another position such name shall be stricken from the list When there are a number of positions of the same kind to be filled at the same time each appointment shall be made separately and in accordance with the foregoing provisions

Section 7 Whenever there are urgent reasons for filling a vacancy in any position in the fire department or as fire alarm operators or fire box inspectors in the bureau of electricity and there is no list of persons eligible for appointment the appointing officer may nominate a person to the civil service commission for non-competitive examination and if such nominee shall be certified by the commission as qualified after such non-competitive examination he may be appointed provisionally to fill such vacancy until a selection and appointment can be made after competitive examination in the manner prescribed by this act No such provisional appointment shall continue for a longer period than three months nor shall successive provisional appointments be made to the same position

Section 8 Vacancies in positions in the fire department and as fire alarm operators and fire box inspectors in the bureau of electricity shall be filled so far as practicable by promotions from among persons holding positions in the next lower grade in the department Promotions shall be based upon merit to be ascertained by tests to be provided by the civil service commission and upon the superior qualifications of the persons promoted as shown by his previous service and experience Provided however That no person shall be eligible for promotion from the lower grade to the next higher grade until such person shall have completed at least two years service in the next lower grade in the department The commission shall have the power to determine in each instance whether an increase in salary constitutes a promotion

Section 9 All applicants for any position in the fire department and as fire alarm operators and fire box inspectors in the bureau of electricity shall undergo a physical examination which shall be conducted under the supervision of a commission composed of doctors of medicine appointed for that purpose by the mayor Said commission shall certify that an applicant is free from any bodily or mental defects deformity or diseases that might incapacitate him from the performance of the duties of the position desired before said applicant shall be permitted to take further examinations No application will be received if the person applying is less than twenty-one years of age or more than thirty-five years of age at the date of his aplication Provided however That in event any applicant has formerly served upon the fire department or as a fire alarm operator or fire box inspector in the bureau of electricity of the city to which he makes application for a period of more than six months and no charges of misconduct or other misfeasance were made against such applicant within a period of two years next of the city then such person shall be eligible for reinstatement in the discretion of the civil service commission even though such applicant shall be over the age of thirty-five years Such applicant providing his former term of service so justifies may be reappointed to the fire department or as a fire alarm operator or fire box inspector in the bureau of electricity without examination other than a physical examination If such person is reinstated he shall be the lowest in rank in the department next above the probationers of the department

Section 10 No member of any fire department and no fire alarm operator fire box inspector in any bureau of electricity within the terms of this act shall be removed discharged or reduced in rank or pay except for just cause which shall not be religious or political nor in any event until he shall have been furnished with a written statement of the reasons for such action In every case of such removal or reduction a copy of the statement of reasons therefor and of the written answer thereto if the person sought to be removed desires to

file such written answer shall be furnished to the civil service commission and entered upon its records If the person sought to be removed or reduced shall demand it the civil service commission shall grant him a public hearing which hearing shall be held within a period of fifteen days from the filing of the charges in writing and the written answer thereto At such hearing the burden shall be upon the removing officer to justify his action In the event that the civil service commission fails to sustain the action of the removing officer the person sought to be removed shall be reinstated with full pay for the entire period during which he may have been prevented from performing his usual employment and no charges shall be recorded against him A written record of all testimony taken at such hearing shall be kept and preserved by the civil service commission which record shall be sealed and not be available for public inspection unless an appeal is taken from the action of the commission In the event that the civil service commission shall sustain the action of the removing officer the person removed shall have an immediate right of appeal to the court of common pleas Such appeal shall be taken within ninety days from the entry by the civil service commission of its final order The court shall proceed to hear the appeal upon the original record taken therein and no additional proof shall be introduced Any employe dissatisfied with the decision of the court of common pleas shall have the right of appeal to the Supreme Court The removing officer and the person sought to be removed shall have the right to employ counsel to represent him before said civil service commission and upon appeal

Section 11 If for reasons of economy or other reasons it shall be deemed necessary by any city to reduce the number of paid members of any fire department or the number of fire alarm operators or fire box inspectors in the bureau of electricity then such city shall follow the following procedure

First If there are any paid firemen fire alarm operators or fire box inspectors eligible for retirement under the terms of any pension fund then such reduction in numbers shall be made by retirement on pension of all the oldest in age and service

Second If the number of paid firemen fire alarm operators and fire box inspectors eligible for retirement under the pension fund of said city if any is insufficient to effect the reduction in number desired by said city or if there is no eligible person for retirement or if no pension fund exists in said city then the reduction shall be effected by suspending the last man or men including probationers that have been appointed Such removal shall be accomplished by suspending in numerical order commencing with the last man appointed all recent appointees until such reduction shall have been accomplished Whenever such fire department or fire alarm operators or fire box inspectors in the bureau of electricity shall again be increased in numbers to the strength existing prior to such reduction of members or if any vacancies occur the employes suspended under the terms of this act shall be reinstated to their former class before any new appointees are appointed

Section 12 No question in any form of application or in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant nor shall inquiry be made concerning such opinions or affiliations and all disclosures thereof by any applicant shall be discountenanced No discrimination whatsoever shall be exercised threatened or promised by any person in the fire department or in the bureau of electricity against or in favor of an applicant eligible or employe in such fire department or as fire alarm operator or fire box inspector in the bureau of electricity under this act because of his political or religious opinions or affiliations

Section 13 Any person who makes an appointment to officer or selects a person for employment contrary to the provisions of this act or wilfully refuses or neglects otherwise to comply with or to conform to any of the provisions of this act or violate any of such prvisions shall be guilty of a misdemeanor

Section 14 Any commissioner or examiner or any other person who wilfully by himself or in cooperation with one or more persons defeats deceives or obstructs any person in respect to his right of examination or registration under the provisions of this act or under any rules or regulations adopted pursuant thereto or who wilfully or corruptly falsely marks grades estimates or reports upon the examination or proper standing of any person examined registered or certified pursuant to the provisions of this act or aids in so doing or who wilfully or corruptly furnishes to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of appointment of any person so examined registered or certified or to be examined registered or certified or who impersonates any other person or permits or aids in any manner any other person to impersonate him in connection with any examination or registration or application or request to be examined or registered shall for each offense be guilty of a misdemeanor

Section 15 Any person guilty of a misdemeanor under the provisions of this act shall upon conviction thereof be sentenced to pay a fine of not less than fifty dollars nor more than one thousand dollars or by imprisonment for a term not exceeding one year or by both such fine and imprisonment in the discretion of the court

Section 16 All paid firemen fire alarm operators and fire box inspectors in the bureau of electricity in the employ of any city upon the effective date of this act shall continue to hold their positions subject to the provisions of this act

Section 17 All acts and parts of acts general special or local inconsistent with this act are hereby repealed It is the purpose of this act to furnish a complete and exclusive system for the appointment promotion reduction removal and reinstatement of all officers firemen or other employes of fire departments and of all fire alarm operators and fire box inspectors in the bureaus of electricity in all cities of the second and third class wherein such officers and employes are paid

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176

Andrews,	Gorman,	Mason,	Schwartz,
Baker,	Green,	McBride,	Scorza,
Baldi,	Greenstein,	McCandless,	Sheffer,
Barnhardt,	Griffith.	McClure,	Shellenberger,
Bechtel,	Habbyshaw,	McCreary,	Shenkel,
Beech,	Haines,	McGinnis,	Shettel,
Bennett,	Hamilton,	McGrail,	Shortz,
Bernhard,	Harris,	McGregor,	Shreiner,
Blumberg,	Hart,	McHenry,	Simon,
Boyd,	Hartman,	McKinney,	Sinwell,
Brancato,	Heffernan,	Melchiorre,	Snyder,
Brennan,	Hefferon,	Merrell,	Sowers,
Brown, J. E.,	Hermansen,	Metzler,	Spann,
Brown, W. L.,	Hester,	Mohn,	Stank,
Brownfield,	Hewitt,	Moore,	Steedle,
Cannon,	Himes, H. E.,	Mumford,	Sterling, P.,
Caputo,	Himes, L. R.,	Myers,	Sterling, R. B.
Carson,	Hoffman,	Negley,	Stevens,
Chervenak,	Holmes, J. B.,	Nothnagle,	Stevenson,
Cohen,	Holmes, J. L.,	O'Connor,	Stiteler,
Conner,	Hoopes,	O'Keefe,	Stone,
Cook,	Horst,	O'Neill,	Storb,
Cordier,	Hough,	Patterson,	Surface,
Craig	Howard,	Peelor,	Tahl,
Dane,	Hutton,	Pennock,	Turner,
Davies,	Jones,	Perry, J. J.,	Wagner,
DeFrehn,	Kane, J. J.,	Peters,	Walker, G. E.,
Denning	Kane, L. P.,	Powers,	Walker, W. A.,
Downey, G. E.,	King,	Powell,	Wasserman,
Downey, J.,	Kinney,	Powers,	Way,
Dunmire,	Labar,	Quinn,	Weidemann,
Dwyer,	Lane,	Reed,	Welsh,
Ederer,	Laubach,	Reilly,	Westrick,
Emhardt,	Lenahan,	Rhodes,	Williams, G. W.,
Evans,	Long,	Rice,	Williams, J. J.,
Fitzgerald,	Lord,	Roan,	Wilson, L. M.,
Flanagan,	Lose,	Roth,	Witkin,
Fleisher,	Lovett, J. E.,	Royle,	Woodside,
Flinchbaugh,	Lovett, W. S.,	Ruby,	Yeakel,
Flynn,	Lynch, J. R.,	Sarig,	Yourishin,

Forrest,	Male,	Sautter,	Zimmerman,
Furman,	Malina,	Schrope,	Talbot,
Gartner,	Maloney,	Schwab,	Speaker.
Gillette,	Marcks,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2138 (Senate Bill No. 843), entitled:

A Supplement to the act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" as amended authorizing any major general in command of the National Guard with the approval of the Governor as Commander-in-Chief thereof to continue to hold such position until he reaches the age of sixty-nine years

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Gillette,	McClure,	Sheffer,
Baker,	Green,	McCreary,	Shenkel,
Baldi,	Greenstein,	McElwee,	Shettel,
Barnhardt,	Griffith,	McGinnis,	Shreiner,
Bechtel,	Habbyshaw,	McGrail,	Shugarts,
Beech,	Hamilton,	McHenry,	Sinwell,
Bennett,	Harmuth,	McKay,	Snyder,
Bernhard,	Harris,	McKinney,	Spann,
Blumberg,	Hart,	Melchiorre,	Stank,
Boyd,	Hartman,	Merrell,	Steedle,
Brennan,	Hefferon,	Metzler,	Sterling, P.,
Brown, J. E.,	Heffner,	Mohn,	Stevens,
Brown, W. L.,	Hermansen,	Moore,	Stevenson,
Brownfield,	Hester,	Mumford,	Stiteler,
Cannon,	Hewitt,	Negley,	Storb,
Caputo,	Himes, H. E.,	Nothnagle,	Stott,
Carey,	Hoffman,	O'Connor,	Surface,
Carson,	Holmes, J. L.,	O'Keefe,	Tahl,
Chervenak,	Hoopes,	O'Neill,	Terry,
Cohen,	Horst,	O'Rourke,	Turner,
Conner,	Hough,	Patterson,	Wade,
Cooke,	Howard,	Peelor,	Wagner,
Cordier,	Hutton,	Pennock,	Walker, G. E.,
Cramer,	Jaffe,	Perry, D. R.,	Walker, W. A.,
Dane,	Jones,	Perry, J. J.,	Wall,
Davies,	Kane, J. J.,	Peters,	Wasserman,
DeFrehn,	Kane, L. P.,	Powell,	Way,
Denning,	Kinney,	Powers,	Weidemann,
Downey, G. E.,	Lane,	Price,	Welsh,
Duffy,	Laubach,	Raub,	Westrick,
Dunmire,	Lenahan,	Rectenwald,	White,
Dwyer,	Lewis,	Reed,	Wike,
Ederer,	Long,	Reilly,	Williams, G. W.,
Emhardt,	Lord,	Rhodes,	Williams, J. J.,
Eroe,	Lose,	Rice,	Wilson, L. M.,
Evans,	Lovett, J. E.,	Roan,	Witkin,
Fitzgerald,	Lovett, W. S.,	Roth,	Wood,
Flanagan,	Lynch, J. R.,	Royle,	Woodside,
Fleisher,	Male,	Ruth,	Wright,
Flinchbaugh,	Malina,	Sarig,	Yeakel,
Flynn,	Maloney,	Schrock,	Yourishin,
Forrest,	Marcks,	Schrope,	Zimmerman,
Gallagher,	Mason,	Schwartz,	Talbot,
Gartner,	McBride,	Scorza,	Speaker.
Gorman,	McCandless,	Scott,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

MOTION TO RECONSIDER VOTE ON HOUSE BILL No. 2109

Mr. JOHN B. HOLMES. Mr. Speaker, I ask unanimous consent to move that the vote by which House Bill No. 2109, Printer's No. 942, entitled

An Act to amend section two of the act approved the twenty-seventh day of March, one thousand nine hundred twenty-three (P. L. 34), entitled "An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic, in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic laws and alcoholic liquor license laws"; defining intoxicating liquor.

was defeated on final passage on Tuesday, April 18, 1933, be reconsidered.

The SPEAKER. Will the House give its unanimous consent to the consideration of the motion? Are there any objections?

Mr. TERRY. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2141 (Senate Bill No. 84),entitled:

An Act making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties, and requiring counties coming under the provisions of this act to appropriate certain moneys; and providing penalties," as amended.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Gorman,	Mason,	Shreiner,
Baker,	Green,	McBride,	Shugarts,
Baldi,	Greenstein,	McCandless,	Simon,
Barnhardt,	Griffith,	McClure,	Snyder,
Bechtel,	Habbyshaw,	McCreary,	Sowers,
Beech,	Haines,	McElwee,	Spann,
Bennett,	Hamilton,	McGrail,	Stank,
Bernhard,	Harmuth,	McGregor,	Steedle,
Blumberg,	Hart,	McHenry,	Sterling, P.,
Boyd,	Hartman,	Meredith,	Sterling, R. B.,
Brennan,	Heffernan,	Merrell,	Stevens,
Brown, J. E.,	Hefferon,	Metzler,	Stevenson,
Brown, W. L.,	Heffner,	Moore,	Stiteler,
Brownfield,	Hermansen,	Mumford,	Stone,
Cannon,	Hester,	Negley,	Storb,
Caputo,	Hewitt,	O'Connor,	Stott,

Carey,	Himes, H. E.,	O'Keefe,	Tahl,
Chervenak,	Himes, T. R.,	O'Rourke,	Terry,
Cohen,	Hoffman,	Peelor,	Turner,
Conner,	Holmes, J. L.,	Pennock,	Wade,
Cooke,	Hoopes,	Perry, D. R.,	Wagner,
Cordier,	Horst,	Perry, J. J.,	Walker, G. E.,
Craig,	Hough,	Peters,	Walker, W. A.,
Cramer,	Howard,	Powell,	Wall,
Dane,	Hutton,	Powers,	Wasserman,
Davies,	Jaffe,	Raub,	Way,
DeFrehn,	Jones,	Rectenwald	Weidemann,
Denning,	Kane, J. J.,	Reed,	Welsh,
Downey, G. E.,	King,	Reilly,	Westrick,
Downey, J.,	Kinney,	Rhodes,	White,
Dunmire,	Labar,	Roan,	Wike,
Dwyer,	Lane,	Root,	Williams, G. W.,
Ederer,	Laubach,	Roth,	Williams, J. J.,
Emhardt,	Lenahan,	Royle,	Wilson, L. M.,
Eroe,	Lewis,	Ruby,	Wilson, T. B.,
Evans,	Long,	Sarig,	Witkin,
Fitzgerald,	Lord,	Sautter,	Wood,
Fleisher,	Lose,	Schrock,	Woodside,
Flinchbaugh,	Lovett, J. E.,	Schwab,	Wright,
Flynn,	Lovett, W. S.,	Schwartz,	Yeakel,
Forrest,	Lynch, J. R.,	Scorza,	Yourishin,
Furman,	Lynch, M.,	Sheffer,	Zimmerman,
Gallagher,	Malina,	Shenkel,	Talbot,
Gartner,	Maloney,	Shortz,	Speaker,
Gillette,	Marcks,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

CONCURRENT RESOLUTION (SERIAL No. 115)

Mr. STEEDLE. Mr. Speaker, I desire to call up for consideration of the House Concurrent Resolution of the Senate, Serial No. 115, generally known as the Howell Resolution on Salary Reductions.

The resolution was read by the Clerk as follows:

In the Senate, February 21, 1933.

Whereas, The continuance of the economic depression has seriously affected the revenues of all forms of Government and necessitates the greatest economy and reduction in governmental costs possible in order that budgets may be balanced, and our unemployed cared for; and

Whereas, The salaries paid to public officers and employes constitute an appreciable part of the cost of government; and

Whereas, Industry and business has been forced to reduce salaries and wages in order to continue operation and provide employment; therefore be it

Resolved, (if the House of Representatives concur), That it is the sense of the General Assembly that the salaries, compensation and emoluments of office of all public officers and employes of the executive, legislative and judicial departments of the State Government, should be reduced, and that those agencies and officers of government charged with the fixing of salaries and compensation of public employes should reduce such salaries and compensation in accordance with the provisions of this resolution;

Resolved, That all public officers of the executive, legislative and judicial departments of the State Government be urged to agree voluntarily to accept reductions in their salaries, compensation and emoluments of office and return the same to the government or permit it to retain, the percentage of such salaries, compensation and emoluments of office as is provided for by this resolution;

Resolved, That it is the sense of the General Assembly that such reductions in salaries, compensation and emoluments of office should be in accordance with the following standards:

(a) Salaries, compensation and emoluments amounting to $750 and less per annum should not be reduced.

(b) All salaries, compensation and emoluments amounting to more than $750 per annum should be reduced by an amount equal to 20% of the difference in amount between the present salary, compensation or emolument and the sum of $750.

(c) In the case of per diem compensation, such compensation amounting to $2 per day and less should not be reduced; and such compensation amounting to more than $2 per day should be reduced by an amount equal to 20% of the difference in amount between the present per diem compensation and the sum of $2.

(d) The amount of the compensation of the Members of the General Assembly not already paid over be reduced by 40%: Provided, That no such reduction shall be made as to any Member unless he shall agree thereto in writing sent to the Chief Clerk of the House.

Resolved, That it is the sense of the General Assembly that such reductions should become effective as of the first day of June, one thousand nine hundred and thirty-three, with the exception of those effecting the compensation of the members, officers and employes of the General Assembly which should apply to all such compensation, that has not heretofore been paid.

Resolved, That in order that the General Assembly, may ascertain the amount of money which can be saved by the foregoing reductions the Auditor General be directed to forward a copy of this resolution upon its final passage to the Governor, Lieutenant Governor, State Treasurer and Secretary of Internal Affairs, to each member of the Executive Board of the State Government, to the heads of the several departments and of the several administrative boards and commissions, to each of the judges learned in the law of the Commonwealth, and to the officers and members of the General Assembly, with the request that all persons affected thereby notify the Auditor General, in writing, within two weeks of such request of the acceptance of the provisions hereof and that requisitions of salary for such persons be drawn at the reduced rates, after the first day of June, one thousand nine hundred and thirty-three, in the case of members of the executive and judicial branches of the government.

Resolved, That this resolution is intended to be effective upon final passage.

On the question,

Will the House concur in the resolution of the Senate?

Mr. JOHN E. BROWN. Mr. Speaker, I would like to make some inquiries as to the constitutionality of this resolution According to page 60, article 72 ————

The SPEAKER. Will the gentleman please inform the Chair to which book he is referring?

Mr. JOHN E. BROWN. Mr. Speaker, this is Article III, Section 33 of the Constitution, "a member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the House of which he is a member and shall not vote thereon."

We are all for law observance, or should be.

The SPEAKER. The Chair informs the gentleman that the provision of the Constitution under which reference is made is wholly irrelevant, in that it applies to a bill and not to a resolution.

Mr. JOHN E. BROWN. Mr. Speaker, I am only opposing the resolution for one reason. I do not think that the cut is hardly enough. Now, I ask for the discharge of the committee—

The SPEAKER. The gentleman is out of order.

Mr. SOWERS. Mr. Speaker, as I understand it, this is just a resolution?

The SPEAKER. A mere resolution.

Mr. SOWERS. Mr. Speaker, I move that the resolution be re-referred to the Committee on Judiciary General for further study and reduction.

Mr. ANDREWS. Mr. Speaker, I call for the order of the day.

On the question recurring,

Will the House concur in the resolution of the Senate?

The yeas and nays were required by Mr. Turner and Mr. Andrews and were as follows:

YEAS—94

Andrews,	Hester,	McGinnis,	Simon,
Baker,	Hewitt,	McGregor,	Sinwell,
Bechtel,	Himes, H. E.,	McKay,	Snyder,
Brennan,	Himes, L. R.,	Merrell,	Steedle,
Brown, J. E.,	Horst,	Mohn,	Sterling, P.,
Brown, W. L.,	Hough,	O'Connor,	Stiteler,
Caputo,	Hutton,	O'Keefe,	Turner,
Carson,	Kane, L. P.,	Patterson,	Wade,
Cohen,	King,	Peelor,	Wagner,
Craig,	Kinney,	Perry, D. R.,	Walker, W. A.,
Dane,	Labar,	Peters,	Wall,
Downey, G. E.,	Lane,	Price,	Way,
Dunmire,	Lord,	Quinn,	Weidemann,
Emhardt,	Lose,	Raub,	Westrick,
Eroe,	Lovett, J. E.,	Rhodes,	Wike,
Evans,	Lovett, W. S.,	Rice,	Williams, G. W.,
Fitzgerald,	Lynch, M.,	Ruby,	Wilson, T. B.,
Flinchbaugh,	Malina,	Sarig,	Wood,
Flynn,	Marcks,	Schrock,	Woodside,
Forrest,	McBride,	Schwab,	Wright,
Gillette,	McCandless,	Scott,	Yeakel,
Habbyshaw,	McClure,	Sheffer,	Zimmerman,
Haines,	McCreary,	Shettel,	Talbot,
Heffner,	McElwee,	Shreiner,	Speaker.

NAYS—92

Baldi,	Gartner,	Maloney,	Roth,
Barnhardt,	Gorman,	Mason,	Ruth,
Bennett,	Green,	McGrail,	Sautter,
Bernhard,	Greenstein,	McHenry,	Schrope,
Blumberg,	Hamilton,	Melchiorre,	Shellenberger,
Boyd,	Harmuth,	Metzler,	Shenkel,
Brownfield,	Harris,	Moore,	Shortz,
Cannon,	Hart,	Mumford,	Shugarts,
Carey,	Heffernan,	Myers,	Sowers,
Chervenak,	Hefferon,	Negley,	Spann,
Conner,	Hermansen,	Nothnagle,	Stank,
Cooke,	Hoffman,	O'Neill,	Sterling, R. B.,
Cordier,	Holmes, J. L.,	O'Rourke,	Stevens,
Cramer,	Hoopes,	Pennock,	Stott,
Davies,	Howard,	Perry, J. J.,	Tahl,
DeFrehn,	Jaffe,	Powell,	Terry,
Denning,	Jones,	Powers,	Welsh,
Downey, J.,	Laubach,	Rectenwald,	White,
Duffy,	Lenahan,	Reed,	Williams, J. J.,
Dwyer,	Lewis,	Reilly,	Wilson, L. M.,
Flanagan,	Long,	Roan,	Witkin,
Furman,	Lynch, J. R.,	Root,	Yourishin,
Gallagher,	Male,		

So the question was determined in the affirmative and the resolution was concurred in.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1687 (Senate Bill No. 368), entitled:

An Act authorizing the Secretary of Property and Supplies to convey a certain lot of ground in the possession and occupancy of the Philipsburg State Hospital to the Rush Township School District.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179

Andrews,	Greenstein,	McCandless,	Scorza,
Baker,	Griffith,	McClure,	Scott,
Baldi,	Habbyshaw,	McCreary,	Sheffer,
Barnhardt,	Haines,	McElwee,	Shenkel,
Bechtel,	Hamilton,	McGinnis,	Shettel,
Beech,	Harris,	McGrail,	Shreiner,
Bennett,	Hart,	McGregor,	Shugarts,
Bernhard,	Hartman,	McKay,	Simon,
Blumberg,	Hefferon,	McKinney,	Snyder,
Boyd,	Heffner,	Melchiorre,	Sowers,
Brancato,	Hermansen,	Merrell,	Spann,
Brennan,	Hester,	Metzler,	Stank,
Brown, J. E.,	Hewitt,	Mohn,	Steedle,
Brown, W. L.,	Himes, H. E.,	Moore,	Sterling, P.,
Cannon,	Himes, L. R.,	Mumford,	Stevens,
Caputo,	Hoffman,	Myers,	Stevenson,
Carey,	Holmes, J. L.,	Negley,	Stone,
Carson,	Hoopes,	Nothnagle,	Storb,
Chervenak,	Horst,	O'Keefe,	Stott,
Conner,	Hough,	O'Neill,	Surface,
Cooke,	Howard,	O'Rourke,	Tahl,
Cordier,	Hutton,	Patterson,	Turner,
Craig,	Jaffe,	Peelor,	Wade,
Cramer,	Jones,	Pennock,	Wagner,
Dane,	Kane, J. J.,	Perry, D. R.,	Walker, G. E.,
Davies,	Kane, L. P.,	Perry, J. J.,	Walker, W. A.,
DeFrehn,	King,	Peters,	Wasserman,
Denning,	Kinney,	Powers,	Way,
Downey, J.,	Labar,	Price,	Weidemann,
Duffy,	Lane,	Quinn,	Welsh,
Dunmire,	Laubach,	Raub,	Westrick,
Dwyer,	Lenahan,	Rectenwald,	White,
Ederer,	Lewis,	Reed,	Wike,
Emhardt,	Long,	Reilly,	Williams, G. W.,
Eroe,	Lord,	Rice,	Wilson, L. M.,
Evans,	Lose,	Roan,	Wilson, T. B.,
Flanagan,	Lovett, W. S.,	Root,	Witkin,
Fleisher,	Lynch, J. R.,	Roth,	Wood,
Flinchbaugh,	Lynch, M.,	Ruby,	Woodside,
Flynn,	Male,	Ruth,	Wright,
Forrest,	Malina,	Sarig,	Yeakel,
Furman,	Maloney,	Sautter,	Yourishin,
Gallagher,	Marcks,	Schrope,	Zimmerman,
Gillette,	Mason,	Schwab,	Talbot,
Gorman,	McBride,	Schwartz,	Speaker.
Green,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2115 (Senate Bill No. 643), entitled:

An Act dedicating and setting aside certain lands in Cameron and Clinton Counties as a public park and pleasure ground, to be known as "Bucktail State Park;" and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Griffith,	McGinnis,	Shreiner,
Baker,	Habbyshaw,	McGregor,	Shugarts,
Baldi,	Haines,	McHenry,	Simon,
Barnhardt,	Hamilton,	McKay,	Sinwell,
Bechtel,	Harris,	McKinney,	Snyder,
Beech,	Hart,	Melchiorre,	Sowers,
Bernhard,	Hartman,	Meredith,	Spann,
Blumberg,	Hefferon,	Merrell,	Stank,
Boyd,	Heffner,	Metzler,	Steedle,
Brancato,	Hermansen,	Mohn,	Sterling, P.,
Brennan,	Hester,	Moore,	Sterling, R. B.,
Brown, J. E.,	Hewitt,	Myers,	Stevens,
Brown, W. L.,	Himes, H. E.,	Nothnagle,	Stevenson,
Brownfield,	Himes, L. R.,	O'Keefe,	Stiteler,
Cannon,	Hoffman,	O'Rourke,	Stone,
Carey,	Holmes, J. L.,	Patterson,	Storb,
Carson,	Hoopes,	Pennock,	Stott,

Chervenak,	Horst,	Powell,	Surface,
Conner,	Hough,	Powers,	Tahl,
Cooke,	Howard,	Raub,	Terry,
Cordier,	Jaffe,	Rectenwald,	Turner,
Craig,	Jones,	Reed,	Wade,
Cramer,	Kane, J. J.,	Reilly,	Wagner,
Dane,	Kane, L. P.,	Rhodes,	Walker, G. E.,
Davies,	Kinney,	Rice,	Wasserman,
DeFrehn,	Labar,	Roan,	Way,
Denning,	Lane,	Root,	Weidemann,
Downey, G. E.,	Lenahan,	Roth,	Welsh,
Downey, J.,	Lewis,	Royle,	Westrick,
Dunmire,	Long,	Ruby,	White,
Dwyer,	Lord,	Ruth,	Wike,
Ederer,	Lose,	Sarig,	Williams, G. W.,
Emhardt,	Lovett, J. E.,	Sautter,	Williams, J. J.,
Evans,	Lynch, J. R.,	Schrock,	Wilson, L. M.,
Fitzgerald,	Lynch, M.,	Schrope,	Wilson, T. B.,
Flanagan,	Male,	Schwab,	Witkin,
Fleisher,	Malina,	Schwartz,	Wood,
Flinchbaugh,	Maloney,	Scorza,	Woodside,
Flynn,	Marcks,	Scott,	Wright,
Forrest,	Mason,	Sheffer,	Yeakel,
Gallagher,	McBride,	Shellenberger,	Yourishin,
Gartner,	McCandless,	Shenkel,	Zimmerman,
Gillette,	McClure,	Shettel,	Talbot,
Green,	McCreary,	Shortz,	Speaker.
Greenstein,	McElwee,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2139 (Senate Bill No. 257), as follows:

An Act requiring State-aided hospitals under certain conditions immediately to admit indigent veterans as herein defined and to provide care and treatment for them until they can be accommodated in Federal institutions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That within the meaning of this act "veteran" shall mean any ex-service man or woman having a legal residence in this Commonwealth who has been honorably discharged from any branch of the military or naval forces of the United States and ex-members of the Army Nurse Corps (female) ex-members of the Navy Nurse Corps (female) and women who were transported from the United States by the United States Government to serve in base hospitals overseas and whose service with the United States Government terminated honorably whether by discharge or otherwise

Section 2 It shall be the duty of any State-aided hospital within this Commonwealth which has facilities available for treatment of the disease with which an indigent veteran is afflicted immediately to admit such veteran if sick or disabled and eligible for Federal hospitalization if said indigent veteran has applied for Federal hospitalization if said indigent veteran has applied for Federal hospitalization and an emergency exists and the hospital shall provide care and treatment for such veteran until such time as a bed is available in a Federal institution

Section 3 Every State-aided hospital which cares for and treats an indigent veteran under the provisions of this act shall be compensated for such care and treatment as in the case of other indigent patients

Section 4 This act shall become immediately effective upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Gillette,	McCandless,	Shortz,
Baker,	Gorman,	McClure	Shreiner,
Baldi,	Green,	McCreary,	Shugarts,
Barnhardt,	Greenstein,	McElwee,	Simon,
Beech,	Griffith,	McGinnis,	Snyder,
Bennett,	Habbyshaw,	McGrail,	Sowers,
Bernhard,	Haines,	McGregor,	Stank,
Blumberg,	Hamilton,	McHenry,	Steedle,
Boyd,	Harris,	McKay,	Sterling, R. B.,
Brancato,	Hart,	Metzler,	Stevens,
Brennan,	Hartman,	Moore,	Stevenson,
Brown, J. E.,	Hefferon,	Mumford,	Stiteler,
Brown, W. L.,	Heffner,	Negley,	Stone,
Brownfield,	Hermansen,	O'Connor,	Storb,
Cannon,	Hester,	O'Neill,	Stott,
Caputo,	Hewitt,	Patterson,	Surface,
Carey,	Himes, H. E.,	Peelor,	Tahl,
Carson,	Hoffman,	Perry, D. R.,	Terry,
Chervenak,	Holmes, J. L.,	Perry, J. J.,	Turner,
Cohen,	Hoopes,	Powell,	Wade,
Conner,	Horst,	Powers,	Wagner,
Cooke,	Hough,	Quinn,	Walker, G. E.,
Cordier,	Howard,	Raub,	Walker, W. A.,
Craig,	Hutton,	Rectenwald,	Wall,
Cramer,	Jaffe,	Reed,	Wasserman,
Dane,	Jones,	Reilly,	Way,
DeFrehn,	Kane, J. J.,	Rhodes,	Weidemann,
Denning,	King,	Rice,	Welsh,
Downey, G. E.,	Kinney,	Roan,	Westrick,
Downey, J.,	Labar,	Root,	White,
Duffy,	Lane,	Roth,	Wike,
Dunmire,	Laubach,	Royle,	Williams, G. W.,
Dwyer,	Lenahan,	Ruby,	Williams, J. J.,
Ederer,	Lewis,	Ruth,	Wilson, L. M.,
Emhardt,	Lord,	Sarig,	Wilson, T. B.,
Eroe,	Lose,	Sautter,	Witkin,
Evans,	Lovett, J. E.,	Schrock,	Wood,
Fitzgerald,	Lovett, W. S.,	Schrope,	Woodside,
Flanagan,	Lynch, J. R.,	Schwab,	Wright,
Fleisher,	Lynch, M.,	Scorza,	Yeakel,
Flinchbaugh,	Malina,	Scott,	Yourishin,
Flynn,	Maloney,	Sheffer,	Zimmerman,
Forrest,	Marcks,	Shellenberger,	Talbot,
Furman,	Mason,	Shettel,	Speaker.
Gartner,	McBride,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2118 (Senate Bill No. 695), entitled:

An Act to preserve the continuity of service of officers and enlisted men of the Pennsylvania National Guard who are mustered into the service of the United States during the World War and afterward were enlisted or commissioned in the said National Guard.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Gorman,	McCandless,	Simon,
Baker,	Green,	McClure,	Sinwell,
Baldi,	Greenstein,	McCleary,	Snyder,

Barnhardt,	Griffith,	McElwee,	Sowers,
Bechtel,	Habbyshaw,	McGinnis,	Spann,
Beech,	Haines,	McGrail,	Stank,
Bennett,	Hamilton,	McGregor,	Steedle,
Bernhard,	Harris,	McHenry,	Sterling, P.,
Blumberg,	Hart,	McKay,	Sterling, R. B.,
Boyd,	Hartman,	McKinney,	Stevens,
Brennan,	Heffernan,	Metzler,	Stevenson,
Brown, J. E.,	Hefferon,	Moore,	Stitelер,
Brown, W. L.,	Heffner,	Mumford,	Stone,
Brownfield,	Hermansen,	Nothnagle,	Storb,
Cannon,	Hester,	O'Keefe,	Stott,
Caputo,	Hewitt,	Patterson,	Surface,
Carey,	Himes, H. E.,	Perry, D. R.,	Tahl,
Carson,	Hoffman,	Peters,	Terry,
Chervenak,	Holmes, J. B.,	Powers,	Turner,
Cohen,	Hoopes,	Rectenwald,	Wade,
Conner,	Horst,	Reed,	Wagner,
Cooke,	Hough,	Reilly,	Walker, G. E.,
Cordier,	Howard,	Rhodes,	Walker, W. A.,
Cramer,	Hutton,	Rice,	Wall,
Dane,	Jaffe,	Roan,	Wasserman,
Davies,	Jones,	Root,	Way,
DeFrehn,	Kane, J. J.,	Roth,	Weidemann,
Denning,	Kane, L. P.,	Royle,	Welsh,
Downey, G. E.,	King,	Ruby,	Westrick,
Downey, J.,	Kinney,	Ruth,	White,
Dunmire,	Lane,	Sarig,	Wike,
Dwyer,	Laubach,	Sautter,	Williams, G. W.,
Ederer,	Lenahan,	Schrock,	Williams, J. J.,
Emhardt,	Lewis,	Schrope,	Wilson, L. M.,
Eroe,	Long,	Schwab,	Wilson, T. B.,
Evans,	Lose,	Schwartz,	Witkin,
Fitzgerald,	Lovett, J. E.,	Scorza,	Wood,
Fleisher,	Lovett, W. S.,	Scott,	Woodside,
Flinchbaugh,	Lynch, J. R.,	Sheffer,	Wright,
Flynn,	Male,	Sheller berger,	Yeakel,
Forrest,	Malina,	Shenkel,	Yourishin,
Furman,	Maloney,	Shettel,	Zimmerman,
Gallagher,	Marcks,	Shortz,	Talbot,
Gartner,	Mason,	Shreiner,	Speaker.
Gillette,	McBride,	Shugarts,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1359 (Senate Bill No. 389), entitled:

An Act to amend sections six seventeen and twenty-six of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Phamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" as amended by extending the provisions of said act so as to include bookers booking agents representatives of booking agencies for services of wrestlers modifying license fees in certain cases exempting amateur boxing or wrestling in schools colleges and universities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Phamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" as amended by section three of the act approved the twenty-ninth day of April one thousand nine hundred and twenty-nine (Phamphlet Laws eight hundred sixty) is hereby further amended to read as follows

Section 6 Corporations and Persons Required to Procure Licenses Definitions All corporations or persons physicians referees judges announcers matchmakers timekeepers professional boxers professional wrestlers their managers and seconds bookers booking agents or agencies or representatives of booking agencies for services of wrestlers shall be licensed by the said commission and no such corporation or person shall be permitted to participate either directly or indirectly in any such boxing sparring or wrestling match or exhibition or the holding thereof unless such corporation and all such persons shall have first procured a license from the commission For the purpose of this act a "professional boxer" or a "professional wrestler" is deemed to be one who competes for money or teaches perusers or assists in the practice of boxing or wrestling as a means of obtaining a livelihood or pecuniary gain and any contest conforming to the rules regulations and regulations and requirements of this act shall be deemed to be a boxing match and not a prize fight

[Section 2 That section twelve of the said act is hereby amended to read as follows

Section 12 Age of Participant and Spectators No person under the age of eighteen years shall participate in any boxing sparring or wrestling match or exhibition and no [children] child under sixteen years of age unless accompanied by an adult shall be permitted to attend as [spectators] a spectator]

Section 2 That section seventeen of the said act as amended by section seven of the act approved the twenty-ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred sixty) is hereby further amended to read as follows

Section 17 License Fees Each applicant for a license shall before a license is issued by the commission and annually thereafter during the life of such license pay to the commission a license fee as follows Corporations or persons in cites of the first class two hundred and fifty dollars in cities of the second class one hundred dollars in cities of the third class fifty dollars and elsewhere twenty-five dollars bookers booking agents or representatives of booking agencies for services of wrestlers three hundred dollars physicians ten dollars referees twenty-five dollars judges five dollars time keepers five dollars professional boxers five dollars professional wrestlers five dolllars managers twenty-five dollars seconds five dollars announcers five dollars and matchmakers ten dollars but the commission may issue without fee licenses to referees or physicians authorizing such referees or physicians to officiate only at boxing sparring or wrestling matches to exhibitions between amateurs and only without receiving any compensation for their services Permits for matchcs or exhibitions in which only amateurs participate shall be issued without fee and may be issued for a single match or exhibition or a series of matches or exhibitions for a period not exceeding one year

Section 3 That section twenty-six of the said act as amended by section twelve of the act approved the twenty-ninth day of April one thousand nine hundred and twenty-nine (Phamphlet Laws eight hundred sixty) is hereby further amended to read as follows

Section 26 The provisions of this act shall not prohibit any duly constituted organization or association organized for a lawful purpose from having boxing sparring and wrestling matches and exhibitions in connection with entertainments when such matches or exhibitions are conducted not for profit Provided That before such match or exhibition is held a permit is granted by the commission

None of the provisions of this act shall apply to boxing sparring or wrestling matches conducted or sponsored by or for any university college or secondary school wherein all of the contestants are students regularly enrolled as such in the universities colleges or secondary schools participating in such matches In all such cases such matches shall be conducted under the supervision management and control of the authorities of the university college or secondary school conducting or sponsoring the same or under the supervision and control of an intercollegiate or interscholastic association of which all participating colleges universities and secondary schools are members

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1447 (Senate Bill No. 228), entitled:

An Act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amended, revising and consolidating the law relating thereto; and repealing existing laws.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOOPES. Mr. Speaker, I would like to inquire whether there is anybody in this House who can tell me what this bill does. Does it change the code or does it change the existing law? It is about an inch thick, and I don't think that many members of the House have read it through.

The SPEAKER. This is a Senate bill, but the Chair requests any member of the House who can make the explanation to please do so. Is there any member in the House who can make the explanation?

Mr. TURNER. Might I ask that this bill be temporarily passed to give me an opportunity to examine the bill? I am not familiar with it at this time.

The SPEAKER. The Chair will pass the bill for the present.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2137 (Senate Bill No. 771), entitled:

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of berths and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," as amended, by providing for special certificates of the birth of adopted persons; and requiring school authorities to accept such certificates for certain purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Baker,	Hamilton,	McElwee,	Sheffer,
Baldi,	Harmuth,	McGinnis,	Shenkel,
Barnhardt,	Harris,	McGrail,	Shettel,
Bechtel,	Hart,	McGregor,	Shortz,
Beech,	Hartman,	McHenry,	Shreiner,
Bennett,	Heffernan,	McKay,	Shugarts,
Bernhard,	Hefferon,	McKinney,	Simon,
Blumberg,	Heffner,	Meredith,	Sinwell,
Brancato,	Hermansen,	Metzler,	Snyder,
Brennan,	Hester,	Mohn,	Sowers,
Brown, W. L.,	Hewitt,	Moore,	Stank,
Brownfield,	Himes, H. E.,	Mumford,	Steedle,
Cannon,	Himes, L. R.,	Myers,	Sterling, P.,
Caputo,	Hoffman,	Nothnagle,	Sterling, R. B.,
Carson,	Holmes, J. B.,	O'Keefe,	Stevens,
Chervenak,	Holmes, J. L.,	O'Neill,	Stevenson,
Cohen,	Hoopes,	O'Rourke,	Stone,
Cooke,	Horst,	Peelor,	Storb,
Cordier,	Hough,	Pennock,	Surface,
Craig,	Howard,	Perry, D. R.,	Tahl,
Dane,	Hutton,	Perry, J. J.,	Terry,
Davies,	Jaffe,	Peters,	Turner,
DeFrehn,	Jones,	Powell,	Wagner,
Denning,	Kane, J. J.,	Powers,	Walker, G. E.,
Downey, J.,	Kane, L. P.,	Price,	Wall,
Dunmire,	Kinney,	Quinn,	Wasserman,
Dwyer,	Labar,	Raub,	Way,
Ederer,	Lane,	Rectenwald,	Weidemann,
Eroe,	Laubach,	Reed,	Welsh,
Evans,	Lewis,	Reilly,	Westrick,
Fitzgerald,	Long,	Rhodes,	White,
Flanagan,	Lord,	Rice,	Wile,
Flinchbaugh,	Lovett, J. E.,	Roan,	Williams, G. W.,
Flynn,	Lovett, W. S.,	Root,	Wilson, L. M.,
Forrest,	Lynch, J. R.,	Roth,	Wilson, T. B.,
Furman,	Lynch, M.,	Royle,	Witkin,
Gallagher,	Male,	Ruby,	Wood,
Gartner,	Malina,	Ruth,	Woodside,
Gillette,	Maloney,	Sarig,	Wright,
Gorman,	Marcks,	Sautter,	Yeakel,
Green,	Mason,	Schrock,	Yourishin,
Greenstein,	McBride,	Schrope,	Zimmerman,
Griffith,	McCandless,	Schwab,	Talbot,
Habbyshaw,	McClure,	Schwartz,	Speaker.
Haines,	McCreary,	Scott,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2263 (Senate Bill No. 932), entitled:

An Act to amend sections one, two three, and four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P .L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties;" limiting the status of an approved inspector; changing the requirements for holders of milk permits and imposing additional duties on such permit holders or applicants therefor; granting additional powers to the Secretary of Health in the enforcement of the act.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCREARY. Mr. Speaker, I would like to have the author of this bill explain its purpose, if I may.

The SPEAKER. This being a Senate Bill the author is not present. Is there any one in the House who can make the explanation?

Mr. McCREARY. Mr. Speaker, I can't vote on a bill that I don't know any more about than I do about this one.

The SPEAKER. Does the gentleman desire to interrogate the gentleman from Bucks, Mr. Haines?

Mr. McCREARY. Mr. Speaker, I would like to address anybody that can explain this bill to me.

Mr. HAINES. Mr. Speaker, I would just briefly attempt to answer the interrogation, which I presume the gentleman from Erie desires to ask, with reference to the provisions of this proposed bill.

It provides for amendments to the Milk Code, which will clarify certain sections which are now difficult to interpret

It authorizes the Department of Health to carry out the operation of the code in a more businesslike manner.

Personally, I do not think there is anything in the proposed bill that is detrimental to the producers, the distributors or the consumers. I believe that it is a good piece of legislation, and I ask for your support.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172

Andrews,	Habbyshaw,	McHenry,	Scott,
Baker,	Haines,	McKay,	Sheffer,
Baldi,	Hamilton,	McKinney,	Shellenberger,
Barnhardt,	Harmuth,	Meredith,	Shettel,
Bechtel,	Harris,	Merrell,	Shortz,
Beech,	Hart,	Metzler,	Shreiner,
Bennett,	Hartman,	Mohn,	Shugarts,
Blumberg,	Hefferon,	Moore,	Simon,
Boyd,	Heffner,	Mumford,	Snyder,
Brennan,	Hermansen,	Myers,	Sowers,
Brown, W. L.,	Hester,	Negley,	Spann,
Brownfield,	Hewitt,	Nothnagle,	Steedle,
Cannon,	Himes, H. E.,	O'Connor,	Sterling, P.,
Caputo,	Himes, L. R.,	O'Keefe,	Sterling, R. B.,
Carey,	Hoffman,	O'Neil,	Stevens,
Chervenak,	Holmes, J. B.,	O'Rourke,	Stevenson,
Cohen,	Holmes, J. L.,	Patterson,	Stiteler,
Conner,	Hoopes,	Peeler,	Stone,
Cordier,	Horst,	Pennock,	Stott,
Craig,	Hutton,	Perry, D. R.,	Surface,
Cramer,	Jaffe,	Perry, J. J.,	Tahl,
Dane,	Jones,	Peters,	Turner
Davies,	Kane, J. J.,	Powell,	Wagner,
DeFrehn,	Kane, L. P.,	Powers,	Walker, W. A.,
Denning,	King,	Price,	Wasserman,
Downey, J.,	Kinney,	Quinn,	Way,
Duffy,	Lane,	Raub,	Weidemann,
Dunmire,	Laubach,	Rectenwald,	Welsh,
Dwyer,	Lewis,	Reed,	White,
Ederer,	Lord,	Reilly,	Wike,
Emhardt,	Lose,	Rhodes,	Williams, G. W.,
Eroe,	Lovett, J. E.,	Rice,	Williams, J. J.,
Evans,	Lovett, W. S.,	Roan,	Wilson, L. M.,
Fitzgerald,	Lynch, M.,	Root,	Wilson, T. B.,
Flanagan,	Male,	Roth,	Witkin,
Flinchbaugh,	Maloney,	Royle,	Wood,
Flynn,	Marcks,	Ruby,	Woodside,
Furman,	Mason,	Ruth,	Wright,
Gallagher,	McCandless,	Sautter,	Yeakel,
Gartner,	McClure,	Schrock,	Yourishin,
Gillette,	McElwee,	Schrope,	Zimmerman,
Green,	McGinnis,	Schwab,	Talbot,
Greenstein,	McGrail,	Scorza,	Speaker.
Griffith,	McGregor		

NAYS—6

Bernhard,	Howard,	McBride,	Westrick,
Hough,	Lenahan,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILL POSTPONED

Mr. TURNER. Mr. Speaker, I move that House Bill No. 1447, Senate Bill No. 228, Printer's No. 488, entitled

An Act relating to taxation; designating the subjects, property, and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws.

on page 23 of today's calendar, bills on third reading, which was passed over this afternoon be placed upon the postponed calendar.

The motion was agreed to.

BILL ON FINAL PASSAGE

Mr. PHILIP STERLING. Mr. Speaker, I desire to call up at the time House Bill No. 1359, Senate Bill No. 389, Printer's No. 510, on page 22 of today's calendar, which was recently placed upon the postponed calendar.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Philip Sterling,

The House resumed the consideration on final passage of House Bill No. 1359 (Senate Bill No. 389), entitled:

An Act to amend sections six, twelve, seventeen and twenty-six of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, seven hundred ten), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," as amended, by extending the provisions of said act so as to include bookers, booking agents, representatives of booking agencies for services of wrestlers; modifying license fees in certain cases; exempting amateur boxing or wrestling in schools colleges and universities

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166

Andrews,	Gorman,	McCreary,	Sheffer,
Baker,	Greenstein,	McElwee,	Shellenberger,
Baldi,	Habbyshaw,	McGinnis,	Shenkel,
Barnhardt,	Hamilton,	McGregor,	Shettel,
Bechtel,	Harris,	McKay,	Shortz,
Beech,	Hartman,	McKinney,	Shreiner,
Bennett,	Heffernan,	Meredith,	Shugarts,
Bernhard,	Hefferon,	Merrell,	Simon,
Blumberg,	Heffner,	Metzler,	Sinwell,
Boyd,	Hermansen,	Mohn,	Sowers,
Brancato,	Hewitt,	Moore,	Spann,
Brown, J. E.,	Himes, H. E.,	Mumford,	Stank,
Brown, W. L.,	Himes, L. R.,	Myers,	Sterling, P.,
Caputo,	Hoffman,	Nothnagle,	Sterling, R. B.,
Carey,	Holmes, J. B.,	O'Connor,	Stevens,
Carson,	Holmes, J. L.,	O'Neill,	Stevenson,
Chervenak,	Hoopes,	Patterson,	Stiteler,
Cohen,	Horst,	Peelor,	Storb,
Conner,	Hough,	Perry, D. R.,	Stott,
Cooke,	Howard,	Perry, J. J.,	Surface,
Cordier,	Jones,	Peters,	Terry,
Cramer,	Kane, J. J.,	Powell,	Turner,
Davies,	Kane, L. P.,	Powers,	Wagner,
DeFrehn,	King,	Price,	Walker, G. E.,
Denning,	Kinney,	Quinn,	Walker, W. A.,

Downey, G. E.,	Labar,	Raub,	Wasserman,
Downey, J.,	Lane,	Rectenwald,	Way,
Duffy,	Lenahan,	Reed,	Welsh,
Dwyer,	Lewis,	Reilly,	Westrick,
Ederer,	Lord,	Rhodes,	Williams, G. W.
Emhardt,	Lose,	Roan,	Williams, J. J.,
Eroe,	Lovett, J. E.,	Root,	Wilson, L. M.,
Evans,	Lovett, W. S.,	Roth,	Wilson, T. B.,
Fitzgerald,	Lynch, J. R.,	Royle,	Witkin,
Flanagan,	Lynch, M.,	Ruth,	Wood,
Fleisher,	Male,	Sarig,	Woodside,
Flinchbaugh,	Malina,	Sautter,	Wright,
Flynn,	Maloney,	Schrock,	Yeakel,
Forrest,	Marcks,	Schrope,	Yourishin,
Furman,	Mason,	Schwab,	Zimmerman,
Gallagher,	McBride,	Schwartz,	Talbot,
Gartner,	McCandless,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1374

Mr. WILSON. Mr. Speaker, I desire to call up at this time the report of the Committee of Conference on House Bill No. 1374, Printer's No. 977.

The report was read by the Clerk as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1374

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Confernce on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1374, entitled: "An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the Superintendent of Public Instruction to permit as to certain school districts temporary reductions in the salary schedules authorizing Superintendent of Public Instruction to suspend mandatory provisions of the act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," and of its amendments and supplements; prohibiting school districts from demanding, requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instruction to forfeit certain State subsidiaries for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules granting certain options to the members of the School Employes' Retirement System and temporarily superseding any inconsistent acts and parts of acts, respectfully submit the following bill as our report:

RICHARD W. WILLIAMSON,
CHARLES H. EALY,
CHARLES W. STAUDENMEIER,
Committee on the part of the Senate.

THOMAS B. WILSON,
A. J. WHITE HUTTON,
WILLIAM ELLIS ZIMMERMAN,
Committee on the part of the House of Representatives.

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the Superintendent of Public Instruction to permit as to certain school districts temporary reductions in the salary schedules authorizing Superintendent of Public Instruction to suspend mandatory provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintaining the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements prohibiting school districts from demanding requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules granting certain options to the members of the School Employes' Retirement System and temporarily superseding any inconsistent acts and parts of acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Definitions The following terms shall be construed in this act to have the following meanings

1 "Employe" Any teacher principal supervisor or supervising principal county superintendent district superintendent assistant superintendent any members of the staff of the State Teachers' Colleges of the Cheyney Training School for Teachers of the staff of the Department of Public Instruction or of the staff of the State Council of Education or any clerk stenographer janitor attendance officer or other person engaged in any work concerning or relating to the public schools of this Commonwealth or in connection therewith or under contract or engagement to perform one or more of these functions No person however shall be deemed an employe within the meaning of this act who is not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods In all cases of doubt the School Employes' Retirement Board shall determine whether any person is an employe as defined in this act

2 "Employer" The Commonwealth school district State Teachers' Colleges Cheyney Training School for Teachers board or other committee by which the employe is paid

3 "Teacher or supervisor" A member of the teaching or supervisory staff or other appointee of any school district to whom any statutory minimum salary schedule shall be applicable

4 "Salary schedule" A schedule of minimum basic salaries plus required increments prescribed by any Act of Assembly for the payment of salaries of teachers or supervisors

Section 2 Re-employed Teachers and Supervisors During the period in which this act shall be in effect no school district shall be required to pay to any teacher or supervisor who during the year preceding the effective date of this act shall have been in its employ or who during such year shall have been in the employ of any school district whose territory shall wholly or in part comprise such district any salary or compensation at a rate greater than ninety per centum of the minimum amount which such teacher or supervisor would have been entitled to receive under the salary schedule if he or she had entered the employ of such district immediately prior to the effective date of this act

Section 3 New Teachers and Supervisors During the period in which this act shall be in effect no school district shall be required to pay to any teacher or supervisor who during the year preceding the effective date of this act was not employed by such school district or by a district whose territory shall wholly or in part comprise such district any salary or compensation at a rate greater than ninety per centum of the minimum amount which such teacher or supervisor would have been entitled to receive under the salary schedule if he or she had entered the employ of such district immediately prior to the effective date of this act

Section 4 Additional Reductions When the board of school directors of any school district shall present to the Superintendent of Public Instruction evidence which shall convince

him that the district does not and will not have sufficient funds to pay the salaries required by the salary schedule as modified by the foregoing provisions of this act or that the payment of salaries of the schedule as thus modified would be unreasonably oppressive upon the school district the Superintendent of Public Instruction may for such district and for the period during which this act shall be in effect reduce the percentage herein provided from ninety to a percentage which he shall deem to be just and reasonable for that district

In lieu of or in addition to thus reducing the above percentage the Superintendent of Public Instruction may as to any such district and for such period suspend any provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements when such provisions require and make mandatory any action by the school district or its board of school directors

Section 5 All reductions of salary or compensation made by any school district under authority of this act should be extended and applied to all employes of the district on an equitable graduated scale that is those receiving the largest compensation or salary to receive the largest reduction and those receiving the smallest salary or compensation the smallest reduction

Section 6 Retirements Options During the year which shall begin on July first one thousand nine hundred thirty-three and close June thirtieth one thousand nine hundred thirty-four each employe who is a member of the School Employes' Retirements System shall have the option of contributing to the School Employes Retirement Fund either on the basis of the total salary which he or she will receive during such year or on the basis of the salary which he or she received during the year which began July first one thousand nine hundred thirty-two and ended June thirtieth one thousand nine hundred thirty-three Each such employe shall notify in writing his employer on or before September first one thousand nine hundred thirty-three upon which salary he or she elects to contribute

During the year which shall begin July first one thousand nine hundred thirty-four and close June thirtieth one thousand nine hundred thirty-five each employe who is a member of the School Employes' Retirement System shall have the option of contributing to the School Employes' Retirement Fund either on the basis of the total salary he or she will receive during such year or on the basis of the total salary which he or she received during the year which began July first one thousand nine hundred thirty-two and closed June thirtieth one thousand nine hundred thirty-three Each such employe shall notify in writing his employer on or before September first one thousand nine hundred thirty-four upon which salary he or she elects to contribute Each employer shall notify the School Employes' Retirement Board in writing on or before September fifteenth one thousand nine hundred thirty-three and on or before September fifteenth one thousand nine hundred thirty-four of the option elected by each such employe for the then current year

During each of such years which begin on July first one thousand nine hundred thirty-three and July first one thousand nine hundred thirty-four the employer shall contribute on the basis of the salary upon which each of such employes shall have thus elected to contribute

Each new member who comes into the School Employes' Retirement System during the period beginning July first one thousand nine hundred thirty-three and ending on June thirtieth one thousand nine hundred thirty-five shall contribute on the basis of the salary actually received The employer shall contribute upon the same basis

The salary upon which each such employe elects to contribute for each of the years beginning July first one thousand nine hundred thirty-three and July first one thousand nine hundred thirty-four shall be used as the salary for each such year in the determination of any final salary upon which a retirement allowance will be computed

Section 7 Effect of Payment of Salaries Which Are Less Than Those Prescribed by Salary Schedule There shall be no deduction from the amount to be paid by the Commonwealth to a school district as a partial reimbursement for the salary or compensation of any teacher or supervisor because the district pays such person any time during the biennium beginning on the first day of June one thousand nine hundred thirty-three a smaller salary or compensation than is prescribed for such person by the salary schedule so long as the amount which the district pays is not less than the amount permitted by the provisions of this act or than that allowed by the Superintendent of Public Instruction in pursuance of the provisions of this act

Section 8 Prohibition Against Demanding Requesting or Accepting Gifts or Donations During the period in which this act shall be in effect it shall be unlawful for any board of school directors to demand request or accept directly or indirectly any gift or donation from any teacher or supervisor within its employ

Section 9 Forfeiture of Subsidies When during the period during which this act shall be in effect the Superintendent of Public Instruction shall be of the opinion that any school district shall have violated the provisions of this act by demanding requesting or accepting any gift or donation from one or more teachers or supervisors he shall subject to the restrictions herein provided have the power to declare forfeited for the then current school year any State subsidy which is to be paid to the district as a partial reimbursement of the salary of each such teacher or supervisor

Before declaring any such forfeiture as to any school district the Superintendent of Public Instruction shall mail to the board of school directors of the district a statement setting forth the alleged violations and the names of the one or more teachers or supervisors from whom the gifts or donations are alleged to have been demanded requested or accepted The statement shall be accompanied by a notice stating that unless a denial of such allegations verified by the affidavit of the president or secretary of the board is received by the Superintendent of Public Instruction within fifteen days he will declare a forfeiture as to such subsidy for each such teacher or supervisor If such a denial shall not be received within such fifteen days the Superintendent of Public Instruction may declare such one or more forfeitures

If such a denial shall be received the Superintendent of Public Instruction shall conduct a hearing to determine whether or not there have been any such violations He shall give reasonable notice of the time and place of the hearing to the board of school directors of the district and at the hearing shall give the board the right to be heard and to be represented by counsel

If after the hearing the Superintendent of Public Instruction shall be of the opinion that one or more of the violation set forth in the statement which he shall have sent to the board as herein provided did actually occur he may as herein provided forfeit the subsidies to be paid to the district as a partial reimbursement for the salary of each teacher or supervisor listed in such statement from whom in his opinion the district or its representatives shall have demanded requested or accepted a gift or donation

Section 10 Impairment of Contracts Nothing in this act shall be construed as impairing the obligation of any contract made before the effective date of this act

Section 11 Constitutional Construction The Provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decisions of the court as to those provisions shall not affect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included herein

Section 12 Effective Date Period During which Act Shall be Effective This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor and shall remain in effect as to school districts of the second third and fourth classes until the first day of July one thousand nine hundred thirty-five and as to school districts of the first class until the first day of January one thousand nine hundred and thirty-six

Section 13 Inconsistent Provisions All acts and parts of acts inconsistent with the provisions of this act are hereby superseded for the period during which this act shall be in effect

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. WILSON. Mr. Speaker and ladies and gentlemen of the House, the conference report which is laid before you is a unanimous report on the part of the conferees of the Senate and the House, but I deem it my duty, as Chairman of the Committee on Education, to make a very short statement to the House as to the situation of this bill.

Every member of the House undoubtedly knows this bill does not in any way affect the money that we give to the school districts. There is no financial question in it so far as our contributions, our subsidies to the districts are concerned.

The bill deals with the problem of allowing the school districts to put their own house in order.

There are two changes in the bill as passed by the House, both of which were insisted upon by the Senate, and which the House conferees have unanimously agreed upon.

First, the Senate insisted upon putting in the bill, and very properly so, and I think it should, and I speak for all the conferees on the part of the House, that the bill is strengthened by that provisiosn—put in the provision that the teacher could not be cut until the district had cut all other employes of the district equitably, and as they cut the teacher, the larger salary to receive the larger cut, and the smaller salary to receive the smaller cut. In other words, there are in Pennsylvania many teachers who are above and beyond the Edmonds Act, who receive salaries very much larger than the amount set out in the Edmonds Act. The Senate and the Committee on Education of the Senate felt that it was unfair to cut the smaller teachers without cutting the higher priced teachers, and therefore they inserted and we accepted the provision, which you will find in the bill, which said that the cuts of the teachers under the Edmonds Act could not be made until the higher priced teachers and other employes had received an equitable cut. We believe that it is fair and right, we believe that the Senate is right in what they have done and it has the unanimous endorsement of the conferees.

I just want to say one other thing, and I think it is fair for me, as Chairman of the Committee on Education, to explain to the House why they did it, and that is the provision that returns to the bill the provision that before any reductions are to be made the budget must be submitted to some reviewing authority. When it passed the House, in response to the request of many members of the House, we made that reviewing authority the court of common pleas in the counties. When the conferees met with the Senate, the Senate conferees insisted that that would cause confusion, that the matter would be delayed from time to time by being placed on the argument list, and that it would be much quicker, much simplier, much better for the teachers and much more equitable if the reviewing authority was the Superintendent of Public Instruction. That amendment the Senate insisted on and the House conferees were obliged to agree with them.

So, there are two changes. The one change that has been made in the bill requires that the other employes be cut when the teachers are cut, and the change which makes the Superintendent of Public Instruction the reviewing authority.

I am not going to say anything further to this House. This matter has been considered and has been debated back and forth by the House, but I do want to assure you once more that after all the work we have done in this session, it is absolutely essential that we pass it, in order that the schools may be put in that kind of condition where they will be able to run through the next year. If we do not pass it we will have half of our districts closed, and there will be many teachers out of employment.

I ask the members of the House to vote aye and pass the conference report

Mr. LONG. Mr. Speaker, I desire to interrogate the gentleman from McKean, Mr. Wilson.

The SPEAKER. Will the gentleman from McKean, Mr. Wilson, permit himself to be interrogated?

Mr. WILSON. Mr. Speaker, I will.

Mr. LONG. Mr. Speaker, is it not true that the objections to this bill in the House at the time we passed on it were based on the fact that the State Council of Education did not have the power to make these additional cuts?

Mr. WILSON. Mr. Speaker, I think that the bill received voted in the House from members who believed that it would be better to have the reviewing authority in the Court of Common Pleas, but in answer to the gentleman's question, let me say this.

Mr. LONG. Mr. Speaker, did not many members believe it would have been better to have the Department of Education take care of the cuts?

Mr. WILSON. Mr. Speaker, in answer to the gentleman, let me say to you that the conferees were all very much impressed by the arguments of the conferees of the Senate; if it remained in the courts, it would be put on the argument list and might be continued from time to time and would be subject possibly to political control, and that in the hands of the Superintendent of Public Instruction it possibly would shorten the time.

Mr. LONG. Mr. Speaker, is it not also true that as a result of the conferees' action these cuts are now regulated by the Council of Education and that the objectionable feature of the bill, which so many members of the House found objectionable, is still in the bill?

Mr. WILSON. Mr. Speaker, providing that when they want to reduce the teachers' salary, they will take their budget and submit it to the Superintendent of Public Instruction, is now in the bill, and the conferees were not able to get it out.

Mr. SARIG. Mr. Speaker and members of the House, the bill in its present form, as amended by the Senate and agreed to by the Conference Committee, is a much better bill than in the form in which it passed the House.

For that reason I shall vote for the conference report.

On the question recurring,

Will the House adopt the Report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. LONG. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—97

Andrews,	Habbyshaw,	Mumford,	Sowers,
Baker,	Heffernan,	Negley,	Steedle,
Baldi,	Hester,	Nothnagle,	Sterling, P.,
Bennett,	Hewitt,	Patterson,	Sterling, R. B.,
Blumberg,	Himes, H. E.,	Peelor,	Stevenson,
Brennan,	Himes, L. R.,	Pennock,	Stiteler,
Carey,	Horst,	Perry, D. R.,	Stone,
Chervenak,	Hutton,	Peters,	Surface,
Cohen,	Jones,	Raub,	Tahl,

Conner,	Kane, L. P.,	Rhodes,	Turner,
Cooke,	King,	Rice,	Wade,
Craig,	Kinney,	Root,	Wall,
Cramer,	Labar,	Ruby,	Way,
DeFrehn,	Laubach,	Sarig,	Weidemann,
Denning,	Lord,	Sautter,	Wike,
Downey, G. E.,	Lose,	Schrock,	Williams, G. E.,
Emhardt,	Lovett, W. S.,	Schwartz,	Wilson, T. B.,
Evans,	Lynch, M.,	Sheffer,	Witkin,
Fleisher,	Male,	Shellenberger,	Wood,
Flinchbaugh,	McCandless,	Shettel,	Woodside,
Flynn,	McElwee,	Shreiner,	Wright,
Forrest,	McGregor,	Simon,	Zimmerman,
Gillette,	Merrell,	Sinwell,	Talbot,
Greenstein,	Metzler,	Snyder,	Speaker.
Griffith,			

NAYS—85

Barnhardt,	Gartner,	Mason,	Roan,
Bechtel,	Gorman,	McBride,	Roth,
Beech,	Green,	McClure,	Ruth,
Bernhard,	Haines,	McCreary,	Schrope,
Boyd,	Hamilton,	McGinnis,	Shenkel,
Brancato,	Harmuth,	McGrail,	Shortz,
Brown, J. E.,	Hartman,	McKinney,	Shugarts,
Brown, W. L.,	Hefferon,	Melchiorre,	Spann,
Brownfield,	Hermansen,	Mohn,	Stank,
Cannon,	Hoffman,	Moore,	Stevens,
Caputo,	Hoopes,	O'Connor,	Stott,
Carson,	Hough,	O'Neill,	Terry,
Cordier,	Howard,	O'Rourke,	Wagner,
Dane,	Lane,	Perry, J. J.,	Walker, W. A.,
Davies,	Lenahan,	Powell,	Welsh,
Downey, J.,	Lewis,	Powers,	Westrick,
Dunmire,	Long,	Price,	White,
Eroe,	Lovett, J. E.,	Quinn,	Williams, J. J.,
Fitzgerald,	Lynch, J. R.,	Rectenwald,	Wilson, L. M.,
Furman,	Maloney,	Reed,	Yeakel,
Gallagher,	Marcks,	Reilly,	Yourishin,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the report of the Committee of Conference was not adopted.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER. "When either House disagrees to a conference report the matter is left in the position it was in before the conference was asked and the amendments in disagreement come up for further action." The Chair is reading from Jefferson's Manual.

The question before the House now is:

Will the House concur in the amendments made by the Senate and insisted upon by the Senate?

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1374

Mr. WILSON. Mr. Speaker, I move that the House insist upon its non-concurrence to the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 1374, Messrs. Wilson, Hutton and Zimmerman.

Ordered, That the Clerk inform the Senate accordingly.

PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. COHEN. Mr. Speaker, is the Howell Resolution still within the jurisdiction of the House?

The SPEAKER. The Chair informs the gentleman that the Howell Resolution is still in the possession of the House.

Mr. COHEN. Mr. Speaker, do I understand that the House will reconvene at 8.30 o'clock tonight; is that correct?

The SPEAKER. That is correct.

Mr. COHEN. I will ask, Mr. Speaker, that the Howell Resolution be retained in the jurisdiction of the House until I make a motion on that resolution.

The SPEAKER. The Chair will grant the request.

REPORTS FROM COMMITTEES

Mr. WADE, from the Committee on Highways, reported as amended, House Bill No. 2310 (Senate Bill No. 802), entitled:

An Act to amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds"; by adding thereto section eight hundred twenty-four requiring certain vehicles to carry danger or caution signals and to display the same when the vehicle becomes disabled.

Mr. STORB, from the Committee on Banking, re-reported as committed, House Bill No. 808, entitled:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts.

RESOLUTION

RECALLING HOUSE BILL No. 1035 FROM THE GOVERNOR

Mr. HOUGH asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), that House Bill No. 1035, entitled "An act to amend section three hundred and two of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' providing for the identification of persons applying for licenses," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 8.30 o'clock P. M. Are there objections? The Chair hears none, and (at 5.38 P. M.) declares a recess until 8.30 P. M.

AFTER RECESS

The House reconvened at 8.30 P. M.
The SPEAKER (Grover C. Talbot) in the Chair.

BILLS INTRODUCED AND REFERRED

By Mr. McCREARY. HOUSE BILL No. 2332.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing additional routes in the County of Erie.

Referred to the Committee on Highways.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 9

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 9, entitled:

An Act to amend and further amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" making further provision for the settlement assessment collection lien and procedure for collection of taxes and other moneys due the Commonwealth

And has appointed Messrs. McClure, Scott and Bell a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 18, 1933.

Resolved (if the Senate concur), That House Bill No. 1253, entitled "An Act to amend article twenty of the act approved the eighteenth day of May one thousond nine hundred and eleven (Pamphlet Laws three hundred nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as amended by prescribing the powers and duties of the board of trustees of State teachers colleges and the Cheyney Training School for Teachers repealing inconsistent legislation [and making an appropriation]," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 18, 1933.

Resolved, That House Bill No. 747, Printer's No. 172, which was passed by the House of Representatives on March 14, 1933, entitled "An Act to amend section five hundred and three of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "Fiscal Code," as amended, providing for appeals from refusals of the Board of Finance and Revenue to allow refunds," which was recalled from the Governor on April 13, 1933, be returned to the Governor without amendment.

BILL TAKEN FROM TABLE

Mr. CAPUTO. Mr. Speaker, I move that House Bill No. 747, Printer's No. 172, entitled

An Act to amend section five hundred and three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and liens of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended providing for appeals from refusals of the Board of Finance and Revenue to allow refunds.

which was returned by the Governor and laid upon the table to be taken from the table.

The motion was agreed to.

The SPEAKER. The bill will be returned to the Governor in accordance with the concurrent resolution previously adopted.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 18, 1933.

Resolved (if the Senate concur), That House Bill No. 1240, Printer's No. 176, entitled "An act creating a presumption of reasonableness of certain contracts for counsel fees made by the next friend or guardian of a minor, provided the same be evidenced by writing," which was recalled from the Governor April 13, 1933, for the purpose of amendment, be returned to the Governor without amendment.

BILL TAKEN FROM TABLE

Mr. BLUMBERG. Mr. Speaker, I move that House Bill No. 1240, Printer's No. 176, entitled

An Act creating a presumption of reasonableness of certain contracts for counsel fees made by the next friend or guardian of a minor, provided the same be evidenced by writing.

which was returned by the Governor and laid upon the table be taken from the table.

The motion was agreed to.

The SPEAKER. The bill will be returned to the Governor in accordance with the concurrent resolution previously adopted.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 18, 1933.

Resolved (if the Senate concur), That House Bill No. 876, entitled "An act [to amend sections one hundred ten six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight clause two of section one thousand five hundred and two and sections one thousand seven hundred and fifteen two thousand and sixty-three and two thousand three hundred and two] To amend sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight one thousand seven hundred and fifteen one thousand eight hundred and six two thousand sixty-three two thousand seventy two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one to repeal sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred and two three thousand two hundred and three three thousand two hundred and four three thousand two hundred and five and three thousand two hundred and six and to add sections two hundred nine two hundred a three thousand two hundred and two and three thousand two hundred and three to [of] the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' regulating advertising fixing the voting powers at county conventions of township officers correcting certain section headings providing the security to be given by depositories prescribing penalties for [the enforcement of ordinances and for] delinquent taxes permitting certain municipal claims to be embraced in one claim and providing that the width of sidewalks may be fixed by resolution regulating the carrying Workmen's Compensation Insurance providing for the laying out and ordaining of sidewalks for the removal of shrubbery and obstructions within highways for the filling of vacancies in office for the reestablishment of a first class township as a second class township and defining the powers and duties of the planning commission," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 18, 1933.

Resolved (if the Senate concur), That House Bill No. 1220, entitled "An act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' as amended relieving boroughs and incorporated towns from the responsibility for maintenance of highways and bridges under the control of the Department of Highways of the Commonwealth of Pennsylvania," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 19, 1933.

On the fourteenth day of June 1777, the Congress of the United States, by resolution, enacted that "the flag of the United States, be thirteen stripes, alternating red and white, and that the Union be thirteen stars, white in a blue field, representing a new constellation."

Patriotic citizens and various organizations have for many years been observing that day as Flag Day, and by holding and fostering the holding of services at which love of flag and country were emphasized in addresses have endeavored to inculcate into the minds and hearts of future citizens a sincere devotion to our flag and the country for which it stands.

A true regard and respect for our flag and the law it symbolizes is the basis of true patriotism without which the Nation cannot long endure.

The teaching to the youth of our country of the origin, development and meaning of the flag, of what it stands for and what it typifies is more important than any other teaching; therefore be it

Resolved (if the House of Representatives concur), That this Legislature hereby suggests to the Superintendnt of Public Instruction the holding in every public school in the Commonwealth of Flag Day excercises on an appropriate day in each year to be selected by the Superintendent of Public Instruction.

That it is further suggested the Department of Public Instruction prepare and submit to the board of school directors of each school district within the Commonwealth an appropriate program best suited to the various grades with suggestions as to how such programs can best be rendered, with the idea of developing in each pupil a proper realization of the meaning of our flag and an idealization of all it symbolizes; and

That a copy of this resolution be forthwith forwarded by the Secretary of the Senate to the Superintendent of Public Instruction.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 267.

An Act making an appropriation to the Women's Medical College of Pennsylvania, located at East Falls, Philadelphia.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 4, by striking out the words: "seventy-two" and inserting in lieu thereof the words: "eighty-one"; also in the same line by striking out the words: "nine hun-"; also in line 5, by striking out the syllable "dred"; also in the same line by striking out the figures: "($170,000)" and inserting in lieu thereof the figures: "($81,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Haines,	McElwee,	Sheffer,
Baker,	Hamilton,	McGregor,	Shellenberger,
Baldi,	Harmuth,	McHenry,	Shettel,
Barnhardt,	Harris,	McKinney,	Shortz,
Bechtel,	Hart,	Melchiorre,	Shreiner,
Beech,	Hartman,	Meredith,	Shugarts,
Bennett,	Heffernan,	Metzler,	Simon,
Bernhard,	Hefferon,	Mohn,	Sinwell,
Blumberg,	Hermansen,	Moore,	Snyder,
Boyd,	Hester,	Mumford,	Sowers,
Brancato,	Hewitt,	Myers,	Spann,
Brownfield,	Himes, H. E.,	Negley,	Steedle,
Cannon,	Himes, L. R.,	Nothnagle,	Sterling, P.,
Caputo,	Hoffman,	O'Connor,	Sterling, R. B.,
Carey,	Holmes, J. B.,	O'Neill,	Stevenson,
Carson,	Holmes, J. L.,	O'Keefe,	Stiteler,
Chervenak,	Hoopes,	O'Rourke,	Storb,
Cohen,	Horst,	Peelor,	Stott,
Cooke,	Hough,	Pennock,	Surface,
Cordier,	Howard,	Perry, D. R.,	Tahl,
Craig,	Hutton,	Perry, J. J.,	Terry,
Cramer,	Jaffe,	Peters,	Turner,
Dane,	Jones,	Powell,	Wade,
Davies,	Kane, J. J.,	Powers,	Wagner,
DeFrehn,	Kane, L. P.,	Price,	Walker, G. E.,
Denning,	Kinney,	Quinn,	Walker, W. A.,
Downey, J.,	Labar,	Raub,	Wall,
Duffy,	Lane,	Rectenwald,	Wasserman,
Dunmire,	Lenahan,	Reed,	Way,
Dwyer,	Lewis,	Reilly,	Weidemann,
Ederer,	Lord,	Rhodes,	Welsh,
Emhardt,	Lose,	Rice,	Westrick,
Eroe,	Lovett, J. E.,	Roan,	White,
Evans,	Lovett, W. S.,	Root,	Williams, G. W.,
Fitzgerald,	Lynch, J. R.,	Roth,	Wilson, L. M.,
Flanagan,	Lynch, M.,	Royle,	Wilson, T. B.,
Flinchbaugh,	Male,	Ruby,	Witkin,
Flynn,	Malina,	Ruth,	Wood,
Furman,	Maloney,	Sarig,	Woodside,
Gallagher,	Marcks,	Sautter,	Wright,
Gartner,	Mason,	Schrock,	Yourishin,
Gorman,	McBride,	Schrope,	Zimmerman,
Green,	McCandless,	Schwab,	Talbot,
Greenstein,	McClure,	Schwartz,	Speaker.
Griffith,	McCreary,	Scott,	

NAYS—0

The majorty required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 276.

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 4, by striking out the words: "twenty-four" and inserting in lieu thereof the words: "fifty-seven"; also line 5, by striking out the figures: "($324,000)" and inserting in lieu thereof "($357,500)"; also in line 13, by striking out the figures: "($300)" and inserting in lieu thereof the figures: "($325)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Hamilton,	McHenry,	Shettel,
Baker,	Harmuth,	McKay,	Shortz,
Barnhardt,	Harris,	McKinney,	Shreiner,
Bechtel,	Hart,	Melchiorre,	Shugarts,
Beech,	Hartman,	Meredith,	Simon,
Bennett,	Heffernan,	Merrell,	Sinwell,
Bernhard,	Hefferon,	Metzler,	Snyder,
Blumberg,	Heffner,	Mohn,	Sowers,
Boyd,	Hermansen,	Moore,	Spann,
Brancato,	Hester,	Mumford,	Stank,
Brennan,	Hewitt,	Myers,	Sterling, P.,
Brown, J. E.,	Himes, H. E.,	Negley,	Sterling, R. B.,
Brown, W. L.,	Himes, L. R.,	Nothnagle,	Stevens,
Cannon,	Hoffman,	O'Connor,	Stevenson,
Caputo,	Hoopes,	O'Keefe,	Stiteler,
Carson,	Horst,	O'Neill,	Stone,
Cohen,	Hough,	O'Rourke,	Storb,
Conner,	Howard,	Peelor,	Stott,
Cooke,	Hutton,	Pennock,	Surface,
Cordier,	Jaffe,	Perry, D. R.,	Tahl,
Cramer,	Jones,	Perry, J. J.,	Terry,
Dane,	Kane, J. J.,	Peters,	Turner,
Davies,	Kane, L. P.,	Powell,	Wade,
Denning,	King,	Powers,	Wagner,
Downey, G. E.,	Kinney,	Price,	Walker, W. A.,
Downey, J.,	Labar,	Quinn,	Wall,
Duffy,	Laubach,	Raub,	Wasserman,
Dunmire,	Lenahan,	Rectenwald,	Way,
Dwyer,	Long,	Reilly,	Weidemann,
Ederer,	Lord,	Rhodes,	Welsh,
Eroe,	Lovett, J. E.,	Rice,	Westrick,
Evans,	Lovett, W. S.,	Roan,	White,
Flanagan,	Lynch, J. R.,	Root,	Wike,
Fleisher,	Lynch, M.,	Roth,	Williams, G. W.,
Flynn,	Malina,	Royle,	Williams, J. J.,
Forrest,	Maloney,	Ruth,	Wilson, L. M.,
Furman,	Marcks,	Sarig,	Wilson, T. B.,
Gallagher,	Mason,	Sautter,	Witkin,
Gartner,	McBride,	Schrock,	Wood,
Gillette,	McCandless,	Schrope,	Woodside,
Gorman,	McCreary,	Schwab,	Wright,
Green,	McElwee,	Schwartz,	Yourishin,
Griffith,	McGinnis,	Scott,	Talbot,
Habbyshaw,	McGrail,	Sheffer,	Speaker.
Haines,	McGregor,	Shellenberger,	

NAYS—0

The majorty required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 415.

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries.

With the the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 5, by striking out the word: "Maratime" and inserting in lieu thereof the words: "Maritime."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Hamilton,	McGrail,	Shortz,
Baker,	Harmuth,	McGregor,	Shreiner,
Baldi,	Harris,	McHenry,	Shugarts,
Barnhard,	Hart,	McKinney,	Simon,
Bechtel,	Hartman,	Meredith,	Snyder,
Beech,	Heffernan,	Metzler,	Sowers,
Bernhard,	Hefferon,	Mohn,	Spann,
Boyd,	Heffner,	Moore,	Steedle,
Brennan,	Hermansen,	Mumford,	Sterling, P.,
Brown, J. E.,	Hester,	Myers,	Sterling, R. B.,
Brown, W. L.,	Hewitt,	Negley,	Stevens,
Cannon,	Himes, H. E.,	Nothnagle,	Stevenson,
Caputo,	Himes, L. R.,	O'Connor,	Stiteler,
Carey,	Hoffman,	O'Keefe,	Stone,
Carson,	Holmes, J. B.,	O'Neill,	Storb,
Chervenak,	Holmes, J. L.,	O'Rourke,	Stott,
Cohen,	Hoopes,	Patterson,	Tahl,
Conner,	Horst,	Peelor,	Terry,
Cooke,	Howard,	Pennock,	Turner,
Cordier,	Hutton,	Perry, D. R.,	Wade,
Dane,	Jones,	Perry, J. J.,	Wagner,
Davies,	Kane, J. J.,	Peters,	Walker, G. E.,
DeFrehn,	Kane, L. P.,	Powell,	Walker, W. A.,
Denning,	King,	Powers,	Wall,
Downey, J.,	Kinney,	Price,	Wasserman,
Duffy,	Labar,	Quinn,	Way,
Dunmire,	Lane,	Raub,	Weidemann,
Dwyer,	Laubach,	Rectenwald,	Welsh,
Ederer,	Lewis,	Reed,	Westrick,
Emhardt,	Long,	Rhodes,	White,
Eroe,	Lord,	Rice,	Wike,
Evans,	Lose,	Roan,	Williams, G. W.,
Flanagan,	Lovett, W. S.,	Root,	Williams, J. J.,
Fleisher,	Lynch, J. R.,	Roth,	Wilson, L. M.,
Flinchbaugh,	Lynch, M.,	Ruby,	Wilson, T. B.,
Flynn,	Male,	Sarig,	Witkin,
Forrest,	Malina,	Schrock,	Wood,
Furman,	Maloney,	Schrope,	Woodside,
Gallagher,	Marcks,	Schwab,	Wright,
Gillette,	Mason,	Schwartz,	Yeakel,
Gorman,	McBride,	Scorza,	Yourishin,
Green,	McCandless,	Scott,	Zimmerman,
Griffith,	McClure,	Sheffer,	Talbot,
Habbyshaw,	McCreary,	Shellenberger,	Speaker.
Haines,	McGinnis,	Shettel,	

NAYS—0

The majorty required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 901.

An Act making an appropriation to the West Side Hospital Association of Scranton, Lackawanna County, Pennsylvania.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 4, by inserting after the word "two" the word "hundred."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Haines,	McKay,	Shettel,
Baker,	Hamilton,	McKinney,	Shortz,
Baldi,	Harmuth,	Melchiorre,	Shreiner,
Barnhardt,	Harris,	Meredith,	Shugarts,
Bechtel,	Hart,	Merrell,	Simon,
Beech,	Heffernan,	Metzler,	Sinwell,
Bennett,	Hefferon,	Moore,	Snyder,
Bernhard,	Heffner,	Mumford,	Sowers,
Boyd,	Hermansen,	Myers,	Spann,
Brancato,	Hester,	Negley,	Sterling, P.,
Brown, J. E.,	Hewitt,	Nothnagle,	Sterling, R. B.,
Brown, W. L.,	Himes, H. E.,	O'Connor,	Stevens,
Brownfield,	Hoffman,	O'Keefe,	Stevenson,
Cannon,	Holmes, J. L.,	O'Neill,	Stiteler,
Caputo,	Hoopes,	O'Rourke,	Stone,
Carey,	Horst,	Patterson,	Storb,
Carson,	Howard,	Peelor,	Stott,
Chervenak,	Hutton,	Pennock,	Surface,
Cohen,	Jaffe,	Perry, D. R.,	Tahl,
Conner,	Jones,	Perry, J. J.,	Terry,
Cooke,	Kane, J. J.,	Peters,	Turner,
Cordier,	Kane, L. P.,	Powell,	Wade,
Cramer,	Kinney,	Powers,	Wagner,
Dane,	Labar,	Price,	Walker, G. E.,
Davies,	Lane,	Quinn,	Walker, W. A.,
DeFrehn,	Laubach,	Raub,	Wall,
Denning,	Lewis,	Rectenwald,	Wasserman,
Downey, G. E.,	Long,	Reed,	Way,
Downey, J.,	Lord,	Reilly,	Weidemann,
Duffy,	Lose,	Rhodes,	Welsh,
Dunmire,	Lovett, W. S.,	Rice,	Westrick,
Dwyer,	Lynch, J. R.,	Roan,	White,
Ederer,	Male,	Root,	Wike,
Emhardt,	Malina,	Roth,	Williams, G. W.,
Eroe,	Maloney,	Royle,	Williams, J. J.,
Evans,	Marcks,	Ruby,	Wilson, L. M.,
Fitzgerald,	Mason,	Ruth,	Wilson, T. B.,
Flanagan,	McBride,	Sarig,	Witkin,
Flinchbaugh,	McCandless,	Sautter,	Wood,
Flynn,	McClure,	Schrock,	Woodside,
Gallagher,	McCreary,	Schrope,	Wright,
Gartner,	McElwee,	Schwab,	Yeakel,
Gorman,	McGinnis,	Schwartz,	Yourishin,
Green,	McGrail,	Scott,	Zimmerman,
Griffith,	McGregor,	Sheffer,	Talbot,
Habbyshaw,	McHenry,	Shellenberger,	Speaker.

NAYS—0

The majorty required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL 1007.

An Act making an appropriation to the Franklin Hospital, Franklin, Pennsylvania.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 4, by inserting after the word "hundred" the word "dollars."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Harmuth,	McKay,	Shettel,
Baker,	Harris,	McKinney,	Shortz,
Baldi,	Hart,	Meredith,	Shreiner,
Barnhardt,	Hartman,	Merrell,	Shugarts,
Bechtel,	Heffernan,	Metzler,	Simon,
Beech,	Hefferon,	Mohn,	Sinwell,
Bennett,	Heffner,	Moore,	Snyder,
Boyd,	Hermansen,	Mumford,	Sowers,
Brancato,	Hester,	Myers,	Spann,
Brennan,	Hewitt,	Negley,	Stank,
Brown, W. L.,	Himes, H. E.,	Nothnagle,	Steedle,
Brownfield,	Himes, L. R.,	O'Connor,	Sterling, P.,
Cannon,	Hoffman,	O'Keefe,	Sterling, R. B.,
Caputo,	Holmes, J. L.,	O'Neill,	Stevens,
Carson,	Hoopes,	O'Rourke,	Stevenson,
Chervenak,	Horst,	Patterson,	Stiteler,
Cohen,	Hough,	Peelor,	Storb,
Conner,	Howard,	Pennock,	Stott,
Cooke,	Hutton,	Perry, D. R.,	Surface,
Cordier,	Jaffe,	Perry, J. J.,	Tahl,
Craig,	Jones,	Peters,	Terry,
Dane,	Kane, J. J.,	Powell,	Wade,
Davies,	Kane, L. P.,	Powers,	Wagner,
DeFrehn,	King,	Price,	Walker, G. E.,
Denning,	Kinney,	Quinn,	Walker, W. A.,
Duffy,	Labar,	Raub,	Wall,
Dunmire,	Lane,	Rectenwald,	Wasserman,
Dwyer,	Laubach,	Reed,	Way,
Ederer,	Lenahan,	Reilly,	Weidemann,
Emhardt,	Lewis,	Rhodes,	Welsh,
Eroe,	Long,	Rice,	Westrick,
Evans,	Lose,	Roan,	White,
Fitzgerald,	Lovett, W. S.,	Root,	Wike,
Fleisher,	Lynch, J. R.,	Roth,	Williams, G. W.,
Flinchbaugh,	Male,	Royle,	Williams, J. J.,
Flynn,	Malina,	Ruth,	Wilson, L. M.,
Furman,	Maloney,	Sarig,	Wilson, T. B.,
Gallagher,	Marcks,	Sautter,	Witkin,
Gartner,	Mason,	Schrock,	Wood,
Gillette,	McBride,	Schrope,	Woodside,
Gorman,	McCandless,	Schwab,	Wright,
Green,	McClure,	Schwartz,	Yeakel,
Greenstein,	McCreary,	Scorza,	Yourishin,
Griffith,	McElwee,	Scott,	Zimmerman,
Habbyshaw,	McGrail,	Sheffer,	Talbot,
Haines,	McHenry,	Shellenberger,	Speaker,
Hamilton,			

NAYS—0

The majorty required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1198.

An Act relating to dentistry; defining and providing for the licensing and registration of dentists, and dental hygienists, and for the revocation and suspension of such licenses and registrations subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 2, page 2, line 21, by striking out the words "person is a."

Amend section 3, page 3, line 24, by striking out the words "a competent" and inserting in lieu thereof the words "the required"; also in the same section, page 4, line 5, by striking out the words "a competent" and inserting in lieu thereof

the words "the required"; also in the same section, page 5, line 11, by striking out the words "unethical and"; also in the same section, page 5, line 16, by striking out the word "or"; also in line 17, by striking out the words "of advertising the price of work."

Amend section 5, page 7, line 26, by striking out the words "which shall hear the appeal de"; also in line 27 by striking out the word "novo."

Amend section 5, page 8, line 6, by inserting after the word "supersedeas" the following:

"Appeals shall be taken by serving upon the department written notice of such appeal together with reasons for such appeal Such service shall be made either by filling the said notice of appeal in the office of the department or in the event that a hearing has been had by delivering the same to the deputy whether general or special before whom the hearing in the case was had

"Within thirty (30) days after the service of such notice of appeal the department shall file with the prothonotary of the said court of common pleas a transcript of the records of the proceedings if any in its office duly certified over the seal of the department which record shall include all papers on file with the department affecting or relating to the inquiry or investigation if any conducted by the department and all the evidence taken in the hearing if any including the stenographic notes of testimony Notice of the filing of the said transcript with the term and number to which filed shall be forthwith given by the department to the licensee or registrant and as well to the party or parties if any upon whose complaint the proceedings before the department were instituted The cost of the said transcript at twenty-five cents per folio and one dollar for certification shall be entered as part of the record costs in the cause to be paid as the court may direct In all proceedings upon such appeal the Department of Justice shall appear for and represent the Commonwealth

Amend section 5, page 8, line 10, by striking out the word "court" and inserting in lieu thereof the following: "judge or judges of the court without a jury by whom the proceedings before the department if any its findings and rulings shall be given similar weight force and effect as are accorded to the findings and report of a referee selected or appointed under the provisions of the act entitled "An act to provide for the submission of civil cases by agreement of the parties to a referee learned in the law" approved the fourteenth day of May one thousand eight hundred and seventy-four and its supplements."

Amend section 10, page 9, line 27, by striking out the word "as."

Amend section 11, page 11, line 11, by inserting after the word "any" the word "other"; also in line 12, by striking out "except under the immediate direction and supervision of a licensed dentist."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Griffith,	McHenry,	Shenkel,
Baker,	Habbyshaw,	McKay,	Shettel,
Baldi,	Haines,	Meredith,	Shortz,
Barnhardt,	Harmuth,	Merrell,	Shreiner,
Bechtel,	Harris,	Metzler,	Shugarts,
Beech,	Hart,	Mohn,	Simon,
Bennett,	Heffernan,	Moore,	Sinwell,
Bernhard,	Heffner,	Mumford,	Snyder,
Blumberg,	Hermansen,	Myers,	Sowers,
Boyd,	Hester,	Negley,	Spann,
Brancato,	Hewitt,	Nothnagle,	Stank,
Brennan,	Himes, H. E.,	O'Connor,	Steedle,
Brown, J. E.,	Himes, L. R.,	O'Keefe,	Sterling, P.,
Brown, W. L.,	Hoffman,	O'Neill,	Sterling, R. B.,
Brownfield,	Holmes, J. B.,	O'Rourke,	Stevens,
Cannon,	Holmes, J. L.,	Patterson,	Stevenson,
Caputo,	Hoopes,	Peelor,	Stitzler,
Carey,	Horst,	Pennock,	Stone,
Carson,	Hough,	Perry, D. R.,	Storb,
Chervenak,	Howard,	Perry, J. J.,	Stott,
Cohen,	Hutton,	Peters,	Surface,
Conner,	Jaffe,	Powell,	Tahl,
Cooke,	Jones,	Powers,	Turner,
Cordier,	Kane, J. J.,	Price,	Wade,
Craig,	Kane, L. P.,	Quinn,	Wagner,
Dane,	King,	Raub,	Walker, G. E.,
Davies,	Kinney,	Rectenwald,	Walker, W. A.,
DeFrehn,	Labar,	Reed,	Wall,
Denning,	Lane,	Reilly,	Wasserman,
Downey, G. E.,	Laubach,	Rhodes,	Way,
Downey, J.,	Lenahan,	Rice,	Weidemann,
Duffy,	Lewis,	Roan,	Welsh,
Dunmire,	Long,	Root,	Westrick,
Dwyer,	Lord,	Roth,	White,
Ederer,	Lose,	Royle,	Wike,
Emhardt,	Lovett, J. E.,	Ruby,	Williams, G. W.,
Evans,	Lovett, W. S.,	Ruth,	Wilson, L. M.,
Fitzgerald,	Lynch, J. R.,	Sarig,	Witkin,
Flanagan,	Lynch, M.,	Sautter,	Wood,
Fleisher,	Male,	Schrock,	Woodside,
Flinchbaugh,	Malina,	Schrope,	Wright,
Forrest,	Maloney,	Schwab,	Yeakel,
Furman,	Mason,	Schwartz,	Yourishin,
Gallagher,	McBride,	Scott,	Zimmerman,
Gartner,	McCandless,	Sheffer,	Talbot,
Gillette,	McGrail,	Shellenberger,	Speaker.
Green,	McGregor,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1371.

An Act to further amend sections five and six of the act approvided the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" by increasing the number of signers to nomination papers changing the time for filing same and changing the time for filing objections thereto.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out the word "three"; also line 8, by striking out the words "increasing the number of signers"; also line 9, by striking out the words "to nomination papers"; also line 10, by striking out the word "same" and inserting in lieu thereof the words "nomination papers."

Amend section 1, page 1, line 4, by striking out the words "section three" and inserting in lieu thereof "sections five and six."

Amend section 1, page 2, line 4, by striking out the word "was" and inserting in lieu thereof the word "were"; also in line 6, by striking out the following: "(Pamphlet Laws eight hundred fifty-five) is hereby further amended to read as follows

"Section 3 Nominations of candidates for any public office may also be made by nomination papers signed by qualified electors of the State or of the electoral district or division thereof for which the nomination is made and filed in the proper office as provided in section five of this act Blank forms for making such nomination shall be furnished by the Secretary of the Commonwealth and no other form than the ones so prescribed shall be used for such purposes Where the nomination is for any office to be filled by the voters of the State at large the number of qualified electors of the State signing such nomination paper shall be at least [one-half of one per centum] two per centum of the largest vote for any officer elected in the State at the last preceding election at

which a State officer was voted for In the case of all other nominations the number of qualified electors of the electoral district or division signing such nomination paper shall be at least [two per centum] four per centum of the largest entire vote for any officer elected at the last preceding election in the said electoral district or division for which said nomination papers are designed to be made Each elector signing a nomination paper shall add to his signature his place of residence and occupation and shall also add the date of signing No nomination petition shall be circulated prior to forty (40) days before the last day on which such petition may be filed and no signature shall be counted unless it bears date within forty (40) days of the last day for filing the same [and no] No person may subscribe to more than one nomination for each office to be filled The signatures to each nomination paper and the qualification of the signers shall be vouched for by the affidavit of at least five of the signers thereof which affidavit shall accompany the nomination paper Provided That if five of the electors composing any political body making a nomination by nomination papers shall file with the prothonotary of the county in which the nomination paper or papers are to be filed an affidavit setting forth that they have adopted a certain political appellation to designate their policy subject to the limitations of this act regarding the selection of names that thereafter such political body shall have the exclusive right to use the said name or appellation for the election for which such nomination or nominations are made provided that a certificate from the prothonotary setting forth such a compliance with the act be filed with the nomination papers filed by such political body And provided further That if five electors composing any political body as herein before provided shall file an affidavit as aforesaid setting forth that they have adopted a certain political name or appellation to designate their policy for the purpose of making nominations for ward officers or officers to be elected in any ward such affidavit shall give to such body of electors the exclusive right to use the said name or appellation for the nomination of any candidates for any precinct or other subdivision of such ward for the election for which such nominations are made

"Section 2 That sections five and six of said act which were last amended by sections one and two of the act approved the ninth day of July one thousand nine hundred and nineteen."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz

YEAS—184

Andrews,	Harmuth,	McHenry,	Shreiner,
Baker,	Harris,	McKay,	Shugarts,
Baldi,	Hart,	McKinney,	Simon,
Barnhardt,	Hartman,	Meredith,	Sinwell,
Bechtel,	Heffernan,	Merrell,	Snyder,
Beech,	Hefferon,	Metzler,	Sowers,
Bennett,	Heffner,	Mohn,	Spann,
Blumberg,	Hermansen,	Moore,	Stank,
Boyd,	Hester,	Mumford,	Steedle,
Brancato,	Hewitt,	Myers,	Sterling, P.,
Brennan,	Himes, H. E.,	Negley,	Sterling, R. B.,
Brown, J. E.,	Himes, L. R.,	O'Connor,	Stevens,
Brown, W. L.,	Hoffman,	O'Keefe,	Stevenson,
Caputo,	Holmes, J. B.,	O'Neill,	Stiteler,
Carey,	Holmes, J. L.,	O'Rourke,	Stone,
Carson,	Hoopes,	Patterson,	Storb,
Cohen,	Horst,	Peelor,	Stott,
Conner,	Hutton,	Pennock,	Surface,
Cordier,	Jaffe,	Perry, D. R.,	Tahl,
Craig,	Jones,	Perry, J. J.,	Terry,
Dane,	Kane, L. P.,	Peters,	Turner,
Davies,	King,	Powell,	Wade,
DeFrehn,	Kinney,	Powers,	Wagner,
Denning,	Labar,	Price,	Walker, G. E.,
Downey, J.,	Lane,	Quinn,	Walker, W. A.,
Duffy,	Laubach,	Raub,	Wall,
Dunmire,	Lenahan,	Rectenwald,	Wasserman,
Dwyer,	Lewis,	Reed,	Way,
Ederer,	Long,	Reilly,	Weidemann,
Ehrhardt,	Lose,	Rhodes,	Welsh,
Eroa,	Lovett, J. K.,	Rice,	Westrick,
Evans,	Lovett, W. S.,	Roan,	White,
Fitzgerald,	Lynch, J. R.,	Root,	Wike,
Fleisher,	Lynch, M.,	Roth,	Williams, G. W.,
Flinchbaugh,	Male,	Royle,	Williams, J. J.,
Forrest,	Maloney,	Ruby,	Wilson, L. M.,
Furman,	Marcks,	Sarig,	Wilson, T. B.,
Gallagher,	Mason,	Schrock,	Witkin,
Gartner,	McBride,	Schrope,	Wood,
Gillette,	McCandless,	Schwartz,	Woodside,
Gorman,	McClure,	Scott,	Wright,
Green,	McCreary,	Sheffer,	Yeakel,
Greenstein,	McElwee,	Shellenberger,	Yourishin,
Griffith,	McGinnis,	Shenkel,	Zimmerman,
Habbyshaw,	McGrail,	Shettel,	Talbot,
Haines,	McGregor,	Shortz,	Speaker.
Hamilton,			

NAYS—0

The majorty required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1476.

An Act providing for the deferring of sentences in certain cases pending the mental examination of defendants; authorizing trial judges and the Department of Welfare to require psychiatrists employed by county and state mental hospitals to examine certain such defendants without additional compensation except expenses payable by counties; providing for the commitment of defendants to certain institutions where the reports show the same to be advisable; providing for the payment by individuals, counties, or the Commonwealth of the cost of admission, care and discharge of such defendants.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 3, by striking out the words "and the Department of Welfare"; also line 4, by inserting after the word "by" the words "the Department of Welfare or"; also in the same line by striking out the word "and" and inserting in lieu thereof the word "or."

Amend section 2, page 2, line 7, by striking out the words "Bureau of"; also line 8, by striking out the words "Mental Health" and inserting in lieu thereof the words "Department of Welfare."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Harmuth,	McKay,	Shellenberger,
Baker,	Harris,	McKinney,	Shettel,
Baldi,	Hart,	Meredith,	Shortz,
Barnhardt,	Hartman,	Merrell,	Shreiner,
Bechtel,	Heffernan,	Metzler,	Shugarts,
Beech,	Hefferon,	Mohn,	Simon,
Bennett,	Heffner,	Moore,	Sinwell,
Boyd,	Hermansen,	Mumford,	Snyder,
Brancato,	Hester,	Myers,	Sowers,
Brennan,	Hewitt,	Negley,	Spann,
Brown, J. E.,	Himes, H. E.,	Nothnagle,	Stank,
Brown, W. L.,	Himes, L. E.,	O'Connor,	Sterling, P.,

Cannon,	Hoffman,	O'Keefe,	Sterling, R. B.,
Caputo,	Holmes, J. B.,	O'Neill,	Stevens,
Carson,	Holmes, J. L.,	O'Rourke,	Stevenson,
Chervenak,	Hoopes,	Patterson,	Stiteler,
Conner,	Horst,	Peelor,	Stone,
Cooke,	Howard,	Pennock,	Storb,
Cordier,	Hutton,	Perry, D. R.,	Stott,
Craig,	Jaffe,	Perry, J. J.,	Surface,
Cramer,	Jones,	Peters,	Tahl,
Dane,	Kane, L. P.,	Powell,	Terry,
Davies,	Kinney,	Powers,	Turner,
DeFrehn,	Labar,	Price,	Wade,
Denning,	Lane,	Quinn,	Wagner,
Duffy,	Laubach,	Raub,	Walker, W. A.,
Dunmire,	Lewis,	Rectenwald,	Wall,
Dwyer,	Long,	Reed,	Wasserman,
Ederer,	Lord,	Reilly,	Way,
Emhardt,	Lose,	Rhodes,	Weidemann,
Eroe,	Lovett, J. E.,	Rice,	Welsh,
Evans,	Lovett, W. S.,	Roan,	Westrick,
Fitzgerald,	Lynch, J. R.,	Root,	White,
Flanagan,	Lynch, M.,	Roth,	Wike,
Fleisher,	Male,	Royle,	Williams, G. W.,
Flynn,	Malina,	Ruby,	Wilson, L. M.,
Forrest,	Maloney,	Ruth,	Wilson, T. B.,
Gallagher,	Marcks,	Sarig,	Witkin,
Gartner,	Mason,	Sautter,	Wood,
Gorman,	McBride,	Schrock,	Woodside,
Green,	McCandless,	Schrope,	Wright,
Greenstein,	McCreary,	Schwab,	Yeakel,
Griffith,	McElwee,	Schwartz,	Yourishin,
Habbyshaw,	McGinnis,	Scorza,	Zimmerman,
Haines,	McGregor,	Scott,	Talbot,
Hamilton,	McHenry,	Sheffer,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1837.

An Act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments a follows:

Amend section 1, page 1, line 11, by inserting after the word word "receiver" the following: "upon obtaining the written consent of the taxing authorities of the municipal subdivision which levied the tax"; also in the same line by inserting after the word "return" the words "of such"; also line 12, by striking out the word "thereof" and inserting in lieu thereof the word "taxes."

Amend section 1, page 2, line 7, by inserting after the word "law" the following: "Provided however that the return of any tax under this act shall not revive or re-establish any tax lien against real estate which was transferred to any purchaser during the time when any such lien was lost nor shall such return affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the collector to return the taxes at the regular time

On the queston,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Harmuth,	McKay,	Shortz,
Baker,	Harris,	McKinney,	Shreiner,
Baldi,	Hart,	Melchiorre,	Shugarts,
Barnhardt,	Hartman,	Meredith,	Simon,
Bechtel,	Heffernan,	Merrell,	Sinwell,
Bennett,	Hefferon,	Metzler,	Snyder,
Bernhard,	Heffner,	Mohn,	Sowers,
Blumberg,	Hermansen,	Moore,	Spann,
Boyd,	Hester,	Mumford,	Stank,
Brennan,	Hewitt,	Myers,	Sterling, P.,
Brown, J. E.,	Himes, H. E.,	Negley,	Sterling, R. B.,
Brown, W. L.	Himes, L. R.,	Nothnagle,	Stevens,
Brownfield,	Hoffman,	O'Connor,	Stevenson,
Cannon,	Holmes, J. B.,	O'Keefe,	Stiteler,
Caputo,	Holmes, J. L.,	O'Neill,	Stone,
Carson,	Hoopes,	O'Rourke,	Storb,
Cohen,	Horst,	Peelor,	Stott,
Conner,	Hutton,	Pennock,	Surface,
Cooke,	Jaffe,	Perry, J. J.	Tahl,
Cordier,	Jones,	Perry, J. J.,	Terry,
Craig,	Kane, J. J.,	Peters,	Turner,
Dane,	Kane, L. P.,	Powell,	Wade,
Davies,	King,	Powers,	Wagner,
DeFrehn,	Kinney,	Price,	Walker, G. E.,
Downey, J.,	Labar,	Quinn,	Walker, W. A.,
Denning,	Lane,	Raub,	Wall,
Duffy,	Laubach,	Rectenwald,	Wasserman,
Dwyer,	Lenahan,	Reed,	Way,
Ederer,	Lewis,	Reilly,	Weidemann,
Emhardt,	Lord,	Rhodes,	Welsh,
Eroe,	Lose,	Roan,	Westrick,
Evans,	Lovett, J. E.,	Root,	White,
Fitzgerald,	Lovett, W. S.,	Roth,	Wike,
Flanagan,	Lynch, J. R.,	Royle,	Williams, G. W.,
Fleisher,	Lynch, M.,	Ruby,	Williams, J. J.,
Flinchbaugh,	Male,	Ruth,	Wilson, L. M.,
Flynn,	Malina,	Sarig,	Wilson, T. B.,
Forrest,	Maloney,	Schrock,	Witkin,
Furman,	Mason,	Schrope,	Wood,
Gallagher,	McBride,	Schwab,	Woodside,
Gartner,	McCandless,	Schwartz,	Wright,
Gorman,	McCreary,	Scott,	Yeakel,
Green,	McElwee,	Sheffer,	Yourishin,
Griffith,	McGrail,	Shellenberger,	Zimmerman,
Habbyshaw,	McGregor,	Shenkel,	Talbot,
Haines,	McHenry,	Shettel,	Speaker.
Hamilton,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1934.

An Act providing for receipt by the Commonwealth of personal property bequeathed to the Commonwealth; providing for the vesting of title in the Commonwealth of real estate devised to the Commonwealth, the custody, repairs, leasing and sale thereof by the Department of Property and Supplies with approval of the Department fo Justice; and providing the payment of costs of repair of such property.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 4, by striking out the syllable "re-"; also line 5, by striking out the syllable "pairs," and inserting in lieu thereof the word "repair."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Gorman,	McKay,	Shenkel,
Baker,	Greenstein,	McKinney,	Shettel,
Baldi,	Griffith,	Meredith,	Shortz,
Barnhardt,	Haines	Merrell,	Shreiner,
Bechtel,	Harmuth,	Metzler,	Shugarts,
Beech,	Harris,	Mohn,	Simon,
Bennett,	Hart,	Moore,	Sinwell,
Bernhard,	Heffernan,	Mumford,	Snyder,
Blumberg,	Heffner,	Myers,	Sowers,
Boyd,	Hermansen,	Negley,	Spann,
Brancato,	Hewitt,	Nothnagle,	Stank,
Brennan,	Himes, L. R.,	O'Connor,	Steedle,
Brown, J. E.,	Hoffman,	O'Keefe,	Sterling, P.,
Brown, W. L.,	Holmes, J. B.,	O'Neill,	Sterling, R. B.,
Brownfield,	Holmes, J. L.,	O'Rourke,	Stevens,
Cannon,	Hoopes,	Patterson,	Stevenson,
Caputo,	Horst,	Peelor,	Stiteler,
Carey,	Hough,	Pennock,	Stone,
Carson,	Howard,	Perry, D. R.,	Storb,
Chervenak,	Hutton,	Perry, J. J.,	Surface,
Cohen,	Jaffe,	Peters,	Tahl,
Conner,	Jones,	Powell,	Wade,
Cooke,	Kane, J. J.,	Powers,	Wagner,
Cordier,	Kane, L. P.,	Price,	Walker, G. E.,
Craig,	Kinney,	Quinn,	Walker, W. A.,
Cramer,	Labar,	Raub,	Wall,
Dane,	Lane,	Rectenwald,	Wasserman,
Davies,	Laubach,	Reed,	Way,
DeFrehn,	Lewis,	Reilly,	Weidemann,
Denning,	Lord,	Rhodes,	Welsh,
Downey, G. E.,	Lose,	Rice,	Westrick,
Downey, J.,	Lovett, J. E.,	Roan,	White,
Duffy,	Lovett, W. S.,	Root,	Wike,
Dunmire,	Lynch, J. R.,	Roth,	Williams, G. W.,
Dwyer,	Lynch, M.,	Royle,	Williams, J. J.,
Ederer,	Male,	Ruby,	Wilson, L. M.,
Emhardt,	Malina,	Ruth,	Wilson, T. B.,
Eroe,	Maloney,	Sarig,	Witkin,
Evans,	Marcks,	Sautter,	Wood,
Fitzgerald,	Mason,	Schrock,	Woodside,
Flanagan,	McBride,	Schrope,	Wright,
Fleisher,	McCandless,	Schwab,	Yeakel,
Flinchbaugh,	McCreary,	Schwartz,	Yourishin,
Flynn,	McElwee,	Scott,	Zimmerman,
Forrest,	McGinnis,	Sheffer,	Talbot,
Furman,	McGrail,	Shellenberger,	Speaker.
Gartner,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct the titles were publicly read as follows:

HOUSE BILL No. 1099.

An Act authorizing counties cities boroughs and townships of the first and second classes and school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities in relation to said funds; and fixing a penalty for the violation thereof.

HOUSE BILL No. 218.

An Act to amend section twelve of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by preventing suspension of permits without hearings and providing for appeals in case of suspension or revocation of permits.

HOUSE BILL No. 490.

An Act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled "An act authorizing the abatement of penalties on local taxes" providing further for the abatement of tax penalties and for an extension of time for delivery of duplicates to collectors of delinquent taxes in certain cases.

HOUSE BILL No. 660.

An Act to amend clause (b) section four hundred fifteen article four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended further defining group life insurance

HOUSE BILL No. 948.

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt

HOUSE BILL No. 1107.

An Act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar broads superseded by the fund and board herein created

HOUSE BILL No. 1187.

An Act empowering a court in which a suit for the recovery of damages for personal injuries to a minor is pending to make an order authorizing a compromise or settlement to be made for such minor, and empowering a court in which a judgment is obtained for such minor, or by which a compromise or settlement is approved, to fix counsel fees and other expenses incident to said suit; and to award the balance to a duly appointed guardian of such minor and limiting the liability of said guardian to the sum of money thus coming into his hands.

HOUSE BILL No. 1615.

An Act authorizing the Attorney General under certain conditions to enter into agreements to collect certain claims from boroughs for the maintenance of State Highways in installments after such claims have been reduced to judgment and to compound certain judgments.

HOUSE BILL No. 1659.

An Act to further amend Section seventeen of the act approved the fourteenth day of June one thousand nine hun-

dred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by increasing certain license fees

HOUSE BILL No. 1676.

An Act to further amend paragraph (b) of section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilites thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents" by requiring building and loan associations to pay the full cost of examinations by the Department of Banking.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1933.

To the Honorable, the General Assembly of the Commonwealth of Pennsylvania:

The two subjects before the General Assembly in which the people of Pennsylvania are most vitally interested are relief for the unemployed and relief for the local taxpayer, as I pointed out at the opening of the session.

As to relief for the unemployed, something has been done for April and May, but nothing beyond that time. As to relief for the local taxpayer, nothing has been done at all.

We are nearing the end of the sixteenth week of this session. It seems to me, therefore, highly necessary that we should take stock of the situation as it affects relief for the unemployed and the local taxpayer.

It is equally necessary to take stock of what remains to be done before the present session will have performed its duty to the people of Pennsylvania.

RELIEF FOR THE UNEMPLOYED

When you convened I advised you that the least amount which you could safely appropriate and raise for relief was $20,000,000. The rapidly increasing demand for relief and the fact that we are now spending at the rate of almost $100,000,000 a year for food alone, has made it clear that additional funds must be provided.

If the Federal Government will continue as in the past to supply not less than half of our relief funds, we are required to provide in round numbers $50,000,000 to take care of relief needs for the next twelve months.

Of this amount $25,000,000 can be provided through a bond issue, which has passed two sessions of the General Assembly and will be voted upon by the people next fall.

When this session began I point out a way to raise $20,000,000 for relief without new taxes. Bills were accordingly introduced to achieve this result. Not one of them has even been reported out of committee.

For your convenience I present a list of these bills, of the committees where they lie, and of the amount of relief which would be provided if they were passed:

House Bill 21 and House Bill 1059 each provides for the collection of the four mill personal property tax by the Department of Revenue, guarantees to the counties as much as they have been collecting themselves, and divides the rest between the counties and the State. House Bill 21 is in the Committee on Counties. House Bill 1059 is in the Committee on Ways and Means. Either bill, if passed, would provide the State during the next biennium with $13,000,000

House Bill No. 1570 equalizes taxes on foreign corporations so that they would pay substantially the equivalent of the capital stock tax imposed on domestic corporations. This bill is in the Committee on Ways and Means. If passed it would provide the State during the next biennium with $3,000,000.

House Bill 19 provides for collecting the mercantile tax directly by the Department of Revenue. This bill is in the Committee on Ways and Means. If passed it would produce for the State during the next biennium in economies and greater collections, $1,700,000.

House Bill 1330 authorizes the Department of Revenue to collect all inheritance taxes directly. It is in the Committee on Ways and Means. It passed it would produce for the State during the next biennium in economies and greater collections, $2,300,000. Total, $20,000,000.

I have repeatedly announced that I would not insist on my plan but would accept any other reasonable plan which did not involve new taxes or the pillaging of the Motor License Fund.

The only substitutes which have been proposed are:

1. Further to reduce State expenditures below the $60,000,000 of savings incorporated in the budget. Such reductions cannot be made without hurting the State Government. Nevertheless, I have agreed to cooperate with the Legislature in making additional reductions of $6,000,000. A number of the bills required for this purpose have been passed. Others have not.

2. A tax on beer. At first the Administration suggested a tax at the rate of one cent per pint, or $2.48 per barrel. This, it was estimated would produce a revenue of $15,000,000 for the biennium. The beer lobby contended that this tax would prevent the sale of a five cent glass of beer, and demanded that the rate of tax be cut in half. The beer lobby has since blocked the passage of any valid legislation on this subject.

At the rate of $2.48 a barrel the State is losing at least $20,000 every day. At the rate of $1.24 per barrel the loss is at least $10,000 daily.

A careful check-up shows that five cent beer is very scarce. The prevailing price is ten cents a glass. At ten cents a glass beer can easily stand a State tax of $2.48 per barrel, in addition to the Federal tax of $5.00 per barrel. The beer tax bill is House Bill No. 2096. It is pickeled in the Committee on Ways and Means.

A bond issue for $25,000,000 for State expenses has passed two sessions. The people will vote upon it this fall. It was agreed between the leaders of the General Assembly and the Reconstruction Finance Corporation that this bond issue should be devoted to relief. But no bill to that effect was introduced until Monday of this week.

This bill—Senate Bill 1351—must be passed before the session adjourns if relief is to be provided without new taxation, and if the people are to know what they are voting for when the bond issue comes before them.

The net result in relief to date is the passage of appropriations of $7,000,000 for April and May under a promise from the leaders to raise the money required to meet it, but with no provision actually made to do so.

No funds whatever have been raised for unemployment relief after June 1st. Unless further steps are taken the unemployed will begin to starve within six weeks from today. And if they starve they cannot be expected to starve quietly.

RELIEF FOR THE LOCAL REAL ESTATE TAXPAYER

Thus far nothing whatever has been done for the relief of local taxpayers and especially the local real estate taxpayers. There has been much talk about reductions in State expenditures. But reductions in State expenditures have no bearing whatever on this question.

Not a single penny from any real estate tax goes to the State. Every cent of real estate tax goes to counties, cities, boroughs, townships, school districts, and poor districts.

At the beginning of this session I pointed out how the General Assembly could and should relieve local real estate taxpayers in the following ways:

By the State taking over the remaining 53,000 miles of second class township roads.

The bill to do so is Senate Bill 541. It has not passed the Senate and has not come before the House.

The saving to local taxpayers in two years would be $18,000,000.

To collect the personal property tax through the Department of revenue, as already outlined. The saving to local real estate taxpayers in two years would be $13,000,000

To put all poor districts on a county unit basis. House bill 1396 for this purpose is still in the Committee on Counties. It would save local real estate taxpayers in two years at least $4,000,000.

By reducing the number of third and fourth class school districts from more than 2,600 to not more than 500. This proposal was embodied in the School Code—House Bill No. 690. It has not been reported out of committee.

The saving to local real estate taxpayers in two years would be $6,300,000.

To suspend temporarily the automatic increase in teachers' salaries and enabling local school boards to reduce such salaries not more than 10% when the boards are financially unable to continue on the present basis.

This would save local taxpayers in two years $24,000,000.

No bill for this purpose has yet reached my desk.

The total savings under this plan to local real estate tax payers in two years would amount to $65,300,000.

In closing, I repeat that relief for the unemployed has been provided for two months only, but for local real estate taxpayers, the hardest hit of all taxpayers in this Commonwealth, not one cent of relief has been provided.

This amazing neglect of the folks back home does not lie at my door.

GIFFORD PINCHOT.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2112, (Senate Bill No. 77), entitled:

An Act to amend the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (P. L. 148), entitled "An act to require all magistrates and other officials in cities of the first, second and third class, authorized to take acknowledgements and administer oaths, to perform such service free of charge for soldiers and widows of soldiers, when making affidavit to papers for the purpose of drawing pensions," extending the provisions of the act to all officers taking oath, and to papers other than those connected with pensions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Green,	McClure,	Shettel,
Baker,	Greenstein,	McCreary,	Shortz,
Baldi,	Griffith,	McElwee,	Shreiner,
Barnhardt,	Habbyshaw,	McGinnis,	Shugarts,
Bechtel,	Haines,	McGrail,	Simon,
Beech,	Hamilton,	McGregor,	Sinwell,
Bennett,	Harmuth,	McHenry,	Snyder,
Bernhard,	Hart,	McKay,	Sowers,
Blumberg,	Hartman,	McKinney,	Spann,
Boyd,	Heffernan,	Meredith,	Stank,
Brancato,	Hefferon,	Merrell,	Steedle,
Brown, J. E.,	Heffner,	Metzler,	Sterling, P.,
Brown, W. L.,	Hermansen,	Moore,	Sterling, R. B.,
Brownfield,	Hester,	Myers,	Stevens,
Cannon,	Hewitt,	Nothnagle,	Stevenson,
Caputo,	Himes, H. E.,	O'Connor,	Stiteler,
Carey,	Hoffman,	O'Keefe,	Stone,
Carson,	Holmes, J. L.,	O'Rourke,	Storb,
Chervenak,	Hoopes,	Peelor,	Stott,
Cohen,	Horst,	Pennock	Surface,
Conner,	Hough,	Perry, J. J.,	Tahl,
Cooke,	Howard,	Powell,	Terry,
Cordier,	Hutton,	Powers,	Turner,
Craig,	Jaffe,	Price,	Wude,
Cramer,	Jones,	Quinn,	Wagner,
Davies,	Kane, J. J.,	Raub,	Walker, G. E.,
DeFrehn,	Kane, L. P.,	Rectenwald,	Walker, W. A.,
Denning,	King,	Reed,	Wasserman,
Downey, G. E.,	Labar,	Reilly,	Way,
Downey, J.,	Lane,	Rice,	Welsh,
Duffy,	Laubach,	Roan,	Westrick,
Dunmire,	Lewis,	Root,	White,
Dwyer,	Long,	Roth,	Wike,
Ederer,	Lord,	Royle,	Williams, G. W.,
Emhardt,	Lose,	Ruby,	Williams, J. J.,
Eroe,	Lovett, J. E.,	Ruth,	Wilson, L. M.,
Evans,	Lovett, W. S.,	Sarig,	Wilson, T. B.,
Fitzgerald,	Lynch, J. R.,	Sautter,	Witkin,
Flanagan,	Lynch, M.,	Schrock,	Wood,
Flinchbaugh,	Male,	Schrope,	Woodside,
Flynn,	Malina,	Schwab,	Wright,
Forrest,	Maloney,	Schwartz,	Yeakel,
Furman,	Marcks,	Scott,	Yourishin,
Gallagher,	Mason,	Sheffer,	Zimmerman,
Gartner,	McBride,	Shellenberger,	Talbot,
Gillette,	McCandless,	Shenkel,	Speaker.
Gorman,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as folows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 65.

An Act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto.

SENATE BILL No. 294.

An Act to amend section five of the act, approved the fifth day of March, one thousand nine hundred and six (P. L. 78), entitled "An act to regulate nominations and election expenses, and to require accounts of nomination and election expenses to be filed, and providing penalties for the violation of this act," as amended, by requiring the treasurers of political committees, concerned in the nomination of candidates, to file accounts of election expenses.

SENATE BILL No. 321.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsyvania to defray the expenses of government; defiing the powers and dutles of the Governor, the Auditor General, the State Treasurer and the Board of Finance and Revenue in relation thereto; providing for the payment of interest on, and the redemption of, such, bonds; and making an appropriation.

SENATE BILL No. 356.

A Joint Resolution proposing an amendment to article fifteen, section four, of the Constitution of the Commonwealth of Pennsylvania.

SENATE BILL No. 361.

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; prinicipal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improve-

ment, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth govtrning same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, providing that in awarding damages to abutting property owners for changing the width or existing lines and location of State highways, the benefits to such property may be considered in mitigation thereof.

SENATE BILL No. 598.

An Act to amend sections one hundred and sixty-four, one hundred and sixty-five, and one hundred and sixty-six of the act, approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," by making unlawful the counterfeiting, altering and uttering of scrip and possession of materials for falsely making the same.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON THIRD READING

Mr. WOODSIDE. Mr. Speaker, I desire to call up at this time House Bill No. 1443, Senate Bill No. 386, Printer's No. 128, on page 15 of today's calendar, bill on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Woodside,

The House resumed the consideration on third reading of House Bill No. 1443, (Senate Bill No. 386), entitled:

An Act to amend section one of the act approved the ninth day of July, one thousand nine hundred and nineteen (P. L. 795), entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants."

On the question,

Will the House agree to the bill on third reading?

Mr. WOODSIDE. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend title, page 1, last line of title, by inserting after the word "inhabitants" the following "fixing the compensation of district attorneys in all counties of the fifth and sixth classes."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there and objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question.

Will the House agree to the bill on third reading as amended?.

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2123 (Senate Bill No. 773), entitled:

An Act to repeal section thirteen of the act approved the twenty-fifth day of March, one thousand eight hundred and forty-two (P. L. 192), entitled "An act to appoint commissioners to re-survey and mark that portion of the county line, which divides the township of Bristol, in the county of Philadelphia, from the township of Cheltenham, in the county of Montgomery, and for other purposes."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Greenstein,	McCreary,	Shellenberger,
Baker,	Griffith,	McElwee,	Shettel,
Baldi,	Habbyshaw,	McGrail,	Shortz,
Barnhardt,	Haines,	McGregor,	Shreiner,
Beech,	Hamilton,	McHenry,	Shugarts,
Bennett,	Harmuth,	McKay,	Simon,
Bernhard,	Harris,	McKinney,	Sinwell,
Blumberg,	Hart,	Meredith,	Snyder,
Boyd,	Heffernan,	Merrell,	Sowers,
Brancato,	Hefferon,	Metzler,	Spann,
Brennan,	Heffner,	Mohn,	Stank,
Brown, J. E.,	Hermansen,	Moore,	Steedle,
Brown, W. L.,	Hester,	Mumford,	Sterling, P.,
Brownfield,	Hewitt,	Negley,	Sterling, R. B.,
Cannon,	Himes, H. E.,	Nothnagle,	Stevens,
Caputo,	Hoffman,	O'Connor,	Stevenson,
Carey,	Holmes, J. L.,	O'Keefe,	Stiteler,
Chervenak,	Hoopes,	O'Neill,	Stone,
Cohen,	Horst,	Patterson,	Storb,
Conner,	Hough.	Peelor,	Stott,
Cooke,	Howard,	Pennock,	Surface,
Cordier,	Hutton,	Perry, D. R.,	Tahl,
Craig,	Jaffe,	Peters,	Terry,
Cramer,	Jones,	Powers,	Turner,
Dane,	Kane, J. J.,	Price,	Wade,
Davies,	King,	Quinn,	Walker, G. E.,
DeFrehn,	Kinney,	Rectenwald,	Wall,
Denning,	Labar,	Reed,	Wasserman,
Downey, G. E.,	Lane,	Reilly,	Weidemann,
Downey, J.,	Laubach,	Rhodes,	Welsh,
Duffy,	Lenahan,	Rice,	Westrick,
Dunmire,	Lewis,	Roan,	White,
Dwyer,	Long,	Root,	Wike,
Ederer,	Lord,	Roth,	Williams, G. W.,
Emhardt,	Lose,	Royle,	Williams, J. J.,
Eroe,	Lovett, J. E.,	Ruby,	Wilson, L. M.,
Fitzgerald,	Lynch, J. R.,	Ruth,	Wilson, T. B.,
Flanagan,	Lynch, M.,	Sarig,	Witkin,
Fleisher,	Male,	Sautter,	Wood,
Flinchbaugh,	Malina,	Schrock,	Woodside,
Flynn,	Maloney,	Schrope,	Wright,
Forrest,	Marcks,	Schwab,	Yeakel,

Furman,	Mason,	Schwartz,	Yourishin,
Gartner,	McBride,	Scorza,	Zimmerman,
Gillette,	McCandless,	Scott,	Talbot,
Gorman,	McClure,	Sheffer,	Speaker.
Green,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILL ON THIRD READING

Mr. BLUMBERG. Mr. Speaker, I desire to call up at this time House Bill No. 1188, Printer's No. 171, on page 41 of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called upon from the postponed calendar by Mr. Blumberg,

The House resumed the consideration on third reading of House Bill No. 1188, entitled:

An Act exempting shoe repairing machinery and tools and the appurtenances thereto, leased, loaned, hired or conditionally sold, from levy or sale on execution or distress for rent.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—131

Baldi,	Fleisher,	Male,	Ruth,
Bechtel,	Flinchbaugh,	Malina,	Sautter,
Beech,	Flynn,	Marcks,	Schwartz,
Bennett,	Forrest,	Mason,	Scorza,
Bernhard,	Gallagher,	McBride,	Scott,
Blumberg,	Gartner,	McCandless,	Sheffer,
Brancato,	Gillette,	McClure,	Shortz,
Brennan,	Gorman,	McKay,	Shreiner,
Brown, J. E.,	Green,	McKinney,	Sowers
Brownfield,	Habbyshaw,	Merrell,	Spann,
Cannon,	Haines,	Metzler,	Steedle,
Caputo,	Hart,	Moore,	Sterling, P.,
Carey,	Heffernan,	Mumford,	Stiteler,
Carson,	Hefferon,	Myers,	Stott,
Conner,	Heffner,	Negley,	Tahl,
Cooke,	Holmes, J. L.,	Nothnagle,	Terry,
Cordier,	Hoopes,	O'Rourke,	Turner,
Craig,	Hough,	Patterson,	Wade,
Dane,	Hutton,	Peelor,	Wagner,
Davies,	Jaffe,	Perry, D. R.,	Wasserman,
DeFrehn,	Jones,	Perry, J. J.,	Weidemann,
Denning,	Kane, L. P.,	Powell,	Wike,
Downey, J.,	King,	Price,	Williams, G. W.,
Duffy,	Labar,	Rectenwald,	Williams, J. J.,
Dunmire,	Laubach,	Reed,	Wilson, L. M.,
Dwyer,	Lenahan,	Reilly,	Witkin,
Ederer,	Long,	Rhodes,	Woodside,
Emhardt,	Lord,	Roan,	Yeakel,
Evans,	Lose,	Root,	Talbot,
Fitzgerald,	Lovett, W. S.,	Roth,	Speaker.
Flanagan,	Lynch, J. R.,	Ruby,	

NAYS—24

Boyd,	Lane,	O'Connor,	Shettel,
Cohen,	McCreary,	O'Keefe,	Shugarts,
Furman,	McGinnis,	Schrock,	Stank,
Griffith,	McGrail,	Schrope,	Wall,
Hermansen,	McHenry,	Schwab,	Way,
Hester,	Melchiorre,	Shenkel,	Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2110 (Senate Bill No. 538), as follows:

An Act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies associations exchanges or persons not authorized to do business in this Commonwealth requiring certificates from the Insurance Department before accepting insurance advertisements or broadcasting the same by radio and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person copartnership association or corporation to publish or print in any newspaper magizine periodical circular letter pamphlet or in any other manner or to publish by radio broadcasting in this Commonwealth any advertisement or other notice either directly or indirectly setting forth the advantages of or soliciting business for any insurance company association society exchange or person which has not been authorized to do business in this Commonwealth

Section 2 No person copartnership association or corporation shall accept for publication or printing in any newspaper magazine or other periodical or for radio broadcasting in this Commonwealth any adverfisement or other notice either directly or indirectly setting forth the advantages of or soliciting business for any insurance company association exchange or person unless such advertisement or notice is accompanied by a certificate from the Insurance Department and such radio broadcasting includes a statement that the broadcasting station holds such certificate to the effect that the insurance company association society exchange or person named therein is authorized to do business in this Commonwealth Such certificates shall be issued by the Insurance Department to any person applying therefor

Section 3 Any person copartnership association or corporation engaged in the insurance business knowingly or willfully violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to not more than one year's imprisonment or to pay a fine of not more than one thousand dollars ($1,000) or both at the discretion of the Court

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Section 5 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179

Andrews,	Green,	McElwee,	Shortz,
Baker,	Greenstein,	McGinnis,	Shreiner,
Baldi,	Habbyshaw,	McGrail,	Shugarts,
Barnhardt,	Haines,	McGregor,	Simon,
Bechtel,	Harmuth,	McHenry,	Sinwell,
Beech,	Harris,	McKay,	Snyder,
Bennett,	Hart,	McKinney,	Sowers,
Bernhard,	Hartman,	Melchiorre,	Spann,
Blumberg,	Heffernan,	Meredith,	Stank,
Brancato,	Hefferon,	Merrell,	Sterling, P.,
Brennan,	Heffner,	Mohn,	Sterling, R. B.,
Brown, J. E.,	Hester,	Moore,	Stevens,
Brown, W. L.,	Hewitt,	Mumford,	Stevenson,
Brownfield,	Himes, H. E.,	Myers,	Stiteler,
Cannon,	Himes, L. R.,	Negley,	Stone,
Carey,	Hoffman,	Nothnagle,	Storb,
Carson,	Hoopes,	O'Connor,	Stott,
Chervenak,	Horst,	O'Keefe,	Surface,
Cohen,	Hough,	O'Rourke,	Tahl,
Conner,	Hutton,	Patterson,	Terry,
Cooke,	Jaffe,	Peelor,	Wade,
Cordier,	Jones,	Pennock,	Wagner,
Craig,	Kane, J. J.,	Perry, D. R.,	Walker, G. E.,

Cramer,	Kane, L. P.,	Perry, J. J.,	Walker, W. A.,
Davies,	King,	Peters,	Wall,
DeFrehn,	Kinney,	Powell,	Wasserman,
Denning,	Labar,	Powers,	Way,
Downey, G. E.,	Lane,	Quinn,	Weidemann,
Duffy,	Laubach,	Raub,	Welsh,
Dunmire,	Lenahan,	Rectenwald,	Westrick,
Dwyer,	Lewis,	Reed,	White,
Ederer,	Long,	Rhodes,	Wike,
Emhardt,	Lord,	Roan,	Williams, G. W.,
Eroe,	Lose,	Root,	Williams, J. J.,
Evans,	Lovett, J. E.,	Roth,	Wilson, L. M.,
Fitzgerald,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Flanagan,	Lynch, M.,	Ruby,	Witkin,
Fleisher,	Male,	Sautter,	Wood,
Flinchbaugh,	Maloney,	Schrock,	Woodside,
Flynn,	Marcks,	Schwab,	Wright,
Forrest,	Mason,	Schwartz,	Yeakel,
Gallagher,	McBride,	Scott,	Yourishin,
Gartner,	McCandless,	Sheffer,	Zimmerman.
Gillette,	McClure,	Shellenberger,	Talbot,
Gorman,	McCreary,	Shettel,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

STATEMENT BY MR. PHILIP STERLING

Mr. PHILIP STERLING asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, at this period in almost every legislative session the work of the session is very greatly retarded through the necessity to recall bills from the Governor on account of typographical and printer's errors. This afternoon it was discovered that the desks were crowded with just such resolutions, and it is anticipated that the great volume of legislation which we have before us and which we will pass on to the Senate, will be very much retarded unless some means is found permanently to avoid this congestion.

I have prepared a measure which I believe will answer the situation, the provisions of which will make it possible for the Secretary of the Commonwealth, who by authority of law certifies all legislation when finally enacted and punctuates legislation, to make corrections in spelling and corrections of errors that are typographical and other technical corrections that do not change the meaning of the law. The action of the Secretary of the Commonwealth is subject to the approval of the Attorney General and the Director of the Legislative Reference Bureau.

Mr. Speaker, I ask unanimous consent of the House that this measure be introduced at the present time.

The SPEAKER. The gentleman from Philadelphia, Mr. Sterling, asks unanimous consent to offer a bill at this time. Are there objections?

The Chair hears none, and the bill will be filed with the bill clerk.

The remarks of the gentleman will be spread in full upon the Journal.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2176 (Senate Bill No. 898), as follows:

An Act authorizing municipalities and townships to provide work for unemployed persons by renewing repairing and replacing sidewalks

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any municipality except cities of the first class or township in order to provide work for unemployed persons may without charging the cost thereof to the property owner renew repair or rebuild any sidewalks within its corporate limits and for such purposes and for the purchase of necessary materials may expend any moneys which may have been provided or realized for unemployement relief purposes

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177

Andrews,	Green,	McGrail,	Shortz,
Baker,	Greenstein,	McHenry,	Shreiner,
Baldi,	Griffith,	McKay,	Shugarts,
Barnhardt,	Haines,	McKinney,	Simon,
Beech,	Hamilton,	Melchiorre,	Sinwell,
Bennett,	Harmuth,	Meredith,	Snyder,
Bernhard,	Harris,	Merrell,	Sowers,
Blumberg,	Hart,	Metzler,	Spann,
Boyd,	Hartman,	Mohn,	Stank,
Brancato,	Heffernan,	Moore,	Sterling, P.,
Brennan,	Heffner,	Negley,	Sterling, R. B.,
Brown, J. E.,	Hermansen,	Nothnagle,	Stevens,
Brown, W. L.,	Hester,	O'Connor,	Stevenson,
Brownfield,	Hewitt,	O'Keefe,	Stiteler,
Cannon,	Himes, H. E.,	O'Neill,	Stone,
Carey,	Hoffman,	O'Rourke,	Storb,
Carson,	Horst,	Peelor,	Stott,
Chervenak,	Hough,	Pennock,	Surface,
Cohen,	Howard,	Perry, D. R.,	Tahl,
Connor,	Hutton,	Perry, J. J.,	Terry,
Cooke,	Jaffe,	Peters,	Turner,
Craig,	Jones,	Powell,	Wade,
Cramer,	Kane, L. P.,	Powers,	Wagner,
Dane,	King,	Price,	Walker, G. E.,
Davies,	Labar,	Quinn,	Wall,
DeFrehn,	Lane,	Raub,	Wasserman,
Denning,	Laubach,	Rectenwald,	Way,
Downey, G. E.,	Lenahan,	Reed,	Weidemann,
Downey, J.,	Long,	Reilly,	Welsh,
Dunmire,	Lord,	Rhodes,	Westrick,
Dwyer,	Lose,	Roan,	White,
Ederer,	Lovett, J. E.,	Root,	Wike,
Emhardt,	Lynch, J. R.,	Roth,	Williams, G. W.,
Eroe,	Lynch, M.,	Royle,	Williams, J. J.,
Evans,	Malina,	Sarig,	Wilson, L. M.,
Fitzgerald,	Maloney,	Sautter,	Wilson, T. B.,
Fleisher,	Marcks,	Schrock,	Witkin,
Flinchbaugh,	Mason,	Schrope,	Wood,
Flynn,	McBride,	Schwab,	Woodside,
Forrest,	McCandless,	Schwartz,	Wright,
Furman,	McClure,	Scott,	Yeakel,
Gallagher,	McCreary,	Sheffer,	Yourishin,
Gartner,	McElwee,	Shellenberger,	Talbot,
Gillette,	McGinnis,	Shettel,	Speaker.
Gorman,			

NAYS—1

Hoopes.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 626 (Senate Bill No. 61), entitled:

An Act to amend section one of the act approved the twenty-seventh day of April, one thousand nine hundred and eleven (P. L. 101), entitled "An act for the assignment of judges to districts other than their own, for the purpose of expediting business, with provision for their compensation," as amended; allowing certain judges and requiring certain judges who can spare the time from their own courts to send monthly state-

ments to the prothonotary of the Supreme Court of the days when they can sit in other courts; and requiring the prothonotary of the Supreme Court to transmit transcripts of the Judicial Assignment Register to the General Assembly.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179

Andrews,	Griffith,	McGregor,	Simon,
Baker,	Habbyshaw,	McHenry,	Sinwell,
Barnhardt,	Haines,	McKay,	Snyder,
Bechtel,	Hamilton,	McKinney,	Sowers,
Beech,	Harmuth,	Meredith,	Spann,
Bernhard,	Harris,	Metzler,	Stank,
Blumberg,	Hart,	Mohn,	Steedle,
Boyd,	Heffernan,	Moore,	Sterling, P.,
Brennan,	Hefferon,	Mumford,	Sterling, R. B.,
Brown, J. E.,	Hermansen,	Myers,	Stevens,
Brown, W. L.,	Hester,	Negley,	Stevenson,
Brownfield,	Hewitt,	Nothnagle,	Stiteler,
Cannon,	Himes, H. E.,	O'Connor,	Stone,
Caputo,	Himes, L. R.,	O'Keefe,	Storb,
Carey,	Holmes, J. B.,	O'Neill,	Stott,
Carson,	Holmes, J. L.,	O'Rourke,	Surface,
Chervenak,	Hoopes,	Patterson,	Tahl,
Conner,	Horst,	Peelor,	Terry,
Cooke,	Hough,	Pennock,	Turner,
Cordier,	Howard,	Perry, D. R.,	Wade,
Craig,	Jaffe,	Perry, J. J.,	Wagner,
Cramer,	Jones,	Peters,	Walker, G. E.,
Davies,	Kane, J. J.,	Powell,	Walker, W. A.,
DeFrehn,	Kane, L. P.,	Powers,	Wall,
Denning,	King,	Price,	Wasserman,
Downey, G. E.,	Kinney,	Quinn,	Way,
Downey, J.,	Labar,	Raub,	Weidemann,
Duffy,	Lane,	Rectenwald,	Welsh,
Dunmire,	Laubach,	Reed,	Westrick,
Dwyer,	Lewis,	Rhodes,	White,
Ederer,	Long,	Roan,	Wike,
Emhardt,	Lord,	Roth,	Williams, G. W.,
Eroe,	Lose,	Ruby,	Williams, J. J.,
Evans,	Lovett, J. E.,	Sarig,	Wilson, L. M.,
Fitzgerald,	Lynch, J. R.,	Schrock,	Wilson, T. B.,
Flanagan,	Male,	Schrope,	Witkin,
Fleisher,	Malina,	Schwab,	Wood,
Flynn,	Maloney,	Schwartz,	Woodside,
Forrest,	Marcks,	Scott,	Wright,
Furman,	Mason,	Sheffer,	Yeakel,
Gallagher,	McBride,	Shellenberger,	Yourishin,
Gillette,	McCandless,	Shettel,	Zimmerman,
Gorman,	McCreary,	Shortz,	Talbot,
Green,	McElwee,	Shreiner,	Speaker.
Greenstein,	McGinnis,	Shugarts,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2262 (Senate Bill No. 373), entitled:

An Act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of sewers sewage systems and treatments works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Andrews,	Haines,	McHenry,	Shugarts,
Baker,	Hamilton,	McKay,	Simon,
Barnhardt,	Harris,	McKinney,	Sinwell,
Bechtel,	Hart,	Melchiorre,	Snyder,
Bennett,	Hartman,	Meredith,	Sowers,
Boyd,	Hefferon,	Merrell,	Spann,
Brennan,	Heffner,	Metzler,	Stank,
Brown, J. E.,	Hermansen,	Mohn,	Steedle,
Brown, W. L.,	Hester,	Moore,	Sterling, P.,
Brownfield,	Hewitt,	Mumford,	Sterling, R. B.,
Cannon,	Himes, H. E.,	Myers,	Stevens,
Caputo,	Himes, L. R.,	Negley,	Stevenson,
Carson,	Hoffman,	Nothnagle,	Stiteler,
Chervenak,	Holmes, J. L.,	O'Connor,	Stone,
Cohen,	Hoopes,	O'Keefe,	Storb,
Conner,	Horst,	O'Neill,	Stott,
Cordier,	Hough,	O'Rourke,	Surface,
Craig,	Howard,	Patterson,	Tahl,
Cramer,	Hutton,	Peelor,	Terry,
Dane,	Kane, J. J.,	Pennock,	Turner,
Davies,	Kane, L. P.,	Perry, D. R.,	Wade,
DeFrehn,	King,	Perry, J. J.,	Wagner,
Denning,	Kinney,	Peters,	Walker, G. E.,
Downey, G. E.,	Labar,	Powell,	Walker, W. A.,
Downey, J.,	Lane,	Powers,	Wall,
Duffy,	Lenahan,	Price,	Wasserman,
Dunmire,	Lewis,	Quinn,	Way,
Ederer,	Long,	Rectenwald,	Weidemann
Emhardt,	Lord,	Reed,	Welsh,
Eroe,	Lose,	Reilly,	Westrick,
Evans,	Lovett, J. E.,	Rice,	White,
Fitzgerald,	Lovett, W. S.,	Roan,	Wike,
Flanagan,	Lynch, J. R.,	Royle,	Williams, G. W.,
Fleisher,	Lynch, M.,	Ruby,	Williams, J. J.,
Flinchbaugh,	Male,	Sautter,	Wilson, L. M.,
Flynn,	Malina,	Schrock,	Wilson, T. B.,
Forrest,	Maloney,	Schwartz,	Witkin,
Furman,	Marcks,	Scorza,	Wood,
Gallagher,	Mason,	Scott,	Woodside,
Gartner,	McCandless,	Sheffer,	Wright,
Gillette,	McCreary,	Shellenberger,	Yeakel,
Gorman,	McElwee,	Shenkel,	Yourishin,
Green,	McGinnis,	Shettel,	Zimmerman,
Greenstein,	McGrail,	Shortz,	Talbot,
Griffith,	McGregor,	Shreiner,	Speaker.
Habbyshaw,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2178 (Senate Bill No. 834), entitled:

An Act empowering cities, boroughs, incorporated towns and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation and the amortization of indebtedness and interest thereon.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Andrews,	Haines,	McKinney,	Shugarts,
Baker,	Hamilton,	Melchiorre,	Simon,
Baldi,	Harmuth,	Meredith,	Sinwell,
Bechtel,	Harris,	Merrell,	Snyder,
Bennett,	Hart,	Metzler,	Sowers,
Blumberg,	Hartman,	Mohn,	Spann,
Boyd,	Heffernan,	Moore,	Stank,
Brancato,	Hefferon,	Mumford,	Sterling, P.,
Brown, J. E.,	Heffner,	Myers,	Sterling, R. B.,
Brown, W. L.,	Hermansen,	Negley,	Stevens,
Cannon,	Hester,	Nothnagle,	Stevenson,

Caputo,	Hewitt,	O'Connor,	Stiteler,
Carson,	Himes, H. E.,	O'Keefe,	Stone,
Chervenak,	Himes, L. R.,	O'Neill,	Storb,
Cohen,	Hoffman,	Q'Rourke,	Stott,
Conner,	Holmes, J. L.,	Patterson,	Surface,
Cooke,	Hoopes,	Peelor,	Tahl,
Cordier,	Horst,	Pennock,	Terry,
Craig,	Hough,	Perry, D. R.,	Turner,
Cramer,	Howard,	Perry, J. J.,	Wade,
Dane,	Hutton,	Peters,	Wagner,
Davies,	Jaffe,	Powell,	Walker, G. E.,
DeFrehn,	Jones,	Powers,	Walker, W. A.,
Denning,	Kane, J. J.,	Price,	Wall,
Downey, G. E.,	Kane, L. P.,	Quinn,	Wasserman,
Downey, J.,	Lenahan,	Raub,	Way,
Dunmire,	Long,	Rectenwald,	Weidemann,
Dwyer,	Lord,	Reilly,	Welsh,
Emhardt,	Lose,	Rhodes,	Westrick,
Eroe,	Lovett, J. E.,	Rice,	White,
Evans,	Lovett, W. S.,	Roth,	Wike,
Fitzgerald,	Lynch, J. R.,	Royle,	Williams, G. W.,
Fleisher,	Maloney,	Ruth,	Williams, J. J.,
Flinchbaugh,	Marcks,	Sarig,	Wilson, L. M.,
Flynn,	Mason,	Sautter,	Wilson, T. B.,
Forrest,	McBride,	Schrock,	Witkin,
Furman,	McCandless,	Schrope,	Wood,
Gallagher,	McClure,	Schwab,	Woodside,
Gartner,	McCreary,	Scott,	Wright,
Gillette,	McElwee,	Sheffer,	Yeakel,
Gorman,	McGinnis,	Shellenberger,	Yourishin,
Green,	McGrail,	Shettel,	Zimmerman,
Greenstein,	McGregor,	Shortz,	Talbot,
Griffith,	McHenry,	Shreiner,	Speaker.
Habbyshaw,	McKay,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2161 (Senate Bill No. 690) entitled:

An Act providing for the assessment of costs for the acquiring and adopting of or connecting with existing sewers of adjacent municipalities by townships or boroughs and the maintenance thereof and providing for filing of liens therefor.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Andrews,	Greenstein,	McCreary,	Shortz,
Baker,	Griffith,	McGinnis,	Shreiner,
Baldi,	Habbyshaw,	McGrail,	Shugarts,
Barnhardt,	Haines,	McGregor,	Simon,
Bechtel,	Hamilton,	McKay,	Sinwell,
Beech,	Harris,	McKinney,	Snyder,
Bennett,	Hart,	Melchiorre,	Sowers,
Blumberg,	Hartman,	Meredith,	Spann,
Boyd,	Heffernan,	Merrell,	Stank,
Brancato,	Hefferon,	Mohn,	Steedle,
Brennan,	Heffner,	Moore,	Sterling, P.,
Brown, J. E.,	Hermansen,	Mumford,	Sterling, R. B.,
Brown, W. L.,	Hester,	Myers,	Stevens,
Brownfield,	Hewitt,	Negley,	Stevenson,
Cannon,	Himes, H. E.,	O'Connor,	Stiteler,
Caputo,	Hoffman,	O'Keefe,	Stone,
Carey,	Holmes, J. L.,	O'Neill,	Storb,
Carson,	Hoopes,	O'Rourke,	Stott,
Chervenak,	Horst,	Patterson,	Surface,
Conner,	Hough,	Peelor,	Tahl,
Cooke,	Howard,	Pennock,	Terry,
Cordier,	Hutton,	Perry, D. R.,	Turner,
Craig,	Jaffe,	Perry, J. J.,	Wade,
Cramer,	Jones,	Peters,	Wagner,
Dane,	Kane, J. J.,	Powell,	Walker, G. E.,
Davies,	Kane, L. P.,	Powers,	Walker, W. A.,
DeFrehn,	King,	Price,	Wall,
Denning,	Kinney,	Quinn,	Wasserman,
Downey, G. E.,	Labar,	Raub,	Way,
Downey, J.,	Lane,	Rectenwald,	Weidemann,
Dunmire,	Laubach,	Reed,	Welsh,
Dwyer,	Lenahan,	Reilly,	Westrick,
Ederer,	Lewis,	Rhodes,	White,
Emhardt,	Long,	Rice,	Wike,
Eroe,	Lord,	Roan,	Williams, G. W.,
Evans,	Lose,	Roth,	Williams, J. J.,
Fitzgerald,	Lovett, L. S.,	Royle,	Wilson, L. M.,
Fleisher,	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Flinchbaugh,	Lynch, M.,	Ruth,	Wood,
Flynn,	Male,	Sautter,	Woodside,
Forrest,	Malina,	Schrock,	Wright,
Furman,	Maloney,	Schrope,	Yeakel,
Gallagher,	Mason,	Schwab,	Zimmerman,
Gartner,	McBride,	Scott,	Talbot,
Gorman,	McCandless,	Sheffer,	Speaker.
Green,	McClure,	Shettel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILL REFERRED

By Mr. PHILIP STERLING. HOUSE BILL No. 2333.

An Act authorizing the Secretary of the Commonwealth, with the approval of the Attorney General and Director of the Legislative Reference Bureau, to correct certain errors in the original copies of laws.

Referred to the Committee on State Government.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2092 (Senate Bill No. 615), entitled:

An Act validating certain proceedings of borough councils pursuant to the provisions of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs; and revising, amending and consolidating the law relating to boroughs," and the several supplements and amendments thereto.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Andrews,	Habbyshaw,	McGrail,	Shellenberger,
Baker,	Haines,	McGregor,	Shettel,
Baldi,	Harmuth,	McHenry,	Shortz,
Barnhardt,	Harris,	McKay,	Shreiner,
Bechtel,	Hart,	McKinney,	Shugarts,
Bennett,	Heffernan,	Melchiorre,	Simon,
Bernhard,	Hefferon,	Meredith,	Sinwell,
Blumberg,	Heffner,	Merrell,	Snyder,
Boyd,	Hermansen,	Metzler,	Sowers,
Brancato,	Hewitt,	Mohn,	Spann,
Brennan,	Himes, H. E.,	Moore,	Stank,
Brown, J. E.,	Himes, L. R.,	Mumford,	Sterling, P.,
Brown, W. L.,	Hoffman,	Negley,	Sterling, R. B.,
Brownfield,	Holmes, J. L.,	Nothnagle,	Stevens,
Caputo,	Hoopes,	O'Connor,	Stevenson,
Carey,	Horst,	O'Keefe,	Stiteler,
Carson,	Hough,	O'Neill,	Stone,
Chervenak,	Howard,	O'Rourke,	Storb,
Cohen,	Hutton,	Patterson,	Stott,
Conner,	Jaffe,	Peelor,	Surface,
Cooke,	Jones,	Pennock,	Tahl,
Cordier,	Kane, L. P.,	Perry, D. R.,	Terry,
Craig,	King,	Perry, J. J.,	Turner,

Cramer,	Kinney,	Peters,	Wade,
Davies,	Labar,	Powell,	Wagner,
DeFrehn,	Lane,	Powers,	Walker, G. E.,
Denning,	Laubach,	Price,	Walker, W. A.,
Downey, G. E.,	Lenahan,	Quinn,	Wall,
Downey, J.,	Lewis,	Raub,	Wasserman,
Dunmire,	Long,	Rectenwald,	Way,
Dwyer,	Lord,	Reed,	Weidemann,
Ederer,	Lose,	Reilly,	Welsh,
Emhardt,	Lovett, J. E.,	Rhodes,	Westrick,
Eroe,	Lovett, W. S.,	Roan,	White,
Evans,	Lynch, J. R.,	Root,	Wike,
Fitzgerald,	Lynch, M.,	Roth,	Williams, G. W.,
Flanagan,	Malina,	Royle,	Williams, J. J.,
Fleisher,	Maloney,	Ruth,	Wilson, L. M.,
Flinchbaugh,	Marcks,	Sarig,	Wilson, T. B.,
Forrest,	Mason,	Sautter,	Wood,
Furman,	McBride,	Schrock,	Woodside,
Gallagher,	McCandless,	Schrope,	Wright,
Gillette,	McClure,	Schwab,	Yeakel,
Gorman,	McCreary,	Schwartz,	Talbot,
Green,	McElwee,	Scott,	Speaker.
Griffith,	McGinnis,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 794 (Senate Bill No. 209), entitled:

An Act fixing the compensation of property assessors elected for county purposes in boroughs, townships of the second class and wards, and repealing existing acts relating thereto.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Andrews,	Griffith,	McGrail,	Shenkel,
Baker,	Habbyshaw,	McGregor,	Shortz,
Baldi,	Haines,	McHenry,	Shreiner,
Barnhardt,	Hamilton,	McKay,	Shugarts,
Bechtel,	Harris,	McKinney,	Simon,
Beech,	Hart,	Melchiorre,	Sinwell,
Bennett,	Hartman,	Meredith,	Sowers,
Bernhard,	Hefferon,	Merrell,	Spann,
Blumberg,	Heffner,	Metzler,	Stank,
Boyd,	Hermansen,	Mohn,	Steedle,
Brennan,	Hester,	Moore,	Sterling, P.,
Brown, J. E.,	Hewitt,	Mumford,	Sterling, R. B.,
Brown, W. L.,	Himes, H. E.,	Negley,	Stevens,
Brownfield,	Hoffman,	Nothnagle,	Stevenson,
Cannon,	Holmes, J. B.,	O'Connor,	Stiteler,
Caputo,	Holmes, J. L.,	O'Keefe,	Stone,
Carey,	Hoopes,	O'Neill,	Storb,
Carson,	Horst,	Patterson,	Surface,
Cohen,	Hough,	Peelor,	Tahl,
Conner,	Howard,	Pennock,	Terry,
Cooke,	Hutton,	Perry, D. R.,	Turner,
Cordier,	Jones,	Perry, J. J.,	Wade,
Cramer,	Kane, L. P.,	Peters,	Walker, G. E.,
Dane,	King,	Powell,	Walker, W. A.,
Davies,	Kinney,	Powers,	Wall,
DeFrehn,	Labar,	Price,	Wasserman,
Denning,	Lane,	Quinn,	Way,
Downey, G. E.,	Laubach,	Rectenwald,	Weidemann,
Downey, J.,	Lewis,	Reed,	Welsh,
Dunmire,	Long,	Reilly,	Westrick,
Dwyer,	Lord,	Rhodes,	White,
Ederer,	Lose,	Rice,	Wike,
Emhardt,	Lovett, J. E.,	Roan,	Williams, G. W.,
Eroe,	Lovett, W. S.,	Root,	Williams, J. J.,
Fitzgerald,	Lynch, J. R.,	Roth,	Wilson, L. M.,
Flanagan,	Lynch, M.,	Royle,	Wilson, T. B.,
Fleisher,	Male,	Ruby,	Witkin,
Flinchbaugh,	Malina,	Sarig,	Wood,
Flynn,	Maloney,	Sautter,	Woodside,
Forrest,	Marcks,	Schrock,	Wright,
Gallagher,	Mason,	Schrope,	Yeakel,
Gartner,	McBride,	Schwab,	Yourishin,
Gillette,	McCandless,	Schwartz,	Zimmerman,
Gorman,	McCreary,	Scorza,	Talbot,
Green,	McElwee,	Scott,	Speaker.
Greenstein,	McGinnis,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1215 (Senate Bill No. 399), entitled:

An Act authorizing the Board of County Commissioners of counties of the second class to appropriate monies toward the maintenance of the Organized Reserve of the Army of the United States and for the assistance of conventions and meetings of Associations of Officers of the Officers Reserve Corp of the Army of the United States, and validating, ratifying, and approving all such appropriations heretofore made.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179

Andrews,	Habbyshaw,	McHenry,	Scott,
Baker,	Haines,	McKay,	Sheffer,
Baldi,	Hamilton,	McKinney,	Shellenberger,
Barnhardt,	Harmuth,	Melchiorre,	Shenkel,
Bechtel,	Harris,	Meredith,	Shortz,
Beech,	Hart,	Merrell,	Shreiner,
Bennett,	Heffernan,	Metzler,	Sinwell,
Bernhard,	Heffner,	Mohn,	Snyder,
Blumberg,	Hermansen,	Moore,	Sowers,
Boyd,	Hester,	Mumford,	Spann,
Brancato,	Hewitt,	Myers,	Stank,
Brown, J. E.,	Himes, L. R.,	Negley,	Steedle,
Brown, W. L.,	Hoffman,	Nothnagle,	Sterling, P.,
Brownfield,	Horst,	O'Connor,	Sterling, R. B.,
Cannon,	Hough,	O'Keefe,	Stevens,
Caputo,	Howard,	O'Neill,	Stevenson,
Carey,	Hutton,	O'Rourke,	Storb,
Carson,	Jaffe,	Patterson,	Stott,
Chervenak,	Jones,	Peelor,	Surface,
Conner,	Kane, J. J.,	Pennock,	Tahl,
Cooke,	Kane, L. P.,	Perry, D. R.,	Terry,
Cordier,	King,	Perry, J. J.,	Turner,
Craig,	Kinney,	Peters,	Wade,
Cramer,	Lane,	Powell,	Walker, G. E.,
Davies,	Laubach,	Powers,	Walker, W. A.,
DeFrehn,	Lenahan,	Price,	Wall,
Downey, G. E.,	Lewis,	Quinn,	Wasserman,
Downey, J.,	Long,	Raub,	Way,
Duffy,	Lord,	Rectenwald,	Weidemann,
Dunmire,	Lose,	Reed,	Welsh,
Ederer,	Lovett, W. S.,	Reilly,	Westrick,
Emhardt,	Lynch, J. R.,	Rhodes,	White,
Eroe,	Lynch, M.,	Rice,	Wike,
Evans,	Male,	Roan,	Williams, G. W.,
Flanagan,	Malina,	Root,	Williams, J. J.,
Flinchbaugh,	Maloney,	Roth,	Wilson, T. B.,
Fleisher,	Marcks,	Royle,	Witkin,
Flynn,	Mason,	Ruby,	Wood,
Forrest,	McBride,	Ruth,	Woodside,
Gallagher,	McCandless,	Sarig,	Wright,
Gartner,	McClure,	Sautter,	Yeakel,
Gillette,	McCreary,	Schrock,	Yourishin,
Gorman,	McGinnis,	Schwab,	Zimmerman,
Green,	McGrail,	Schwartz,	Talbot,
Greenstein,	McGregor,	Scorza,	Speaker.

NAYS—2

Hoopes,	Wilson, L. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

RECONSIDERATION OF VOTE

Mr. EMHARDT. Mr. Speaker, I move that the vote by which the House concurred in Senate Concurrent Resolution No. 115 (Howell Resolution) be reconsidered.

Mr. WILLIAM A. WALKER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Emhardt, vote on the concurrence of this resolution?

Mr. EMHARDT. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Allegheny, Mr. Walker, vote on the concurrence of this resolution?

Mr. WILLIAM A. WALKER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House concur in the resolution of the Senate?

POINT OF INQUIRY

Mr. TURNER. Mr. Speaker, I understand that the resolution upon which we are voting is the so-called Howell Resolution?

The SPEAKER. The gentleman is informed that that is correct.

Mr. TURNER. Mr. Speaker, I therefore ask for a roll call.

Mr. RHODES. Mr. Speaker, I second the request for a roll call.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. BENNETT. Mr. Speaker, I rise to a question of parliamentary inquiry and for information.

The SPEAKER. The gentleman from Philadelphia, Mr. Bennett, will state his question of parliamentary inquiry and information.

Mr. BENNETT. Mr. Speaker, if this resolution is concurred in, and some say it is unconstitutional absolutely, would it still be necessary for the individual members of this House to signify their willingness to have that reduction made in writing, and if so, is there any guarantee that all of the members so voting for it will signify their willingness to have that money deducted from their pay.

The SPEAKER. The gentleman from Philadelphia, Mr. Bennett, is informed that he is raising a question of constitutionality, which the Chair will not decide, but which is a matter that he will put before the House. Does the gentleman desire the matter cleared up?

Mr. BENNETT. Mr. Speaker and members of the House, what I am inquiring about is this; if this resolution is adopted, and if twenty or thirty or forty percent of the members of this House, if it is constitutional, will signify their willingness over their own handwriting to have the money deducted from their checks; if that happens, sixty percent of the members of this House will leave their money here and forty percent will take it along home.

The SPEAKER. That is correct.

Mr. BENNETT. Mr. Speaker, I would like to inquire further; if the measure is constitutional and that money is so deducted, what disposition will be made of it?

The SPEAKER. The gentleman is informed that it will remain in the State Treasury in the General Fund.

Mr. BENNETT. Mr. Speaker. I would inquire further, is it possible for that money of the individual members, if this measure should be constitutional, or by the election or the willingness of the individual member, is it possible that that money could go back to his own county and the advantage of the constituency that we represent, all of us.

The SPEAKER. No.

Mr. BENNETT. No?

The SPEAKER. No.

Mr. TURNER. Mr. Speaker and members of the House, I have some question as to whether it is in order to discuss the resolution at this time, but I do feel that the importance of the resolution requires me to rise and ask the House to bear with me just a few moments.

The Howell Resolution has been the basis of all of the figures that have been used in the cuts that have been made. It has been the basis of the figures that have been used by the Appropriations Committee in making up the Appropriation Bill.

The question as to whether a contribution shall be made by each member of the Legislature under this resolution is purely a voluntary question, and therefore it seems to me should not bother us as to what the other fellow does, but it is purely a question as to what each and every one of us feels he ought to do under the circumstances.

Let me say this to you members of the Legislature. We have passed measures here to reduce different salaries. In House Bill No. 22 we have reduced salaries, and in other measures that have been before this session we have cut salaries. We have passed a bill to reduce the salaries of the members of the Legislature in the next session, and it seems to me that we cannot with good grace grumble against this resolution on some technical ground, or on some plea that perhaps someone else will not abide by it. It is entirely a voluntary contribution on the part of the elective officers.

Let me point out another thing. On your desk is a communication from the Governor in which he talks about the amount of money that will be necessary. Within the last couple of days the Governor has issued a statment in which he has said practically this, if not exactly these words.——

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker I rise to a point of order.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, will state his point of order.

Mr. ANDREWS. Mr. Speaker, I understand that the resolution is not debatable.

The SPEAKER. The Chair rules that it is because the Chair has not yet ordered a roll call.

Mr. TURNER. The Governor said that all that stands between the State of Pennsylvania and bankruptcy is the fourteen million dollars of the Dorrance Estate money that remains in the treasury of Pennsylvania. He also said that it will be necessary for us to raise, for the coming year, one hundred million dollars for unemployment relief. That is for only one year, not for the biennium. He points out that it may be possible to raise twenty-five million dollars in that method and twenty-five million dollars from a bond issue which is to be voted on in next November. That means that we would have fifty million of the one hundred million dollars, and that the rest would come from the Reconstruction Fi-

nance Corporation. Now, members of the House, that means by the summer of 1934 there will be no money for emergency relief, and if it is found it be necesary to carry on at that time at the present rate of from six to seven million dollars a month, it will then be necessary for us to return here, and the only thing we can do then, unless we find enough savings at this time, and enough means of increasing the revenues beyond that which we expect to receive, the only thing we can do is to place taxes on the people of Pennsylvania. I think the people of the State of Pennsylvania ought to understand that and understand fully that the only tning that will remain to the people of Pennsylvania is taxation, and I think they ought to understand it, and I think you ought to have that in your minds when you vote on this resolution.

We are hoping to save in salary cuts somewhere around six million dollars. That is only a little bit toward the tremendous amount that we have to receive.

When you consider what all of this means to the schools of Pennsylvania, which, as the Chairman of the Education Committee has told you, will have to be closed by next December and when you see that we are cutting everywhere we can and sharpening the pencil and cutting at every corner in order to save taxes, so that we may in some way have money enough to carry on the government of this State it does become important, and extremely important, for the members of this Legislature to consider this resolution carefully when they vote on it. It means nothing to me personally—I have no desire to surrender any part of my pay any more than any other member has. It has not been a pleasant task to cut salaries as we have done in the bills that we have voted for, but there is a plain and clear duty on every member of this House, and on me. As I said before, it is not a personal matter with me. If this measure be defeated by your vote, it is up to you and up to each and every one of you, and you are responsible only to your constituents and to your own conscience. I shall vote my way and hold no grudge against anyone, whichever way it goes. I do believe the members of this House should not stand before the people of Pennsylvania and say to the people of Pennsylvania that they are going out and say to others, "You take a cut, but we are unwilling to do anything ourseleves."

Mr. HOOPES. Mr. Speaker and members of the House, I consider this resolution not only unfair but the most hypocritical resolution that we have had before us in this session. It would be bad enough if it was in its original form, which as I understand was unconstitutional as to ourselves and as to the judges and the elected officials of the State, so that we would all have to agree to it or it would not apply to us. Were not satisfied with that, we had to add a special clause that, "the amount of the compensation of the members of the General Assembly not already paid over be reduced by forty per cent: Provided, That no such reduction shall be made as to any member unless he shall agree thereto in writing sent to the Chief Clerk of the House."

The unfair thing about this thing is that it provides that the little fellow who is getting two dollars ten cents a day, or seven hundred sixty dollars a year is to be cut and there are no ifs or ands or buts about it, and there is no consent on his part to it, he is to be cut under this resolution, and the resolution says it is the sense of this General Assembly that the officers employing these people who are getting these daily wages over two dollars, down to seven hundred and fifty dollars a year shall cut those wages. No doubt they will take it seriously and the little fellow will get the cut whereas the big fellow cannot constitutionally be cut unless he agrees to it. In other words the little fellow has to take his and like it, and the big fellow takes it or not as he sees fit.

According to the newspapers of the last few days the State Treasurer, who, as I understand, has been one of the chief advocates of this economy program has increased the pay of fifteen employes in his office in order to meet this thing so he can cut it afterwards. Now, if that is not hypocrisy I don't know what is. I don't believe in measures that put the little fellow on the block and make them stand the gaff and let the rest of us stand out from under. I have voted most consistently against cuts for the little fellow throughout this session, and I propose to vote against this resolution.

Mr. SCOTT. Mr. Speaker, I would like to interrogate the gentleman from Berks, Mr. Hoopes.

The SPEAKER. Will the gentleman from Berks, Mr. Hoopes, permit himself to be interrogated?

Mr. HOOPES. I will, Mr. Speaker.

Mr. SCOTT. Mr. Speaker, I understood the gentleman from Berks, Mr. Hoopes, to say that the pay of an employe getting $760 would be cut.

Mr. HOOPES. Mr. Speaker and members of the House, under this resolution, if the employe gets over seven hundred and fifty dollars, he will be cut.

Mr. SCOTT. How much would he be cut, if he gets $760?

Mr. HOOPES. He would be cut very little, Mr. Speaker.

Mr. SCOTT. Mr. Speaker, I would like to ask how much the cut would be?

Mr. HOOPES. Mr. Speaker, the cut would be very little, but he gets a cut, but the big fellow getting the big salary don't get a cut unless he agrees to it.

Mr. BENNETT. Mr. Speaker and members of the House, I arose to a point of inquiry and information a moment ago on this measure. I think there is a good bit of hypocrisy about the wording of this resolution in not putting the big fellow and the little fellow on the same equality. I believe that the members of this House ought to subscribe to this. There are no members here who have one-half as high a consideration or a more exalted opinion of the work done by the gentleman from Delaware, Mr. Talbot, than myself. He needs no praise of mine.

Unfortunately I am neither a Solon, nor a parliamentarian nor a constitutional lawyer, but I do say what I said a little while ago, that this resolution is fraught with some importance, that this act means that I have to go to the office of the Chief Clerk and signify my willingness to take this cut. I, as an individual member of this House have no guarantee advanced, implied or expressed or expected that this body will conform to that wish or desire or necessity, and I think something more practical, something more direct, something more of a direct appeal to the members of this House is in order to get a complete consensus of opinion of the members of this House, of the individuals, whether they will signify their willingness to have a cut made as anticipated and requested in this resolution.

I don't think that it is fair to put it over as a resolution and then put it up to the individual. I think that the horse and the car are transposed. I think that the question ought to be put to the members of this body first and have a definite and absolute concensus of their opinion, either in the Ways and Means Committee as a revenue measure or as a body itself, and find out the consensus of opinion rather than pass a resolution of saying that you have to march down to the Chief Clerk's office if you want to and signify your willingness.

There is no argument in standing behind the little fellow getting a cut of the two dollars a year.

I am willing to take a cut here and now, but I want it done with the thorough understanding that the two hundred and seven women and men who are members of this House are all on the same basis and not with the proviso and the loophole that he or she can either sign it and accept or leave it unsigned and go home. That is neither intelligent, constructive or practical.

Mr. TURNER. Mr. Speaker and members of the House, I just rise for one word to answer the gentleman from Berks, Mr. Hoopes, about his statement in which he said that the amount of salary had been advanced on fifteen employes in the State Treasurer's Office in order that they might be placed in a position to take the cut if the cut comes. Let me point out that the State Treasurer goes out of office on the first day of May and that this act does not go into effect until the first day of June.

Mr. LONG. Mr. Speaker, if I am not out of order, I move, that unless a member answers to his name on the roll call his vote shall not be recorded.

The SPEAKER. The Chair so rules.

On the question recurring,

Will the House concur in the resolution of the Senate?

The yeas and nays were required by Mr. Turner and Mr. Rhodes.

Mr. JOSEPH R. LYNCH. Mr. Speaker, I ask for a verification of the roll.

The SPEAKER. The roll will be verified.

The Clerk read the affirmative roll.

Mr. WITKIN. Mr. Speaker, did I hear the name of Mr. Lewis recorded as voting aye.

The SPEAKER. The gentleman is informed that that is correct.

Mr. WITKIN. Mr. Speaker, may I inform the Chair that Mr. Lewis was not in the Hall of the House at the time the roll was called, without submitting it to the desk in writing.

The SPEAKER. Is the gentleman from Lackawanna, Mr. Lewis, in the Hall of the House? The Chair hears no response, and the gentleman will not be recorded as voting.

Mr. HOOPES. Mr. Speaker, did I understand the name of Mr. Shugarts read on the affirmative roll?

The SPEAKER. The Chair informs the gentleman that that is right.

Mr. HOOPES. Mr. Speaker, Mr. Shugarts is not in the hall of the House, and was not at the time of the roll call.

Mr. WAY. Mr. Speaker and members of the House, I am quite certain that Mr. Shugarts was here and voted aye on the question.

The SPEAKER. If the gentleman from Clearfield, Mr. Way, feels that way, Mr. Shugarts will be recorded as voting aye and will verify it when Mr. Shugarts returns to the hall of the House.

Mr. HEWITT. Mr. Speaker, I heard Mr. Shugarts very plainly vote aye.

The SPEAKER. The question is settled until Mr. Shugarts returns to the hall of the House.

The affirmative roll is verified and stands verified.

The Clerk read the negative roll.

Mrs. PENNOCK. Mr. Speaker, I understand that I am recorded as voting in the affirmative. I distinctly voted "no."

The SPEAKER. The Chair informs the lady from Philadelphia, Mrs. Pennock, that she is recorded as voting "aye." The verification has been made and affirmed and the Chair has no alternative from that decision.

Mrs. PENNOCK. Mr. Speaker, I distinctly voted "no."

The SPEAKER. The Chair cannot, after having verified the affirmative roll, as much as the Chair may regret it, change that decision because the members' names were called on the affirmative roll and a hesitation was made so as give any member an opportunity to change.

The Chair desires to further state that he is not interested one way or the other as to the result of this resolution, and regrets that the Chair has been put in the position to so rule.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WITKIN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. WITKIN. Mr. Speaker, the lady from Philadelphia, Mrs. Pennock, says that she voted "no." A great number of us here heard her vote "no." Can her vote, by unanimous consent of this House, be now recorded as voting "no."

The SPEAKER. The Chair is of the opinion that this House by unanimous consent or by its majority action can do anything it desires.

VOTE RECORDED

Mr. WITKIN. Mr. Speaker, I therefore move that the vote of the lady from Philadelphia, Mrs. Pennock, who has told the House that she voted "no," and a number of persons within hearing of her voice say that she voted "no," be permitted to have her vote recorded in the manner in which she voted, to wit: "no."

On the question,

Will the House agree to the motion?

It was agreed to.

The SPEAKER. The lady will be recorded as voting "no."

Mr. HOOPES. Mr. Speaker, in order that I may be sure that I am within the rules of the House, I desire to file a written challenge to the vote of Mr. Shugarts. I understand it must be in wrting.

The SPEAKER. If the gentleman from Berks, Mr. Hoopes, desires to file a written challenge to the vote of Mr. Shugarts, and he will send it to the desk, the Chair will withhold the decision until the challenge is sent to the desk.

CHALLENGE TO VOTE

Mr. HOOPES sent to the desk his challenge in writing to the vote of Mr. Shugarts, which challenge was subsequently withdrawn.

The SPEAKER. The negative roll is verified and stands verified. The roll is verified and stands verified.

The SPEAKER announced the result of the roll call to be ninety-five in the affirmative and ninety-six in the negative.

Mr. WAY. Mr. Speaker and members of the House, when I said that my colleague, Mr. Shugarts, of Clearfield, voted "aye," I thought he did. I heard someone voting "aye." I have learned since that Mr. Shugarts was not in his seat and I wish publicly to withdraw my statement.

The SPEAKER. The gentleman from Clearfield, Mr. Way, having been informed that the gentleman from Clearfield, Mr. Shugarts, was not in the hall of the House, the gentleman from Clearfield, Mr. Shugarts, will not be recorded as voting and the anouncement is made that the vote on the roll is changed to 94 in the affirmative and 96 in the negative.

YEAS—94

Andrews,	Himes, H. E.,	Mohn,	Snyder,
Brennan,	Himes, L. R.,	Mumford,	Steedle,
Brown, W. L.,	Holmes, J. L.,	Nothnagle,	Sterling, P.,
Caputo,	Horst,	O'Connor,	Stevenson,
Carson,	Hough,	O'Keefe,	Stiteler,
Chervenak,	Hutton,	Patterson,	Stone,
Cordier,	Kane, J. J.,	Peelor,	Surface,
Craig,	King,	Peters,	Turner,
Davies,	Kinney,	Powers,	Wade,
DeFrehn,	Labar,	Quinn,	Wagner,
Downey, G. E.,	Lane,	Raub,	Wall,
Dunmire,	Lord,	Rhodes,	Way,
Eroe,	Lose,	Rice,	Weidemann,
Evans,	Lovett, J. E.,	Ruby,	Westrick,
Fitzgerald,	Lynch, M.,	Sarig,	Wike,
Flinchbaugh,	Malina,	Schrock,	Williams, G. W.,
Flynn,	Marcks,	Schwab,	Wilson, T. B.,
Forrest,	McCandless,	Scott,	Wood,
Griffith,	McClure,	Sheffer,	Woodside,
Habbyshaw,	McElwee,	Shellenberger,	Wright,
Haines,	McGinnis,	Shettel,	Yeakel,
Heffner,	McGregor,	Shreiner,	Talbot,
Hester,	McKay,	Simon,	Speaker.
Hewitt,	Merrell,	Sinwell,	

NAYS—96

Baker,	Flanagan,	Lenahan,	Roan,
Baldi,	Fleisher,	Long,	Root,
Barnhardt,	Furman,	Lynch, J. R.,	Roth,
Bechtel,	Gallagher,	Male,	Sautter,
Beech,	Gartner,	Maloney,	Schrope,
Bennett,	Gillette,	Mason,	Schwartz,
Bernhard,	Gorman,	McCreary,	Scorza,
Blumberg,	Green,	McGrail,	Shenkel,
Boyd,	Greenstein,	McHenry,	Shortz,
Brancato,	Hamilton,	McKinney,	Spann,
Brown, J. E.,	Harmuth,	Melchiorre,	Stank,
Brownfield,	Harris,	Metzler,	Sterling, R. B.,
Cannon,	Hart,	Moore,	Stevens,
Carey,	Heffernan,	Myers,	Stott,
Cohen,	Hefferon,	Negley,	Tahl,
Conner,	Hermansen,	O'Neill,	Terry,
Cooke,	Hoffman,	O'Rourke,	Walker, G. E.,
Dane,	Holmes, J. B.,	Pennock,	Welsh,
Denning,	Hoopes,	Perry, J. J.,	White,
Downey, J.,	Howard,	Powell,	Williams, J. J.,
Duffy,	Jaffe,	Price,	Wilson, L. M.,
Dwyer,	Jones,	Rectenwald,	Witkin,
Ederer,	Kane, L. P.,	Reed,	Yourishin,
Emhardt,	Laubach,	Reilly,	Zimmerman,

So the question was determined in the negative and the resolution was not concurred in.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2164 (Senate Bill No. 730), entitled:

An Act to ratify, confirm and validate, as debts of the municipality, bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Griffith,	McGrail,	Sheffer,
Baker,	Habbyshaw,	McGregor,	Shellenberger,
Baldi,	Haines,	McHenry,	Shenkel,
Barnhardt,	Hamilton,	McKinney,	Shettel,
Bechtel,	Harmuth,	Meredith,	Shortz,
Beech,	Harris,	Merrell,	Shreiner,
Bennett,	Hart,	Metzler,	Simon,
Bernhard,	Heffernan,	Mohn,	Sinwell,
Blumberg,	Hefferon,	Moore,	Snyder,
Boyd,	Hermansen,	Mumford,	Sowers,
Brancato,	Hester,	Myers,	Spann,
Brennan,	Hewitt,	Negley,	Stank,
Brown, J. E.,	Himes, H. E.,	Nothnagle,	Steedle,
Brownfield,	Himes, L. R.,	O'Connor,	Sterling, P.,
Cannon,	Hoffman,	O'Keefe,	Sterling, R. B.,
Caputo,	Holmes, J. B.,	O'Neill,	Stevens,
Carey,	Holmes, J. L.,	O'Rourke,	Stevenson,
Carson,	Hoopes,	Patterson,	Stiteler,
Chervenak,	Horst,	Peelor,	Stone,
Cohen,	Hough,	Pennock,	Storb,
Conner,	Howard,	Perry, D. R.,	Stott,
Cooke,	Hutton,	Perry, J. J.,	Surface,
Cordier,	Jaffe,	Peters,	Tahl,
Craig,	Jones,	Powell,	Terry,
Davies,	Kane, J. J.,	Powers,	Turner,
DeFrehn,	King,	Price,	Wade,
Denning,	Kinney,	Quinn,	Wagner,
Downey, J.,	Labar,	Raub,	Walker, G. E.,
Duffy,	Lane,	Rectenwald,	Walker, W. A.,
Dunmire,	Laubach,	Reed,	Wall,
Dwyer,	Lenahan,	Reilly,	Wasserman,
Ederer,	Lewis,	Rhodes,	Way,
Emhardt,	Long,	Rice,	Weidemann,
Eroe,	Lord,	Roan,	Welsh,
Evans,	Lovett, W. S.,	Root,	Westrick,
Fitzgerald,	Lynch, J. R.,	Roth,	White,
Flanagan,	Male,	Royle,	Wike,
Fleisher,	Malina,	Ruby,	Williams, G. W.,
Flinchbaugh,	Maloney,	Sarig,	Williams, J. J.,
Flynn,	Marcks,	Sautter,	Wilson, T. B.,
Forrest,	Mason,	Schrock,	Witkin,
Furman,	McBride,	Schrope,	Wood,
Gartner,	McCandless,	Schwab,	Yourishin,
Gillette,	McClure,	Schwartz,	Zimmerman,
Gorman,	McCreary,	Scorza,	Talbot,
Green,	McElwee,	Scott,	Speaker.
Greenstein,	McGinnis,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1361 (Senate Bill No. 427), entitled:

An Act relating to libraries; making it unlawful to retain any book, pamphlet, magazine, newspaper, manuscript, map, or other property belonging to a library after notice to return the same; providing penalty to be imposed in summary proceedings; providing for payment of any fine imposed to the library instituting the prosecution.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Habbyshaw,	McGregor,	Shenkel,
Baker,	Haines,	McHenry,	Shettel,
Baldi,	Hamilton,	McKay,	Shortz,
Barnhardt,	Harmuth,	McKinney,	Shreiner,
Bechtel,	Harris,	Melchiorre,	Simon,
Beech,	Hart,	Meredith,	Sinwell,
Bennett,	Hartman,	Merrell,	Snyder,
Bernhard,	Hefferon,	Metzler,	Sowers,
Blumberg,	Heffner,	Mohn,	Spann,
Boyd,	Hermansen,	Moore,	Stank,
Brancato,	Hester,	Mumford,	Steedle,
Brennan,	Hewitt,	Myers,	Sterling, P.,
Brown, J. E.,	Himes, H. E.,	Negley,	Sterling, R. B.,
Brown, W. L.,	Himes, L. R.,	Nothnagle,	Stevens,
Brownfield,	Hoffman,	O'Connor,	Stevenson,
Cannon,	Holmes, J. L.,	O'Keefe,	Stiteler,
Caputo,	Hoopes,	O'Neill,	Stone,
Carey,	Horst,	O'Rourke,	Storb,
Carson,	Hutton,	Patterson,	Stott,

Cohen,	Jaffe,	Peelor,	Surface,
Conner,	Jones,	Pennock,	Tahl,
Cooke,	Kane, L. P.,	Perry, D. R.,	Terry,
Cordier,	King,	Perry, J. J.,	Turner,
Craig,	Kinney,	Peters,	Wade,
Cramer,	Labar,	Powell,	Wagner,
Dane,	Lane,	Powers,	Walker, G. E.,
Davies,	Laubach,	Price,	Walker, W. A.,
DeFrehn,	Lenahan,	Quinn,	Wall,
Denning,	Lewis,	Raub,	Wasserman,
Downey, G. E.,	Long,	Rectenwald,	Way,
Duffy,	Lord,	Reilly,	Weidemann,
Dunmire,	Lose,	Rhodes,	Welsh,
Dwyer,	Lovett, J. E.,	Roan,	Westrick,
Ederer,	Lovett, W. S.,	Root,	White,
Emhardt,	Lynch, J. R.,	Roth,	Wike,
Eroe,	Lynch, M.,	Royle,	Williams, G. W.,
Evans,	Male,	Ruby,	Wilson, T. B.,
Fitzgerald,	Malina,	Sarig,	Witkin,
Flanagan,	Maloney,	Sautter,	Wood,
Fleisher,	Marcks,	Schrock,	Woodside,
Flynn,	Mason,	Schrope,	Wright,
Furman,	McBride,	Schwab,	Yeakel,
Gallagher,	McCandless,	Schwartz,	Yourishin,
Gartner,	McCreary,	Scorza,	Zimmerman,
Gillette,	McElwee,	Scott,	Talbot,
Gorman,	McGinnis,	Sheffer,	Speaker.
Griffith,	McGrail,	Shellenberger,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2179 (Senate Bill No. 1), entitled:

An Act authorizing counties of the second class and cities of the second class to appropriate sums of money to aid in defraying the expenses of entertaining the stated convention of the National Encampment of the United Spanish War Veterans in the year one thousand nine hundred and thirty-four.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Greenstein,	McHenry,	Shettel,
Baker,	Griffith,	McKay,	Shortz,
Baldi,	Haines,	McKinney,	Shreiner,
Barnhardt,	Hamilton,	Melchiorre,	Simon,
Bechtel,	Harris,	Meredith,	Sinwell,
Beech,	Hart,	Merrell,	Snyder,
Bennett,	Hartman,	Metzler,	Sowers,
Bernhard,	Hefferon,	Mohn,	Spann,
Boyd,	Heffner,	Moore,	Stank,
Brancato,	Hermansen,	Mumford,	Steedle,
Brennan,	Hester,	Myers,	Sterling, P.,
Brown, J. E.,	Hewitt,	Negley,	Sterling, R. B.,
Brown, W. L.,	Himes, H. E.,	Nothnagle,	Stevens,
Brownfield,	Hoffman,	O'Connor,	Stevenson,
Cannon,	Holmes, J. L.,	O'Keefe,	Stiteler,
Caputo,	Horst,	O'Neill,	Stone,
Carey,	Hough,	O'Rourke,	Storb,
Carson,	Hutton,	Patterson,	Stott,
Chervenak,	Jaffe,	Peelor,	Surface,
Cohen,	Jones,	Pennock,	Tahl,
Conner,	Kane, J. J.,	Perry, D. R.,	Terry,
Cooke,	Kane, L. P.,	Perry, J. J.,	Turner,
Craig,	King,	Peters,	Wade,
Cramer,	Kinney,	Powell,	Wagner,
Dane,	Labar,	Powers,	Walker, G. E.,
Davies,	Laubach,	Price,	Walker, W. A.,
DeFrehn,	Lenahan,	Quinn,	Wall,
Denning,	Lewis,	Raub,	Wasserman,
Downey, G. E.,	Long,	Rectenwald,	Way,
Downey, J.,	Lord,	Reed,	Weidemann,
Duffy,	Lose,	Reilly,	Welsh,
Dunmire,	Lovett, J. E.,	Rhodes,	Westrick,
Dwyer,	Lovett, W. S.,	Roan,	White,
Ederer,	Lynch, J. R.,	Royle,	Wike,
Emhardt,	Lynch, M.,	Ruby,	Williams, G. W.,
Eroe,	Male,	Sarig,	Williams, J. J.,
Evans,	Malina,	Sautter,	Wilson, T. B.,
Flanagan,	Maloney,	Schrock,	Witkin,
Fleisher,	Mason,	Schrope,	Wood,
Flinchbaugh,	McBride,	Schwab,	Woodside,
Flynn,	McCandless,	Schwartz,	Wright,
Furman,	McClure,	Scorza,	Yeakel,
Gallagher,	McCreary,	Scott,	Yourishin,
Gartner,	McElwee,	Sheffer,	Zimmerman,
Gillette,	McGinnis,	Shellenberger,	Talbot,
Gorman,	McGrail,	Shenkel,	Speaker.
Green,			

NAYS—2

Hoopes,	Wilson, L. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2159 (Senate Bill No. 478), entitled:

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended, and paragraph one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Greenstein,	McGrail,	Shellenberger,
Baker,	Griffith,	McGregor,	Shenkel,
Barnhardt,	Habbyshaw,	McHenry,	Shettel,
Bennett,	Haines,	McKay,	Shortz,
Bernhard,	Hamilton,	McKinney,	Shreiner,
Blumberg,	Harmuth,	Melchiorre,	Simon,
Boyd,	Harris,	Meredith,	Sinwell,
Brancato,	Hart,	Merrell,	Snyder,
Brennan,	Heffernan,	Metzler,	Sowers,
Brown, J. E.,	Hefferon,	Moore,	Spann,
Brown, W. L.,	Heffner,	Mumford,	Stank,
Brownfield,	Hewitt,	Myers,	Steedle,
Cannon,	Himes, H. E.,	Negley,	Sterling, P.,
Caputo,	Himes, L. R.,	Nothnagle,	Sterling, R. B.,
Carey,	Hoffman,	O'Connor,	Stevens,
Carson,	Holmes, J. L.,	O'Keefe,	Stevenson,
Chervenak,	Hoopes,	O'Neill,	Stiteler,
Cohen,	Horst,	O'Rourke,	Stone,
Conner,	Hough,	Patterson,	Storb,
Cooke,	Howard,	Peelor,	Stott,
Cordier,	Hutton,	Pennock,	Surface,
Craig,	Jaffe,	Perry, D. R.,	Tahl,
Cramer,	Jones,	Perry, J. J.,	Wade,
Dane,	Kane, L. P.,	Peters,	Wagner,

Davies,	King,	Powell,	Walker G. E.,
DeFrehn,	Kinney,	Powers,	Walker, W. A.,
Denning,	Labar,	Price,	Wall,
Downey, G. E.,	Lane,	Quinn,	Wasserman,
Downey, J.,	Laubach,	Raub,	Way,
Duffy,	Lenahan,	Rectenwald,	Weidemann,
Dunmire,	Lewis,	Reed,	Welsh,
Ederer,	Long,	Reilly,	Westrick,
Emhardt,	Lord,	Rhodes,	White,
Eroe,	Lose,	Rice,	Wike,
Evans,	Lovett, J. E.,	Roan,	Williams, G. W.
Fitzgerald,	Lovett, W. S.,	Root,	Williams, J. J.,
Flanagan,	Lynch, J R.,	Royle,	Wilson, L. M.,
Fleisher,	Male,	Ruby,	Wilson, T. B.,
Flinchbaugh,	Malina,	Sarig,	Witkin,
Flynn,	Maloney,	Sautter,	Wood,
Forrest,	Marcks,	Schrock,	Woodside,
Furman,	Mason,	Schrope,	Wright,
Gallagher,	McBride,	Schwab,	Yeakel,
Gartner,	McCandless,	Schwartz,	Yourishin,
Gillette,	McCreary,	Scott,	Zimmerman,
Gorman,	McElwee,	Sheffer,	Talbot,
Green,	McGinnis,		Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1316 (Senate Bill No. 246), entitled:

An Act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto.

On the question,

Will the House agree to the bill on third reading?

Mr. LONG. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend section 20, on page 18, by striking out of line 9, the following words: "below the age of sixteen years or."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears non and the amendment will be inserted in accordance with the instructions of the House.

On the question.

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 929 (Senate Bill No. 109), entitled:

An Act to amend section six hundred and thirty of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing school districts to lay water pipe lines in certain cases, and to condemn a right-of-way therefor.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Greenstein,	Melchiorre,	Shortz,
Baker,	Griffith,	Meredith,	Shreiner,
Baldi,	Habbyshaw,	Merrell,	Simon,
Barnhardt,	Haines,	Metzler,	Sinwell,
Bechtel,	Harris,	Mohn,	Snyder,
Beech,	Hart,	Moore,	Sowers,
Bennett,	Hartman,	Mumford,	Spann,
Bernhard,	Heffernan,	Myers,	Stank,
Blumberg,	Hefferon,	Negley,	Steedle,
Boyd,	Heffner,	Nothnagle,	Sterling, P.,
Brancato,	Hermansen,	O'Connor,	Sterling, R. B.,
Brennan,	Hewitt,	O'Keefe,	Stevens,
Brown, J. E.,	Himes, H. E.,	O'Neill,	Stevenson,
Brown, W. L.,	Hoffman,	O'Rourke,	Stiteler,
Brownfield,	Holmes, J. L.,	Patterson,	Stone,
Cannon,	Hoopes,	Peelor,	Storb,
Caputo,	Horst,	Pennock,	Stott,
Carey,	Hough,	Perry, D. R.,	Surface,
Carson,	Jaffe,	Perry, J. J.,	Tahl,
Chervenak,	Jones,	Peters,	Terry,
Conner,	Kane, J. J.,	Powell,	Turner,
Cooke,	Kane, L. P.,	Powers,	Wade,
Cordier,	King,	Price,	Wagner,
Craig,	Kinney,	Quinn,	Walker, G. E.,
Cramer,	Lane,	Raub,	Walker, W. A.,
Dane,	Laubach,	Rectenwald,	Wall,
Davies,	Lewis,	Reed,	Wasserman,
DeFrehn,	Long,	Reilly,	Way,
Denning,	Lord,	Rhodes,	Weidemann,
Downey, G. E.,	Lose,	Rice,	Welsh,
Downey, J.,	Lovett, W. S.,	Roan,	Westrick,
Duffy,	Lynch, J. R.,	Root,	White,
Dunmire,	Male,	Roth,	Wike,
Dwyer,	Malina,	Royle,	Williams, J. J.,
Ederer,	Maloney,	Ruby,	Williams, G. W.,
Emhardt,	Marcks,	Sarig,	Wilson, L. M.,
Evans,	Mason,	Sautter,	Wilson, T. B.,
Fitzgerald,	McBride,	Schrock,	Witkin,
Flanagan,	McCandless,	Schrope,	Wood,
Fleisher,	McCreary,	Schwab,	Woodside,
Flinchbaugh,	McElwee,	Schwartz,	Wright,
Flynn,	McGinnis,	Scorza,	Yeakel,
Furman,	McGrail,	Scott,	Yourishin,
Gallagher,	McGregor,	Sheffer,	Zimmerman,
Gillette,	McHenry,	Shellenberger,	Talbot,
Gorman,	McKay,	Shenkel,	Speaker.
Green,	McKinney,	Shettel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2125 (Senate Bill No. 68), entitled:

An Act increasing the discretionary powers of boards of school directors in school districts of the second class with reference to the assessment, levy and collection of taxes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Griffith,	McGinnis,	Shettel,
Baker,	Habbyshaw,	McGrail,	Shortz,
Barnhardt,	Haines,	McHenry,	Shreiner,
Bechtel,	Harmuth,	McKay,	Simon,
Beech,	Harris,	McKinney,	Sinwell,
Bernhard,	Hart,	Meredith,	Snyder,
Blumberg,	Hartman,	Merrell,	Sowers,
Boyd,	Hefferon,	Metzler,	Spann,
Brancato,	Heffner,	Mohn,	Stank,
Brennan,	Hermansen,	Moore,	Steedle,
Brown, J. E.,	Hester,	Mumford,	Sterling, P.,
Brown, W. L.,	Hewitt,	Myers,	Sterling, R. B.,
Brownfield,	Himes, H. E.,	Negley,	Stevens,
Cannon,	Himes, L. R.,	Nothnagle,	Stevenson,
Caputo,	Hoffman,	O'Connor,	Stiteler,
Carey,	Holmes, J. B.,	O'Keefe,	Stone,
Carson,	Holmes, J. L.,	O'Neill,	Storb,
Chervenak,	Hoopes,	O'Rourke,	Stott,
Conner,	Horst,	Patterson,	Surface,
Cooke,	Hough,	Peelor,	Tahl,
Cordier,	Howard,	Pennock,	Terry,
Craig,	Hutton,	Perry, D. R.,	Turner,
Cramer,	Kane, J. J.,	Perry, J. J.,	Wade,
Dane,	Kane, L. P.,	Peters,	Wagner,
Davies,	King,	Powell,	Walker, G. E.,
DeFrehn,	Kinney,	Powers,	Walker, W. A.,
Denning,	Labar,	Price,	Wall,
Downey, G. E.,	Lane,	Quinn,	Wasserman,
Downey, J.,	Laubach,	Raub,	Way,
Duffy,	Lewis,	Rectenwald,	Weidemann,
Dunmire,	Long,	Reed,	Welsh,
Ederer,	Lord,	Reilly,	Westrick,
Emhardt,	Lose,	Rhodes,	White,
Eroe,	Lovett, J. E.,	Roan,	Wike,
Evans,	Lovett, W. S.,	Root,	Williams, G. W.,
Fitzgerald,	Lynch, J. R.,	Roth,	Williams, J. J.,
Flanagan,	Lynch, M.,	Royle,	Wilson, T. B.,
Fleisher,	Male,	Ruby,	Wilson, L. M.,
Flinchbaugh,	Malina,	Sarig,	Witkin,
Flynn,	Maloney,	Sautter,	Wood,
Forrest,	Marcks,	Schrock,	Woodside,
Furman,	Mason,	Schrope,	Wright,
Gallagher,	McBride,	Schwab,	Yeakel,
Gartner,	McCandless,	Schwartz,	Yourishin,
Gillette,	McClure,	Scott,	Zimmerman,
Gorman,	McCreary,	Sheffer,	Talbot,
Green,	McElwee,	Shellenberger,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2266 (Senate Bill No. 674), entitled:

An Act to repeal section three of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-eight) entitled "A supplement to the act approved the eleventh day of June one thousand nine hundred and thirty-one (Act number fifteen-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one' making additional appropriations to the Department of Military Affairs and to the Department of Property and Supplies and an appropriation to the Senate Committee for the Investigation of the Public Service Commission" lapsing the appropriation made by said act to the Senate committee for the investigation of the Public Service Commission.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Green,	McCreary,	Sheffer,
Baker,	Greenstein,	McGinnis,	Shellenberger,
Baldi,	Griffith,	McGregor,	Shettel,
Barnhardt,	Habbyshaw,	McHenry,	Shortz,
Bechtel,	Haines,	McKay,	Shreiner,
Beech,	Hamilton,	McKinney,	Simon,
Bennett,	Harmuth,	Meredith,	Sinwell,
Blumberg,	Harris,	Merrell,	Snyder,
Boyd,	Hart,	Metzler,	Spann,
Brancato,	Hartman,	Mohn,	Stank,
Brennan,	Heffernan,	Moore,	Sterling, P.,
Brown, W. L.,	Hefferon,	Mumford,	Sterling, R. B
Brown, J. E.,	Heffner,	Negley,	Stevens,
Brownfield,	Hermansen,	Nothnagle,	Stevenson,
Cannon,	Hester,	O'Connor,	Stiteler,
Caputo,	Hewitt,	O'Keefe,	Stone,
Carey,	Himes, H. E.,	O'Neill,	Storb,
Carson,	Hoffman,	O'Rourke,	Stott,
Chervenak,	Holmes, J. B.,	Patterson,	Surface,
Cohen,	Holmes, J. L.,	Peelor,	Terry,
Conner,	Hoopes,	Pennock,	Turner,
Cooke,	Horst,	Perry, D. R.,	Wade,
Cordier,	Hough,	Perry, J. J.,	Wagner,
Craig,	Howard,	Peters,	Walker, G. E.,
Cramer,	Hutton,	Powell,	Walker, W. A.,
Davies,	Jones,	Powers,	Wall,
DeFrehn,	Jaffe,	Price,	Wasserman,
Denning,	Kane, J. J.,	Quinn,	Way,
Downey, G. E.,	Kane, L. P.,	Raub,	Weidemann,
Downey, J.,	King,	Rectenwald,	Welsh,
Duffy,	Kinney,	Reed,	Westrick,
Dunmire,	Labar,	Reilly,	White,
Dwyer,	Laubach,	Rhodes,	Wike,
Ederer,	Lewis,	Rice,	Williams, G. W.,
Emhardt,	Long,	Roan,	Williams, J. J.,
Eroe,	Lord,	Root,	Wilson, L. M.,
Evans,	Lose,	Roth,	Wilson, T. B.,
Flanagan,	Lovett, W. S.,	Royle,	Witkin,
Fleisher,	Lynch, J. R.,	Ruby,	Wood,
Flinchbaugh,	Lynch, M.,	Sarig,	Woodside,
Flynn,	Male,	Sautter,	Wright,
Forrest,	Malina,	Schrock,	Yeakel,
Furman,	Maloney,	Schrope,	Yourishin,
Gallagher,	Mason,	Schwab,	Zimmerman,
Gartner,	McBride,	Schwartz,	Talbot,
Gillette,	McCandless,	Scorza,	Speaker.
Gorman,	McClure,	Scott,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 630 (Senate Bill No. 153), entitled:

An act to amend clause (d) of section ten of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," as amended, by defining the powers of the courts on appeals from the Department of Public Instruction.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Griffith,	McGinnis,	Shortz,
Baker,	Habbyshaw,	McGrail,	Shreiner,
Baldi,	Haines,	McHenry,	Simon,
Barnhardt,	Hamilton,	McKay,	Sinwell,
Bechtel,	Harmuth,	McKinney,	Snyder,

Beech,	Harris,	Meredith,	Sowers,
Bennett,	Hart,	Merrell,	Spann,
Blumberg,	Hartman,	Metzler,	Stank,
Boyd,	Heffernan,	Mohn,	Steedle,
Brancato,	Hefferon,	Moore,	Sterling, P.,
Brennan,	Heffner,	Mumford,	Sterling, R. B.,
Brown, J. E.,	Hermansen,	Negley,	Stevens,
Brown, W. L.,	Hewitt,	Nothnagle,	Stevenson,
Brownfield,	Himes, H. E.,	O'Connor,	Stiteler,
Caputo,	Himes, L. R.,	O'Keefe,	Stone,
Carey,	Hoffman,	O'Neill,	Storb,
Carson,	Holmes, J. L.,	O'Rourke,	Stott,
Chervenak,	Hoopes,	Patterson,	Surface,
Cohen,	Hough,	Peelor,	Tahl,
Conner,	Howard,	Pennock,	Terry,
Cooke,	Hutton,	Perry, D. R.,	Turner,
Cordier,	Jaffe,	Perry, J. J.,	Wade,
Craig,	Jones,	Peters,	Wagner,
Cramer,	Kane, J. J.,	Powell,	Walker, G. E.,
Dane,	Kane, L. P.,	Powers,	Walker, W. A.,
Davies,	Kinney,	Price,	Wall,
DeFrehn,	Labar,	Quinn,	Wasserman,
Denning,	Lane,	Raub,	Way,
Duffy,	Lenahan,	Rectenwald,	Weidemann,
Dunmire,	Lewis,	Reed,	Welsh,
Dwyer,	Long,	Reilly,	Westrick,
Ederer,	Lord,	Rhodes,	White,
Emhardt,	Lose,	Roan,	Wike,
Eroe,	Lovett, J. E.,	Root,	Williams, G. E.,
Evans,	Lovett, W. S.,	Roth,	Williams, J. J.,
Flanagan,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Fleisher,	Lynch, M.,	Ruby,	Wilson, T. B.,
Flinchbaugh,	Male,	Sarig,	Witkin,
Flynn,	Malina,	Sautter,	Wood,
Forrest,	Maloney,	Schrock,	Woodside,
Furman,	Marcks,	Schrope,	Wright,
Gallagher,	Mason,	Schwab,	Yeakel,
Gartner,	McBride,	Scott,	Yourishin,
Gillette,	McCandless,	Shellenberger,	Zimmerman,
Gorman,	McCreary,	Shenkel,	Talbot,
Green,	McElwee,	Shettel,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2163 (Senate Bill No. 728), entitled:

A Supplement to act number fifteen-A, approved the eleventh day of June, one thousand nine hundred thirty-one (Appropriation Acts of one thousand nine hundred thirty-one, page sixteen), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one," providing for a deficiency in the appropriation to the Department of Forests and Waters for the extinction and control of forest fires for the fiscal biennium ending May thirty-first, one thousand nine hundred thirty-three.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Green,	McCreary,	Shellenberger,
Baker,	Griffith,	McElwee,	Shenkel,
Baldi	Habbyshaw,	McGinnis,	Shettel,
Barnhardt,	Haines,	McGregor,	Shortz,
Bechtel,	Hamilton,	McHenry,	Shreiner,
Beech,	Harmuth,	McKay,	Simon,
Bennett,	Harris,	Melchiorre,	Sinwell,
Bernhard,	Hart,	Metzler,	Snyder,
Blumberg,	Hartman,	Mohn,	Sowers,
Boyd,	Heffernan,	Moore,	Spann,
Brancato,	Hefferon,	Mumford,	Stank,
Brennan,	Heffner,	Myers,	Steedle,
Brown, W. L.,	Hermansen,	Negley,	Sterling, P.,
Brownfield,	Hester,	Nothnagle,	Stevens,
Cannon,	Hewitt,	O'Connor,	Stevenson,
Caputo,	Himes, H. E.,	O'Keefe,	Stiteler,
Carey,	Himes, L. R.,	O'Neill,	Stone,
Carson,	Hoffman,	O'Rourke,	Storb,
Chevenak,	Holmes, J. L.,	Patterson,	Stott,
Cohen,	Hoopes,	Peelor,	Surface,
Conner,	Horst,	Pennock,	Terry,
Cooke,	Hough,	Perry, D. R.,	Turner,
Cordier,	Howard,	Perry, J. J.,	Wade,
Craig,	Hutton,	Peters,	Wagner,
Cramer,	Jaffe,	Powell,	Walker, G. E.,
Dane,	Jones,	Powers,	Walker, W. A.,
Davies,	Kane, J. J.,	Price,	Wall,
DeFrehn,	Kane, L. P.,	Quinn,	Wasserman,
Denning,	King,	Raub,	Way,
Downey, G. E.,	Kinney,	Rectenwald,	Weidemann,
Downey, J.,	Labar,	Reed,	Welsh,
Dunmire,	Lane,	Reilly,	Westrick,
Dwyer,	Laubach,	Rhodes,	White,
Ederer,	Lenahan,	Rice,	Wike,
Emhardt,	Lewis,	Roan,	Williams, G. W.,
Eroe,	Long,	Root,	Williams, J. J.,
Evans,	Lord,	Roth,	Wilson, L. M.,
Fitzgerald,	Lose,	Royle,	Wilson, T. B.,
Flanagan,	Lovett, J. E.,	Ruby,	Witkin,
Fleisher,	Lovett, W. S.,	Sautter,	Wood,
Flinchbaugh,	Lynch, J. R.,	Schrock,	Woodside,
Flynn,	Lynch, M.,	Schrope,	Wright,
Forrest,	Malina,	Schwab,	Yeakel,
Gallagher,	Marcks,	Schwartz,	Yourishin,
Gartner,	Mason,	Scorza,	Zimmerman,
Gillette,	McBride,	Scott,	Talbot,
Gorman,	McCandless,	Sheffer,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2140 (Senate Bill No. 322), entitled:

An Act to eliminate reckless and irresponsible drivers from the public highways, and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident), and for the establishment of ability to respond in damages for injury to property and persons, including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles); conferring powers and imposing duties upon the Department of Revenue, the Insurance Commissioner, insurance carriers, and clerks of the courts; requiring certain provisions in motor vehicle liability insurance policies; and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Gillette,	McClure,	Shellenberger,
Baker,	Gorman,	McElwee,	Shenkel,
Baldi,	Green,	McGrail,	Shettel,
Barnhardt,	Greenstein,	McGregor,	Shortz,
Bechtel,	Habbyshaw,	McHenry,	Shriener,
Beech,	Haines,	McKay,	Simon,
Bennett,	Hamilton,	Melchiorre,	Sinwell,
Bernhard,	Harris,	Metzler,	Snyder,
Blumberg,	Hart,	Mohn,	Sowers,

Boyd,	Hartman,	Moore,	Spann,
Brancato,	Heffernan,	Myers,	Stank,
Brennan,	Hefferon,	Negley,	Steedle,
Brown, J. E.,	Heffner,	Nothnagle,	Sterling, P.,
Brown, W. L.,	Hermansen,	O'Connor,	Sterling, R. B.,
Cannon,	Hester,	O'Keefe,	Stevens,
Caputo,	Hewitt,	O'Neill,	Stevenson,
Carey,	Himes, H. E.,	O'Rourke,	Stiteler,
Carson,	Hoffman,	Patterson,	Stone,
Chervenak,	Holmes, J. L.,	Pennock,	Storb,
Cohen,	Hoopes,	Perry, D. R.,	Stott,
Conner,	Horst,	Perry, J. J.,	Surface,
Cooke,	Hough,	Peters,	Tahl,
Cordier,	Hutton,	Powell,	Terry,
Craig,	Jaffe,	Powers,	Turner,
Cramer,	Kane, J. J.,	Price,	Wade,
Dane,	Kane, L. P.,	Quinn,	Wagner,
Davies,	King,	Raub,	Walker, G. E.,
DeFrehn,	Kinney,	Rectenwald,	Walker, W. A.,
Denning,	Labar,	Reed,	Wall,
Downey, G. E.,	Lane,	Reilly,	Wasserman,
Downey, J.,	Laubach,	Rhodes,	Way,
Duffy,	Lenahan,	Rice,	Weidemann,
Dunmire,	Lewis,	Roan,	Welsh,
Ederer,	Long,	Root,	Westrick,
Emhardt,	Lord,	Roth,	Williams, G. W.,
Eroe,	Lose,	Royle,	Wilson, L. M.,
Evans,	Lovett, J. E.,	Ruby,	Wilson, T. B.,
Fitzgerald,	Lovett, W. S.,	Sarig,	Witkin,
Flanagan,	Lynch, M.,	Sautter,	Wood,
Fleisher,	Male,	Schrock,	Woodside,
Flinchbaugh,	Malina,	Schrope,	Wright,
Flynn,	Maloney,	Schwab,	Yeakel,
Forrest,	Marcks,	Schwartz,	Yourishin,
Furman,	Mason,	Scorza,	Zimmerman,
Gallagher,	McBride,	Scott,	Talbot,
Gartner,	McCandless,	Sheffer,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2293 (Senate Bill No. 1024), as follows:

An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the eighteenth amendment to the said Constitution and for the prohibition of transportation importation delivery or use of intoxicating liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such convention

WHEREAS The Congress of the United States has proposed an amendment to the Constitution of the United States in the following language

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-third of each House concurring therein) That the following article is hereby proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several States

"Article

"Section 1 The eighteenth article of amendment to the Constitution of the United States is hereby repealed

"Section 2 The transportation or importation into any State territory or possession of the United States for delivery or use therein of intoxicating liquors in violation of the laws thereof is hereby prohibited

"Section 3 This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States as prescribed in the Constitution within seven years from the date of the submission hereof to the States by the Congress"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a convention shall be held in this State for the purpose of ratifying or rejecting the proposed amendment to the Constitution of the United States recited in the preamble hereof An election shall be held at the same time as the municipal election in the year one thousand nine hundred and thirty-three for the election of delegates to such convention

Section 2 At such election all persons qualified as electors shall be entitled to vote

Section 3 Except as in this act otherwise provided such election shall be conducted and the results thereof ascertained and certified in the same manner as in the case of the election of Representatives in Congress of the United States at large at general elections and all provisions of the laws of this State relative to elections except so far as inconsistent with this act are hereby made applicable to such election The expenses incident to such election of delegates to the said convention shall be paid by the respective counties

Section 4 The number of delegates to be elected at such convention shall be fifteen all of whom shall be elected from the State at large

Section 5 Candidates for the office of delegate to the convention shall be qualified electors of the state nominations shall be by petition and not otherwise A single petition may place in nomination any number of candidates for delegate not exceeding the total number of such delegates to be elected and nomination petitions shall be signed by at least two thousand resident voters in each of at least ten congressional districts in the State as apportioned by the act of June twenty-seventh one thousand nine hundred and thirty-one (Pamphlet Laws one thousand four hundred sixteen) entitled "An act to apportion the State into congressional districts" Nomination shall be without party or official designation but the nominating petitions shall contain a statement by each nominee to the effect that he favors ratification or that he opposes ratification of the proposed amendment No nominating petition for delegate shall contain the name of any nominee whose position as stated therein is different from that of any other nominee as stated therein Nominating petitions shall be prepared and furnished by the Secretary of the Commonwealth and except as above provided shall be substantially in the form provided by the election laws for nomination petitions for candidates at primaries for the office of Representatives in Congress of the United States at large Any number of petitions may be circulated for a candidate or group of candidates and when filed shall be considered as one petition for that candidate or group of candidates Signatures shall not be obtained on any petitions prior to one hundred and twenty days before the date of the election

All nomination petitions shall be filed with the Secretary of the Commonwealth not less than sixty (60) days before the date of the election After the last day for filing petitions the Secretary of the Commonwealth shall proceed to ascertain the nominees by selecting two groups of nominees

The two groups of nominees shall be the fifteen having the largest number of signers to their petitions among those favoring ratification and the fifteen having the largest number of signers to their petitions among those opposing ratification

Ties shall be decided by lot drawn by the Secretary of the Commonwealth

Within thirty days after the last day for filing petitions the Secretary of the Commonwealth shall certify the nominees to the county commissioners of the respective counties

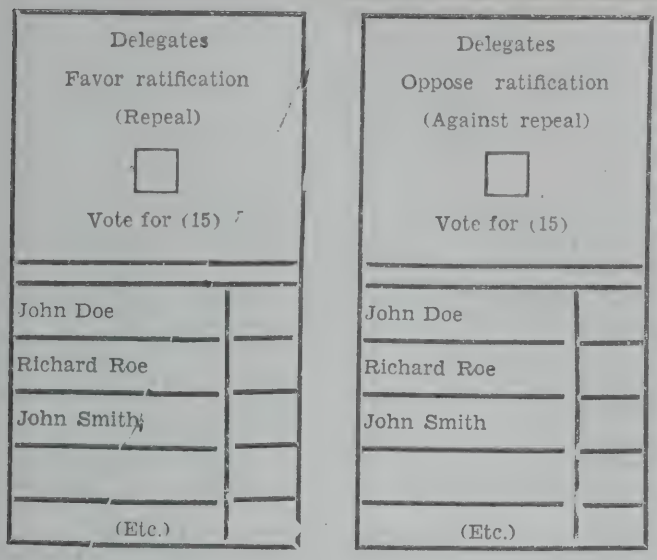
Section 6 The election shall be by ballot separate from any ballot to be used at the same election which shall be prepared by the Secretary of the Commonwealth in substantially the following form and shall be furnished to the various election districts by the county commissioners of the respective counties

CONSTITUTIONAL CONVENTION BALLOT

(Copy of Amendment)

INSTRUCTIONS TO VOTERS A cross mark X in the square at the head of any one of the two columns on this ballot votes for all candidates for delegates named in that column Do not mark a cross mark in more than one square at the head of a column

If you do not desire to vote for the group of nominees in any one column mark a cross mark X after the name or names of the candidates of your choice to the number indicated on the ballot



Each elector may vote for fifteen candidates for delegate A cross mark X in the square at the head of any one of the two columns on the ballot shall count as a vote for each of the candidates for delegate appearing in that column If an elector does not desire to vote by a cross mark X in the square at the head of a column then he may indicate the fifteen candidates for delegates of his choice by marking a cross mark X in the square opposite their respective names or he may insert the name of any candidate or candidates for whom he desires to vote in the appropriate blank spaces provided on the ballot.

When an elector votes in the square at the head of a column his power to vote is exhausted and if he thereafter inserts any cross mark X in any other square at the head of another column or after the name of a candidate in any column other than the one at the head of which he has placed his cross mark X his ballot shall be void

Section 7 The fifteen candidates receiving the highest number of votes in the entire state at said election shall be the delegates to said convention Any vacancy in the membership of the convention caused by the death or disability of any delegate or for any other cause shall be filled by appointment of a person by the majority vote of the group of delegates favoring ratification or opposing ratification as the case may be to which the absent delegate belonged

Section 8 The delegates to the convention shall serve without compensation and shall meet at the capitol on the twenty-eighth day after their election at twelve o'clock noon in the hall of the Senate and shall thereupon constitute a convention to pass upon the question of whether or not the proposed amendment shall be ratified

Section 9 The convention shall be the judge of the election and qualification of its members The convention shall be called to order by the Lieutenant Governor who shall be the chairman thereof but who shall not have any vote unless elected as a delegate The secretary of the Senate shall be the secretary of the convention and the chief clerk of the Senate and the chief clerk of the House of Representatives shall be the tellers of the convention The secretary of the Senate shall provide a reporter or reporters for the convention a sergeant-at-arms and one page whose compensation shall be paid out of the appropriation made by this act upon the approval of the Lieutenant Governor and secretary of the Senate In case of the inability of any of the persons herein named to be present the convention shall name some one in his stead

The Secretary of the Commonwealth shall as soon as the convention is called to order present the election returns of delegates which shall be opened and read after which the roll of names of those elected as shown by the returns shall be called and if any elected delegate is absent the vacancy shall then be filled as in this act provided

Before proceeding with the business of the convention the delegates shall take the constitutional oath of office which shall be administered by a judge of the court of common pleas

Section 10 The convention shall keep a journal of its proceedings in which shall be recorded the vote of each delegate on the question of ratification of the proposed amendment and the debates thereon Upon final adjournment the journal shall be filed with the Secretary of the Commonwealth

Section 11 If the convention shall agree by vote of a majority of the total number of delegates to the ratification of the proposed amendment a certificate to that effect shall be executed by the president and secretary of the convention and transmitted to the Secretary of the Commonwealth of this State who shall transmit the certificate under the great seal of the Commonwealth to the Secretary of State of the United States

Section 12 If at or about the time of submitting any such amendment Congress shall by statue prescribe the manner in which the conventions shall be constituted and shall not except from the provisions of such statute such states as may theretofore have provided for constituting such conventions the preceding provisions of this act shall be inoperative and the convention shall be constituted and shall operate as the said act of Congress shall direct and all officers of the State who may by the said statute be authorized or directed to take any action to constitute such a convention for this State are hereby authorized and directed to act thereunder and in obedience thereto with the same force and effect as if acting under a statute of this State

Section 13 The sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby specifically appropriated to the Secretary of the Senate for the payment of the compensation of the reporter or reporters sergeant-at-arms and page and for the payment of all other incidental and necessary expenses in connection with said convention

Section 14 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118

Andrews,	Green,	McGinnis,	Sarig,
Baldi,	Griffith,	McGrail,	Sautter,
Barnhardt,	Habbyshaw,	Melchiorre,	Schrope,
Bechtel,	Haines,	Metzler,	Schwab,
Beech,	Hamilton,	Mohn,	Scorza,
Bennett,	Hart,	Moore,	Scott,
Blumberg,	Heffernan,	Myers,	Shenkel,
Boyd,	Hefferon,	Nothnagle,	Shreiner,
Brancato,	Hermansen,	O'Connor,	Simon,
Brown, J. E.,	Hester,	O'Keefe,	Sowers,
Brown, W. L.,	Himes, L. R.,	O'Neill,	Spann,
Caputo,	Hoffman,	O'Rourke,	Stank,
Carey,	Holmes, J. B.,	Patterson,	Steedle,
Carson,	Hoopes,	Pennock,	Sterling, P.,
Chervenak,	Hough,	Perry, D. R.,	Stiteler,
Conner,	Howard,	Perry, J. J.,	Stone,
Cooke,	Jaffe,	Peters,	Stott,
Cordier,	Kane, J. J.,	Powell,	Tahl,
Craig,	Kane, L. P.,	Powers,	Turner,
Davies,	Kinney,	Price,	Westrick,
Denning,	Lane,	Quinn,	Williams, G. W.
Downey, J.,	Laubach,	Raub,	Williams, J. J.,
Ederer,	Lenahan,	Rectenwald,	Wilson, L. M.,
Evans,	Lewis,	Reed,	Wilson, T. B.,
Fitzgerald,	Long,	Rhodes	Witkin,
Fleisher,	Lovett, J. E.,	Rice,	Yourishin,
Flynn,	Male,	Roan,	Zimmerman,
Gallagher,	Malina,	Root,	Talbot,
Gartner,	Mason,	Roth,	Speaker.
Gorman.	McBride,	Ruby,	

NAYS—42

Baker,	Himes, H. E.,	McGregor,	Shortz,
Bernhard,	Holmes, J. L.,	McKay,	Snyder,
Brennan,	Horst,	McKinney,	Stevens,
Dane,	Hutton,	Mumford,	Stevenson,
DeFrehn,	Jones,	Negley,	Terry,
Downey, G. E.,	Labar,	Peelor,	Walker, W. A
Dunmire,	Lose,	Schrock,	Way,
Flinchbaugh,	Lynch, M.,	Sheffer,	White,
Gillette,	McCandless,	Shellenberger,	Wood,
Heffner,	McCreary,	Shettel,	Wright,
Hewitt,	McElwee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 712, entitled:

An Act to establish as a State highway a certain section of public road in the County of Lackawanna and providing for its construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Habbyshaw,	McGregor,	Shellenberger,
Baker,	Haines,	McHenry,	Shettel,
Barnhardt,	Hamilton,	McKay,	Shortz,
Bechtel,	Harmuth,	McKinney,	Shreiner,
Beech,	Harris,	Melchiorre,	Simon,
Bennett,	Hart,	Meredith,	Sinwell,
Bernhard,	Hartman,	Merrell,	Snyder,
Blumberg,	Hefferon,	Metzler,	Sowers,
Boyd,	Heffner,	Mohn,	Stank,
Brancato,	Hermansen,	Moore,	Sterling, P.,
Brennan,	Hewitt,	Mumford,	Sterling, R. B.,
Brown, J. E.,	Himes, H. E.,	Myers,	Stevens,
Brown, W. L.,	Himes, L. R.,	Nothnagle,	Stevenson,
Brownfield,	Hoffman,	O'Connor,	Stiteler,
Cannon,	Holmes, J. L.,	O'Keefe,	Stone,
Caputo,	Hoopes,	O'Neill,	Storb,
Carey,	Horst,	O'Rourke,	Stott,
Carson,	Hough,	Patterson,	Surface,
Chervenak,	Hutton,	Pennock,	Terry,
Conner,	Jaffe,	Perry, D. R.,	Wade,
Cooke,	Jones,	Perry, J. J.,	Wagner,
Cordier,	Kane, L. P.,	Peters,	Walker, G. E.,
Craig,	King,	Powell,	Walker, W. A.,
Dane,	Kinney,	Powers,	Wall,
Davies,	Labar,	Price,	Wasserman,
DeFrehn,	Lane,	Quinn,	Way,
Denning,	Laubach,	Raub,	Weidemann,
Downey, J.,	Lord,	Rectenwald,	Welsh,
Ederer,	Lose,	Reed,	Westrick,
Emhardt,	Lovett, W. S.,	Reilly,	Wike,
Eroe,	Lynch, M.,	Rhodes,	Williams, G. W.,
Evans,	Male,	Roan,	Williams, J. J.,
Fitzgerald,	Malina,	Root,	Wilson, L. M.,
Flanahan,	Maloney,	Roth,	Wilson, T. B.,
Fleisher,	Marcks,	Royle,	Witkin,
Flinchbaugh,	Mason,	Sarig,	Wood,
Flynn,	McCandless,	Sautter,	Woodside,
Forrest,	McClure,	Schrock,	Yeakel,
Furman,	McCreary,	Schrope,	Yourishin,
Gallagher,	McElwee,	Schwab,	Zimmerman,
Gartner,	McGinnis,	Scott,	Talbot,
Gorman,	McGrail,	Sheffer,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1127, entitled:

An Act declaring and adopting the Mountain Laurel (Kalmia latifolia) as the State flower of Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Baker,	Green,	McElwee,	Sheffer,
Baldi,	Greenstein,	McGinnis,	Shenkel,
Barnhardt,	Griffith,	McGrail,	Shettel,
Bechtel,	Habbyshaw,	McHenry,	Shreiner,
Beech,	Haines,	McKay,	Simon,
Bennett,	Hamilton,	McKinney,	Snyder,
Bernhard,	Harmuth,	Meredith,	Sowers,
Blumberg,	Harris,	Merrell,	Spann,
Boyd,	Hart,	Metzler,	Steedle,
Brancato,	Hartman,	Mohn,	Sterling, P.,
Brennan,	Heffernan,	Moore,	Sterling, R. B.,
Brown, J. E.,	Hefferon,	Mumford,	Stevens,
Brown, W. L.,	Heffner,	Myers,	Stevenson,
Brownfield,	Hermansen,	Negley,	Stone,
Cannon,	Hester,	Nothnagle,	Storb,
Caputo,	Hewitt,	O'Keefe,	Surface,
Carey,	Himes, H. E.,	O'Neill,	Tahl,
Carson,	Himes, L. R.,	O'Rourke,	Terry,
Chervenak,	Hoffman,	Peelor,	Turner,
Cohen,	Holmes, J. L.,	Pennock,	Wade,
Conner,	Hoopes,	Perry, D. R.,	Wagner,
Cooke,	Horst,	Perry, J. J.,	Walker, G. E.,
Cordier,	Hough,	Peters,	Walker, W. A.,
Cramer,	Howard,	Powell,	Wall,
Dane,	Hutton,	Powers,	Wasserman,
Davies,	Jaffe,	Price,	Way,
DeFrehn,	Jones,	Quinn,	Weidemann,
Denning,	Kane, J. J.,	Raub,	Welsh,
Downey, J.,	Kinney,	Rectenwald,	White,
Duffy,	Lane,	Reed,	Wike,
Dunmire,	Lenahan,	Reilly,	Williams, G. W.,
Ederer,	Long,	Rhodes,	Williams, J. J.,
Eroe,	Lord,	Root,	Wilson, L. M.,
Evans,	Lose,	Roth,	Wilson, T. B.,
Fitzgerald,	Lovett, W. S.,	Royle,	Wood,
Flanagan,	Lynch, J. R.,	Ruby,	Woodside,
Flinchbaugh,	Male,	Sautter,	Wright,
Flynn,	Malina,	Schrock,	Yeakel,
Forrest,	Maloney,	Schrope,	Yourishin,
Gallagher,	Marcks,	Schwab,	Zimmerman,
Gartner,	Mason,	Schwartz,	Talbot,
Gillette,	McCandless,	Scott,	Speaker.
Gorman,	McCreary,		

NAYS—1

Andrews.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 115, entitled:

An Act to amend section five hundred and twenty-three as added to the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined;" further limiting the purchase of supplies and materials.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Gorman,	Mason,	Scott,
Baker,	Green,	McCandless,	Sheffer,
Baldi,	Greenstein,	McClure,	Shenkel,
Bechtel,	Griffith,	McCreary,	Shortz,
Beech,	Habbyshaw,	McElwee,	Sinwell,
Bennett,	Haines,	McGrail,	Snyder,
Bernhard,	Hamilton,	McGregor,	Spann,
Blumberg,	Harmuth,	McHenry,	Stank,
Boyd,	Harris,	McKay,	Steedle,
Brancato,	Hart,	McKinney,	Sterling, P.,
Brennan,	Hartman,	Meredith,	Sterling, R. B.,
Brown, W. L.,	Heffernan,	Merrell,	Stevenson,
Brownfield,	Hefferon,	Metzler,	Stiteler,
Cannon,	Heffner,	Mohn,	Storb,
Carey,	Hermansen,	Moore,	Stott,
Carson,	Hester,	Myers,	Tahl,
Chervenak,	Hewitt,	Negley,	Terry,
Cohen,	Himes, H. E.,	Nothnagle,	Wade,
Conner,	Himes, L. R.,	O'Connor,	Wagner,
Cooke,	Hoffman,	O'Keefe,	Walker, G. E.,
Cordier,	Holmes, J. B.,	O'Neill,	Walker, W. A.,
Craig,	Holmes, J. L.,	O'Rourke,	Wasserman,
Cramer,	Hoopes,	Patterson,	Way,
Dane,	Horst,	Peelor,	Weidemann,
Davies,	Hough,	Perry, J. J.,	Welsh,
Denning,	Howard,	Powell,	Westrick,
Downey, G. E.,	Jaffe,	Powers,	White,
Downey, J.,	Jones,	Quinn,	Wike,
Dunmire,	Kane, J. J.,	Raub,	Williams, G. W.,
Dwyer,	Kane, L. P.,	Rectenwald,	Williams, J. J.,
Ederer,	Lane,	Reed,	Wilson, L. M.,
Emhardt,	Laubach,	Reilly,	Wilson, T. B.,
Eroe,	Lewis,	Rice,	Witkin,
Evans,	Long,	Roan,	Wood,
Fitzgerald,	Lovett, J. E.,	Roth,	Woodside,
Flanagan,	Lovett, W. S.,	Ruby,	Wright,
Fleisher,	Lynch, J. R.,	Sarig,	Yeakel,
Flynn,	Lynch, M.,	Sautter,	Yourishin,
Forrest,	Male,	Schrope,	Zimmerman,
Gallagher,	Malina,	Schwab,	Talbot,
Gartner,	Maloney,	Schwartz,	Speaker.
Gillette,	Marcks,	Scorza,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 541, entitled:

An Act establishing certain public roads and streets in the county of Allegheny as a State highway and providing for their construction and maintenance by the Department of Highways subject to certain terms and conditions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Forrest,	McGrail,	Shettel,
Baker,	Furman,	McHenry,	Shortz,
Baldi,	Gallagher,	McKay,	Shreiner,
Barnhardt,	Gartner,	McKinney,	Simon,
Bechtel,	Gillette,	Melchiorre,	Sinwell,
Beech,	Gorman,	Meredith,	Snyder,
Bennett,	Green,	Merrell,	Sowers,
Bernhard,	Greenstein,	Metzler,	Spann,
Blumberg,	Griffith,	Mohn,	Stank,
Boyd,	Habbyshaw,	Moore,	Sterling, P.,
Brancato,	Haines,	Mumford,	Sterling, R. B.
Brennan,	Hamilton,	Myers,	Stevens,
Brown, J. E.,	Harmuth,	Negley,	Stevenson,
Brown, W. L.,	Harris,	Nothnagle,	Stiteler,
Brownfield,	Hart,	O'Connor,	Stone,
Cannon,	Hartman,	O'Keefe,	Storb,
Caputo,	Heffernan,	O'Neill,	Stott,
Carey,	Hefferon,	O'Rourke,	Surface,
Carson,	Heffner,	Patterson,	Tahl,
Chervenak,	Hermanson,	Peelor,	Turner,
Cohen,	Hewitt,	Perry, D. R.,	Wade,
Conner,	Himes, H. E.,	Perry, J. J.,	Wagner,
Cooke,	Himes, L. R.,	Powell,	Walker, W. A.,
Cordier,	Hoffman,	Powers,	Wall,
Craig,	Hoopes,	Price,	Wasserman,
Cramer,	Hutton,	Raub,	Way,
Dane,	Kane, L. P.,	Rectenwald,	Weidemann,
Davies,	Labar,	Reed,	Welsh,
DeFrehn,	Lane,	Reilly,	Westrick,
Denning,	Lewis,	Rhodes,	White,
Downey, G. E.,	Long,	Roan,	Wike,
Downey, J.,	Lord,	Royle,	Williams, J. J.,
Duffy,	Lose,	Ruby,	Wilson, L. M.,
Dunmire,	Lynch, J. R.,	Sarig,	Witkin,
Dwyer,	Malina,	Sautter,	Wood,
Ederer,	Maloney,	Schrock,	Woodside,
Emhardt,	Mason,	Schrope,	Wright,
Eroe,	McBride,	Schwab,	Yeakel,
Evans,	McClure,	Schwartz,	Yourishin,
Flanagan,	McCreary,	Scott,	Zimmerman,
Fleisher,	McElwee,	Sheffer,	Talbot,
Flinchbaugh,	McGinnis,	Shellenberger,	Speaker.
Flynn,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1642, entitled:

An Act to authorize incorporated towns to secure lands for the purpose of establishing and maintaining municipal airports, airdomes, aviation landing fields, intermediate landing fields, and airport facilities; to establish, equip, condition, operate and maintain municipal airports, airdomes, landing fields, or intermediate landing fields, and lease the same, either separately or jointly with other political subdivisions of this Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Green,	McCreary,	Shreiner,
Baker,	Griffith,	McElwee,	Simon,
Baldi,	Habbyshaw,	McGrail,	Sinwell,
Barnhardt,	Haines,	McGregor,	Snyder,
Bechtel,	Hamilton,	McHenry,	Sowers,
Bennett,	Harmuth,	McKay,	Spann,
Bernhard,	Harris,	McKinney,	Stank,
Blumberg,	Heffernan,	Meredith,	Sterling, P.,
Boyd,	Heffner,	Metzler,	Sterling, R. B.,
Brancato,	Hermansen,	Mohn,	Stevens,
Brennan,	Hewitt,	Moore,	Stevenson,
Brown, J. E.,	Himes, H. E.,	Mumford,	Stiteler,
Brown, W. L.,	Himes, L. R.,	Myers,	Stone,
Brownfield,	Hoffman,	Negley,	Storb,
Cannon,	Holmes, J. B.,	Nothnagle,	Stott,
Caputo,	Holmes, J. L.,	O'Keefe,	Surface,
Carey,	Hoopes,	O'Rourke,	Tahl,
Carson,	Horst,	Peelor,	Terry,
Chervenak,	Hough,	Pennock,	Wade,
Cohen,	Hutton,	Perry, D. R.,	Wagner,

Conner,	Jaffe,	Perry, J. J.,	Walker, G. E.,
Cooke,	Jones,	Peters,	Walker, W. A.,
Cordier,	Kane, J. J.,	Powell,	Wall,
Craig,	Kane, L. P.,	Powers,	Wasserman,
Cramer,	King,	Price,	Way,
Dane,	Labar,	Quinn,	Weidemann,
Davies,	Laubach,	Raub,	Welsh,
DeFrehn,	Lewis,	Rectenwald,	Westrick,
Denning,	Long,	Reilly,	White,
Downey, G. E.,	Lord,	Rhodes,	Wike,
Downey, J.,	Lose,	Royle,	Williams, G. W.,
Duffy,	Lovett, J. E.,	Sarig,	Williams, J. J.,
Dunmire,	Lovett, W. S.,	Sautter,	Wilson, T. B.,
Dwyer,	Lynch, J. R.,	Schrock,	Witkin,
Ederer,	Lynch, M.,	Schrope,	Wood,
Eroe,	Male,	Schwab,	Woodside,
Evans,	Malina,	Schwartz,	Wright,
Fitzgerald,	Maloney,	Scorza,	Yeakel,
Flanagan,	Mason,	Scott,	Yourishin,
Fleisher,	McBride,	Sheffer,	Zimmerman,
Gallagher,	McCandless,	Shettel,	Talbot,
Gillette,	McClure,	Shortz,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2157 (Senate Bill No. 876), entitled:

An Act to amend clause (a) of section four hundred and eleven of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing of operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds;" by providing for transfer of registration from husband and wife to either spouse.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Gartner,	McCandless,	Ruby,
Bernhard,	Gillette,	McClure,	Sautter,
Boyd,	Gorman,	McCreary,	Schrock,
Brancato,	Green,	McElwee,	Schrope,
Brennan,	Griffith,	McGinnis,	Schwab,
Brown, J. E.,	Habbyshaw,	McGregor,	Schwartz,
Brown, W. L.,	Haines,	McHenry,	Scorza,
Brownfield,	Hamilton,	McKay,	Scott,
Cannon,	Harmuth,	McKinney,	Shellenberger,
Caputo,	Harris,	Metzler,	Shenkel,
Carey,	Hart,	Mohn,	Shettel,
Carson,	Heffernan,	Moore,	Shortz,
Chervenak,	Heffner,	Mumford,	Shreiner,
Cohen,	Hester,	Myers,	Simon,
Conner,	Hewitt,	Negley,	Sinwell,
Cooke,	Himes, L. R.,	Nothnagle,	Snyder,
Cordier,	Holmes, J. L.,	O'Connor,	Sowers,
Craig,	Hoopes,	O'Keefe,	Steedle,
Cramer,	Horst,	O'Neill,	Sterling, R. B.,
Dane,	Hough,	O'Rourke,	Stevens,
Davies,	Jones,	Patterson,	Stiteler,
DeFrehn,	Kane, J. J.,	Peelor,	Stone,
Denning,	Kane, L. P.,	Pennock,	Storb,
Downey, J.,	King,	Perry, D. R.,	Stott,
Downey, G. E.,	Kinney,	Perry, J. J.,	Tahl,
Duffy,	Labar,	Peters,	Turner,
Dunmire,	Lane,	Powell,	Wade,
Dwyer,	Laubach,	Powers,	Walker, G. E.,
Ederer,	Lenahan,	Price,	Wasserman,
Emhardt,	Lewis,	Quinn,	Weidemann,
Eroe,	Long,	Raub,	Welsh,
Evans,	Lord,	Rectenwald,	Wagner,
Fitzgerald,	Lose,	Reed,	Witkin,
Flanagan,	Lovett, W. S.,	Reilly,	Wright,
Fleisher,	Lynch, J. R.,	Rhodes,	Yeakel,
Flinchbaugh,	Lynch, M.,	Rice,	Yourishin,
Flynn,	Male,	Roan,	Zimmerman,
Forrest,	Maloney,	Root,	Talbot,
Furman,	Mason,	Roth,	Speaker.
Gallagher,	McBride,	Royle,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2121 (Senate Bill No. 763), entitled:

An Act to amend sections one and four of the act approved the fourteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred four) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State Highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" by providing for the maintenance of the existing highway.

On the question,

Will the House agree to the bill on third reading?

Mr. YEAKEL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 3, line two, by striking out the word "the."

Amend section 1, page 3, line 2, by striking out the strike-out brackets around the word "any."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2171 (Senate Bill No. 856), entitled:

An Act authorizing cities of the third class to provide, by ordinance, for the payment for public work or improvements heretofore made for or furnished to the city, where no legal or valid contract was entered into as required by law.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Harris,	McGrail,	Sheffer,
Baker,	Hart,	McHenry,	Shellenberger,
Barnhardt,	Hartman,	McKay,	Shenkel,
Beech,	Heffernan,	McKinney,	Shettel,
Bennett,	Hefferon,	Meredith,	Shortz,
Bernhard,	Heffner,	Metzler,	Shreiner,
Blumberg,	Hermansen,	Mohn,	Sinwell,
Boyd,	Hester,	Moore,	Snyder,
Brancato,	Hewitt,	Mumford,	Sowers,
Brown, J. E.,	Himes, H. E.,	Myers,	Spann,
Brown, W. L.,	Himes, L. R.,	Negley,	Steedle,
Cannon,	Hoffman,	Nothnagle,	Sterling, P.,
Caputo,	Holmes, J. B.,	O'Keefe,	Stevens,
Carson,	Holmes, J. L.,	O'Rourke,	Stevenson,
Cohen,	Hoopes,	Patterson,	Stiteler,
Conner,	Horst,	Peelor,	Stone,
Cooke,	Hough,	Pennock,	Stott,
Craig,	Hutton,	Perry, D. R.,	Terry,
Dane,	Jaffe,	Perry, J. J.,	Turner,
Davies,	Jones,	Peters,	Wagner,
Denning,	Kane, J. J.,	Powell,	Walker, G. E.,
Downey, J.,	Kane, L. P.,	Powers,	Walker, W. A.,
Duffy,	King,	Price,	Wall,
Dunmire,	Kinney,	Quinn,	Wasserman,
Dwyer,	Labar,	Raub,	Weidemann,
Ederer,	Lane,	Rectenwald,	Welsh,
Emhardt,	Laubach,	Reed,	Westrick,
Eroe,	Lewis,	Reilly,	White,
Evans,	Long,	Rhodes,	Wike,
Flanagan,	Lord,	Rice,	Williams, G. W.,
Fleisher,	Lose,	Roan,	Williams, J. J.,
Flynn,	Lovett, J. E.,	Root,	Wilson, L. M.,
Forrest,	Lovett, W. S.,	Royle,	Wilson, T. B.,
Furman,	Lynch, J. R.,	Ruby,	Witkin,
Gallagher,	Male,	Sarig,	Wood,
Gartner,	Malina,	Sautter,	Woodside,
Gillette,	Maloney,	Schrock,	Wright,
Gorman,	Mason,	Schrope,	Yeakel,
Green,	McCandless,	Schwab,	Yourishin,
Greenstein,	McCreary,	Schwartz,	Zimmerman,
Griffith,	McElwee,	Scorza,	Talbot,
Haines,	McGinnis,	Scott,	Speaker.
Hamilton,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2169 (Senate Bill No. 794), entitled:

An Act establishing certain public roads and streets in the City of Pittsburgh and County of Allegheny as a State highway and providing for their construction and maintenance by the Department of Highways subject to certain terms and conditions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Griffith,	McBride,	Snyder,
Baker,	Habbyshaw,	McGinnis,	Sowers,
Baldi,	Hamilton,	McHenry,	Spann,
Barnhardt,	Harmuth,	McKinney,	Stank,
Bechtel,	Harris,	Melchiorre,	Steedle,
Beech,	Hart,	Meredith,	Sterling, P.,
Bernhard,	Hartman,	Merrell,	Sterling, R. B.,
Blumberg,	Heffernan,	Metzler,	Stevens,
Boyd,	Hefferon,	Mohn,	Stevenson,
Brancato,	Heffner,	Moore,	Stiteler,
Brennan,	Hewitt,	Mumford,	Stone,
Brown, J. E.,	Himes, H. E.,	Myers,	Storb,
Brown, W. L.,	Himes, L. R.,	Negley,	Stott,
Brownfield,	Holmes, J. L.,	Nothnagle,	Surface,
Cannon,	Hoopes,	O'Connor,	Tahl,
Caputo,	Horst,	O'Keefe,	Terry,
Carey,	Hough	O'Neill,	Turner,
Carson,	Howard,	O'Rourke,	Wade,
Chervenak,	Hutton,	Patterson,	Wagner,
Cohen,	Jaffe,	Pennock,	Walker, G. E.,
Conner,	Jones,	Peters,	Walker, W. A.,
Cooke,	Kane, J. J.,	Powell,	Wall,
Cordier,	Kane, L. P.,	Powers,	Wasserman,
Craig,	King,	Price,	Way,
Cramer,	Kinney,	Quinn,	Weidemann,
Davies,	Labar,	Raub,	Welsh,
DeFrehn,	Lane,	Rectenwald,	Westrick,
Downey, J.,	Laubach,	Reed,	White,
Ederer,	Lenahan,	Reilly,	Wike,
Emhardt,	Lewis,	Rhodes,	Williams, G. W.,
Eroe,	Long,	Roan,	Williams, J. J.,
Evans,	Lord,	Ruby,	Wilson, L. M.,
Fitzgerald,	Lose,	Sarig,	Wilson, T. B.,
Flanagan,	Lovett, J. E.,	Schrock,	Witkin,
Fleisher,	Lovett, W. S.,	Schwartz,	Wood,
Flinchbaugh,	Lynch, J. R.,	Sheffer,	Woodside,
Flynn,	Lynch, M.,	Shellenberger,	Wright,
Forrest,	Male,	Shettel,	Yeakel,
Furman,	Malina,	Shortz,	Yourishin,
Gallagher,	Maloney,	Shreiner,	Zimmerman,
Gillette,	Marcks,	Simon,	Talbot
Gorman,	Mason,	Sinwell,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment,

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2084 (Senate Bill No. 296), entitled:

An Act to amend Sections Five and Six of the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws seven hundred twenty) entiled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing therein authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" by providing for the limit of width of construction and maintenance on said streets.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Green,	Melchiorre,	Simon,
Baker,	Greenstein,	Meredith,	Sinwell,
Baldi,	Griffith,	Merrell,	Snyder,
Barnhardt,	Habbyshaw,	Metzler,	Sowers,
Bechtel,	Haines,	Moore,	Spann,

Beech,	Hamilton,	Mumford,	Stank,
Bernhard,	Harris,	Negley,	Steedle,
Blumberg,	Hart,	Nothnagle,	Sterling, P.
Boyd,	Hartman,	O'Connor,	Sterling, R. B.,
Brancato,	Heffernan,	O'Keefe,	Stevens,
Brennan,	Hefferon,	O'Neill,	Stevenson,
Brown, J. E.,	Heffner,	O'Rourke,	Stiteler,
Brown, W. L.,	Hermansen,	Patterson,	Stone,
Brownfield,	Hester,	Peelor,	Storb,
Cannon,	Hewitt,	Pennock,	Stott,
Caputo,	Himes, H. E.,	Perry, D. R.,	Surface,
Carey,	Himes, L. R.,	Perry, J. J.,	Tahl,
Chervenak,	Hoffman,	Peters,	Terry,
Cohen,	Holmes, J. L.,	Powell,	Turner,
Conner,	Hoopes,	Powers,	Wade,
Cooke,	Howard,	Price,	Wagner,
Cordier,	Kane, J. J.,	Quinn,	Walker, G. E.,
Craig,	Kane, L. P.,	Rectenwald,	Walker, W. A.,
Cramer,	Lane,	Reed,	Wall,
Dane,	Lewis,	Reilly,	Wasserman,
Davies,	Lord,	Rhodes,	Way,
Denning,	Lose,	Rice,	Weidemann,
Downey, G. E.,	Lovett, J. E.,	Roan,	Welsh,
Duffy,	Lovett, W. S.,	Root,	Westrick,
Dunmire,	Lynch, J. R.,	Roth,	White,
Dwyer,	Lynch, M.,	Royle,	Wike,
Ederer,	Male,	Ruby,	Williams, G. W.,
Emhardt,	Malina,	Sarig,	Williams, J. J.,
Eroe,	Maloney,	Sautter,	Wilson, L. M.,
Evans,	Mason,	Schrock,	Wilson, T. B.,
Fitzgerald,	McBride,	Schrope,	Witkin,
Flanagan,	McCandless,	Schwab,	Wood,
Fleisher,	McClure,	Schwartz,	Woodside,
Flinchbaugh	McCreary,	Scorza,	Wright,
Flynn,	McElwee,	Scott,	Yeakel,
Forrest,	McGinnis,	Sheffer,	Yourishin,
Gallagher,	McGrail,	Shellenberger,	Zimmerman,
Gartner,	McGregor,	Shettel,	Talbot,
Gillette,	McKay,	Shortz,	Speaker.
Gorman,	McKinney,	Shreiner,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2154 (Senate Bill No. 848), entitled:

A Supplement to the act, approved the eighth day of May, one thousand nine hundred and nineteen (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River," and its amendments, authorizing the commission created under said act to borrow money from the Reconstruction Finance Corporation for the purpose of constructing toll bridges, to charge tolls thereon, and to repay loans from tolls collected.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Gallagher,	McKinney,	Sheffer,
Baker,	Gartner,	Meredith,	Shenkel,
Baldi,	Greenstein,	Merrell,	Shettel,
Barnhardt,	Griffith,	Metzler,	Shortz,
Bechtel,	Hamilton,	Mohn,	Shreiner,
Beech,	Harmuth,	Moore,	Simon,
Bernhard,	Heffernan,	Mumford,	Sinwell,
Blumberg,	Hefferon,	Myers,	Sowers,
Boyd,	Hermansen,	Negley,	Spann,
Brancato,	Hewitt,	Nothnagle,	Stank,
Brennan,	Himes, L. R.,	O'Connor,	Steedle,
Brown, J. E.,	Hoffman,	O'Keefe,	Sterling, P.,
Brown, W. L.,	Holmes, J. B.,	O'Neill,	Stevens,
Brownfield,	Holmes, J. L.,	O'Rourke,	Stiteler,
Cannon,	Hoopes,	Patterson,	Storb,
Caputo,	Horst,	Peelor,	Stott,
Carey,	Hough,	Pennock,	Surface,
Carson,	Howard,	Perry, D. R.,	Tahl,
Chervenak,	Hutton,	Perry, J. J.,	Turner,
Conner,	Jaffe,	Peters,	Wagner,
Cooke,	Jones,	Powell,	Walker, G. E.,
Cordier,	Kane, J. J.,	Powers,	Walker, W. A.,
Craig,	Kane, L. P.,	Price,	Wasserman,
Cramer,	King,	Quinn,	Way,
Dane,	Kinney,	Raub,	Weidemann,
Davies,	Labar,	Rectenwald,	Welsh,
DeFrehn,	Lane,	Reed,	Westrick,
Denning,	Laubach,	Reilly,	White,
Downey, G. E.,	Lenahan,	Rhodes,	Wike,
Downey, J.,	Lewis,	Rice,	Williams, G. W.,
Duffy,	Long,	Roan,	Williams, J. J.,
Dunmire,	Lose,	Root,	Wilson, L. M.,
Dwyer,	Lovett, J. E.,	Roth,	Wilson, T. B.,
Ederer,	Lynch, J. R.,	Royle,	Witkin,
Emhardt,	Malina,	Ruby,	Wood,
Evans,	Marcks,	Sautter,	Woodside,
Fitzgerald,	Mason,	Schrock,	Wright,
Flanagan,	McCandless,	Schrope,	Yeakel,
Fleisher,	McCreary,	Schwab,	Yourishin,
Flinchbaugh,	McGinnis,	Schwartz,	Zimmerman,
Flynn,	McGrail,	Scorza,	Talbot,
Forrest,	McGregor,	Scott,	Speaker.
Furman,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2093, (Senate Bill No. 679), entitled:

An Act to amend section twenty-nine of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; refining highways and State-aid highways; providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty

for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by relieving townships of the duty to contribute towards the maintenance of certain State-aid highways; and discharging certain existing obligations therefor.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Gillette,	McGrail,	Shellenberger,
Baker,	Green,	McHenry,	Shenkel,
Baldi,	Greenstein,	McKay,	Shortz,
Barnhardt,	Habbyshaw,	McKinney,	Shreiner,
Beech,	Haines,	Meredith,	Simon,
Bennett,	Hamilton,	Merrell,	Sinwell,
Bernhard,	Harmuth,	Metzler,	Snyder,
Blumberg,	Harris,	Mohn,	Sowers,
Brancato,	Hart,	Moore,	Stank,
Brennan,	Hartman,	Mumford,	Steedle,
Brown, J. E.,	Heffernan,	Negley,	Sterling, P.,
Brown, W. L.,	Hefferon,	Nothnagle,	Sterling, R. B.,
Brownfield,	Heffner,	O'Connor,	Stevenson,
Cannon,	Hermansen,	O'Keefe,	Stiteler,
Carey,	Hester,	O'Neill,	Stone,
Carson,	Hewitt,	O'Rourke,	Storb,
Chervenak,	Himes, H. E.,	Patterson,	Surface,
Cohen,	Himes, L. R.,	Peelor,	Tahl,
Conner,	Hoffman,	Pennock,	Terry,
Cooke,	Hoopes,	Perry, D. R.,	Turner,
Craig,	Jaffe,	Perry, J. J.,	Wade,
Cramer,	Jones,	Peters,	Walker, G. E.,
Dane,	Kane, L. P.,	Powell,	Walker, W. A.,
DeFrehn,	Kinney,	Powers,	Way,
Denning,	Lane,	Price,	Weidemann,
Downey, G. E.,	Laubach,	Quinn,	Welsh,
Downey, J.,	Long,	Rectenwald,	Wetrick,
Duffy,	Lose,	Reilly,	White,
Dunmire,	Lovett, J. E.,	Rhodes,	Wike,
Dwyer,	Lovett, W. S.,	Rice,	Williams, G. W.,
Ederer,	Lynch, J. R.,	Roan,	Williams, J. J.,
Emhardt,	Lynch, M.,	Root,	Wilson, L. M.,
Eroe,	Male,	Roth,	Wilson, T. B.,
Evans,	Malina,	Royle,	Witkin,
Fitzgerald,	Maloney,	Ruby,	Wood,
Flanagan,	Marcks,	Sautter,	Woodside,
Fleisher,	Mason,	Schrock,	Wright,
Flinchbaugh,	McBride,	Schrope,	Yeakel,
Flynn,	McCandless,	Schwab,	Yourishin,
Forrest,	McClure,	Schwartz,	Zimmerman,
Furman,	McCreary,	Scorza,	Talbot,
Gallagher,	McGinnis,	Scott,	Speaker.
Gartner,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2066 (Senate Bill No. 498), entitled:

An Act authorizing counties, cities, boroughs, townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds and fixing a penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That to meet the emergency occasioned by the extraordinary decrease in tax collections due to business depression and widespread unemployment it shall be lawful for any county city borough township of the first and second class and school districts to issue and sell at not less than par bonds bearing interest at a rate not exceeding six per cent (6%) per annum payable in not more than ten (10) years from the date of said bonds in an amount not exceeding eighty per cent (80%) of the amount of uncollected taxes due on real estate at the date of the enactment of the ordinance or the adoption of the resolution authorizing such action Any subsequent borrowing under the provisions of this act shall be limited to an amount which when added to the amount or amounts previously borrowed shall not exceed eighty per cent (80%) of the amount of the uncollected taxes and the proceeds of any bonds created under the provisions of this act by any such municipality or quasi municipality shall be used only for the payment of the operating expenses of such municipality or quasi municipality

Section 2 For the purpose of creating a sinking fund for the payment of the principal and interest of the bonds created under the provisions of this act and any taxes covenanted to be paid thereon the governing bodies of the municipalities or quasi municipalities issuing same shall annually (until payment of the said bonds and the interest thereon and any taxes covenanted to be paid thereon be fully provided for) levy and collect in addition to the other taxes a tax sufficient to pay the interest and principal of said indebtedness and any taxes covenanted to be paid theron within (10) years from the date of said bonds Such taxes shall be called the "Emergency Sinking Fund Tax" and shall be paid into the treasury of such municipality or quasi municipality and shall be kept separate and distinct from all other funds in a fund to be called "Emergency Sinking Fund" and shall be applied to the redemption of said bonds and the payment of the interest and taxes if any thereon and to no other purpose whatsoever and said bonds when so redeemed shall be cancelled

Section 3 Each ordinance or resolution authorizing the issuing of said bonds shall recite an amount of the uncollected taxes then due at least equal to the amount equal to the proposed issue of bonds shall become a trust fund for the redemption of said bonds and the payment of the interest and taxes if any thereon and it shall be the duty of the secretary or clerk of the governing body to credit the Emergency Sinking Fund with such taxes and of the treasurer of such municipality or quasi municipality to deposit in the Emergency Sinking Fund immediately upon receipt thereof any and all said uncollected taxes provided that the amount of said uncollected taxes received and deposited in the Emergency Sinking Fund in any year may be deducted from the amount of the annual tax levied for the year following to be levied and collected for the redemption of said bonds and the payment of the interest and taxes if any thereon

Section 4 Any person who shall directly or indirectly apply or use any of said uncollected taxes to or for any purposes other than to deposit the same in the Emergency Sinking Fund shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding one thousand dollars ($1,000.00) or imprisoned for a term not exceeding one (1) year or either or both in the discretion of the court

Section 5 The trust fund and the emergency sinking fund covering each issue of bonds under the provisions of this act shall be alike numbered and in consecutive order and the amount thereof as well as the uncollected taxes due and collectible shall be deducted from the gross indebtedness in ascertaining the net indebtedness of such municipality or quasi municipality

Section 6 The temporary emergency power hereby granted shall be in addition to the powers granted to such municipalities or quasi municipalities to issue and create indebtedness under existing law

Section 7 Any bonds issued under the provisions of this act shall be issued in accordance with the provisions of the Constitution of this Commonwealth and the act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" as supplemented and amended and shall require the approval of the Department of Internal Affairs

Section 8 This act shall become effective immediately upon its approval by the Governor and remain in force and effect only for five (5) years thereafter

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Griffith,	McGregor,	Shellenberger,
Baker,	Habbyshaw,	McHenry,	Shenkel,
Baldi,	Haines,	McKay,	Shettel,
Barnhardt,	Hamilton,	McKinney,	Shortz,
Bechtel,	Harris,	Melchiorre,	Shreiner,
Beech,	Hart,	Meredith,	Simon,
Bennett,	Heffernan,	Merrell,	Snyder,
Bernhard,	Hefferon,	Metzler,	Sowers,
Boyd,	Heffner,	Mohn,	Spann,
Brancato,	Hermansen,	Moore,	Stank,
Brennan,	Hester,	Mumford,	Sterling, P.,
Brown, J. E.,	Hewitt,	Myers,	Sterling, R. B.,
Brown, W. L.,	Himes, H. E.,	Negley,	Stevens,
Brownfield,	Himes, L. R.,	Nothnagle,	Stevenson,
Cannon,	Hoffman,	O'Connor,	Stiteler,
Caputo,	Holmes, J. L.,	O'Keefe,	Stone,
Carey,	Hoopes,	O'Neill,	Storb,
Carson,	Horst,	O'Rourke,	Stott,
Chervenak,	Hough,	Patterson,	Surface,
Cohen,	Hutton,	Peelor,	Tahl,
Conner,	Jaffe,	Pennock,	Terry,
Cooke,	Jones,	Perry, D. R.,	Turner,
Cordier,	Kane, J. J.,	Perry, J. J.,	Wagner,
Craig,	Kane, L. P.,	Peters,	Walker, G. E.,
Cramer,	Kinney,	Powell,	Walker, W. A.,
Davies,	Labar,	Powers,	Wall,
DeFrehn,	Lane,	Price,	Wasserman,
Denning,	Lenahan,	Quinn,	Way,
Downey, G. E.,	Lewis,	Raub,	Weidemann,
Downey, J.,	Long,	Rectenwald,	Welsh,
Duffy,	Lose,	Reed,	Westrick,
Dunmire,	Lovett, J. E.,	Reilly,	White,
Ederer,	Lovett, W. S.,	Rhodes,	Wike,
Emhardt,	Lynch, J. R.,	Rice,	Williams, G. W.,
Eroe,	Lynch, M.,	Roan,	Williams, J. J.,
Evans,	Male,	Root,	Wilson, L. M.,
Fitzgerald,	Malina,	Roth,	Wilson, T. B.,
Flanagan,	Maloney,	Royle,	Witkin,
Fleisher,	Marcks,	Ruby,	Wood,
Flinchbaugh,	Mason,	Sautter,	Woodside,
Flynn,	McBride,	Schrock,	Wright,
Gallagher,	McCandless,	Schrope,	Yeakel,
Gartner,	McClure,	Schwab,	Yourishin,
Gillette,	McCreary,	Schwartz,	Zimmerman,
Gorman,	McElwee,	Scorza,	Talbot,
Green,	McGinnis,	Scott,	Speaker.
Greenstein,	McGrail,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1460, (Senate Bill No. 489), entitled:

An Act establishing as State highways certain condemned or abandoned turnpikes, and turnpikes the companies or associations owning which have been dissolved, and requiring their construction, repair and maintenance as such.

On the question,

Will the House agree to the bill on third reading?

Mr. MASON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1, page 2, line 10, by inserting after the word "laws" the following: "Provided, That no turnpike shall be taken over by the Commonwealth under the provisions of this act if a contract for the improvement thereof has been entered into between a contractor and the Commonwealth, or local authorities, or both, until such contract shall have been completed."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? It there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question.

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2291 (Senate Bill No. 972), entitled:

An Act making an appropriation to the Zoar Home for Mothers Babies and Convalescents of Allison Park Allegheny County

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Haines,	Merrell,	Shortz,
Baker,	Hamilton,	Metzler,	Shreiner,
Baldi,	Harris,	Mohn,	Shugarts,
Barnhardt,	Hart,	Moore,	Simon,
Bechtel,	Heffernan,	Mumford,	Sinwell,
Beech,	Hefferon,	Myers,	Snyder,
Bennett,	Heffner,	Negley,	Sowers,
Bernhard,	Hermansen,	Nothnagle,	Spann,
Blumberg,	Hewitt,	O'Connor,	Steedle,
Boyd,	Himes, H. E.,	O'Keefe,	Sterling, P.,
Brancato,	Hoffman,	O'Neill,	Stevens,
Brennan,	Holmes, J. B.,	O'Rourke,	Stevenson,
Brown, W. L.,	Holmes, J. L.,	Patterson,	Stiteler,
Brownfield,	Hoopes,	Peelor,	Storb,
Cannon,	Horst,	Pennock,	Stott,
Caputo,	Hough,	Perry, D. R.,	Surface,
Carey,	Hutton,	Perry, J. J.,	Tahl,
Carson,	Jaffe,	Peters,	Terry,
Chervenak,	Jones,	Powell,	Turner,
Cohen,	Kane, J. J.,	Powers,	Wade,
Conner,	Kane, L. P.,	Price,	Wagner,
Cooke,	King,	Quinn,	Walker, G. E.,
Cordier,	Laubach,	Raub,	Walker, W. A.,
Craig,	Lewis,	Rectenwald,	Wasserman,
Dane,	Long,	Reed,	Way,
Davies,	Lord,	Reilly,	Weidemann,
DeFrehn,	Lose,	Rhodes,	Welsh,
Denning,	Lovett, W. S.,	Rice,	Westrick,
Duffy,	Lynch, J. R.,	Roan,	White,
Dunmire,	Male,	Root,	Wike,
Dwyer,	Malina,	Roth,	Williams, G. W.,
Ederer,	Maloney,	Royle,	Williams, J. J.,
Emhardt,	Mason,	Ruby,	Wilson, T. B.,
Fleisher,	McBride,	Ruth,	Witkin,
Forrest,	McCandless,	Sarig,	Wood,
Gallagher,	McClure,	Sautter,	Woodside,
Gartner,	McCreary,	Schrock,	Wright,
Gillette,	McElwee,	Schwartz,	Yeakel,
Gorman,	McGregor,	Scorza,	Yourishin,
Green,	McKay,	Scott,	Zimmerman,
Greenstein,	McKinney,	Sheffer,	Talbot,
Griffith,	Meredith,	Shellenberger,	Speaker.
Habbyshaw,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2288 (Senate Bill No. 836), entitled:

An Act making an appropriation to the Department of Welfare for the payment of claims against the Commonwealth for the erection and construction of railroad tracks and trestles at the Danville State Hospital

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Forrest,	McKay,	Scott,
Baker,	Gallagher,	McKinney,	Sheffer,
Baldi,	Gartner,	Meredith,	Shellenberger,
Barnhardt,	Gillette,	Merrell,	Shenkel,
Bechtel,	Gorman,	Metzler,	Shettel,
Beech,	Green,	Mohn,	Shortz,
Bennett,	Greenstein,	Moore,	Shreiner,
Bernhard,	Griffith,	Mumford,	Snyder,
Blumberg,	Habbyshaw,	Myers,	Sowers,
Boyd,	Haines,	Negley,	Spann,
Brancato,	Hamilton,	Nothnagle,	Steedle,
Brennan,	Harris,	O'Connor,	Sterling, P.,
Brown, J. E.,	Hart,	O'Keefe,	Stevens,
Brown, W. L.,	Heffernan,	O'Neill,	Stevenson,
Brownfield,	Hefferon,	O'Rourke,	Stiteler,
Cannon,	Heffner,	Patterson,	Storb,
Caputo,	Hermansen,	Peelor,	Stott,
Carey,	Hewitt,	Pennock,	Surface,
Carson,	Himes, H. E.,	Perry, D. R.,	Tahl,
Chervenak,	Hoffman,	Perry, J. J.,	Terry,
Cohen,	Holmes, J. L.,	Peters,	Turner,
Conner,	Horst,	Powell,	Wade,
Cooke,	Hough,	Powers,	Walker, W. A.,
Cordier,	Hutton,	Price,	Wasserman,
Craig,	Jaffe,	Quinn,	Way,
Dane,	Jones,	Raub,	Weidemann,
Davies,	Kane, L. P.,	Rectenwald,	Welsh,
DeFrehn,	King,	Reed,	Westrick,
Denning,	Laubach,	Reilly,	White,
Downey, G. E.,	Lewis,	Rhodes,	Wike,
Downey, J.,	Long,	Rice,	Williams, G. W.
Duffy,	Lord,	Roan,	Williams, J. J.,
Dunmire,	Lose,	Root,	Wilson, T. B.,
Dwyer,	Lovett, W. S.,	Roth,	Witkin,
Ederer,	Lynch, J. R.,	Royle,	Wood,
Emhardt,	Maloney,	Ruby,	Woodside,
Eroe,	Mason,	Ruth,	Wright,
Evans,	McBride,	Sarig,	Yeakel,
Fitzgerald,	McCandless,	Sautter,	Yourishin,
Flanagan,	McClure,	Schrock,	Zimmerman,
Fleisher,	McCreary,	Schwartz,	Talbot,
Flinchbaugh,	McElwee,	Scorza,	Speaker.
Flynn,	McGregor,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2285 (Senate Bill No. 190), entitled:

An Act making an appropriation to the Brownsville General Hospital, Brownsville, Pennsylvania.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Furman,	McCandless,	Schrock,
Baker,	Gallagher,	McClure,	Schwartz,
Baldi,	Gartner,	McCreary,	Scorza,
Barnhardt,	Gillette,	McElwee,	Scott,
Bechtel,	Gorman,	McGinnis,	Sheffer,
Beech,	Green,	McGrail,	Shellenberger,
Bennett,	Greenstein,	McGregor,	Shortz,
Bernhard,	Griffith,	McKay,	Shreiner,
Blumberg,	Habbyshaw,	McKinney,	Snyder,
Boyd,	Haines,	Meredith,	Sowers,
Brancato,	Hamilton,	Merrell,	Spann,
Brennan,	Harris,	Metzler,	Steedle,
Brown, W. L.,	Hart,	Mohn,	Sterling, P.,
Brownfield,	Heffernan,	Moore,	Stevens,
Cannon,	Hefferon,	Mumford,	Stevenson,
Caputo,	Heffner,	Myers,	Stiteler,
Carey,	Hermansen,	Negley,	Storb,
Carson,	Hewitt,	Nothnagle,	Stott,
Chervenak,	Himes, H. E.,	O'Connor,	Surface,
Cohen,	Hoffman,	O'Keefe,	Tahl,
Conner,	Holmes, J. L.,	O'Neill,	Terry,
Cooke,	Horst,	O'Rourke,	Turner,
Cordier,	Hough,	Patterson,	Wade,
Craig,	Hutton,	Peelor,	Walker, W. A.,
Dane,	Jaffe,	Pennock,	Wasserman,
Davies,	Jones,	Perry, D. R.,	Way,
DeFrehn,	Kane, L. P.,	Perry, J. J.,	Weidemann,
Denning,	King,	Peters,	Welsh,
Downey, G. E.,	Labar,	Powell,	White,
Downey, J.,	Lane,	Powers,	Wike,
Duffy,	Laubach,	Price,	Williams, G. W.,
Dunmire,	Lewis,	Quinn,	Williams, J. J.,
Dwyer,	Long,	Raub,	Wilson, T. B.,
Ederer,	Lord,	Rectenwald,	Witkin,
Emhardt,	Lose,	Reed,	Wood,
Eroe,	Lovett, W. S.,	Rice,	Woodside,
Evans,	Lynch, J. R.,	Roan,	Wright,
Fitzgerald,	Male,	Root,	Yeakel,
Flanagan,	Malina,	Roth,	Yourishin,
Fleisher,	Maloney,	Royle,	Zimmerman,
Flinchbaugh,	Mason,	Ruby,	Talbot,
Flynn,	McBride,	Sautter,	Speaker.
Forrest,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2284 (Senate Bill No. 189), entitled:

An Act making an appropriation to the Uniontown Hospital, Uniontown, Pennsylvania.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163

Andrews,	Haines,	McKay,	Sheffer,
Baldi,	Hamilton,	McKinney,	Shellenberger
Barnhardt,	Harris,	Meredith,	Shortz,
Bechtel,	Hart,	Merrell,	Shreiner,
Bennett,	Heffernan,	Metzler,	Snyder,
Bernhard,	Hefferon,	Mohn,	Sowers,
Blumberg,	Heffner,	Moore,	Spann,
Boyd,	Hermansen,	Mumford,	Steedle,
Brancato,	Hewitt,	Myers,	Sterling, P.,
Brennan,	Himes, H. E.,	Negley,	Stevens,
Brown, J. E.,	Hoffman,	Nothnagle,	Stevenson,
Brown, W. L.,	Holmes, J. B.,	O'Connor,	Stiteler,
Brownfield,	Holmes, J. L.,	O'Keefe,	Storb,
Cannon,	Hoopes,	O'Neill,	Stott,
Caputo,	Horst,	O'Rourke,	Surface,
Carey,	Hough,	Patterson,	Tahl,
Carson,	Hutton,	Peelor,	Terry,
Chervenak,	Jaffe,	Pennock,	Turner,

Cohen,	Jones,	Perry, D. R.,	Wade,
Conner,	Kane, L. P.,	Perry, J. J.,	Wagner,
Cooke,	King,	Peters,	Walker, G. E.,
Cordier,	Kinney,	Powell,	Walker, W. A.,
Craig,	Labar,	Powers,	Wasserman,
Dane,	Lane,	Price,	Way,
Davies,	Laubach,	Quinn,	Weidemann,
DeFrehn,	Lewis,	Raub,	Welsh,
Denning,	Long,	Rectenwald,	Westrick,
Duffy,	Lord,	Reed,	White,
Dunmire,	Lose,	Reilly,	Wike,
Dwyer,	Lovett, W. S.,	Rhodes,	Williams, G. W.
Ederer,	Lynch, J. R.,	Rice,	Williams, J. J.,
Emhardt,	Lynch, M.,	Roan,	Wilson, L. M.,
Fleisher,	Male,	Root,	Wilson, T. B.,
Forrest,	Malina,	Roth,	Witkin,
Gallagher,	Maloney,	Royle,	Wood,
Gartner,	Mason,	Ruby,	Woodside,
Gillette,	McBride,	Sarig,	Wright,
Gorman,	McCandless,	Sautter,	Yeakel,
Green,	McClure,	Schrock,	Yourishin,
Greenstein,	McCreary,	Schwartz,	Zimmerman,
Griffith,	McElwee,	Scorza,	Talbot,
Habbyshaw,	McGregor,	Scott,	Speaker.

NAYS—1

Baker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2283 (Senate Bill No. 100), as follows:

An Act relating to the relief of the burden of local taxation making an appropriation out of the Motor License Fund providing for the allocation thereof to cities towns boroughs and townships prescribing the time manner basis and purposes for and upon which such said money shall be allocated and paid specifying the uses for which said moneys may be expended and imposing powers and duties upon the Department of Highways the Auditor General State Treasurer and on cities boroughs towns and townships and officers thereof and providing penalties

WHEREAS There are one hundred and eight thousand miles of streets and roads in Pennsylvania and

WHEREAS The users of the said one hundred and eight thousand miles of streets and roads pay in the form of the gasoline tax and motor license fees approximately seventy million dollars per annum and

WHEREAS The seventy million dollars thus collected from the users of all the streets and roads in the Commonwealth are being expended on only the thirty-three thousand miles of roads on the State system and

WHEREAS The remaining seventy-five thousand miles must be built and maintained primarily from funds raised through local taxes on real estate and

WHEREAS Because of the heavy traffic on the seventy-five thousand miles of city borough town first- and second-class township roads and streets the public officials thereof are unable to keep the said roads and streets in a fit condition for the saftey and convenience of the traveling public without further adding to the burden of the local taxpayer and

WHEREAS The cities towns boroughs first- and second-class township municipal divisions comprising the Commonwealth are in dire need of relief from the burden of local taxes and

WHEREAS An appropriation of nineteen million two-hundred fifty thousand dollars allocated to cities towns boroughs first and second-class townships of the Commonwealth on a mileage basis and in accordance with the burden of traffic carried thereon will aid in reducing the burden of the local taxpayer and result in the improvement of the streets and roads for the safety convenience and economical operation of motor vehicles therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Municipal Tax Relief Act"

Section 2 That the sum of, nineteen million two hundred fifty thousand dollars ($19,250,000) is hereby appropriated for the two fiscal years beginning June first one thousand nine hundred and thirty-three out of the Motor License Fund such said amounts to be allocated to the cities incorporated towns boroughs and townships of the Commonwealth in the amounts upon the terms in the manner and for the purposes as set forth within this act The sum so appropriated shall be paid out in equal quarterly instalments on the first days of September December March and June the first payment to be made September first one thousand nine hundred and thirty-three No quarterly payment except the first shall be made unless the city borough incorporated town or township shall have first made to the department for the preceding quarter a report on forms prescribed prepared and furnished by the Department of Highways showing the expenditures of the funds received for such previous quarter Such reports shall be transmitted to the Department of the Auditor General for audit

Section 3 Of the nineteen million two hundred and fifty thousand dollars ($19,250,000) thus appropriated and transferred the sum of three million dollars ($3,000,000) shall be allocated to cities of the first class one million five hundred thousand dollars ($1,500,000) to cities of the second class two hundred and fifty thousand dollars ($250,000) to cities of the second class A one million five hundred thousand dollars ($1,500,000) to cities of the third class two million two hundred and fifty thousand dollars ($2,250,000) to boroughs and incorporated towns seven hundred and fifty thousand dollars ($750,000) to townships of the first class and ten million dollars ($10,000,000) to townships of the second class Each of such said political subdivisions shall receive such proportion of the total allocation to the political subdivisions of which it is a class as the miles of roads or streets under its jurisdiction within its municipal limits bears to the total number of miles and streets under the jurisdiction of and within the municipal limits of all the said municipal subdivisions of which it is a class as above provided

Section 4 Immediately upon the approval of this act the State Department of Highways shall prepare such blanks and forms as shall be necessary to enable the proper municipal officials of all the cities boroughs incorporated towns and townships to certify to its the number of miles of roads or streets under their respective jurisdiction and within the respective municipal limits and shall supply copies thereof to such said municipal officials

Section 5 Thereupon the proper officials of the said cities boroughs towns and townships shall file with the State Department of Highways and upon the blanks and forms supplied a certificate which shall set forth therein the true and correct number of miles of roads or streets under their respective jurisdictions and within their respective municipal limits

Section 6 Upon receipt of such said certificates the State Department of Highways shall immediately certify the same to the State Treasurer if found to be correct and shall also immediately certify to the State Treasurer the amount of the appropriation made by this act which shall be paid to each city borough incorporated town or township quarterly in accordance with the allocation made by section three of this act

Section 7 After the receipt of such said certificates the State Treasurer on requisition of the Department of Highways and warrant of the Auditor General shall issue checks quarterly for the amounts properly allocated unto such said political subdivisions of the Commonwealth and shall pay the same to the treasurer or proper officials of said subdivisions thereof

Section 8 The money so allocated to the various political subdivisions of this Commonwealth shall be expended only for the construction and maintenance of the streets roads alleys bridges and drainage facilities under their respective jurisdictions and for no other purpose

Section 9 All of the funds so allocated tc the said political subdivisions shall for the purpose of expenditure be under the control and supervision of their proper officials of the city borough incorporated town or township to which paid and shall be subject to the existing laws governing and regulating the expenditure of tax revenues for street and road purposes of the said cities boroughs incorporated towns and townships including the approval of the Department of Highways where required by existing law The proper officials shall at the time

of fixing the tax rate for the years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five reduce said tax rates for road and street purposes by an amount equal to the amount received under the provisions of this act as compared with the amount levied for road and street purposes for the year one thousand nine hundred and thirty-two provided that a sufficient millage shall be levied to meet requirements of interest sinking fund and repayment of debts of the municipality and necessary expenditures for other than road purposes

Section 10 Any and all of the officials of any of the political subdivisions herein mentioned who shall knowingly make or assent to the making of any false or incorrect certificates as herein provided for or shall knowingly make or assent to the furnishing of any false or incorrect report or information as herein required or shall knowingly use or assent to the use of any of the funds herein allocated for purposes other than as herein set forth or contrary to the intent and spirit thereof shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay the costs of prosecution and a fine not exceeding one thousand dollars ($1,000) or undergo an imprisonment for a term not exceeding one year either or both in the discretion of the court

Section 11 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill in third reading?

BILL POSTPONED

Mr. TURNER. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1280, entitled:

An Act exempting persons, associations, copartnerships and corporations moving and delivering furniture, goods and merchandise only in cities of the first class from the duty to procure certificates of public convenience.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Furman,	McElwee,	Shellenberger,
Baker,	Gallagher,	McGinnis,	Shettel,
Baldi,	Gartner,	McGrail,	Shortz,
Barnhardt,	Gorman,	McHenry,	Shreiner,
Bechtel,	Green,	McKay,	Simon,
Beech,	Greenstein,	Melchiorre,	Snyder,
Bennett,	Griffith,	Meredith,	Sowers,
Bernhard,	Habbyshaw,	Merrell,	Stank,
Blumberg,	Haines,	Metzler,	Steedle,
Brancato,	Hamilton,	Mohn,	Stevens,
Brennan,	Harris,	Moore,	Stevenson,
Brown, J. E.,	Hart,	Mumford,	Stiteler,
Brown, W. L.,	Harmuth,	Myers,	Stone,
Brownfield,	Heffernan,	Negley,	Storb,
Cannon,	Heffner,	O'Connor,	Stott,
Caputo,	Hermansen,	O'Keefe,	Surface,
Carey,	Hewitt,	O'Neill,	Tahl,
Carson,	Himes, H. E.,	O'Rourke,	Terry,
Chervenak,	Hoffman,	Peelor,	Wade,
Cohen,	Holmes, J. L.,	Pennock,	Walker, G. E.,
Conner,	Hoopes,	Perry, D. R.,	Walker, W. A.,
Cooke,	Horst,	Perry, J. J.,	Wasserman,
Cordier,	Hough,	Peters,	Way,
Craig,	Jaffe,	Powell,	Weidemann,
Dane,	Jones,	Powers,	Welsh,
Davies,	Kane, J. J.,	Price,	Westrick,
DeFrehn,	Kane, L. P.,	Quinn,	White,
Denning,	Kinney,	Raub,	Wike,
Downey, G. E.,	Labar,	Rectenwald,	Williams, G. W.,
Downey, J.,	Laubach,	Reed,	Williams, J. J.,
Duffy,	Lenahan,	Reilly,	Wilson, L. M.,
Dunmire,	Long,	Rice,	Wilson, T. B.,
Dwyer,	Lord,	Roan,	Witkin,
Ederer,	Lovett, W. S.,	Roth,	Wood,
Emhardt,	Lynch, J. R.,	Ruby,	Woodside,
Eroe,	Lynch, M.,	Sautter,	Wright,
Evans,	Malina,	Schrock,	Yeakel,
Fitzgerald,	Maloney,	Schwab,	Yourishin,
Flanagan,	Marcks,	Schwartz,	Zimmerman,
Flinchbaugh,	Mason,	Scorza,	Talbot,
Flynn,	McCandless,	Scott,	Speaker.
Forrest,	McCreary,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1083, entitled:

An Act regulating the furnishing and sale of natural gas, artificial gas and admixtures thereof; requiring and authorizing the Public Service Commission to establish standards; requiring public service companies to file, post and publish tariffs and schedules of rates in accordance with such standards; making it unlawful to furnish or sell natural gas admixtures under certain circumstances, or to furnish or sell for fuel any gas below the minimum standard; and imposing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Gorman,	McBride,	Shellenberger,
Baker,	Green,	McClure,	Shenkel,
Baldi,	Greenstein,	McCreary,	Shortz,
Barnhardt,	Griffith,	McGinnis,	Shreiner,
Bechtel,	Habbyshaw,	McGrail,	Sinwell,
Beech,	Haines,	McHenry,	Snyder,
Bennett,	Hamilton,	McKay,	Spann,
Bernhard,	Harmuth,	McKinney,	Stank,
Blumberg,	Harris,	Melchiorre,	Steedle,
Brancato,	Hart,	Meredith,	Sterling, P.,
Brennan,	Hartman,	Merrell,	Stevens,
Brown, J. E.	Heffernan,	Metzler,	Stevenson,
Brown, W. L.,	Hefferon,	Mohn,	Stone,
Brownfield,	Heffner,	Moore,	Storb,
Cannon,	Hermansen,	Mumford,	Stott,
Caputo,	Hester,	Negley,	Surface,
Carson,	Hewitt,	O'Connor,	Tahl,
Chervenak,	Himes, H.E.,	O'Keefe,	Terry,
Cohen,	Himes, L. R.,	O'Rourke,	Wagner,
Conner,	Hoffman,	Peelor,	Walker, W. A.,
Cooke,	Holmes, J. B.,	Pennock,	Wall,
Cordier,	Holmes, J. L.,	Perry, D. R.,	Wasserman,
Craig,	Hoopes,	Perry, J. J.,	Way,
Cramer,	Horst,	Peters,	Weidemann,
Dane,	Hough,	Powell,	Welsh,
Davies,	Howard,	Powers,	Westrick,
Denning,	Jaffe,	Price,	White,
Downey, G. E.,	Jones,	Quinn,	Wike,
Duffy,	Kane, L. P.,	Raub,	Williams, G. W.,
Dunmire,	King,	Rectenwald,	Williams, J. J.,
Dwyer,	Kinney,	Reed,	Wilson, L. M.,
Ederer,	Labar,	Reilly,	Wilson, T. B.,
Emhardt,	Lane,	Rhodes,	Witkin,
Eroe,	Lenahan,	Roan,	Wood,
Evans,	Lewis,	Root,	Woodside,
Flanagan,	Lord,	Royle,	Wright,
Fleisher,	Lovett, J. E.,	Ruby,	Yeakel,
Flynn,	Lynch, J. R.,	Sautter,	Yourishin,
Forrest,	Male,	Schrock,	Zimmerman,
Furman,	Malina,	Schwab,	Talbot,
Gallagher,	Maloney,	Scorza,	Speaker.
Gartner,	Marcks,	Scott,	

NAYS—1

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the thir dreading and consideration of House Bill No. 937, entitled:

An Act to amend section fifty and section two hundred and twenty, as amended of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth; by permitting and regulating the use of eel baskets and fyke nets, for the taking of suckers and eels.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156

Andrews,	Harris,	McGinnis,	Shortz,
Baker,	Hart,	McGrail,	Shreiner,
Baldi,	Hartman,	McGregor,	Simon,
Beech,	Heffernan,	McKay,	Sinwell,
Bennett,	Hefferon,	Melchiorre,	Snyder,
Boyd,	Heffner,	Meredith,	Sowers,
Brancato,	Hermansen,	Merrell,	Spann,
Brownfield,	Hester,	Metzler,	Steedle,
Cannon,	Hewitt,	Mohn,	Sterling, R. B.,
Caputo,	Himes, H. E.,	Moore,	Stevens,
Carson,	Himes, L. R.,	Mumford,	Stiteler,
Chervenak,	Hoffman,	Negley,	Stone,
Cohen,	Holmes, J. B.,	Nothnagle,	Stott,
Conner,	Holmes, J. L.,	O'Keefe,	Surface,
Cordier,	Hoopes,	Patterson,	Tahl,
Craig,	Horst,	Peelor,	Terry,
Dane,	Hough,	Pennock,	Wade,
Davies,	Howard,	Perry, J. J.,	Wagner,
Denning,	Hutton,	Peters,	Walker, G. E.,
Ederer,	Jaffe,	Powell,	Walker, W. A.,
Emhardt,	Kane, J. J.,	Powers,	Wall,
Eroe,	Kane, L. P.,	Price,	Wasserman,
Fitzgerald,	King,	Quinn,	Way,
Flanagan,	Kinney,	Raub,	Welsh,
Fleisher,	Labar,	Rectenwald,	Westrick,
Flinchbaugh,	Lane,	Reed,	White,
Flynn,	Laubach,	Reilly,	Wike,
Forrest,	Lenahan,	Rhodes,	Williams, G. W.,
Furman,	Lewis,	Rice,	Williams, J. J.,
Gallagher,	Long,	Roan,	Wilson, L. M.,
Gartner,	Lord,	Roth,	Wilson, T. B.,
Gillette,	Lose,	Royle,	Witkin,
Gorman,	Lovett, W. S.,	Sarig,	Woodside,
Green,	Lynch, J. R.,	Schrock,	Wright,
Greenstein,	Malina,	Schrope,	Yeakel,
Griffith,	Maloney,	Schwab,	Yourishin,
Habbyshaw,	Marcks,	Scott,	Zimmerman,
Haines,	McBride,	Sheffer,	Talbot,
Hamilton,	McClure,	Shenkel,	Speaker.
Harmuth,	McElwee,		

NAYS—12

Barnhardt,	Dunmire,	Lynch, M.,	Turner,
Bechtel,	Evans,	McCreary,	Weidemann,
Bernhard,	Jones,	O'Rourke,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1877, entitled:

An Act limiting the jurisdiction of the Public Service Commission over carriers of property on the public highways.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161

Andrews,	Hamilton,	McGinnis,	Shortz,
Baker,	Harris,	McGrail,	Simon,
Barnhardt,	Hart,	McHenry,	Sinwell,
Beech,	Heffernan,	McKay,	Snyder,
Bennett,	Hefferon,	McKinney,	Stank,
Bernhard,	Heffner,	Meredith,	Steedle,
Blumberg,	Hermansen,	Merrell,	Sterling, P.,
Brancato,	Hester,	Metzler,	Sterling, R. B.,
Brennan,	Hewitt,	Mohn,	Stevens,
Cannon,	Himes, H. E.,	Moore,	Stevenson,
Caputo,	Himes, L. R.,	Mumford,	Stiteler,
Carey,	Hoffman,	Negley,	Stone,
Carson,	Holmes, J. B.,	Nothnagle,	Storb,
Chervenak,	Holmes, J. L.,	O'Connor,	Stott,
Cohen,	Hoopes,	O'Keefe,	Surface,
Conner,	Horst,	Patterson,	Tahl,
Cooke,	Hough,	Peelor,	Turner,
Cordier,	Howard,	Pennock,	Wagner,
Craig,	Hutton,	Perry, D. R.,	Walker, G. E.,
Dane,	Jaffe,	Peters,	Walker, W. A.,
Davies,	Jones,	Powell,	Wall,
DeFrehn,	Kane, J. J.,	Powers,	Wasserman,
Downey, G. E.,	King,	Price,	Way,
Downey, J.,	Kinney,	Quinn,	Welsh,
Dunmire,	Labar,	Raub,	Westrick,
Dwyer,	Lane,	Rectenwald,	White,
Ederer,	Laubach,	Reed,	Wike,
Eroe,	Lewis,	Reilly,	Williams, G. W.,
Evans,	Lord,	Rhodes,	Williams, J. J.,
Flanagan,	Lose,	Rice,	Wilson, L. M.,
Fleisher,	Lovett, J. E.,	Roan,	Wilson, T. B.,
Flynn,	Lovett, W. S.,	Roth,	Witkin,
Forrest,	Lynch, J. R.,	Royle,	Wood,
Furman,	Male,	Sautter,	Woodside,
Gallagher,	Malina,	Schrock,	Wright,
Gillette,	Maloncy,	Schwartz,	Yeakel,
Gorman,	Mason,	Scorza,	Yourishin,
Green,	McBride,	Scott,	Zimmerman,
Greenstein,	McCandless,	Sheffer,	Talbot,
Griffith,	McCreary,	Sheller berger,	Speaker.
Haines,	McElwee,	Shettel,	

NAYS—7

Brown, J. E.,	Lynch, M.,	O'Rourke,	Schwab,
Brownfield,	McGregor,	Perry, J. J.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 966, as follows:

An Act to amend sections four hundred twenty-two and four hundred thirty-two of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by extending the provisions of the act to The Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania and authorizing flags to be placed on graves of members of the enlisted nurse corps female field clerks and yoemanettes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred twenty-two of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 422 Sum to Be Spent The county commissioners of the county of this State within which a deceased service man as hereinabove defined had a legal residence at the date of his death or the county commissioners of the county where a deceased service man died in case he or she had no legal residence in any county of this Commonwealth upon notice that the body is unclaimed by relatives or friends and who upon investigation shall find such condition to exist are hereby authorized and directed to expend the sum of seventy-five dollars ($75.00) toward the funeral expenses of such deceased service man When a deceased service man has died while a member of The Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania and such home incurs all funeral expenses and buries the soldier in a cemetery in the City of Erie Pennsylvania or the home furnishes clothing casket and shipping case and ships the body to the county from which he was admitted to the home the county from which he was admitted shall reimburse and pay to The Pennsylvania Soldiers' and Sailors' Home the amount of seventy-five ($75.-00) Provided however That such county commissioners shall not contribute any moneys toward the funeral expenses of such deceased service man where the total expenses of his or her funeral including said allowance of seventy-five ($75.00) shall exceed four hundred dollars ($400.00) nor unless application for the payment of such moneys shall be made within one year after the date of the burial of such deceased service man

Section 2 That section four hundred thirty-two of the said act is hereby amended to read as follows

Section 432 Flags to Decorate Graves It shall be the duty of the county commissioners to provide flags on each Memorial Day with which to decorate the graves of all honorably discharged soldiers sailors [and] marines female field clerks yeomanettes and members of the enlisted nurse corps buried within the county The flags to be used for said purposes shall be of one standard size and shall be purchased at the expense of the county from moneys in the county treasury

Such flags shall be furnished to the various veterans' organizations in such numbers as they shall require for their respective communities

The moneys expended by any county under the provisions of this section shall be in addition to moneys appropriated by counties for Memorial Day purposes

Section 3 This act shall be effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Gorman,	McBride,	Schrope,
Baker,	Green,	McClure,	Schwartz,
Barnhardt,	Greenstein,	McCreary,	Scorza,
Bechtel,	Griffith,	McElwee,	Scott,
Beech,	Habbyshaw,	McGinnis,	Sheffer,
Bernhard,	Haines,	McGregor,	Shellenberger,
Blumberg,	Hamilton,	McHenry,	Shettel,
Boyd,	Harmuth,	McKay,	Shreiner,
Brancato,	Harris,	McKinney,	Snyder,
Brennan,	Hart,	Meredith,	Spann,
Brown, J. E.,	Hartman,	Metzler,	Stank,
Brown, W. L.,	Heffernan,	Mohn,	Sterling, R. B.,
Cannon,	Hefferon,	Moore,	Stevens,
Caputo,	Heffner,	Mumford,	Stiteler,
Chervenak,	Hermansen,	Myers,	Stone,
Cohen,	Hester,	Negley,	Stott,
Cooke,	Hewitt,	O'Connor,	Surface,
Cordier,	Himes, H. E.,	O'Neill,	Terry,
Cramer,	Himes, L. R.,	O'Rourke,	Wade,
Dane,	Hoffman,	Peelor,	Wagner,
Davies,	Holmes, J. B.,	Pennock,	Walker, G. E.,
DeFrehn,	Holmes, J. L.,	Perry, D. R.,	Walker, W. A.,
Denning,	Hoopes,	Perry, J. J.,	Wall,
Downey, G. E.,	Horst,	Peters,	Wasserman,
Downey, J.,	Hough,	Powell,	Way,
Duffy,	Hutton,	Powers,	Welsh,
Dunmire,	Jaffe,	Price,	Westrick,
Dwyer,	Jones,	Quinn,	White,
Ederer,	Kane, L. P.,	Raub,	Wike,
Einhardt,	Kinney,	Rectenwald,	Williams, G. W.,
Eroe,	Laubach,	Reed,	Williams, J. J.,
Evans,	Lewis,	Reilly,	Wilson, L. M.,
Fitzgerald,	Long,	Rhodes,	Wilson, T. B.,
Flanagan,	Lord,	Rice,	Witkin,
Fleisher,	Lose,	Roan,	Wood,
Flinchbaugh	Lovett, W. S.,	Root,	Wright,
Flynn,	Lynch, J. R.,	Roth,	Yeakel,
Forrest,	Lynch, M.,	Royle,	Yourishin,
Furman,	Malina,	Ruby,	Zimmerman,
Gallagher,	Maloney,	Sautter,	Talbot,
Gartner,	Marcks,	Schrock,	Speaker.
Gillette,	Mason,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2122, (Senate Bill No. 767), entitled:

An Act to add section seven hundred and thirty-seven to the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing two or more counties jointly, with the consent of the Department of Highways, to levy and collect tolls and certain toll bridges acquired and rebuilt by such counties for the purpose of paying off the indebtedness incurred or reimbursing such counties for moneys expended in the acquisition, rebuilding and maintenance of such toll bridges.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. STEEDLE. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2119, (Senate Bill No. 702), entitled:

An Act to repeal the act approved the twentieth day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred ten) entitled "An act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the seventh class.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Green,	McElwee,	Shellenberger,
Baker,	Greenstein,	McGinnis,	Shenkel,
Baldi,	Griffith,	McGregor,	Shortz,
Barnhardt,	Habbyshaw,	McHenry,	Shreiner,
Bechtel,	Haines,	McKay,	Simon,
Beech,	Hamilton,	McKinney,	Sinwell,
Bennett,	Harmuth,	Melchiorre,	Snyder,
Bernhard,	Harris,	Metzler,	Sowers,
Blumberg,	Hart,	Mohn,	Spann,
Brancato,	Hartman,	Moore,	Stank,

Brennan,	Heffernan,	Mumford,	Steedle,
Brown, J. E.,	Hefferon,	Myers,	Sterling, R. B.,
Brown, W. L.,	Heffner,	Negley,	Stevens,
Cannon,	Hermansen,	Nothnagle,	Stiteler,
Caputo,	Hester,	O'Connor,	Stone,
Carey,	Hewitt,	O'Keefe,	Storb,
Carson,	Himes, H. E.,	O'Rourke	Stott,
Cohen,	Himes, L. R.,	Peelor,	Tahl,
Conner,	Hoffman,	Pennock,	Terry,
Cooke,	Holmes, J. L.,	Perry, D. R.,	Turner,
Craig,	Hoopes,	Perry, J. J.,	Wade,
Dane,	Horst,	Peters,	Wagner,
Davies,	Hough,	Powell,	Walker, G. E.,
DeFrehn,	Howard,	Powers,	Walker, W. A.,
Denning,	Hutton,	Price,	Wall,
Downey, G. E.,	Jaffe,	Quinn,	Wasserman,
Downey, J.,	Jones,	Raub,	Welsh,
Duffy,	King,	Rectenwald,	Westrick,
Dunmire,	Kinney,	Reed,	Wike,
Dwyer,	Labar,	Reilly,	Williams, G. W.,
Ederer,	Laubach,	Rice,	Williams, J. J.,
Emhardt,	Lenahan,	Roan,	Wilson, L. M.,
Eroe,	Lord,	Root,	Wilson, T. B.,
Evans,	Lose,	Roth,	Witkin,
Flanagan,	Lovett, W. S.,	Royle,	Wood,
Fleisher,	Lynch, J. R.,	Ruby,	Woodside,
Flinchbaugh,	Malina,	Sautter,	Wright,
Flynn,	Maloney,	Schrock,	Yeakel,
Forrest,	Marcks,	Schwab,	Yourishin,
Furman,	Mason,	Schwartz,	Zimmerman,
Gallagher,	McBride,	Scorza,	Talbot,
Gillette,	McCandless,	Sheffer,	Speaker.
Gorman,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2129, (Senate Bill No. 476), entitled:

An Act ratifying and confirming certain contracts for the erection of joint county bridges where the bridges have been erected and accepted

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Gillette,	McCreary,	Scott,
Baker,	Gorman,	McElwee,	Shellenberger,
Baldi,	Green,	McGinnis,	Shenkel,
Barnhardt,	Greenstein,	McGrail,	Shortz,
Bechtel,	Habbyshaw,	McGregor,	Shreiner,
Beech,	Haines,	McHenry,	Simon,
Bennett,	Hamilton,	McKay,	Sinwell,
Bernhard,	Harmuth,	McKinney,	Snyder,
Blumberg,	Harris,	Metzler,	Sowers,
Boyd,	Hart,	Mohn,	Spann,
Brancato,	Hartman,	Moore,	Stank,
Brennan,	Heffernan,	Mumford,	Steedle,
Brown, J. E.,	Hefferon,	Myers,	Sterling, R. B.,
Brown, W. L.,	Heffner,	Negley,	Stevens,
Brownfield,	Hermansen,	Nothnagle,	Stitcler,
Cannon,	Hester,	O'Connor,	Stone,
Caputo,	Hewitt,	O'Keefe,	Stott,
Carey,	Himes, H. E.,	O'Neill,	Surface,
Carson,	Himes, L. R.,	O'Rourke,	Tahl,
Chervenak,	Hoffman,	Patterson,	Terry,
Cohen,	Holmes, J. L.,	Peelor,	Turner,
Connor,	Hoopes,	Pennock,	Wade,
Cooke,	Horst,	Perry, D. R.,	Wagner,
Cordier,	Hough,	Perry, J. J.,	Walker, G. E.,
Craig,	Howard,	Peters,	Walker, W. A.,
Cramer,	Hutton,	Powell,	Wall,
Dane,	Jaffe,	Powers,	Wasserman,
Davies,	Jones,	Quinn,	Way,
DeFrehn,	Kane, J. J.,	Raub,	Weidemann,
Denning,	Kane, L. P.,	Rectenwald,	Welsh,
Downey, J.,	Kinney,	Reed,	Wike,
Duffy,	Long,	Reilly,	Williams, J. J.,
Ederer,	Lord,	Rhodes,	Wilson, L. M.,
Emhardt,	Lovett, W. S.,	Roan,	Wilson, T. B.,
Eroe	Lynch, J. R.,	Root,	Witkin,
Evans,	Lynch, M.,	Royle,	Wood,
Flanagan	Malina,	Ruby,	Woodside,
Fleisher,	Maloney,	Sarig,	Yeakel,
Flynn,	Marcks,	Sautter,	Yourishin,
Forrest,	Mason,	Schrope,	Zimmerman,
Furman,	McBride,	Schwab,	Talbot,
Gallagher,	McClure,	Scorza,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2113, (Senate Bill No. 144), entitled:

An Act to amend section two of the act approved the twenty-ninth day of April one thousand nine hundred and fifteen (Pamphlet Laws two hundred) entitled "An act creating in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census a board to fix and determine the number and compensation of employes in all county offices boards bureaus departments and divisions thereof prescribing the powers and duties of said board and regulating appeals from the decision thereof" defining the voting power of members of the salary board.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Green,	McClure,	Scott,
Baker,	Greenstein,	McCreary,	Sheffer,
Baldi,	Griffith,	McGinnis,	Shellenberger,
Barnhardt,	Habbyshaw,	McGregor,	Shettel,
Bechtel,	Haines,	McKay,	Shreiner,
Beech,	Hamilton,	McKinney,	Sinwell,
Bennett,	Harmuth,	Merrell,	Snyder,
Blumberg,	Harris,	Metzler,	Sowers,
Boyd,	Hart,	Mohn,	Stank,
Brancato,	Hartman,	Moore,	Sterling, P.,
Brennan,	Heffernan,	Mumford,	Stevens,
Brown, J. E.,	Hefferon,	Negley,	Stevenson,
Brown, W. L.,	Heffner,	Nothnagle,	Stiteler,
Brownfield,	Hermansen,	O'Connor,	Stone,
Cannon,	Hester,	O'Keefe,	Stott,
Caputo,	Hewitt,	O'Neill,	Surface,
Carey,	Himes, H. E.,	O'Rourke,	Turner,
Carson,	Himes, L. R.,	Patterson,	Wade,
Chervenak,	Hoffman,	Peelor,	Wagner,
Cohen,	Holmes, J. B.,	Pennock,	Walker, G. E.,
Conner,	Holmes, J. L.,	Perry, D. R.,	Walker, W. A.,
Cooke,	Hoopes,	Perry, J. J.,	Wall,
Cordier,	Horst,	Peters,	Wasserman,
Cramer,	Hutton,	Powell,	Way,
Dane,	Jones,	Powers,	Weidemann,
Denning,	Kane, L. P.,	Price,	Welsh,
Downey, J.,	King,	Quinn,	Westrick,
Duffy,	Labar,	Raub,	White,
Dwyer,	Lane,	Rectenwald,	Wike,
Ederer,	Lewis,	Reed,	Williams, G. W.,
Eroe,	Long,	Reilly,	Williams, J. J.,
Evans,	Lord,	Rhodes,	Wilson, L. M.,
Flanagan,	Lose,	Rice,	Wilson, T. B.,
Fleisher,	Lovett, W. S.,	Roan,	Witkin,
Flinchbaugh,	Lynch, J. R.,	Root,	Wood,
Flynn,	Lynch, M.,	Roth,	Woodside,

Forrest,	Male,	Royle,	Wright,
Furman,	Maloney,	Ruby,	Yeakel,
Gallagher,	Marcks,	Sautter,	Yourishin,
Gartner,	Mason,	Schrock,	Zimmerman,
Gillette,	McBride,	Schwab,	Talbot,
Gorman,	McCandless,	Schwartz,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 790 (Senate Bill No. 183), entitled:

An Act to amend sections fifty-one and sixty as amended and section one hundred and four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by fixing the time at which the terms of elected county officers shall begin and the time for the county commissioners to organize.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Green,	McCreary,	Shellenberger,
Baker,	Greenstein,	McElwee,	Shenkel,
Baldi,	Griffith,	McGinnis,	Shortz,
Barnhardt,	Habbyshaw,	McGregor,	Shreiner,
Bechtel,	Haines,	McHenry,	Sinwell,
Beech,	Hamilton,	McKay,	Snyder,
Bennett,	Harmuth,	McKinney,	Sowers,
Bernhard,	Harris,	Meredith,	Stank,
Blumberg,	Hart,	Merrell,	Steedle,
Boyd,	Hartman,	Metzler,	Stevens,
Brancato,	Heffernan,	Mohn,	Stevenson,
Brennan,	Hefferon,	Moore,	Stiteler,
Brown, J. E.,	Heffner,	Mumford,	Stone,
Brown, W. L.,	Hermansen,	Negley,	Storb,
Brownfield,	Hester,	Nothnagle,	Stott,
Cannon,	Hewitt,	O'Keefe,	Tahl,
Caputo,	Himes, H. E.,	O'Rourke,	Terry,
Carey,	Himes, L. R.,	Patterson,	Wade,
Carson,	Hoffman,	Peelor,	Wagner,
Chervenak,	Holmes, J. L.,	Pennock,	Walker, G. E.,
Cohen,	Hoopes,	Perry, D. R.,	Walker, W. A.,
Conner,	Horst,	Perry, J. J.,	Wall,
Cooke,	Hough,	Peters,	Wasserman,
Cordier,	Howard,	Powell,	Way,
Craig,	Hutton,	Powers,	Weidemann,
Cramer,	Jaffe,	Quinn,	Welsh,
Davies,	Jones,	Raub,	Westrick,
DeFrehn,	Kane, J. J.,	Rectenwald,	White,
Denning,	Kinney,	Reed,	Wike,
Downey, J.,	Labar,	Rhodes,	Williams, G. W.,
Duffy,	Lane,	Rice,	Williams, J. J.,
Dunmire,	Lenahan,	Roan,	Wilson, L. M.,
Dwyer,	Lovett, J. E.,	Root,	Wilson, T. B.,
Ederer,	Lovett, W. S.,	Roth,	Witkin,
Eroe,	Lynch, C. R.,	Royle,	Wood,
Evans,	Lynch, M.,	Ruby,	Woodside,
Flanagan,	Male,	Sautter,	Wright,
Fleisher,	Malina,	Schrock,	Yeakel,
Flynn,	Maloney,	Schwab,	Yourishin,
Forrest,	Marcks,	Schwartz,	Zimmerman,
Gallagher,	Mason,	Scorza,	Talbot,
Gartner,	McBride,	Scott,	Speaker.
Gillette,	McCandless,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1462 (Senate Bill No. 507), entitled:

An Act fixing the salaries of directors of the poor in counties of the second class.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

MOTION TO RECOMMIT

Mr. STEEDLE. Mr. Speaker, I move you that this bill be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. McCLURE. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Steedle.

The SPEAKER. Will the gentleman from Allegheny, Mr. Steedle, permit himself to be interrogated?

Mr. STEEDLE. Mr. Speaker, I will.

Mr. McCLURE. Mr. Speaker, will the gentleman from Allegheny, inform me as to the purpose of placing this bill on the postponed calendar.

Mr. STEEDLE. Mr. Speaker and members of the House, in answer to the gentleman from Allegheny, Mr. McClure, I will state the answer this way: I would like time to study this question. It refers to the Poor Directors of Allegheny County, and I understand that there is some objection to the bill and therefore, for the time being, I would like to have it postponed until I can get it ironed out in my mind.

Mr. McCLURE. Mr. Speaker and members of the House, for the benefit of the House, before you vote on the measure, I would like you to understand what it is that is attempted to be done by this bill.

The salary of the Poor Directors of Allegheny County was fixed by an act of assembly a number of years ago at twenty-five hundred dollars a year. Since the passage of that act the population of Allegheny County has changed which placed that act out of commission. Under the law as it now stands the directors of the poor would be entitled to a compensation of twenty-four hundred dollars per year. They have been receiving a salary of thirty-five hundred dollars per year with a misunderstanding as to what they were entitled to. All that this act would do would be simply to revamp the law and bring the law up-to-date under the present population and pay the directors of the poor of Allegheny County the fabulous sum of thirty-five hundred dollars a year.

I think that this is a fair bill and I see no necessity for any delay in the action on this bill.

I believe with the statement I have made the gentleman from Allegheny, Mr. Steedle, will understand the purpose of the bill and will withdraw his motion to postpone the bill and permit it to come up for final passage. If he persists in his motion to postpone it, I ask you to vote the motion down.

Mr. STEEDLE. Mr. Speaker and members of the House, I do not like to object to the remarks of the gentleman from Allegheny, Mr. McClure, and particularly so, I do not want

to take the time of the House to discuss this motion now, because we are on our way to clean up the calendar and adjourn.

I ask the member of this House and the other members of Allegheny County to oppose this bill, and I will say that I have no objections, after we are familiar with the bill, and we have had a chance to express ourselves, that it be brought out for action, but I ask you to postpone it for the present.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the "noes" appear to have it,

Whereupon, a division was called for and fifty-six members voting in the affirmative and sixty-six in the negative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. STEEDLE. Mr. Speaker and members of the House, the gentleman from Allegheny, Mr. McClure, tells you that this is simply a clarififcation of the question of salaries that have been erroneously paid to the poor directors of Allegheny County. Now, if that is truthful, as the statement may appear, and I don't doubt the gentleman was sincere when he made the statement, I fail to understand why some citizen of Allegheny County has not objected to the fabulous sum, as stated by the gentleman from Allegheny, which is only thirty-five hundred dollars as against what he said the salary should be, twenty-two hundred or twenty-five hundred dollars. It is evident to me that it is a personal argument in Allegheny County between the poor directors on the one hand and the county commissioners office on the other hand, and the possibilities are that they don't want to expose their hand, but come down here to us of the Legislature and ask us to wash out their dirty linen that they may have the poor directors salary established in that county. It cannot be very wrong or some citizen of Allegheny County would have appealed to the courts and would have asked the courts to restrain the commissioners from paying the salary of thirty-five hundred dollars. I think this bill should be defeated since Allegheny County has paid its poor directors right along without any argument, and I don't think that we should be compelled to iron out the wrinkles or disputes between the county commissioners on the one hand and the poor directors on the other hand. I ask you to defeat this bill.

Mr. McCLURE. Mr. Speaker and members of the House, as I stated to the members of the House in my other remarks, under the Act of 1917 the salary of the poor directors was fixed at twenty-five hundred dollars a year. Since that act has been passed there have been two censuses taken. The population has changed. Under the law as it now exists and since the change of population, our poor director's salaries would revert back to the former law. They are being paid, I say, thirty-five hundred dollars, which is contrary to the law as it automatically exists today.

As far as my colleague, Mr. Steedle, referring to this as a matter of argument between the directors of the poor and the county commissioners of Allegheny County, he is misinformed. This bill is sponsored by Senator Mansfield, who is one of the County Commissioners of Allegheny County. He sponsored this bill so that the salaries of the directors of the poor in Allegheny County may be legally and correctly fixed at thirty-five hundred dollars. There is no ulterior motive in this bill and there is no difference between the Directors of the Poor and the County Commissioners of Allegheny County, but they come and ask you to pass this bill so that they may legally pay their Directors of the Poor thirty-five hundred dollars a year as a salary for public service rendered in office. I believe it is only a fair and meager salary for the services they perform. I ask you in justice to the citizens of Allegheny County to vote favorably for this bill.

Mr. HOFFMAN. Mr. Speaker and members of the House, in regard to the remarks of the gentleman from Allegheny, Mr. Steedle, as to the question of difficulties between the County Commissioners and the Poor Directors of Allegheny County, I want to state to the members of the House that a member of the Poor Board of Allegheny County asked me last week or two weeks ago to assist in getting this bill out of the Committee on Counties. Therefore, it would not appear that there would be a quarrel between the County Commissioners and the Poor Directors of the county of Allegheny.

Therefore I ask you to vote "aye" on this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—100

Andrews,	Green,	McElwee,	Schrock,
Baker,	Griffith,	McGinnis,	Schrope,
Barnhardt,	Haines,	McGrail,	Schwab,
Bechtel,	Hamilton,	McGregor,	Shettel,
Beech,	Hefferon,	McHenry,	Sinwell,
Bernhard,	Heffner,	McKinney,	Snyder,
Boyd,	Hermansen,	Melchiorre,	Stank,
Brennan,	Hester,	Mohn,	Sterling, F.,
Brown, J. E.,	Hoffman,	Moore,	Sterling, R. B.,
Brown, W. L.,	Hoopes,	Negley,	Stevens,
Brownfield,	Hough,	O'Connor,	Stevenson,
Cannon,	Howard,	O'Keefe,	Stone,
Caputo,	Jones,	O'Rourke,	Stott,
Carson,	Kane, J. J.,	Peelor,	Terry,
Chervenak,	Labar,	Powell,	Wagner,
Dane,	Lane,	Powers,	Walker, G. E.,
Downey, G. E.,	Lenahan,	Quinn,	Walker, W. A.,
Downey, J.,	Long,	Raub,	Way,
Dunmire,	Lose,	Reed,	Welsh,
Eroe,	Lovett, J. E.,	Reilly,	Westrick,
Evans,	Male,	Rhodes,	Williams, G. W.,
Fitzgerald,	Marcks,	Roan,	Wilson, L. M.,
Furman,	Mason,	Ruby,	Wood,
Gallagher,	McClure,	Sarig,	Wright,
Gartner,	McCreary,	Sautter,	Yeakel,

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Baldi,	Gorman,	Metzler,	Steedle,
Blumberg,	Greenstein,	Mumford,	Stiteler,
Carey,	Habbyshaw,	Nothnagle,	Surface,
Conner,	Harris,	Patterson,	Tahl,
Cooke,	Hart,	Pennock,	Turner,
Cordier,	Heffernan,	Perry, J. J.,	Wasserman,
Craig,	Hewitt,	Peters,	Weidemann,
Davies,	Hutton,	Price,	Wike,
Denning,	Jaffe,	Root,	Wilson, T. B.,
Duffy,	Kane, L. P.,	Schwartz,	Witkin,
Dwyer,	Laubach,	Shellenberger,	Woodside,
Ederer,	Lord,	Shenkel,	Yourishin,
Emhardt,	Lynch, J. R.,	Shortz,	Zimmerman,
Flynn,	Maloney,	Shreiner,	Talbot,
Forrest,	McCandless,	Simon,	Speaker.
Gillette,	Merrell,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

PERMISSION GRANTED COMMITTEE TO SIT DURING SESSION OF HOUSE

Mr. WITKIN asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2298, (Senate Bill No. 740), entitled:

An Act making an appropriation to the Department of Property and Supples to reimburse any contractor having a contract with the Commonwealth for costs expenses and losses incurred where work under such contract was not prosecuted on account of the lapsing of part of the appropriation on which the contract was based.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Hart,	Merrell,	Shellenberger,
Baker,	Heffernan,	Metzler,	Shenkel,
Baldi,	Hefferon,	Mohn,	Shettel,
Barnhardt,	Heffner,	Moore,	Shortz,
Bechtel,	Hermansen,	Mumford,	Shreiner,
Bennett,	Hewitt,	Myers,	Simon,
Bernhard,	Himes, H. E.,	Negley,	Sinwell,
Blumberg,	Hoffman,	Nothnagle,	Snyder,
Brennan,	Holmes, J. L.,	O'Connor,	Sowers,
Brown, W. L.,	Horst,	O'Keefe,	Spann,
Brownfield,	Hough,	O'Neill,	Steedle,
Cannon,	Hutton,	O'Rourke,	Sterling, P.,
Caputo,	Jaffe,	Patterson,	Stevens,
Carey,	Jones,	Peelor,	Stevenson,
Carson,	Kane, L. P.,	Pennock,	Stiteler,
Chervenak,	King,	Perry, D. R.,	Stone,
Cohen,	Kinney,	Perry, J. J.,	Storb,
Conner,	Labar,	Peters,	Stott,
Cooke,	Lane,	Powell,	Surface,
Cordier,	Laubach,	Powers,	Tahl,
Craig,	Lewis,	Price,	Terry,
Dane,	Long,	Quinn,	Turner,
Davies,	Lord,	Raub,	Wade,
DeFrehn,	Lose,	Rectenwald,	Walker, W. A.,
Denning,	Lovett, J. E.,	Reed,	Wasserman,
Duffy,	Lovett, W. S.,	Reilly,	Way,
Dunmire,	Lynch, J. R.,	Rhodes,	Weidemann,
Dwyer,	Male,	Rice,	Westrick,
Ederer,	Malina,	Roan,	White,
Emhardt,	Maloney,	Root,	Wike,
Fleisher,	Marcks,	Roth,	Williams, G. W.,
Forrest,	Mason,	Royle,	Williams, J. J.,
Gallagher,	McBride,	Ruby,	Wilson, T. B.,
Gartner,	McCandless,	Sarig,	Witkin,
Gillette,	McClure,	Sautter,	Wood,
Gorman,	McCreary,	Schrock,	Woodside,
Green,	McElwee,	Schrope,	Wright,
Greenstein,	McGinnis,	Schwab,	Yeakel,
Griffith,	McGrail,	Schwartz,	Yourishin,
Habbyshaw,	McGregor,	Scorza,	Zimmerman,
Haines,	McKay,	Scott,	Talbot,
Hamilton,	McKinney,	Sheffer,	Speaker.
Harris,	Meredith,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2299, (Senate Bill No. 871), entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of reimbursing the Conrad Weiser Memorial Park association for moneys expected in maintaining Conrad Weiser Memorial Park until accepted by the Commonwealth.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Gorman,	McGregor,	Scorza,
Baker,	Green,	McKay,	Scott,
Baldi,	Greenstein,	McKinney,	Sheffer,
Barnhardt,	Griffith,	Meredith,	Shellenberger,
Bechtel,	Habbyshaw,	Merrell,	Shortz,
Bennett,	Haines,	Metzler,	Shreiner,
Bernhard,	Hamilton,	Mohn,	Sinwell,
Blumberg,	Harris,	Moore,	Snyder,
Boyd,	Hart,	Mumford,	Sowers,
Brancato,	Heffernan,	Myers,	Spann,
Brennan,	Hefferon,	Negley,	Steedle,
Brown, W. L.,	Heffner,	Nothnagle,	Sterling, P.,
Brownfield,	Hermansen,	O'Connor,	Stevens,
Cannon,	Hester,	O'Keefe,	Stevenson,
Caputo,	Hewitt,	O'Neill,	Stiteler,
Carey,	Himes, H. E.,	O'Rourke,	Storb,
Carson,	Hoffman,	Patterson,	Stott,
Chervenak,	Holmes, J. L.,	Peelor,	Surface,
Cohen,	Hoopes,	Pennock,	Tahl,
Conner,	Horst,	Perry, D. R.,	Terry,
Cooke,	Hough,	Perry, J. J.,	Turner,
Cordier,	Hutton,	Peters,	Wade,
Craig,	Jaffe,	Powell,	Walker, W. A.,
Dane,	Jones,	Powers,	Wasserman,
Davies,	Kane, L. P.,	Price,	Way,
DeFrehn,	King,	Quinn,	Weidemann,
Denning,	Laubach,	Raub,	Welsh,
Downey, G. E.,	Lewis,	Rectenwald,	Westrick,
Downey, J.,	Long,	Reed,	White,
Duffy,	Lord,	Reilly,	Wike,
Dunmire,	Lose,	Rhodes,	Williams, G. W.,
Dwyer,	Lovett, W. S.,	Rice,	Williams, J. J.,
Ederer,	Lynch, J. R.,	Roan,	Wilson, T. B.,
Emhardt,	Male,	Root,	Witkin,
Eroe,	Malina,	Roth,	Wood,
Evans,	Maloney,	Royle,	Woodside,
Fitzgerald,	Mason,	Ruby,	Wright,
Flanagan,	McBride,	Sarig,	Yeakel,
Fleisher,	McCandless,	Sautter,	Yourishin,
Forrest,	McClure,	Schrock,	Zimmerman,
Gallagher,	McCreary,	Schrope,	Talbot,
Gartner,	McElwee,	Schwab,	Speaker.
Gillette,	McGrail,	Schwartz,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2302, (Senate Bill No. 1021), entitled:

An Act making an appropriation to the Home for Widows and Single Women of Lebanon, Pennsylvania.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Forrest,	McBride,	Sautter,
Baker,	Gallagher,	McCandless,	Schrock,
Baldi,	Gartner,	McClure,	Schwartz,
Barnhardt,	Gillette,	McCreary,	Scorza,
Bechtel,	Gorman,	McElwee,	Scott,
Beech,	Green,	McGregor,	Sheffer,
Bennett,	Greenstein,	McKay,	Shellenberger,

Bernhard,	Griffith,	McKinney,	Shortz,
Blumberg,	Habbyshaw,	Meredith,	Shreiner,
Boyd,	Haines,	Merrell,	Snyder,
Brancato,	Hamilton,	Metzler,	Sowers,
Brennan,	Harris,	Mohn,	Spann,
Brown, J. E.,	Hart,	Moore,	Steedle,
Brown, W. L.,	Heffernan,	Mumford,	Sterling, P.,
Brownfield,	Hefferon,	Myers,	Stevens,
Cannon,	Heffner,	Negley,	Stevenson,
Caputo,	Hermansen,	Nothnagle,	Stiteler,
Carey,	Hewitt,	O'Connor,	Storb,
Carson,	Himes, H. E.,	O'Keefe,	Stott,
Chervenak,	Hoffman,	O'Neill,	Surface,
Cohen,	Holmes, J. B.,	O'Rourke,	Tahl,
Conner,	Holmes, J. L.,	Patterson,	Terry,
Cooke,	Hoopes,	Peelor,	Turner,
Cordier,	Horst,	Pennock,	Wade,
Craig,	Hough,	Perry, D. R.,	Walker, W. A.,
Dane,	Howard,	Perry, J. J.,	Wasserman,
Davies,	Hutton,	Peters,	Way
DeFrehn,	Jaffe,	Powell,	Weidemann,
Denning,	Jones,	Powers,	White,
Downey, G. E.,	Kane, L. P.,	Price,	Wike,
Downey, J.,	King,	Quinn,	Williams, G. W.,
Duffy,	Labar,	Raub,	Williams, J. J.,
Dunmire,	Lane,	Rectenwald,	Wilson, T. B.,
Dwyer,	Laubach,	Reed,	Witkin,
Ederer,	Lewis,	Reilly,	Wood,
Emhardt,	Long,	Rhodes,	Woodside,
Eroe,	Lord,	Rice,	Wright,
Evans,	Lose,	Roan,	Yeakel,
Fitzgerald,	Lovett, W. S.,	Root,	Yourishin,
Flanagan,	Lynch, J. R.,	Roth,	Zimmerman,
Fleisher,	Maloney,	Royle,	Talbot,
Flinchbaugh,	Mason,	Ruby,	Speaker.
Flynn,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2303, (Senate Bill No. 1025), entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent of the Department of Highways.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Gorman,	McElwee,	Schwartz,
Baker,	Green,	McGinnis,	Scorza,
Baldi,	Greenstein,	McGrail,	Scott,
Barnhardt,	Griffith,	McHenry,	Sheffer,
Bechtel,	Habbyshaw,	McGregor,	Shellenberger,
Beech,	Haines,	McKay,	Shortz,
Bennett,	Hamilton,	McKinney,	Shreiner,
Bernhard,	Harris,	Meredith,	Snyder,
Blumberg,	Hart,	Merrell,	Sowers,
Boyd,	Heffernan,	Metzler,	Spann,
Brancato,	Hefferon,	Mohn,	Steedle,
Brennan,	Heffner,	Moore,	Sterling, P.,
Brown, J. E.,	Hermansen,	Mumford,	Stevens,
Brown, W. L.,	Hester,	Myers,	Stevenson,
Brownfield,	Hewitt,	Negley,	Stiteler,
Cannon,	Himes, H. E.,	Nothnagle,	Storb,
Caputo,	Hoffman,	O'Connor,	Stott,
Carey,	Holmes, J. L.,	O'Keefe,	Surface,
Carson,	Hoopes,	O'Neill,	Tahl,
Chervenak,	Horst,	O'Rourke,	Terry,
Cohen,	Hough,	Patterson,	Turner,
Conner,	Hutton,	Peelor,	Wade,
Cooke,	Jaffe,	Pennock,	Walker, W. A.,
Cordier,	Jones,	Perry, D. R.,	Wasserman,
Craig,	Kane, L. P.,	Perry, J. J.,	Way,
Dane,	King,	Peters,	Weidemann,
Davies,	Labar,	Powell,	Welsh,
DeFrehn,	Lane,	Powers,	Westrick,
Denning,	Laubach,	Price,	White,
Duffy,	Lewis,	Quinn,	Wike,
Dunmire,	Long,	Raub,	Williams, G. W.,
Dwyer,	Lord,	Rectenwald,	Williams, J. J.,
Ederer,	Lose,	Reed,	Wilson, T. B.,
Emhardt,	Lovett, W. S.,	Reilly,	Witkin,
Eroe,	Lynch, J. R.,	Rhodes,	Wood,
Evans,	Lynch, M.,	Rice,	Woodside,
Fitzgerald,	Malina,	Roan,	Wright,
Flanagan,	Maloney,	Root,	Yeakel,
Fleisher,	Mason,	Roth,	Yourishin,
Forrest,	McBride,	Royle,	Zimmerman,
Gallagher,	McCandless,	Ruby,	Talbot,
Gartner,	McClure,	Sautter,	Speaker.
Gillette,	McCreary,	Schrock,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2275, (Senate Bill No. 892), entitled:

An Act to amend section one of the act approved the fourteenth day of April one thousand eight hundred and eighty-one (Pamphlet Laws ten) entitled 'An act granting power to counties cities (except cities of the first and second classes) boroughs municipalities and school districts in this Commonwealth which have issued bonds or other interest bearing evidences of indebtedness to redeem the same and issue new bonds therefor with or without interest coupons attached" as amended by extending the provisions of the said act to cities of the first and second classes and providing that the refunding bonds issued under the provisions thereof may bear interest at a rate of six per centum per annum and providing further that said bonds shall be payable at any time not exceeding twenty years after the date thereof.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Baker,	Harmuth,	McKay,	Shortz,
Barnhardt,	Harris,	Meredith,	Shreiner,
Bechtel,	Hart,	Metzler,	Shugarts,
Beech,	Hartman,	Mohn,	Simon,
Bernhard,	Heffernan,	Moore,	Sinwell,
Blumberg,	Hefferon,	Mumford,	Snyder,
Brancato,	Heffner,	Negley,	Sowers,
Brennan,	Hermansen,	Nothnagle,	Spann,
Brown, W. L.,	Hester,	O'Connor,	Steedle,
Brown, W. L.,	Hewitt,	O'Keefe,	Sterling, P.,
Brownfield,	Himes, H. E.,	O'Neill,	Sterling, R. B.,
Cannon,	Himes, L. R.,	O'Rourke,	Stevens,
Caputo,	Hoffman,	Patterson,	Stevenson,
Carey,	Holmes, J. B.,	Peelor,	Stiteler,
Carson,	Holmes, J. L.,	Pennock,	Stone,
Chervenak,	Hoopes,	Perry, D. R.,	Storb,
Cohen,	Horst,	Perry, J. J.,	Stott,
Conner,	Howard,	Peters,	Surface,
Cooke,	Hutton,	Powell,	Tahl,
Cordier,	Jaffe,	Powers,	Terry,
Craig,	Jones,	Price,	Turner,
Dane,	Kane, J. J.,	Quinn,	Wade,
Davies,	Kane, L. P.,	Raub,	Wagner,
DeFrehn,	King,	Rectenwald,	Walker, G. E.,
Denning,	Kinney,	Reed,	Walker, W. A.,
Downey, J.,	Labar,	Reilly,	Wall,
Duffy,	Lane,	Rhodes,	Wasserman,

Dunmire,	Lenahan,	Rice,	Way,
Ederer,	Lewis,	Roan,	Weidemann,
Emhardt,	Long,	Root,	Welsh,
Eroe,	Lord,	Roth,	Westrick,
Evans,	Lose,	Royle,	White,
Flanagan,	Lovett, J. E.,	Ruby,	Wike,
Fleisher,	Lynch, J. R.,	Sarig,	Williams, G. W.,
Flinchbaugh,	Lynch, M.,	Sautter,	Williams, J. J.,
Flynn,	Malina,	Schrock,	Wilson, T. B.,
Furman,	Maloney,	Schrope,	Witkin,
Gallagher,	Marcks,	Schwab,	Wood,
Gartner,	Mason,	Schwartz,	Woodside,
Gorman,	McBride,	Scorza,	Wright,
Green,	McCreary,	Scott,	Yeakel,
Griffith,	McElwee,	Sheffer,	Yourishin,
Habbyshaw,	McGinnis,	Shellenberger,	Zimmerman,
Haines,	McGregor,	Shenkel,	Talbot,
Hamilton,	McHenry,	Shettel,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2114, (Senate Bill No. 237), entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eight classes; and revising, amending and consolidating the laws relating thereto," by adding a new sub-division providing for the appointment of a fire marshal in counties of the second class.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Baker,	Hart,	McHenry,	Shortz,
Baldi,	Hartman,	McKinney,	Shreiner,
Barnhardt,	Heffernan,	Meredith,	Sinwell,
Bechtel,	Hefferon,	Metzler,	Snyder,
Beech,	Heffner,	Mohn,	Sowers,
Bennett,	Hermansen,	Mumford,	Spann,
Bernhard,	Hester,	Negley,	Stank,
Blumberg,	Hewitt,	Nothnagle,	Steedle
Boyd,	Himes, H. E.,	O'Connor,	Sterling, P.,
Brancato,	Himes, L. R.,	O'Keefe,	Sterling, R. B.,
Brown, J. E.,	Hoffman,	O'Neill,	Stevens,
Brown, W. L.,	Holmes, J. B.,	O'Rourke,	Stiteler,
Cannon,	Holmes, J. L.,	Patterson,	Stone,
Caputo,	Hoopes,	Peelor,	Sterb,
Carson,	Horst,	Pennock,	Stott,
Chervenak,	Hough,	Perry, D. R.,	Surface,
Cohen,	Howard,	Perry, J. J.,	Tahl,
Cooke,	Hutton,	Peters,	Terry,
Cordier,	Jaffe,	Powell,	Turner,
Cramer,	Jones,	Powers,	Wade,
Davies,	Kane, J. J.,	Price,	Wagner,
DeFrehn,	Kane, L. P.,	Quinn,	Walker, G. E.,
Downey, G. E.,	Kinney,	Raub,	Walker, W. A.,
Downey, J.,	Labar,	Rectenwald,	Wasserman,
Dunmire,	Lane,	Reed,	Way,
Ederer,	Laubach,	Rhodes,	Welsh,
Emhardt,	Lenahan,	Rice,	Westrick,
Evans,	Lewis,	Roan,	White,
Evans,	Long,	Roth,	Wike,
Fitzgerald,	Lord,	Royle,	Williams, G. W.,
Flanagan,	Lovett, W. S.,	Ruby,	Williams, J. J.,
Flinchbaugh,	Lynch, J. R.,	Sarig,	Wilson, L. M.,
Furman,	Lynch, M.,	Sautter,	Wilson, T. B.,
Gallagher,	Malina,	Schrock,	Witkin,
Gillette,	Maloney,	Schrope,	Wood,
Gorman,	Mason,	Schwab,	Woodside,
Greenstein,	McBride,	Schwartz,	Wright,
Griffith,	McCandless,	Scorza,	Yeakel,
Habbyshaw,	McClure,	Scott,	Yourishin,
Haines,	McElwee,	Sheffer,	Zimmerman,
Hamilton,	McGinnis,	Shenkel,	Talbot,
Harmuth,	McGrail,	Shettel,	Speaker.
Harris,	McGregor,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2286 (Senate Bill No. 625), as follows:

An Act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their director sshareholders solicitors and other emloyes prohibiting the tranaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts records of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

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ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Building and Loan Code"

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Articles" includes the original articles of incorporation any or all amendments thereto articles of merger or consolidation and also what have herefore been designated by law as certificates of incorporation or charters

"Assets" includes all the property and rights of every kind of association

"Association" includes any building and loan association organized under this act or heretofore organized under or by virtue of any other law of this Commonwealth

"Authorized Capital" means the sum of the par value of the shares authorized to be issued by an association

"Corporation" means a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Department" means the Department of Banking of this Commonwealth

"Incorporator" means a signer of the original articles of incorporation

"Mortgage Loans" means loans which are secured pursuant to the provisions of this act by the bond of the borrower by a mortgage on real property and by installment shares

"Person" means an individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals

"Shares" means the units into which the shareholders' rights to participate in the control of a building and loan association are divided

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the corporation or person therein named is the registered owner of the shares therein described it also includes the term "certificate of stock" as used in existing laws

"Share Loans" means loans which are secured pursuant to the provisions of this act by the note of the borrower and by prepaid or installment shares

"Shareholder" means a registered owner of shares in a building and loan association

"Subscriber" means one who subscribes for shares in a building and loan association whether before or after incorporation

"Written" includes printed typewritten engraved lithographed telegraphed cabled radiogramed photographed photostated telephotographed or other form of recorded or transmitted message

B The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 3 Applicability of Act Every association heretofore organized and incorporated under the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" its amendments and supplements and every association heretofore created by any special act or formed under any general act which has accepted in any manner whatsoever the Constitution of Pennsylvania and which if not existing would be required to incorporate under this act shall hereafter be subject to the provisions of this act without formal reorganization hereunder and shall be deemed to exist under this act Except as herein otherwise specifically provided the provisions of this act shall govern all such associations heretofore incorporated in this Commonwealth

Section 4 Saving Clause A The provisions of this act in so far as they are the same as those of existing acts shall be construed as a continuation of such acts and not as new enactments The repeal by this act of any existing act or of any part thereof shall not be construed to revive any act or part of any act heretofore repealed or superseded

B Except as otherwise specifically provided in this act the provisions of this act shall not affect any act done liability duty or obligation incurred or right accrued prior to the effective date of this act nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any act repealed or superseded by this act

C The repeal of any act by this act shall not affect the corporate existence of any association heretofore created under any law of this Commonwealth

D Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term subject to the conditions attached to such office prior to the passage of this act

E All resolutions regulations and rules made pursuant to any act repealed by this act shall unless inconsistent with any provision of this act continue with the same force as if such act had not been repealed

Section 5 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 6 Construction of References Article and Section Headings A Any reference in this act to any act by title otherwise shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

B Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act as well as those then in existence

C Article and section headings shall not be construed to affect in any manner the scope or meaning of any article or section of this act

Section 7 Jurisdiction of Courts Except where otherwise specifically provided the provisions of this act shall not be deemed to curtail in any manner whatsoever the equity jurisdiction and powers of the courts of this Commonewalth

Section 8 Notices to Corporations and Persons Unless expressly provided otherwise all written notices required by this act to be given to any corporation or person shall be (1) served in the manner writs of summons except that such service need not be made by the sheriff or (2) mailed or sent by telegram charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation organized under the laws of this Commonwealth to its principal office and (c) in the case of a corporation incorporated under the laws of some other state to its registered office in Pennsylvania or if it has no registered office in Pennsylvania to its home office in the state of incorporation or in any other state

If a notice is sent by mail or by telegraph such notice shall be deemed to have been given to the corporation or person addressed when it is deposited in the United States mail or

with a telegraph office for transmission to such corporation or person

Section 9 Advertisement or Notice in Newspaper A Unless expressly provided otherwise any advertisement or notice in a newspaper of general circulation required by this act shall be published in a newspaper of general circulation in the county as defined by the Newspaper Advertising Act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four) its supplements and amendments in which the place of business of the association is or in the case of a proposed institution will be located and which is published in the city borough or township in which such place of business is or will be located

If there is no newspaper of general circulation published in the city borough or township then the advertisement or notice shall be inserted in a newspaper of general circulation in the county published at the county seat If no newspaper of general circulation in the county is published at the county seat then such advertisement or notice shall be inserted in the newspaper of general circulation published nearest to the city borough or township in which the place of business of such association is located and within the county If there is no newspaper of general circulation published within the county then the advertisement or notice shall be inserted in the newspaper of general circulation published nearest to such city borough or township in an adjoining county

B Unless expressly provided otherwise any advertisement or notice in a legal newspaper required by this act shall be published in the legal newspaper published within the county as defined by the Newspaper Advertising Act in which the place of business of the association is or in the case of a proposed association will be located

C Unless expressly provided otherwise if this act requires advertisement or notice to be made both in a newspaper of general circulation and in a legal newspaper and if there is no legal newspaper published within the county in which the place of business of the association is or in the case of a proposed association will be located the advertisement shall be made in two newspapers of general circulation in the county except that if two newspapers of general circulation are not published in the county then such advertisement or notice shall be made in only one newspaper of general circulation published in the county or if none is published there then in one newspaper published in an adjoining county as provided by this section in any case in which a newspaper of general circulation is not published in the county

D Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act

E Any notice or advertisement in a newspaper required by this act shall be construed to refer to a newspaper published in the English language

Section 10 Waiver of Notice A Any notice required by this act or by the articles or by-laws of any association governed by the provisions of this act to be given to any corporation or person may be waived by such corporation or person either before or after the day prescribed for the giving of such notice Such waiver shall be in writing and signed by such corporation or person

B Except in the case of a special meeting neither the business to be transacted at nor the purpose of the meeting need be specified in the waiver of notice of such meeting

C. Attendance of a director or of a shareholder in person or by proxy or of any other person at any meeting shall constitute a waiver of notice of such meeting except where he attends such meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called

Section 11 Fees Except as otherwise specifically provided any prothonotary or recorder of deeds and any State department board commission or officer shall be entitled to receive for services performed as required by this act such fees as are or may be lawfully charged for such or similar services

Section 12 Powers of Department of State The Department of State shall have the power and authority reasonably necessary to enable it to perform the duties imposed upon it by this act All articles papers and other documents required by this act to be filed with the Department of State shall be prepared in such form as shall be prescribed by the Department of State

Section 13 Certificates and Certified Copies of Certain Documents to be Received in Evidence All certificates issued by the Department of State in accordance with the provisions of this act and all copies of articles papers and other documents filed with Department of State in accordance with the provisions of this act when certified by the Secretary of the Commonwealth shall be taken and received by all courts public offices and official bodies as prima facie evidence of the facts therein stated A certificate by the Department of State under the seal of the Commonwealth as to existence or non-existence of facts relating to corporations which would not appear from any of the foregoing documents or certificates shall be taken and received by all courts public offices and official bodies as prima facie evidence of the existence of non-extence of facts therein stated

ARTICLE II

NAMES AND PLACES OF BUSINESS OF ASSOCIATIONS

Section 201 Association Name Change of Name A The name of an association may be in any language but it shall be expressed in English letters or characters It shall contain the words "building and loan association" The name of an association shall not contain the words "trust" "bank" "deposit" "discount" or any other word which may deceptively lead to the conculsion that it is authorized to perform any act or conduct any business which is forbidden to it by law by its charter or otherwise The name of the association shall not contain the words "Pennsylvania" "Commonwealth" "State" "Government" "Official" "Federal" "National" or "United States"

The name of an association shall not be the same as or deceptively similar to that of any other corporation authorized to transact business in this Commonwealth or the name of any unincorporated body whatsoever voluntarily registered with the Department of State under any act unless such other corporation or unincorporated body is about to change its name or to cease doing business or is being wound up or in the case of a foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the Department of State and with the Department of Banking

B The provisions of this section shall not apply to any name which is in existence upon the effective date of this act However if the association bearing this name shall desire to change its name in any manner whatsoever pursuant to the provisions of this act the new name shall comply in every detail with the requirements of this section A change in name shall be effected in the regular manner provided by this act for amending its articles

C This section shall not be construed to abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principles of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

D The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the Court of Common Pleas of Dauphin County may upon application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth or the court of common pleas of the county in which the association has its place of business may upon the application of any corporation or person adversely affected enjoin the association from using or continuing to use a name assumed in violation of this section

Section 202 Reservation of Association Name The exclusive right to the use of a name may be reserved (1) by any person intending to organize an association or (2) by any association intending to change its name Such reservation shall be made by filing with the Department of State duplicate originals of an application to reserve a specified name executed by the applicant If the Department of State shall find that such name is available it shall send one duplicate original of such application to the Department of Banking If the Department of Banking decides that such name is satisfactory to it it shall forthwith give its written assent to the Department of State The Department of State shall then reserve the name for the exclusive use of such applicant for a period of sixty days The right to the exclusive use of a specified name so reserved may be transferred to any cor-

poration or person who except for such prior reservation would be entitled under the provisions of this act to reserve such name Such transfer may be made by filing with the Department of State duplicate originals of a notice of such transfer which notice shall be executed by the applicant for whom such name was reserved and shall specify the name and address of the transferee The Department of State shall send one such duplicate original to the Department of Banking

Section 203 Place of Business Change of Place of Business A An association shall not hold any of the regular meetings of its directors grant any loans or transact any business except at the place of business designated in its by-laws but the collection of dues by any corporation or person authorized by the association to make such collection at any place other than the place of business of the association and the holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section In the event that the place of business designated in the by-laws becomes unavailable the directors may specify another place within the city borough or township as a temporary place of business

B An association may change its place of business to any place within the city borough or township named in its articles in the manner provided in its by-laws An association upon changing its place of business shall forthwith give notice of such change to the Department of Banking and the Department of State

Section 204 Branch Offices and Sub-agencies An association shall not establish maintain or operate either directly or indirectly any branch association branch office agency sub-office sub-agency or branch place of business within this Commonwealth for the holding of the regular meetings of its directors the granting of any loans or the transaction of any part of its business but all of the business of such association shall be carried on solely and exclusively at its place of business The collection of dues by any corporation or person authorized by the association to make such collection at any place other than the place of business of the association and the holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section

ARTICLE III

FORMATION ORGANIZATION AND GENERAL CORPORATE POWERS OF ASSOCIATIONS

Section 301 Formation An association may be formed pursuant to the provisions of this act by fifteen or more incorporators Such incorporators shall be natural persons of full age and of either sex married or single All of them shall be residents of this Commonwealth and at least two-thirds of them shall be citizens of the United States or of its territories or possessions

Section 302 Prohibition upon Payment of or Contract for Promoters' Fees It shall be unlawful (1) for any fee commission or compensation to be paid to any corporation or person for the promotion or organization of an association or (2) for any part of the money collected from subscribers or shareholders to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such association whether such fee commission or compensation is provided for by the contract with the proposed association with the promoters with the subscribers or otherwise This prohibition shall not be construed to affect reasonable counsel fees paid or agreed to be paid to an attorney at law

In any case in which there has been a violation of this section the Department shall have the power to disapprove the articles upon this ground alone

Section 303 Articles of Incorporation Articles of incorporation shall be signed by each of the incorporators and acknowledged by at least five of them before any officer within this Commonwealth authorized to take acknowledgments

The articles shall set forth in the English language

(1) The name of the proposed association

(2) The city borough or township in which it will establish its place of business

(3) A precise and accurate statement of the purpose or purposes for which it is organized as well as a statement that it is organized under the provisions of this act

(4) The term for which it is to exist which may be perpetual

(5) The par value of its shares

(6) The name occupation citizenship pleac of residence and post office address of each incorporator

(7) The name occupation citizenship place of residence post office address and term of office of each of the first directors and the number of shares to which he has subscribed

(8) Any provision not inconsistent with law which the incorporators may choose to insert for the regulation of the business and the internal affairs of the association

Section 304 Advertisement of Articles The incorporators shall advertise their intention to file articles with the Department of State one time in a newspaper of general circulation and one time in a legal newspaper Advertisements shall appear at least three days prior to the day the articles are to be filed with the Department of State and shall set forth briefly

(1) The name of the proposed association

(2) A statement that the proposed association is to be organized under the provisions of this act and

(3) The time when the articles will be filed with the Department of State

Section 305 Filing of Articles Payment of Fees or Charges A The incorporators shall deliver or cause to be delivered to the Department of State a proof of publication of the advertisement of their intention to file articles of incorporation the articles required by this act and an affidavit stating all expenses connected with the organization of the association and the procuring of subscriptions including any counsel fee to an attorney at law and including a declaration that no fee commission or compensation of any other kind has been or is to be paid to any corporation or person for the promotion or organization of the association or for the procuring of subscriptions or the sale of its shares

B The Department of State shall examine the proof of publication and the articles to determine whether they contain all the information and are in the form required by this act and whether the name of the proposed assocation is the same as one already adopted or reserved by any other corporation or person or is so similar thereto that it is likely to mislead the public

C After all the fees and charges established by law have been paid the Department of State shall if the proof of publication and the articles contain the information and are in the form required by this act and if the name of the proposed association does not violate any provision of this act forthwith but not prior to the day specified in the advertisement of the intention of the incorporator to file the articles endorse its approval thereon and transmit them to the Department of Banking

D If the Department of State shall disapprove the articles pursuant to the provisions of this act it shall forthwith give notice thereof to the proposed incorporators stating in detail its reasons for doing so and indicating how the incorporators can remedy their nonconformance with the provisions of this act Upon remedying the defect the incorporators may in the same manner file the same or amended articles whichever the particular case may require

Section 306 Approval of Articles by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles from the Department of State conduct such investigation as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the proposed association is likely to mislead the public as to its character or purpose

(2) Whether the convenience and advantage of the public will be served by the proposed incorporation and whether the density of the population in the neighborhood designated for the place of business of such proposed association and in the surrounding country affords reasonable promise or adequate support for the enterprise

(3) Whether the responsibility character and general fitness for the business of the incorporators and directors named in the articles are such as to command the confidence of the community and to warrant the belief that the business of the proposed association will be honestly and efficiently conducted in accordance with the intent and purpose of this act

(4) Whether any fee commission or compensation other than a reasonable counsel fee has been paid to any corporation of such association or whether any part of the money collected or to be collected from subscribers or shareholders has been or is to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in start-

ing such association whether such fee commission or compensation is provided for by contract with the proposed association or by contract with the subscribers to the shares

B Within thirty days after the receipt of the articles from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove the articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles it shall endorse its approval thereon and shall return them to the Department of State

C If the Department of Banking disapproves the articles it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the proposed incorporators of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The proposed incorporators may within thirty days after the Department of State gives them notice of the disapproval of their articles appeal from such disapproval to the Governor who shall hear such appeal promptly and within thirty days thereafter decide the matter and certify his decision to the Department of Banking. The decision of the Governor shall be conclusive and not subject to any review The Department of Banking shall act in accordance therewith

Section 307 Issuance of Certificate of Incorporation Immediately upon receipt of the approved articles of an association from the Department of Banking the Department of State shall file the articles and shall issue to the incorporators or their representative a certificate of incorporation to which shall be attached a copy of the approved articles The Department of State shall also send a copy of the approved araticles to the Department of Banking The articles upon being approved by the Department of State and the Department of Banking and filed by the Department of State shall constitute the charter of the association

Section 308 Effect of Issuance of Certificate of Incorporation Upon the issuance of the certificate of incorporation of any association by the Department of State the corporate existence shall begin The certificate of incorporation shall be conclusive evidence of the fact that the accociation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate an association which should have been formed under some other act or which has been formed without a substantial compliance with the conditions prescribed by this act

Section 309 Fees for Investigation by Department of Banking In addition to any other fees or charges provided by law in the case of any corporation the incorporators of an association shall pay to the Depratment of State at the time they file their articles such reasonable fees as shall be established by rule and regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act to determine whether the articles should be approved Such fees shall be paid by the Department of State through the Department of Revenue into the Banking Department Fund

Section 310 Organization Meetings A After the issuance of the certificate of incorporation of an association the first meeting of the shareholders shall be held within this Commonthwealth at the call of the shareholders who were the incorporators or a majority of them for the purpose of adopting such by-laws as this act or the articles of incorporation provide shall be adopted by the shareholders and for such other purposes as shall be stated in the notice of the meeting If the by-laws adopted at such meeting of the shareholders the shareholders shall proveed immediately to elect such officers The persons calling the meeting shall give at least tent days' written notice thereof to each shareholder which notice shall state the time place and purpose or purposes of the meeting

B After the issuance of the certificate of incorporation of an association an organization meeting of the board of directors named in the articles shall be held within this Commonwealth at the call of a majority of the directors for the purpose of adopting such by-laws if any as the articles authorize the directors to adopt for the purpose of electing such officers if any as the by-laws provide shall be elected by the directors and for the transaction fsuch other business as may come before the meeting The directors calling the meeting shall give at least five days' written notice of the time and place of the meeting to each director named in the articles

Section 311 Power of Legislature to Alter or Revoke Charters The General Assembly may revoke or annul the charter of any association formed under this act as provided by Article XVI Section 10 of the Constitution

Section 312 General Powers Subject to the limitations and restrictions contained in this act or in its articles every association shall have power

(1) To continue as an association for the time specified in its articles subject to the power of the General Assembly under the Constitution of this Commonwealth

(2) To sue and be sued complain and defend in its corporate name

(3) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile of it to be impressed or affixed or in any manner reproduced

(4) To make after amend and repeal by-laws not inconsistent with its articles or with law for the administration and regulation of the affairs of the association

(5) To elect or appoint and remove officers and agents of the association and to define their duties and fix their compensation

(6) To have and exercise all of the powers and means necessary to effect the purpose or purposes for which the association is organized

(7) To dissolve and wind up

The powers herein enumerated shall not be construed as limiting or enlarging any grant of authority specifically granted elsewhere in this act or as limiting the purpose or purposes for which an association may be organized as set forth in its articles It shall not be necessary to set forth in the articles of any of the powers enumerated in this section Except as otherwise provided in this act in the articles or in the by-laws of a particular association the powers herein enumerated shall be exercised by the board of directors of the association

Section 313 By-Laws Adoption Amendment or Repeal Approval by Department A Except as herein otherwise provided the shareholders shall have the power to make alter amend and repeal the by-laws of an association The authority to make by-laws may be expressly vested by the articles in the board of directors subject to the power of the shareholders to change or repeal such by-laws but the board of directors shall not make or alter any by-laws fixing their qualifications classification term of office or compensation or any by-laws regulating the proportion of the profits of the association or the rate of interest paid to a withdrawing shareholder Unless the articles or by-laws otherwise provide the by-laws shall be adopted altered amended and repealed by a majority vote of the board of directors or of the shareholders entitled to vote thereon as the case may be at any regular or special meeting duly convened after notice to the shareholders or directors of that purpose

B The by-laws of an associtaion may contain any provision for the regulation and management of the affairs of such association not inconsistent with law or the articles

C Immediately upon the adoption of the by-laws or of any additions thereto or any alteration amendment or repeal thereof notice of such fact and a copy of such by-law or such alteration amendment or repeal shall forthwith be sent to the Department of Banking The Department of Banking shall have the power to disapprove for any reasonable cause stated in writing any such by-law or any such alteration amendment or repeal thereof but such by-law alteration amendment or repeal shall be effective until the Department actually disapproves it and gives notice thereof to the association

Section 314 Parties Bound by By-Laws Execution of Instruments A The by-laws of an association shall operate merely as regulations among the shareholders of the association and shall not affect contracts or other dealings with other corporations or persons unless such corporations or persons have actual knowledge of such by-laws or unless the association has given to such corporations or persons a copy of such by-laws

B Any form of execution provided in the by-laws to the contrary notwithstanding any note mortgage evidence of indebtedness contract or other instrument of writing or any assignment or endorsement thereof executed or entered into between an association and any other corporation or person when signed by the president or vice-president and by the secretary or treasurer of such association shall be held to have been properly executed for and in behalf of the association

ARTICLE IV

DIRECTORS AND OFFICERS

Section 401 Number and Election of Directors Executive Committee Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors of an association may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

(1) A director shall be elected for a term of one year

(2) The number of directors shall be the same as that stated in the articles

(3) Vacancies in the board of directors shall be filled by the remaining members of the board though less than a quorum and each person so elected shall be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto

(4) The regular meetings of the board of directors shall be held at the place of business of the association but special meetings may be held at such place within this Commonwealth as a majority of the directors may from time to time designate

(5) A majority of all the directors in office shall be necessary to constitute a quorum for the transaction of business and except as otherwise provided in this act or in the articles or by-laws of a particular association the acts of a majority of the directors who are present at a meeting at which a quorum is present shall be the acts of the board of directors

(6) The board of directors may by resolution passed by a majority of the whole board delegate three or more of its number to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority of the board over the ordinary operations of the business of the association between the dates of the monthly meetings of the board Every such committee shall keep full minutes of all business transacted by it and shall present detailed reports of all such transactions at each monthly meeting of the board

Section 402 Term of Office and Qualification of Directors A The business and affairs of every association shall be managed by a board of at least five directors Except as otherwise provided by this act or by the articles or by-laws of the association such board of directors shall exercise all the powers and fulfill all the duties granted to or imposed upon the association by this act

B Each director shall hold office for the term for which he is elected and until his successor shall have been duly elected and qualified The names and terms of office of the first directors shall be stated in the articles Except as otherwise provided in this act for the filling of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders

C Every director shall during his term of office be a citizen of the United States and a bona fide resident in this Commonwealth Ever director shall own in his own name and of any lien or encumbrance at least five shares of the association but the number of shares required to be owned by any person who is a director of an association upon the effective date of this act shall be the same as was required by the articles or by-laws of such association prior to the effective date of this act so long as such director shall serve continuously The share certificates or the passbook or other receipt for the minimum number of shares which each director is required to own free of any lien or encumbrance shal be filed unendorsed unpledged and unassigned by him with the treasurer of the association Such shares shall remain in the custody of the treasurer during the term of office of such director

Any director who during his term of services pledges assigns or in any manner ceases to be the owner in his own name of the number of shares which he is required to own free of any lien or encumbrance shall forthwith cease to be a director of the association and his office shall be vacant Any vacancy thus occurring shall be filled in the regular manner for fillinig vacancies in the board

Section 403 Classification of Directors If the by-laws of an association so provide the directors may be classified in respect to the time for which they shall severally hold office In such case each class shall be as nearly equal in numebr as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for a shorter period than one year or for a longer period than four years At each ensuing election of directors after such classification only the number of directors equal to the number of the class whose terms expire at the time of the election shall be elected and such directors shall be elected for the longest term for which any class may have been elected as provided in this section

Section 404 Meetings of Board of Directors Notice Thereof A The Board of Directors of every association shall hold a regular meeting at its place of business at least once in each month Meetings of the board of directors shall be held upon such notice as the by-laws may prescribe Unless the by-laws provide otherwise written notice of any special meeting of the board of directors shall be given to each director When any regular or special meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

B The board of directors shall require the secretary of the association to keep complete records of their proceedings in a minute book kept for that purpose When a director shall request it the vote of each director upon a particular question shall be recorded in the minutes

Section 405 Compensation of Directors The directors of an association shall be entitled to such compensation for their services as directors as is provided in its articles or by-laws A director may also be a salaried officer of the association

Section 406 Examination and Report by Board of Directors A The board of directors of every association shall once in each year make or cause to be made by at least three of the members of the board or by accountants employed for the purpose a detailed examination of the books papers securities and acairs of the association and the loans thereof and into such other matters as the Department may require The board of directors shall have the power to employ such assistants as they may deem necessary to make such examination

B As soon as such examination is completed a detailed written report thereof signed under oath or affirmation by the directors or certified to by the certified public accountants making such examination shall be sent to the Department A copy thereof shall be placed on file with the association and properly noted on its minutes.

Section 407 Communications from Department of Banking Every official communication directed by the Department to an association or to any officer thereof shall be transmitted by the officer receiving it to the board of directors at the next meeting of such board and shall be duly noted in the minutes of such meeting

Section 408 Disqualification of Directors If a director of an association shall for six successive months or such shorter period as is established by the by-laws fail to attend any of the regular meetings of the board of directors of such association without having been during such period excused by the board for such failure to attend his office may forthwith be declared vacant by the board of directors but he shall be eligible for reelection

Section 409 Removal of Directors A The entire board of directors or any individual director may be removed from office by a majority vote of the holders of the outstanding shares entitled to vote at an election of directors In case the board or any one or more directors be so removed new directors may be elected at the same meeting Unless the entire board be removed no individual director shall be removed in case the votes of a suffcient number of shares are cast against the resolution for his removal which if cumulatively voted at an election of the full board would be sufficient to elect one or more directors

B The board of directors may declare vacant the office of a director if he be declared of unsound mind by an order of court or convicted of felony or if within sixty days or such other time as the by-laws may specify after notice of his election he does not accept such office either in writing or by attending a meeting of the board of directors and fulfill such other requirements or qualifications as the by-laws may specify

C The court of common pleas of the county where the place of business of the association is located may at the suit of any shareholder or shareholders holding at least ten per cent of the outstanding shares remove from office any director or directors in case of fraudulent or dishonest acts or

gross abuse of authority or discretion with reference to the association and may bar from reelection any director so removed for a period prescribed by the court The association shall be made a party to such actions

Section 410 Officers of Associations Removal Compensation A Every association shall have a president a vice-president a secretary and a treasurer and may have such additional officers as shall be provided for in the by-laws Any two or more offices may be held by the same person except that the same person shall not at the same time be holder of more than one of the following offices president vice-president secretary treasurer and solicitor in addition when an association has a conveyancer the president vice-president secretary or treasurer of such association shall not at the same time be the conveyancer of the association

B The officers of an association shall be selected at least annually by the board of directors unless the by-laws provide a different method The president vice-president and secretary of an association shall be required to be members of the board of directors of the association

C Unless specifically provided otherwise in the by-laws the board of directors shall fix the compensation of all officers

D Any officer may be removed by the board of directors whenever in its judgment the best interests of the association will be served thereby but such removal shall be without prejudice to the contract rights if any of the person so removed

E Unless specificaly provided otherwise in the by-laws the board of directors shall have the power to fill any vacancies created by the death removal resignation or otherwise of any officer

F The officers as between themselves and the association shall have such authority and perform such duties as shall be specified by the by-laws

Section 411 Bonds of Officers and Employes A The officers and employes of every association as well as any directors who are authorized to receive payments of moneys or to handle negotiable securities on behalf of such association shall before entering upon the performance of their duties furnish to it bonds in such amount as is specified with such corporate surety as is approved by the directors Such bond shall be conditioned upon the faithful performance of the duties of such officers directors or employes The cost of such bonds may be paid by the association

B The Department shall have the power to require any such officer employe or director at any time during his term of office or employment to furnish a bond in an amount greater than that required by the board of directors or it may require new or additional corporate surety

Section 412 Women May Be Directors or Officers Women married or single may serve as officers or directors of an association

Section 413 Power of Attorney to Make Entries of Record A Every association shall by power of attorney filed of record in the office of the recorder of deeds in any county in which it may have occasion or in which it may be required to enter acknowledgement of payments assignment extension postponement release or satisfaction of or to take any other action affecting the lien of any mortgage which appears upon the records in such office designate a person or persons who shall be authorized in the name of such association to make such entries The officer or employe of an association who has custody of the mortgage papers of such association shall not be designated to make such entries

B Such recorded of deeds shall not permit any person other than the person or persons so designated to make such entries for such association

Section 414 Acceptance of Fee or Commission by Director Officer Solicitor or Employe A A director an officer a solicitor a conveyancer or an employe of an association shall not directly or indirectly stipulate for or agree or assent to receive or receive any money or other thing of value as a free commission or gift from any corporation or person for procuring or for endeavoring to procure for such corporation or persono or for any other corporation or person or for performing any service in connection with any loan from or any investment by such association

B Any director officer solicitor conveyancer or employe of an association who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to a fine not exceeding a sum equal to three times the amount of the value of the property which he receives as such fee commission or gift In addition he shall be disqualified from acting as a director officer solicitor conveyancer or employe of any association within this Commonwealth for a period of five years after the date of such conviction

Section 415 Purchases from and Sales to Directors Officers Solicitors or Employes A An association shall not contract for or purchase from any of its directors officers attorneys or employes any securities or other property unless such purchase is made in the regular course of business upon terms not less favorable to the association than those offered to any other corporation or person unless such purchase could not be made from another reliable source at a more favorable price or upon more favorable terms and unless such purchase is authorized by the vote of at least two-thirds of all the members of the board of directors of such association who are not interested in such transaction except in their capacity as directors of the association

B An association shall not sell securities or other property owned or held by it to any of its directors officers solicitors or employes unless such sale is made in the regular course of business upon terms not less favorable to the association than those offered to any other corporation or person unless such sale could not be made elsewhere at a more favorable price or upon more favorable terms and unles such sale is authorized by the vote of at least two-thirds of all the members of the board of directors of such association who are not interested in such transaction except in their capacities as directors of the association

C For the purpose of this section a purchase from or a sale to a corporation of wihch any director officer solicitor or employe described in this section owns ten per centum or more of the outstanding shares or a purchase from or a sale to an unincorporated association of which any such director officer solicitor or employe is a member shall be considered a purchase from or a sale to such director officer solicitor or employe

D Any director officer solicitor or employe of an association who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to an imprisonment not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine equal to any profit which he shall have made upon the transaction

ARTICLE V

MEETING RIGHTS AND LIABILITIES OF SHAREHOLDERS

Section 501 Meetings of Shareholders A Meetings of the shareholders of an association shall be held within this Commonwealth at such place as may be provided in the by-laws of the association Unless the by-laws provide otherwise all meetings of the shareholders shall be held at the place of business of the association In the event that the place of business or the place designated in the by-laws becomes unavailable for the holding of a meeting of the shareholders the directors may upon notice to all shareholders specify another place within the city borough or township as a temporary meeting place

B The by-laws may provide for the number and the time of meetings of shareholders but at least one regular meeting of the shareholders shall be held in each calendar year for the election of directors at such time as shall be provided in the by-laws If the annual meeting shall not be called and held within one month after the designated time any shareholder shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting

C Special meetings of shareholders may be called at any time by the president or the board of directors or the holders of not less than one-fifth of all the shares outstanding and entitled to vote at the particular meeting or by such other officers or persons as may be provided in the articles or by-laws At any time upon written request of any person entitled to call a special meeting it shall be the duty of the secretary of the association to call a special meeting of the shareholders to be held at such time as the secretary of the association may fix not less than ten or more than sixty days after the receipt of the request If the secretary shall neglect or refuse to issue such call the person or persons making the

request shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting

D Any annual or special meeting may be adjourned for any period of time but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected

Section 502 Notice of Meetings of Shareholders In the case of all special meetings of the shareholders and in the case of any regular meeting the time and the place of which are not stated in the by-laws written notice of such meeting shall be given by or at the direction of the person authorized to call the meeting to each shaeholder of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act If the time and the place of a regular meeting of the shareholders are stated in the by-laws it shall be sufficient in addition to any other notice if any required by the by-laws to post a notice at the place of business of the association during the two months immediately preceding the date of such meeting The notice required by this section shall specify the place day and hour of the meeting and in the case of a special meeting the general nature of the business to be transacted When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at the adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

Section 503 Quorum of Shareholders A shareholders' meeting duly called shall not be organized for the transaction of business unless a quorum is present Unless otherwise specifically provided in this act in the articles or in the by-laws

(1) The presence in person or by proxy of the holders of a majority of the outstanding shares entitled to vote shall constitute a quorum

(2) The acts of the holders of a majority of the shares represented at any meeting at which a quorum is present shall be the acts of the shareholders

(3) If a meeting cannot be organized because a quorum has not attended those present may adjourn the meeting to such time and place as they may determine but in the case of any meeting called for the election of directors those who attend the second of such adjourned meetings although less than a quorum as fixed in this section or in the articles or by-laws shall nevertheless constitute a quorum for the purpose of electing directors

Section 504 Shareholders May Vote in Person or by Proxy Except as otherwise specifically provided in this act every shareholder of record of an association shall have the right at every shareholders' meeting to one vote for every share standing in his name on the books of the association Every shareholder may vote either in person or by proxy Every proxy shall be executed in writing by the shareholder or by his duly authorized attorney in fact and field with the association A proxy unless coupled with an interest shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary but the revocation of a proxy shall not be effective until notice thereof has been given to the association No unrevoked proxy shall be valid after eleven months from the date of its execution unless coupled with an interest A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised written notice of such death or incapacity is given to the association A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value

Section 505 Election of Directors Cumulative Voting Unless otherwise provided in the by-laws elections for directors need not be by ballot except upon demand made by a shareholder at the election and before the voting begins In all elections for directors every shareholder entitled to vote shall have the right in person or by proxy to multiply the number of votes to which he may be entitled by the number of directors to be elected and he may cast his whole number of such votes for one candidate or he may distribute them among any two or more candidates The candidates receiving the highest number of votes up to the number of directors to be chosen shall be elected

Section 506 Voting by Trustees and Pledges Shares of an association held in a fiduciary capacity by a fiduciary appointed by last will and testament or by decree of the orphans' court shall be voted by such fiduciary either in person or by proxy in the manner and under the circumstances provided by law Shares standing in the name of a fiduciary other than one appointed by last will and testament or by decree of the orphans' court or shares held by an assignee for the benefit of creditors or by a receiver may be voted by such fiduciary assignee or receiver either in person or by proxy A shareholder whose shares are pledged to anyone other than the association shall be entitled to vote thereon in person or by proxy until the shares have been transferred on the books of the association to the pledgee or nominee and thereafter the pledgee or nominee shall be entitled to vote the shares in person or by proxy A shareholder whose shares are pledged to the association shall be entitled to vote such shares in person or by proxy

Section 507 Voting by Joint Holders of Shares Where shares of an association are held jointly or as tenants in common by more than one corporation or person the will of the majority of such holders shall control the manner of voting or the giving of a proxy If the shares are held jointly or as tenants in common by two or any other even number of corporations or persons and t hey are equally divided up the manner of voting the shares held by them the vote of such shares shall be divided equally among such persons If only one or more of such holders are present in person or by proxy he or they shall have the right to vote all such shares and all of the shares standing in the names of such corporations or persons shall be deemed to be represented for the purpose of determining a quorum Except as hereinafter provided the same shall be true in the case of fiduciaries other than those appointed by last will and testament or by decree of the orphans' court unless such fiduciaries have been appointed under an instrument or a decree of court which directs otherwise Where in any case such fiduciaries are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court of common pleas upon petition filed by any of the fiduciaries or by any beneficiary to direct the voting of such shares in the manner which in the opinion of the court will be for the best interests of the parties beneficially interested in the shares

Where shares of an association are held jointly in a fiduciary capacity by two or more fiduciaries appointed by last will and testament or by decree of the orphans' court they shall be voted in the manner and under the circumstances provided by law

Section 508 Voting Shares Held by a Corporation An association or other corporation owning shares in an association or in any other corporation may vote them by its president or by proxy appointed by him unless some other person by resolution of its board of directors shall be appointed to vote such shares in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution

Section 509 Determination of Shareholders of Record A Unless the by-laws otherwise provide the board of directors of an association may fix a time not less than ten or more than forty days prior to the date of any meeting of shareholders as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting In such case only such shareholders as shall be shareholders of record on the date so fixed shall be entitled to notice of and to vote at such meeting notwithstanding any transfer of any shares on the books of the association after any record date fixed as aforesaid The board of directors may close the books against transfers of shares during the whole or any part of such period and in such case written notice thereof shall be given at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the association or supplied by him to such association for the purpose of notice While the stock transfer or other books of such association are closed no transfer of shares shall be made thereon Unless a record date is fixed by the by-laws or the board of directors for the determination of shareholders entitled to receive notice of or to vote at a shareholders' meeting transferees of shares which are transferred on the books of the association within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting

B Holders of matured shares or holders of shares which have been voluntarily or involuntarily withdrawn or holders of shares who have not assented to or have dissented from a merger or a consolidation shall be entitled to notice of and to vote at any meeting of shareholders until they shall have been paid in full the amount lawfully due them on account of their shares The exercise of such right to vote at a meeting shall not constitute waiver of or in any way affect any rights granted by law to such shareholders by virtue of the maturing of their shares or of their withdrawal from the association either voluntarily or involuntarily or of their failure to assent to or their dissent from a plan of merger or consolidation

C Shareholders whose shares have been issued less than sixty days prior to the date of a meeting shall not be permitted to vote such shares at any meeting of the association

Section 510 Judges of Election A In advance of any meeting of shareholders of an association the board of directors may appoint a judge or judges of election who need not be shareholders to act at such meeting or any adjournment thereof If a judge or judges of election be not appointed the chairman of any such meeting may and on the request of any shareholder or his proxy shall make such appointment at the meeting The number of judges shall be one or three If appointed at a meeting on the request of one or more shareholders or proxies the majority of shares present and entitled to vote shall determine whether one or three judges are to be appointed No person who is a candidate for office shall act as a judge

B In case any person appointed as judge fails to appear or fails or refuses to act the vacancy may be filled by appointment made by the board of directors in advance of the convening of the meeting or at the meeting by the person acting as chairman

C The chairman of the meeting or if a judge or judges of election have been appointed then such judge or judges shall determine the number of shares outstanding the voting power of each the shares represented at the meeting the existence of a quorum the authenticity validity and effect of proxies receive votes or ballots hear and determine all challenges and questions in any way arising in connection with the right to vote count and tabulate all votes determine the result and do such acts as may be proper to conduct the election or vote with fairness to all shareholders The judges of election shall perform their duties impartially in good faith to the best of their ability and as expeditiously as is pratical If there be three judges of election the decision act or certificate of a majority shall be effective nn all respects as the decision act or certificate of all

D On request of the chairman of th emeeting or of any shareholder or his proxy the judge or judges if any shall make a report in writing of any challenge or question or matter determed by them and execute a certificate of any fact found by them If a judge or judges have not been appointed the chairman on request of any shareholder or his proxy shall make such report or certificate made by the judge or judges or the chairman as the case may be shall be prima facie evidence of the facts stated therein

Section 511 Informal Action by Shareholders Except for the action required by this act for increasing the capital of an association any action required by this act to be taken at a meeting of the shareholders may be taken without a meeting if a consent in writing setting for the action so taken shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the association

Section 512 Immunity of Shareholders A shareholder of an association shall not merely by reason of his ownership of shares be personally liable for any debt or liability of the association

ARTICLE VI

CREATION TRANSFER WITHDRAWAL AND MATURITY OF SHARES

Section 601 Authorized Capital Par Value of Shares and Change Therein A Unless specifically otherwise provided in the articles of an association the number of shares which it may issue shall be unlimited

B The shares of an association shall have a par value of not less than one hundred dollars each nor more than two hundred dollars each but every share issued by an association shall have the same par value as every other share This provision shall not affect the right of any association which prior to the effective date of this act has issued shares of a par value less than one hundred dollars or more than two hundred dollars to continue issuing shares of such par value nor shall it affect the right of any association which upon the effective date of this act has issued and outstanding shares of more than one par value to continue to issue such shares

Any association may by amending its articles in the manner prescribed by this act change the par value of its shares but such change shall not be to an amount less than one hundred dollars each nor more than two hundred dollars each Whenever such change in par value is made every holder of a share for which a share certificate has been issued shall return such share certificate to the association and upon the surrender and cancellation of such share certificate the association shall issue to such shareholder the proper number of share certificates at the new par value

C An association may issue fractional shares

Section 602 Issuances of Shares Series A The shares of an association may be issued in a single series they may be issued in any number of series or they may be issued nonserially at such times and in such manner as shall be stated in the articles or by-laws of the association Except as otherwise specifically provided in the articles or by-laws of an association the number of shares which it may issue in a single series shall be unlimited

B Except as otherwise specifically provided in the articles or by-laws of an association the issuance of shares of a new series shall operate to close the prior series and the association shall operate to close the prior series and the association shall not thereafter issue any share in such prior series

C Except as otherwise specifically provided in the articles or by-laws of an association shares which have been withdrawn whether voluntarily or involuntarily or shares which have been cancelled whether because of failure to pay dues installments fines premiums or for any other reason shall not after the holders of such shares have received full payment or credit due them on such shares be reissued nor new shares issued in their stead

Section 603 Prohibition on Preferred Shares Shares as Personal Property A An association shall not issue preferred shares

B Shares of an association shall be deemed personal property

Section 604 Membership or Withdrawal Fees Other Charges An association shall not levy upon any shareholder or upon any corporation or person intending to become a shareholder a membership or withdrawal fee or any other charge not specifically permitted by this act

Section 605 Payments for Installment Full-Paid and Prepaid Shares An association may issue shares under any or all of the following plans of payment

(1) Shares the par value of which is to be paid in part by periodical payments in cash at such times and in such amounts as shall be established by the articles or by-laws and in part by accrual of earnings on such shares Such periodical payments shall be known as dues and such shares shall be known as installment shares

(2) Shares the par value of which has been paid by a single cash payment at the time of their issuance Such shares shall be known as full-paid shares

(3) Shares the par value of which has been paid in part by a single cash payment at the time of their issuance and in part by accrual of earnings on such shares Such shares shall be known as prepaid shares

Section 606 Lien on Shares Every shall be subject to a lien for the payment of any indebtedness or charges due to the association The by-laws may prescribe the manner of enforcing such lien

Section 607 Share Certificates Issuance and Preservation A Every association shall furnish to each holder of record of an installment share a copy of the by-laws of the association and of all amendments thereto and a receipt by pass book or otherwise for all dues premiums fines or other payments made to the association by him but an association shall not be required to issue a share certificate to any holder of an installment share

B Every association shall furnish to each holder of record of a prepaid or a full-paid share a copy of the by-laws of the

association and of all amendments thereto and a share certificate upon which the name of the association shall be printed and which shall state

(1) That the association is incorporated under the laws of this Commonwealth

(2) The name of the registered holder of the shares represented thereby

(3) The date of issuance of the shares

(4) The type of shares which the certificate represents that is whether they are prepaid or full-paid

(5) The number of shares which the certificate represents

(6) The par value of each share represented and in the case of prepaid shares the amount of the single cash payment made on each share by the shareholder

C Every share certificate shall be signed by the president or vice-president and the secretary or treasurer or by such officers as the by-laws may provide and sealed with the corporate seal In case any officer who has signed any share certificate shall have ceased to be such officer because of death resignation or otherwise before the certificate is issued it may be issued with the same effect as if the officer had not ceased to be such at the date of its issue

D Share certificates shall bear printed consecutive numbers and shall be issued from a bound share certificate book containing a stub for each certificate Each stub shall bear the same number as the share certificate which was attached to it the name and address of the person in whose name the share certificate is issued the number of shares represented by the certificate and the date of the issuance of the certificate The president or vice-president and the secretary or treasurer or such officers as the by-laws provide shall certify on each stub that the information contained thereon is correct and in accordance with the share certificate bearing the same number

E Upon the withdrawal of prepaid or full-paid shares and upon payment by the association the certificate representing such shares shall be surrendered to the association and preserved by it indefinitely Likewise any share certificate for which the association has issued a substitute certificate or which for any other reason has been surrendered to the association shall be preserved by it indefinitely

Section 608 Shares Held in Name of Minor Any association may issue shares in the name of any minor not less than sixteen years of age and shall pay the dividends or earnings thereon as well as the withdrawal or maturity value of such shares to such minor without the assent of his parent or guardian The receipt acquittance or other action required by the association to be taken by the minor shall be a valid release to the association The parent or guardian of such minor shall not in his capacity as parent or guardian have the power to attach or in any manner transfer any shares issued to or in the name of such minor

Section 609 Shares Held in Name of Two or More Persons A Whenever shares of an association shall be issued in the names of two or more persons the association shall not pay any dividends or earnings thereon or the withdrawal or maturing value thereof except upon proper receipt acquittance or other action as the case may be of all of such persons unless at the time of subscribing to the shares or at a subsequent time all the parties agree to a different arrangement and give the association written notice thereof

B Whenever shares of an association shall be issued in the names of two or more persons and such shares shall have been subscribed for under an arrangement with the association whereby the dividends or earnings thereon or the withdrawal or maturity value therof may be paid upon receipt acquittance or other action as the case may be of either or any of such persons the association may pay such dividends earnings withdrawal value or maturity value upon such receipt acquittance or other action as the case may be of either or any of such persons pursuant to the arrangement provided for in this section nothwithstanding the fact that one or more of the other persons may be dead and the association has notice thereof

C This section shall not be construed to affect shares in the names of a husband and his wife

Section 610 Death of One Holding Shares as Trustee Whenever shares of an association shall be issued to any person describing himself in subscribing for such shares as trustee for any person and no other notice of the existence and terms of a valid trust than such description shall have been given to the association the dividends or earnings on such shares as well as the withdrawal or maturity value of such shares shall in the event of the death of the person so described as trustee be paid to the person for whose benefit the shares were stated to have been subscribed if at the time of such death such beneficiary is over sixteen years of age. If he is a minor not less than sixteen years of age such payment shall be made to him under the same conditions as in the case of shares originally subscribed for by such minor

Section 611 Transfer of Shares A Installment shares for which share certificates have not been issued shall be transferable in the manner provided by the by-laws of the association provided such by-laws are not inconsistent with law

B Except as otherwise specifically provided in this act the transfer of shares for which share certificates have been issued and the share certificates representing them may be regulated by the by-laws provided such by-laws are not inconsistent with the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) its amendments and supplements

Section 612 Voluntary Withdrawals A Any shareholder may upon giving written notice to the association withdraw any shares whether full-paid prepaid or installment which are not pledged to the association as security for a mortgage loan granted by it The secretary or other officer designated by the by-laws of the association shall endorse on the written notice of an intention to withdraw required by this section the date of its receipt by the association and shall record such notice and the date of its receipt by the association in a book to be used solely for the recording of notices of withdrawals

B The association shall pay to a shareholder who has withdrawn his shares the amount paid to the association by him on such shares less all fines or other indebtedness or charges due by him plus such proportion of the earnings of the association or such rate of interest as may be prescribed by the by-laws of the association minus the loss properly apportionable to such shares but the board of directors may by general rule or regulation and with the prior written consent of the Department change such proportion of earnings or such rate of interest The amount payable to a sharehloder who has withdrawn his shares shall be known as the withdrawal value of his shares Except as herein otherwise specifically provided a withdrawal shall become effective thirty days after presentation by the shareholder of the written notice required by this section at a meeting of the association or if not presented by him at a meeting then thirty days after the first meeting of the association held after the receipt of such notice at the place of business of the association

Section 613 Involuntary Withdrawal of Prepaid or Installment Shares A An association may at or before maturity compel withdrawal of prepaid or installment shares which are not pledged to the association as security for mortgage loans granted by it but it shall not have the power to compel withdrawal of any prepaid or any installment share as the case may be unless it shall have on hand sufficient funds to pay such withdrawals immediately and until all prepaid or all installment shares respectively issued prior to the date of isuuance of such share have first been voluntarily or involuntarily withdrawn In the case of installment shares issued in series such compulsory withdrawal shall be pro rata among the shares of the same series

B The association shall pay on each prepaid share thus involuntarily withdrawn the full amount of the cash payment made thereon by the shareholder at the time of the issuance of such share plus the full portion of the accumulated earnings of such association properly apportionable to such share

C The association shall pay on each installment share thus involuntarily withdrawn the full amount of the dues paid thereon by the shareholder plus the full portion of the accumulated earnings of such association properly apportionable to such share

Section 614 Involuntary Withdrawal of Full-Paid Shares An association may compel withdrawal of full-paid shares which have been issued at least two years prior to the date of such involuntary withdrawal but it shall not have the power to compel withdrawal of any full-paid share unless it shall have on hand sufficient funds to pay such withdrawals immediately and until all full-paid shares issued prior to the date of issuance of such share have first been voluntarily or involuntarily withdrawn The association shall pay on each share thus

involuntarily withdrawn the same amount as it would be required by this act to pay if such shares were voluntarily withdrawn

Section 615 Matured Shares A An installment or pre-paid share shall be declared matured by the board of directors of an association whenever in the case of a prepaid share the cash payment made thereon by the shareholder at the time of the issuance of such share or in the case of an installment share the dues paid thereon by the shareholder plus the full portion of the accumulated earnings of such association properly apportionable to such prepaid or installment share as the case may be after deducting the reserve for contingent losses created pursuant to the provisions of this act equal the par value of the share Notice of such maturity shall forthwith be given to the holder of such share

B If the shares thus declared matured have not been pledged to the association as security for a loan However the association shall before making payment deduct an amount equal to any delinquent fines or other charges due it by such shareholder

C If the shares thus declared matured have been pledged to the association as security for a loan which is secured also by a mortgage upon real property then the mortgage shall be forthwith satisfied upon the payment of any delinquent fines or other charges due the association and upon the payment of a fee not in excess of three dollars for the satisfaction of the mortgage

D If the shares thus declared matured have been pledged to the association pursuant to a loan upon which the sole security is such shares the note shall be forthwith cancelled and the amount of the loan together with the amount of any delinquent fines or other charges due the association shall be deducted from the matured value of such shares The balance shall be payable to such shareholder in the same manner as provided by this act in the case of shares which have been declared matured which are not pledged to the association as security for a loan

E The holder of a share which has been declared matured pursuant to the provisions of this section shall be entitled to interest upon any unpaid portion of the par value thereof at the rate of four per centum per annum from the date of the declaration of maturity but the rate of such interest shall not in any event exceed the rate of earnings apportioned during such period to installment or prepaid shares which have not been declared matured

Section 616 Order of Payment and Funds to be Used to Pay Matured or Withdrawn Shares Power to Sue A Withdrawn or matured shares shall be paid in the order in which the withdrawals become effective or the maturities are declared but withdrawals which become effective or maturities which are declared upon the same day shall be paid on a pro rata basis However the board of directors may at any time either authorize payment of withdrawn or matured shares on a pro rata basis or with the consent of the Department fix a maximum amount to be paid periodically on such shares The action of the board of directors in authorizing payment to be made on a pro rata basis or in fixing a maximum amount to be paid periodically shall also apply to unpaid withdrawals which became effective or to unpaid maturities which were declared prior to the date on which such action was taken by the board of directors

B At least two-thirds of the funds in the treasury of an association shall be applied to the payment of matured or withdrawn shares whenever such amount is necessary for this purpose but the association shall first deduct such amount as shall be necessary to pay current expenses and interest or dividends on full-paid shares to protect or preserve the assets of the association and to make proper provisions for meeting such obligations as it may reasonably be expected to be compelled to pay Whenever two-thirds of the funds in the treasury other than such amounts as are required by this section to be deducted are insufficient to pay in full all matured or withdrawn shares one-third of such funds shall be applied to the payment of matured shares and one-third to the payment of withdrawn shares but if less than one-third of such funds shall be sufficient to pay in full all matured shares the balance of such one-third shall be applied to pay withdrawn shares and conversely if less than one-third of such funds shall be sufficient to pay in full all withdrawn shares the balance of such one-third shall be applied to pay matured shares

C Whenever funds are not available in the manner hereinbefore provided to pay any matured or withdrawn share upon which payment has been due for a period in excess of six months all the funds in the treasury other than such amounts as are required by this section to be deducted shall be applied to the payment of matured or withdrawn shares Whenever all of the funds in the treasury other than such amounts as are required by this section to be deducted are insufficient to pay in full matured or withdrawn shares one-half of such funds shall be applied to the payment of matured shares and one-half to the payment of withdrawn shares If less than one-half of such funds shall be sufficient to pay in full all matured shares the balance of such one-half shall be applied to pay withdrawn shares and conversely if less than one-half of such funds shall be sufficient to pay in full all withdrawn shares the balance of such one-half shall be applied to pay matured shares

D Whenever matured or withdrawn shares have not been paid by an association for a period of six months after the maturities have been declared or the withdrawals have become effective owing to the fact that the funds in the treasury which under this act are to be applied to the payment of such shares are insufficient to pay them in full so much of the bonds or other obligations of the United States or the Commonwealth of Pennsylvania or of a Federal Home Loan Bank owned by the association as shall be necessary to pay such matured or withdrawn shares shall be sold and the proceeds paid into the treasury of the association to be used to pay such shares

E For the purposes of this section the words "funds in the treasury" shall be construed to include all moneys received by the association from any source whatsoever except money borrowed from the Federal Home Loan Bank

F The holders of matured or withdrawn shares shall not have the power to sue for the amount due them by virtue of such maturity or such withdrawal until such time as under the provisions of this section such matured or such withdrawn shares should have been paid

Section 617 Fines A Any association may impose fines upon its shareholders for failure to pay dues interest or premiums but a fine shall not exceed one per centum per month of the amount of the dues interest or premiums which are in arrears for the period during which they have been in such arrears Such fines may be deducted from or charged against the earnings of the association properly apportionable to the shares in the association on account of which such defaults are made but fines for a longer period than six months shall not under any circumstances be deducted from or charged against the dues paid by the shareholders upon such shares

B An association shall not impose fines upon the shares of a deceased shareholder for defaults incurred after his death unless his legal representative makes a payment upon such shares in which case fines may be levied against such shares for all defaults after the date of such payment

C Fines levied pursuant to the provisions of this act shall not be deemed usurious

Section 618 Restrictions on Dividends on Full-Paid Shares The cash dividend or periodical interest paid on full-paid shares during any year shall not exceed the net rate of dividends earned during such year on all the outstanding shares of the association less the amount thereof if any set aside as a reserve for contingent losses

Section 619 Cancellation of Shares by Association An association may cancel the installment shares of a shareholder for failure to pay dues upon them for a period of six months In the event of such cancellation by such association the shareholder shall be entitled to all the rights of a withdrawing shareholder

Section 620 Reserve for Contingent Losses Every association shall set aside each year not less than five per centum and not more than fifteen per centum of its net profits for such year unless the Department in writing approves the setting aside of a lesser or a greater amount as a reserve for contingent losses until the total amount of such reserve shall equal at least five per centum and not more than ten per centum of the assets of such association unless the Department in writing approves the creation of a total reserve of a lesser or a greater amount The Department may at any time require any association to set aside such additional amount as the Department shall deem necessary to safeguard the interests of the shareholders of such association Such reserve for contingent losses may be loaned or invested in the same manner as is authorized by this act in the case of other funds of the association

If due to a reduction of the assets of an association or due to any other cause whatsoever the reserve for contingent losses shall exceed ten per centum of the assets of the association or if the Department has authorized or directed the creation of a reserve for contingent losses in excess of such ten per centum and such reserve exceeds such amount authorized or directed by the Department the amount above such ten per centum or such other amount as has been authorized or directed by the Department shall be transferred at the next regular meeting of the board of directors to the general profit account of the association

Section 621 Reduction of Liability to Shareholders Whenever the losses of any association resulting from a depreciation of its securities or otherwise exceed its accumulated profits and its reserve for contingent losses so that the fair value of its assets is less than the total amount due its creditors and shareholders the court of common pleas of the county in which the place of business of the association is located may upon the petition of the association approve by a majority of all its directors and by the Department order a reduction of its liability to its shareholders in such manner as to distribute the loss equitably among such shareholders

Such petition shall be advertised at least once in a newspaper of general circulation

ARTICLE VII

AMENDMENT OF ARTICLES

Section 701 Amendment of Articles Authorized An association may in the manner hereinafter provided in this article amend its articles of incorporation from time to time in any manner whatsoever provided that the articles as so amended would be authorized by this act as original articles of incorporation

Section 702 Proposal of Amendments to Articles Every amendment to the articles of an association shall first be proposed by the board of directors by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to a vote of the shoreholders entitled to vote thereon at a designated meeting which may be either an annual or a special meeting of the shareholders entitled to vote on the amendment The resolution shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

Section 703 Adoption of Amendments Every proposal of an amendment to the articles of an association made by its board of directors shall be adopted at the shareholders' meeting designated for that purpose pursuant to the provisions of this act upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote at such meeting unless the articles require a greater number Any number of amendments may be submitted to the shareholders at one meeting

Section 704 Notice of Meeting to Adopt Amendments to Articles Written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering any proposed amendment to the articles of an association be given to each shareholder of record except that written notice of any proposed amendment for increasing the authorized capital stock of the association shall be given to each shareholder of record at least sixty days before such meeting Such notice shall state the place the day and the hour of the meeting and shall set forth the proposed amendment or a summary of the changes to be effected thereby

Section 705 Articles of Amendment After an amendment to the articles of an association has been adopted in the manner provided by this act the articles of amendment shall be executed under the seal of the association and verified by two duly authorized officers of the association and shall set forth

(1) The name and location of the place of business of the association

(2) The Act of Assembly under which the association was formed and the date when and the place where the original articles were recorded or filed

(3) The time and place of the meeting of the shareholders of the association at which the amendment was adopted and the kind and period of notice given to such shareholders

(4) The number of shares outstanding the number of shares entitled to vote on the amendment and the number of shares voted for and against such amendment

(5) The amendment adopted which shall be set forth in full

Section 706 Advertisement The association shall advertise its intention to file articles of amendment with the Department of State in a manner similar to the heretofore prescribed in this act in the case of the formation of an association Advertisements shall appear at least three days prior to the day upon which the articles of amendment are to be presented to the Department of State and shall set forth briefly

(1) The name and location of the place of business of the association

(2) A statement that the articles of amendment are to be filed under the provisions of this act

(3) The nature and character of the proposed amendment

(4) The time when the articles of amendment will be filed with the Department of State

Section 707 Filing of Articles of Amendments Payment of Fees Approval of Department of State A The articles of amendment and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B The Department of State shall examine such articles of amendment and such proof of publication to determine whether they contain all the information and are in the form required by this act After all the fees taxes and other charges have been paid as required by law except for the costs of any examinations made by the Department of Banking pursuant to the provisions of this act to determine whether to approve the amendment or any other charges made by the Department of Banking the Department of State shall if the articles of amendment and the proof of publication contain the information and are in the form required by this act forthwith but not prior to the day specified in the advertisement of the intention of the association to file the articles endorse its approval thereon and shall forthwith transmit them to the Department of Banking

C If the Department of State shall disapprove the articles of amendment pursuant to the provisions of this act it shall forthwith give notice thereof to the association stating in detail its reasons for doing so and stating how such association can remedy the nonconformance with the provisions of this act Upon remedying the defect such association may in the same manner file the same or amended articles whichever the particular case may require

Section 708 Approval of Articles of Amendment by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles of amendment from the Department of State conduct such examination as it may deem necessary to ascertain from the best sources of information at its command whether such amendment or amendments will be lawful not injurious to the community and in accordance with the purposes of the articles of incorporation The costs of such examination and any other charges of the Department of Banking bearing upon the filing of articles of amendment shall be assessed upon the association in the manner provided by law for assessments by the Department of Banking of costs of examinations or other charges

B Within thirty days after the receipt of the articles of amendment from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of amendment it shall endorse its approval thereon and shall return them to the Department of State

C If the Department of Banking disapproves the articles of amendment it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the association of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The association may within thirty days after the Department of State sends it notice of the disapproval of its articles of amendment appeal from such disapproval to the Governor who shall hear such appeal promptly and wtihin thirty days thereafter decide the matter and certify his decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to review The Department of Banking shall act in accordance therewith

Section 709 Issuance of Certificate of Amendment Immediately upon receipt of the approved articles of amendment of an association from the Department of Banking the Department of State shall file articles and shall issue to the association or its representatives a certificate of amendment to which shall be attached a copy of the approved articles A copy of the approved articles of amendment shall be sent by the Department of State to the Department of Banking

Section 710 Effective Date of Amendment Upon the issuance of the certificate of amendment by the Department of State the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any existing cause of action in favor of or against the association or any pending suit in which such association shall be a party or the existing rights of persons other than shareholders and in the event the corporate name shall be changed by the amendment no suit brought by or against the association under its former name shall be abated for that reason

ARTICLE VIII

SPECIFIC POWERS AND LIMITATIONS UPON POWERS OF ASSOCIATIONS

Section 801 Powers of Associations In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to an association elsewhere in this act an association shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To issue full-paid prepaid and installment shares

(2) To borrow money and in the case of the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than a national bank to pledge collateral therefor

(3) To grant loans to its shareholders

(4) To make investments.

(5) To became a member of the Federal Home Loan Bank or of any other corporation or agency established under the authority of the United States Government and to comply with any of the provisions required for membership in the Federal Home Loan Bank or in such other corporation or agency provided the association is authorized to do so by resolution of its board of directors

(6) To become a member of a league or leagues organized to protect and promote the interests of building and loan associations and to pay dues to or a proportionate share of the expenses of such league or leagues.

(7) To purchase improve or lease real property for its accommodation

Section 802 Power to Borrow Money Issuance of Notes Pledging of Collateral A An association may by resolution of its board of directors borrow money at a rate of interest not exceeding six per centum per annum to a total amount not exceeding thirty-five per centum of the amount paid in by shareholders on account of shares which have not on the date of such borrowing been matured or for which notice of withdrawal has not on such date been given

B An association shall issue to any corporation or person from whom it borrows money except the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than a national bank a note for the amount borrowed All such notes shall be issued in the following manner and in the following form only

(1) Each such note shall have the corporate title of the association printed thereon

(2) A copy of the resolution of the board of directors of such association authorizing the loan certified by the secretary of such association or by such other officer as shall be determined by the by-laws shall be permanently attached to such note and each such resolution shall state the borrowing capacity of the association and the amount then owing by the association for borrowed money

(3) Each such note shall be signed on behalf of the association by the president or vice-president and by the secretary or treasurer thereof or by any other two or more officers designated in the by-laws

(4) Such notes shall bear printed consecutive numbers and shall be issued from a bound notebook containing for each note a stub bearing a number corresponding to the number on such note The stub shall also bear the name and address of the payee of the note the date on which the note was issued the date of maturity the amount of the note and the rate of interest

(5) The officers of such borrowing association who signed the note on behalf of the association shall certify on the stub that information contained thereon is correct and is in accordance with the note bearing the same number

An association shall issue to the Federal Home Loan Bank or to any other agency or instrumentality of the United States Government from which it borrows money other than a national bank its bond obligation or note in such form as is prescribed by the Federal Home Loan Bank or by such other agency or instrumentality of the United States Government

Upon the repayment of such borrowed money the note or the bond obligation or note as the case may be shall be surrendered to the association and shall be cancelled and preserved for a period of not less than seven years

C An association shall not have power to pledge or hypothecate any of its assets for money borrowed by it except in the case of money borrowed from the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than a national bank An association may pledge or hypothecate to the Federal Home Loan Bank or to any other agency or instrumentality of the United States Government other than a national bank for money borrowed its bonds and mortgages or other assets including the shares pledged with the association as security and it shall not be required to secure the consent of the owner of the mortgaged real property or of the shares in order to make such pledge

D An association shall not grant any mortgage loan if the amount of borrowed money owed by it to any corporation or person except the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than national banks exceeds ten per centum of the amount paid in by shareholders on account of shares which have not been matured or for which notice of withdrawal has not been given but this provision shall not be construed to affect the right of an association to readjust or otherwise re-finance any mortgage loan which it has granted

Section 803 Authorized Investments A. Except as otherwise specifically provided in this act an association shall not make any investments except as follows

(1) Bonds or other interest-bearing obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged

(2) Bonds or debentures issued by a Federal Home Loan Bank under the provisions of the Federal Home Loan Bank Act approved the twenty-second day of July one thousand nine hundred thirty-two its amendments and supplements

(3) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania or those for the payment of principal and interest on which the faith and credit of this Commonwealth is pledged

B An association shall not at any one time without the written approval of the Department have more than twenty-five per centum of the amount paid in by its shareholders on account of shares invested in the bonds debentures or other interest-bearing obligations authorized by this section as investments for associations

Section 804 Restriction on Ownership or Holding of Real Property by an Association A Except as otherwise provided in this act an association shall not purchase own or hold any real property except as follows

(1) Such real property as it occupies pursuant to the provisions of this act for its accommodation in the transaction of its business or such real property as it partly so occupies and partly leases to others pursuant to the provisions of this act

(2) Such as it shall purchase at sales under judgments decrees or mortgages held by it or as it shall otherwise acquire in good faith and in satisfaction of debts previously contracted to it or in order to protect an interest it may otherwise have lawfully acquired in such property

B An association shall not own or hold any real property other than such real property as it occupies for its accommodation in the transation of its business or such real property as it partly so occupies and partly leases to others pursuant to the provisions of this act for a period longer than five years after the acquisition of such real prop-

erty or five years after the effective date of this act but the Department may upon application of an association grant to it in writing the power to hold such real property for a longer period.

C An association shall not permit title to any real property of which it is in fact the owner to be carried in the name of any other corporation or person

Section 805 Limitation on Building Owned or Leased Furniture and Fixtures Therein A The cost of the real property including the building or buildings thereon which an association owns and occupies for the transaction of its business or partly so occupies and partly leases to others together with the cost of furniture and fixtures therein which belong to the association shall not at any time exceed in the aggregate five per centum of the amount paid in by its shareholders on account of shares However an association shall not purchase any real property or erect any building for its occupancy in the transaction of its business without the prior written approval of the Department

B An association shall not without the prior written approval of the Department expend for the alteration repair or improvement of premises occupied but not owned by it an amount which together with all prior alterations repairs or improvements on the same premises exceeds five thousand dollars in the case of an association the assets of which are not more than five million dollars and ten thousand dollars in the case of an association the assets of which are more than five million dollars The cost of such alterations repairs or improvements shall be amortized during the term of such lease or occupancy

C The foregoing provisions of this section shall not affect any real property and building or buildings owned or leased and occupied or any furniture and fixtures owned and used by an association upon the effective date of this act for the transaction of its business but such association shall not add to such real property and shall not alter repair or improve leased premises if the cost of such additions alterations repairs or improvements together with any real property and building or buildings owned or any real property and building or buildings owned or furniture and fixtures owned and used or alterations repairs and improvements of leased premises aggregate more than the maximum amount authorized by this section

D An association may lease to any other association or to any other corporation or person for offices or for any other legitimate purpose premises which it owns or occupies for the transaction of its business

Section 806 Protection against Loss on Previous Loan or Investment The restrictions imposed by this act shall not be construed to prevent an association in order to protect itself from loss upon a loan or investment previously made from acquiring ownership of or otherwise taking and holding any kind of property or security whether real or personal Except as otherwise provided by this act any property so acquired unless of the character and nature by this act authorized to be purchased or held by such association shall be sold by it within five years but the Department may upon application of an association grant to it in writing the power to hold such property for a longer period

Section 807 Property Acquired before Effective Date of this Act This act shall not be construed to render unlawful the continued ownership or holding by an association of any loans investments or other real or personal property lawfully acquired prior to the effective date of this act However such loans and investments or such other real or personal property shall be computed in determining the power under this act of an association to grant any additional loans or make any additional investments of the same or different kinds

Section 808 Segregation of Dues upon Order of Department A Whenever it shall appear to the Department that the affairs of an association are in such condition that the action hereinafter provided in this section is justified the Department may by written order issued in the manner provided by law direct that all payments of dues made on account of installment shares which have not been transferred and pledged to the association as security for loans shall be segregated from the other assets of the association and that the association shall not grant any further loans issue any new shares or make any payments on account of withdrawn or matured shares until such order is revoked in writing by the Department Such order of the Department shall be known as an order of segregation Such segregated moneys shall either be kept on deposit in a depository selected in the manner provided by this act or invested in the bonds designated by this act as authorized investments for associations The moneys so segregated and the bonds in which such moneys are invested shall be known as the segregated fund

If an association at any time after an order of segregation has become effective has no liability except to its shareholders arising from the ownership of shares it may with the written consent of the Department transfer to the segregated fund a portion or all of any cash which it may have on hand and bonds if any designated by this act as authorized investments Cash and bonds so transferred shall become a part of the segregated fund the same as though paid into the segregated fund by the shareholders whose shares are not pledged to the association as security for loans in proportion to the amounts paid in on account of their shares on the date that the order of segregation was issued Such segregated fund shall not be subject to any attachment issued on a judgment obtained by any creditor or shareholder of the association

During the period of segregation the segregated fund shall be available exclusively for the benefit of the shareholders who made such payments or for whose benefit the transfer of cash and bonds was made and may be withdrawn during such period of segregation upon thirty days' written notice

B All dues paid in during the period of segregation by shareholders whose shares are pledged to the association as security for loans shall be known as segregated credits and shall be applied as credits against the principal of any loans so secured which are repaid during the period of segregation

When any transfer of cash and bonds is made to the segregated fund the shareholders whose shares are pledged to the association as security for loans shall be entitled to segregated credits which shall bear the same relation to the amounts paid in by them on account of their shares prior to the effective date of the order of segregation as the amount of cash and bonds so transferred bears to the total amount paid in on account of shares prior to the effective date of the order of segregation by shareholders whose shares are not pledged as security for loans

If at any time during the period of segregation the segregated credits on shares pledged for a loan exceed the amount of the loan for which such shares are pledged all payments made by the borrower thereafter shall be segregated in the same manner as payments made by shareholders whose shares have not been pledged to the association as security for loans

C If the Secretary of Banking shall in the manner provided by law take possession of the business and property of an association while an order of segregation is in force or if a liquidating trustee or liquidating trustees shall pursuant to a plan of voluntary dissolution take possession of the business and property of such association while such order is in force the amount in the segregated fund shall be paid only to the shareholders whose payments were segregated or for whose benefit the transfer of cash and bonds was made and only to the extent that they can be paid from the segregated fund or from the proceeds of the sale of the bonds in which such segregated fund has been invested and the shareholders whose shares have been transferred and pledged as security for loans shall receive credit on account of the principal of their loans for the full amount of their segregated credits

D If an association while an order of segregation is in force shall enter into an agreement of merger or consolidation with another association or with other associations the shareholders whose shares have not been pledged to the association as security for loans shall receive credit in full for their interest in the segregated fund on account of the shares of the surviving or new association into which their shares are converted and the shareholders whose shares have been pledged to the association as security for loans shall receive in full for their segregated credits on account of the shares of the surviving or new association into which their shares are converted

E If while an order of segregation is in force the liability of an association to its shareholders shall be reduced by order of the court of common pleas pursuant to the provisions of this act the interest of the shareholders in the segregated fund and the segregated credits of shareholders shall not be reduced by the order of court but such shareholders shall receive credit in full on account of their shares for such interest in the segregated fund or for such segregated credits

F The Department may revoke an order of segregation whenever it shall appear that the condition of an association justifies such action In such event the association may exercise all the powers it could have exercised prior to the issuance of such order It shall treat all payments on account of shares or otherwise made by shareholders during the period of segregation and all segregated credits in the same manner as all other payments on account of shares whenever made

Section 809 Limitation on Loans and Investments An association shall not have the power to grant any loans or make any investments except such loans or invesments as are specifically authorized in this act

Section 810 Limitation of Power to Make Deposits An association shall not deposit any of the moneys received by it in any bank bank and trust company savings bank or private bank unless such institution is specifically approved by the board of directors of the association as a depository for the funds of the association

Section 811 Prohibition upon Accepting Deposits or Discounting Commercial Paper A An association shall not receive money on deposit but this provision shall not be construed to affect the right of an association to receive payments on account of shares payments on account of payments of fire insurance premiums taxes municipal claims or water rent on real property mortgaged to the association payments on account of interest or principal of prior liens on such property or any other payments authorized by this act

B An association shall not purchase or discount any note bill of exchange draft or other commercial paper

ARTICLE IX

LOANS TO SHAREHOLDERS

Section 901 Method of Granting Loans to Shareholders Premiums A Mortgage loans may be granted by an association pursuant to the provisions of this act at any regular or special meeting of the board of directors The directors may lend funds of the association definite either with or without charging the borrower a premium for the privilege of being granted such loan but an association shall not charge any premium unless borrower agrees in writing to pay such premium If such premium is deducted by the association in advance it shall not exceed ten per centum of the amount of the loan or if paid by the borrower in installments one per centum per annum of the amount of the loan

B A premium paid pursuant to the provisions of this section by a borrower from an association shall not be deemed usurious although it exceeds the legal rate of interest or when added to any interest paid upon such loan it exceeds the legal rate of interest

C Share loans may be granted by an association pursuant to the provisions of this act in the manner provided by this section for the granting of mortgage loans or in any other manner provided by its articles or by-laws

Section 902 Application for Mortgage Loan Preservation of Application Penalty A An association shall not grant a mortgage loan unless it shall first have obtaind a writtten application signed by the person for whose benefit the loan is to be made which shall set forth

(1) The name address age and occupation of the applicant for the loan

(2) The name and address of the employer of the applicant if the applicant is employed

(3) The location of the real property and the character of the improvements thereon

(4) The name and address of the owner in fee of the real property at the time the application is made to the association

(5) How and when title to thet real property was acquired by the applicant the actual cost of the real property and the actual cost of any permanent improvements made thereon after the applicant acquired title or if applicant does not have title at the time application is made the date of the agreement of sale or option and the actual consideration to be paid for such real property

(6) Whether any money or other thing of value has been or is to be paid to any corporation or person other than association as a fee commission or gift for procuring or for endeavoring to procure such loan from the association or for services in making searches of title of read property offered to the association as security or in drawing papers incident to the loan for which such real property is given as security or for any other reason whatsoever and if so the amount or value of such fee commission or gift and to whom it has been or is to be paid

(7) Whether in fact the applicant is the beneficial owner of the real property and if not who is the beneficial owner

B If the loan is granted by the association such application shall be carefully preserved among the records of the association until the loan is fully repaid to it

C Any person who shall knowingly make any false or misleading statement in the application required by this section or who shall knowingly conceal any material fact of facts required to be given in such application or who shall falsify or mutilate any such application after it has been signed and delivered to the association or who shall abstract any such application from the records of the association or who shall cause or induce any other person to make any such statement conceal any such fact or facts falsify mutilate or abstract any such application in the manner just described shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding three years or a fine not exceeding one thousand dollars or both

Section 903 Security for Mortgage Loan A An association shall grant mortgage loans to its shareholders or to any person intending to become a shareholder upon the following security only

(1) The bond of the borrower secured by the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of the loan and further secured by a mortgage upon real property which belongs to the borrower such mortgage being for at least the full amount of the loan A loan secured in this manner shall be known as share-mortgage loan and the mortgage securing such loan as a share mortgage

(2) The bond of the borrower secured by a mortgage upon real property which belongs to the borrower such mortgage being for an amount not to exceed one-half of the amount of the loan such portion of the loan to be known as the straight-mortgage portion of the loan and a bond for the remainder of the loan secured by the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of such remainder of the loan and further secured by a mortgage upon such real property for an amount equal to such remainder of such loan such remainder of such loan to be known as the share-mortgage portion of the loan A loan secured by both a straight mortgage and a share mortgage in this manner shall be known as a split-mortgage loan A split-mortgage loan may also be in the form of a single bond and mortgage which meets all the requirements of this section

The straight-mortgage portion of a split-mortgage loan shall not be secured by shares and an association shall not charge fines upon such portion of the loan

An association shall not demand payment of the straight-mortgage portion of a split-mortgage loan except in case of a default by the borrower in the terms of the loan until the share-mortgage portion of such loan has been repaid in full by the maturing of the shares assigned or pledged as security therefor or by any other method Upon such payment of the share-mortgage portion of a split-mortgage loan an association shall either demand and enforce payment of the straight-mortgage portion of the loan or to convert such loan to a share-mortgage loan upon the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of such loan

B An association shall not grant any mortgage loan unless the mortgage securing such loan (1) is a first lien upon unencumbered improved real property or upon real property upon which a building is in the process of construction situated anywhere within the Commonwealth or where it is not a first lien upon such property every equal or prior lien is owned by the association and (2) does not altogether with any other lien held by such association upon such property exceed eighty per centum of the fair market value of such real property plus the amount paid to the association prior to or upon the day of the granting of such loan upon shares to be assigned or pledged to the association as security for such loan An association shall not take any lien upon real property as security for a mortgage loan if such lien is equal to any lien owned by any other corporation or person

The provisions of this subsection shall not be construed to apply to a purchase money mortgage taken by an associa-

tion upon real property owned by it nor to the readjustment or refinancing in any other manner of a mortgage loan owed to the association upon the effective date of this act

Nothwithstanding the provisions of this subsection an association may prior to the first day of June one thousand nine hundred thirty-five grant a loan upon improved real property encumbered by a mortgage not owned by the association provided that the prior encumbrance not owned by the association does not exceed forty per centum of the fair market value of such real property and will not together with the mortgage securing such loan exceed sixty per centum of the fair market value of such real property

C An association shall not directly or indirectly grant to any one corporation or person mortgage loans to a total amount exceeding five per centum of the amount paid in by its shareholders on account of shares but any association may grant to any one corporation or person mortgage loans to a total amount of ten thousand dollars

In computing the total mortgage loans made by an association to an individual there shall be included all mortgage loans made by the association to a partnership or other unincorporated association of which he is a member all mortgage loans made either for his benefit or for the benefit of such partnership or other unincorporated association and all mortgage loans to or for the benefit of a corporation of which he owns twenty-five per centum or more of the capital stock

In computing the total mortgage loans made by an association to a partnership or other unincorporated association there shall be included all mortgage loans to its individual members all mortgage loans made for the benefit of such partnership or other unincorporated association or of any member thereof and all mortgage loans to or for the benefit of any corporation of which the partnership or unincorporated association or any member thereof owns twenty-five per centum or more of the capital stock

In computing the total mortgage loans made by an association to a corporation there shall be included all mortgage loans made for the benefit of the corporation and all mortgage loans to or for the benefit of any individual who owns twenty-five per centum or more of the capital stock of such corporation

A mortgage loan shall be deemed to be made for the benefit of a corporation or person to the extent that the proceeds of such loans are credited or transferred to such corporation or person

D An association shall not upon the security of any one piece of real property grant mortgage loans totalling

(1) More than twenty-five thousand dollars if the amount paid in by its shareholders on account of shares exceeds five hundred thousand dollars but does not exceed one million dollars

(2) More than thirty-five thousand dollars if the amount paid in by its shareholders on account of shares exceeds one million dollars but does not exceed five million dollars

(3) More than fifty thousand dollars if the amount paid in by its shareholders on account of shares exceeds five million dollars

Section 904 Charges for Services in Connection With Mortgage Loans A An association may levy a reasonable charge upon any corporation or person applying for a mortgage loan for its services in making searches of title and appraising the real property offered to the association as security in drawing any papers incident to the loan for which such real property is given as security and in taking any other action permitted or required by law with respect to such loan

B An association may likewise levy a reasonable charge upon any corporation or person which has been granted a mortgage loan for any services performed by the association with respect to reducing the amount of such loan extending the period of its maturity or otherwise readjusting or refinancing it and for any other action by the association permitted or required by law with respect to such loan

Section 905 Limitation upon Disposal of Mortgages Except as otherwise specifically provided in this act an association which is not in the possession of a liquidating trustee or liquidating trustees pursuant to a plan of voluntary dissolution shall not except with the written consent of the owner of the real property upon which a share mortgage is secured sell transfer or assign such mortgage and it shall not sell transfer or assign any mortgage or other encumbrance until every subsequent mortgage or encumbrance owned by it upon such real property shall have been paid in full The corporation or person to whom such transfer sale or assignment is made shall not have the power to charge fines or premiums unless such corporation is a building and loan association

Section 906 Reduction and Extension of Mortgage Loans by Application of Withdrawal Value A borrower may with the consent of the association have the withdrawal value of shares which have been pledged as security for a mortgage loan credited on account of the principal of such mortgage loan provided that the pledges or assigns to the association in lieu of the shares so withdrawn or applied other shares in the association of an aggregate par value of not less than the amount to which such loan is reduced

Section 907 Interest Reduction Loans A borrower with the consent of the association may have the periodical installments of dues on his shares credited on account of the principal of the mortgage loan at such times as shall be provided in the mortgage and also in its accompanying bond or other obligation if any and the interest and the premium if any thereon shall be computed on the balance of the principal of the loan in each case when the dues have been so credited The borrower in such case may agree that the subsequent dues on his shares shall become automatically increased by the amount of the reduction of interest and of premium if any in each case when the dues have been so credited so that the total of each monthly installment of dues and interest and premium if any shall remain the same until the loan has been paid in full but the right to have the dues on the shares credited on account of the principal of the loan as well as the agreement if any that the dues on the shares shall become automatically increased as herein provided shall be set forth in the mortgage and also in its accompanying bond or other obligation if any

The borrower shall have the right with the consent of the association when the dues so credited on account of the principal of the loan shall equal the par value of one or more shares to have the number of shares reduced to such number that their aggregate par value shall not be less than the reduced amount or balance of the principal of the loan still remaining unpaid The periodical installments of dues on the shares thus reduced as well as the interest on the reduced principal of the loan and premium thereon if any shall be payable after the date of such reduction the same as if the shares had been originally issued in such reduced number as of such date and such loan made for such reduced amount

When the dues on the shares are credited on account of the principal of the loan as herein provided such shares shall not participate in the profits of the association nor be subject to losses When the loan has been paid in full by the crediting of the dues thereon as herein provided the borrower shall be entitled to have his mortgage satisfied upon the payment of a fee not exceeding three dollars for the satisfaction of the mortgage

Section 908 Foreclosure on Mortgage for Non-Payment of Dues Interest Premiums or Fines In the case of a default in the payment of dues interest premiums or fines due on a mortgage loan an association if there be no other default shall not have the power to enforce payment of the principal of such loan by legal proceedings payments have not been made by the borrower for a unless in the case of a mortgage which is a first lien upon real property dues or interest owing for six months has not been paid or in the case of a mortgage which is not a first lien upon real property dues or interest owing for three months has not been paid

Section 909 Credit for Withdrawal value of Shares in Foreclosure If the amount recovered by an association through foreclosure of a mortgage securing a mortgage loan plus the withdrawal value of the shares of the borrower and minus the expenses incurred by the association in foreclosing upon such mortgage shall exceed the amount which the borrower would have been required to pay in order to have repaid such loan voluntarily pursuant to the provisions of this act such excess shall be repaid to the borrower

Section 910 Security for Share Loans An assocation may grant share loans to any of its shareholders upon the following security only the note of the borrower secured by the transfer and pledge to the association of installment or prepaid shares which have not previously been transferred or pledged to anyone other than the association the amount paid in on account of such shares prior to or at the time of the granting

of any loan upon the security of such shares shall be at least equal to the total amount of all loans granted thereon

Section 911 Repayment of Loans before Maturity A A borrower shall have the right to repay a loan to an association at any time before the maturity of the shares securing such loan unless the by-laws of an association provide that such repayment can be made only at a regular meeting of the board of directors of such association

B When a borrower repays a loan to an association before the maturity of the shares securing such loan he may

(1) Pay the amount of the principal of the loan in cash and have the shares securing such loan re-transferred to him by the association or

(2) In the case of a mortgage loan apply the withdrawal value of the shares securing such loan against the principal of such loan and pay the balance in cash or

(3) In the case of a share loan take credit for the withdrawal value of the shares securing such loan up to the amount of the principal of the loan and as to any balance remaining acquire the rights of a withdrawing shareholder

C Upon paying a loan to an association in the manner provided in this section a borrower shall be entitled in the case of a mortgage loan to the satisfaction of his mortgage upon the payment of a fee not exceeding three dollars for the satisfaction of the mortgage and in the case of a share loan to the return of his note

D If a borrower shall repay a loan upon which the association has deducted the premium in advance such proportion of the premium as the by-laws shall determine shall be refunded to such borrower unless the same amounts to two per centum or less of the amount of such loan in which case no such refund need be made but if the premium exceeds two per centum of the amount of such loan the association shall not retain more than one one-hundredth of such premium for each calendar month that has expired since the date of the meeting upon which the loan was granted

Section 912 Demand by Association of Payment of Mortgage or Share Loan A When the title to any real property upon which an association holds a mortgage as security for a loan is sold or otherwise transferred and the grantee does not within thirty days after demand has been made upon him by the association assume liability for the amount of the loan secured by the mortgage by giving the association his personal bond the association shall have power to enforce payment of the full amount of the loan

B Except as otherwise provided in this section an association which is not in the possession of the Secretary of Banking as receiver or of a liquidating trustee or liquidating trustees shall not except upon a default by the borrower have the power to demand payment of any mortgage loan or share loan until the shares transferred and pledged to it as security for the loan have matured

C The prohibition of this section shall apply despite any provision to the contrary in the note or in the bond and mortgage respectively upon which such loan is made

Section 913 Method of Collecting Premiums or Interest to an association pursuant to the provisions of this act A Any premium which is agreed to be paid may either be deducted in full by the association at the time of the granting of the loan or may be paid by the borrower in equal periodical installments extending over the period of the loan If the premium is paid in installments amount not exceeding the amount of the first such payment shall be due in advance of or upon the day of the granting of the loan and the remaining installments shall each be payable upon the same day as the dues upon the shares securing such loan

B Interest upon a loan granted by the association shall not be charged or deducted in advance whether such interest is charged in lieu of premiums or otherwise but it shall be paid in equal periodical installments extending over the period of the loan

C If the Secretary of Banking shall take possession of an association as receiver for the purpose of liquidating its business and property or if a liquidating trustee or liquidating trustees shall take possession pursuant to a plan of voluntary dissolution a borrower upon whose loan the association has deducted the premium in advance shall be entitled upon the repayment of such loan to the association to receive the same credit for such premium as he would have been entitled to receive had he repaid the loan voluntarily on the day possession of the association was taken by the Secretary of Banking as receiver or by a liquidating trustee or liquidating trustees However a borrowed shall not after such taking of possession by the Secretary of Banking as receiver or by liquidating trustees be entitled to any credit for premiums paid in periodical insallments except in the case of periodical installments which had been paid prior to but which were not yet due upon the day on which such possession was taken by the Secretary of Banking as receiver or by a liquidating trustee or liquidating trustees

ARTICLE X

MERGER AND CONSOLIDATION

Section 1001 Merger and Consolidation Authorized Any two or more associations may in the manner hereinafter provided in this act be merged into one of such associations hereinafter designated as the surviving association or consolidated into a new association to be formed under this act

Section 1002 Approval of Joint Plan of Merger or Consolidation A The board of directors of each of the associations which desire to merge or consolidate shall by resolution adopted by at least a majority of all the members of each board approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and the mode of carrying the same into effect the manner and basis of converting the shares of each association into shares or other securities or obligations of the surviving or new corporation as the case may be and such other details and provisions as are deemed necessary

B The board of directors of each association upon approving such plan of merger or plan of consolidation in accordance with the provisions of this act shall by resolution direct that the plan be submitted to a vote of the shareholders of such association entitled to vote thereon at an annual or special meeting of the shareholders Written notice shall not less than fifteen days before such annual or special meeting be given respectively to each shareholder of record unless the plan of merger or plan of consolidation contemplates an increase in the authorized capital of the constituent associations in which event sixty days' notice of such meeting shall be given to each shareholder The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice

C The plan of merger or consolidation shall be ratified upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating associations

Section 1003 Articles of Merger or Consolidation Upon the approval pursuant to the provisions of this act of the plan of merger or the plan of consolidation by the shareholders of the associations desiring to merge or consolidate articles of merger or articles of consolidation as the case may be shall be executed under the seal of the association and verified by two duly authorized officers of each association and shall set forth

(1) The name of the surviving or new association

(2) The time and place of the meeting of the directors at which the plan of merger or consolidation was proposed and the time and place of the meeting of the shareholders of each association at which the plan of merger or consolidation as the case may be was ratified the kind and period of notice given to the shareholders and the total vote by which the plan was adopted

(3) In the case of a merger any changes desired to be made in the articles of the surviving association or in the case of a consolidation all of the statements required by this act to be set forth in the original articles in the case of the formation of an association

(4) The number names and addresses of the persons to be the first directors of the surviving or new association

Section 1004 Advertisement The association shall advertise its intention to file article of merger or articles of consolidation as the case may be with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of an association Advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly

(1) The name and the location of the principal place of business of each of the associations intending to merge or consolidate

(2) The name and the location of the principal place of business of the surviving or new association

(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(4) The purpose or purposes of the surviving or new association

(5) The time when the articles of merger or consolidation will be delivered to the Department of State

(5) The plan of merger or consolidation

Section 1005 Filing of Articles of Merger or Consolidation Payment of Fees Approval by Department of State A The articles of merger or articles of consolidation as the case may be and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B The Department of State shall examine such articles of merger or articles of consolidation and such proof of publication to determine whether they contain all the information and are in the form required by this act and also whether the name of the surviving or new association as the case may be conforms with the requirements of law for the name of such an association or if the name is not the same as either or any of the merging or consolidating associations whether it is the same as one already adopted or reserved by another corporation or person or is so similar thereto that it is likely to mislead the public

After all the fees taxes and other charges have been paid as required by law except for the costs of an examination made by the Department of Banking pursuant to the provisions of this act to determine whether to approve the merger or consolidation or any other charges made by the Department of Banking the Department of State if the articles or merger or articles of consolidation and the proof of publication contain the information and are in the form required by this act shall forthwith but not prior to the day specified in the advertisement of the intention to file the articles endorse its approval thereon and shall forthwith transmit them to the Department of Banking

C If the Department of State shall disapprove the articles of merger or the articles of consolidation pursuant to this act it shall forthwith give notice thereof to the association stating in detail its reasons for doing so and stating how such association can remedy the nonconformance with the provisions of this act Upon remedying the defect such association may in the same manner file the same or amended articles whichever the particular case may require

Section 1006 Approval of Articles of Merger or Consolidation by Department of Banking A The Department of Banking shall immediately upon the receipt from the Department of State of the articles of merger or articles of consolidation conduct such examination as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the surviving or new association is likely to mislead the public as to its character or purpose

(2) Whether the consolidation or merger is made for legitimate purposes

(3) Whether the interests of the shareholders or creditors are adequately protected

(4) Whether the surviving or new association meets all the requirements of this act and violates none of its prohibitions

The cost of such examination and any other charges of the Department of Banking bearing upon the filing of the articles of merger or articles of consolidation shall be assessed upon the associations in the manner provided by law for assessments by the Department of Banking of costs of examinations or other charges

B Within thirty days after the receipt of the articles of merger or articles of consolidation from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of merger or articles of consolidation it shall endorse its approval thereon and shall return them to the Department of State

C If the Department of Banking disapproves the articles of merger or the articles of consolidation it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the associations desiring to merge or consolidate of the action of the Department of Banking and of the reasons therefor as stated to it by that Department Such corporations may within thirty days after the Department of State sends them notice of the disapproval of their articles of merger or articles of consolidation appeal from such disapproval to the Governor who shall hear such appeal promptly and shall within thirty days thereafter decide the matter and certify his decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to review The Department of Banking shall act in accordance therewith

Section 1007 Issuance of Certificate of Merger or Certificate of Consolidation Immediately upon receipt of the approved articles of merger or articles of consolidation of an association from the Department of Banking the Department of State shall file the articles and shall issue to the association or its representative a certificate of merger or a certificate of consolidation A copy of the approved articles of merger or articles of consolidation shall be sent by the Department of State to the Department of Banking

Section 1008 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several associations parties to the plan of merger or consolidation shall be a single association which in the case of a merger shall be that association designated in the plan of merger as the surviving association and in the case of a consolidation shall be the new association provided for in the plan of consolidation The separate existence of all associations parties to the plan of merger or consolidation shall cease except in the case of a merger that of the surviving association The surviving or new association as the case may be shall not thereby acquire authority to engage in any business or exercise any right which cannot be acquired by or which is forbidden to any association which is incorporated under this act All the property real personal and mixed of each of the associations parties to the plan of merger or consolidation and all debts or obligations due to any of them including subscriptions to shares and other choses in action belonging to either or any of them shall be taken and deemed to be transferred to and vested in the surviving or new association as the case may be without further act of deed The surviving or new association shall thenceforth be responsible for all the liabilities and obligations of each of the associations so merged or consolidated but the liabilities of the merging or consolidating associations or of their shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such associations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such associations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new association may be proceeded against or substituted in its place In the case of a merger the articles of incorporation of the surviving association shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporation of associations formed under this act shall be deemed to be the articles of incorporation of the new association

Section 1009 Rights of Dissenting Shareholders A If any shareholder of an association which becomes a party to a plan of merger or consolidation shall file with such association prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder within twenty days after the merger or consolidation was effected shall make written demand on the surviving or new association for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new association shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or other evidence of his shares The demand of the shareholder shall state the number and kind of the shares owned by him Any shareholder failing to file such written objection or to make demand within the twenty-day period shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares

shall be agreed upon by the dissenting shareholder and the surviving or new association payment thereof shall be made in cash within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or other evidence of his shares Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the association

B If within such period of thirty days the shareholder and the surviving or new association do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the place of business of the surviving or new association is situated for appointment by the court of three disinterested persons to appraise the fair market value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them when confirmed by the court shall be final and conclusive The cost of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be assesed either upon the new or surviving association or upon the dissenting shareholder or upon both in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new association of the share certificate or certificates representing the shares of the dissenting shareholder If the award shall not be paid by the surviving or new association within thirty days after the award was made by the appraisers the amount of the award shall be a judgment against the surviving or new association as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new association Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof The right of the dissenting shareholder to be paid the fair value of his shares as herein provided shall cease if and when the association shall abandon the merger or consolidation

Section 1010 Effective Date of Merger or Consolidation Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving association except as against the Commonwealth

ARTICLE XI

VOLUNTARY DISSOLUTION OF ASSOCIATION

Section 1101 Voluntary Dissolution by Incorporators A The incorporators of an association which has not issued any shares of commenced business may effect the dissolution of the association by filing articles of dissolution with the Department of State The articles of dissolution shall be executed under the seal of the association signed and verified by a majority of the incorporators and shall set forth

(1) The name of the association

(2) The city borough or township in which it was to have its place of business

(3) The date of its incorporation

(4) That the association has not issued any shares or otherwise commenced business

(5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

(6) That no debts of the association remain unpaid

(7) That two-thirds of the incorporators elect that the association be dissolved

B The articles of dissolution shall be delivered to the Department of State If the Department of State finds that the articles conform to law it shall endorse its approval thereon and when all fees and charges required by law have been paid it shall forthwith transmit them to the Department of Banking which if it shall approve the granting of the certificate of dissolution shall sign its approval on them It shall forthwith transmit the articles to the Department of State The Department of State shall then issue a certificate of dissolution to the incorporators or their representative Upon the issuance of the certificate of dissolution the existence of the association shall cease The Department of State shall send a copy of the articles of dissolution to the Department of Banking

Section 1102 Voluntary Dissolution Permitted Limitation Any association which has commenced business and which has issued shares may elect to dissolve voluntarily and wind up its affairs in the manner and under the circumstances hereinafter provided by this act However if it shall appear to the Department upon an examination of the business assets and affairs of the association that its assets will probaly be insufficient to pay in full its shareholders and creditors it may in its discretion take possession of the business and property of the association in which case the Secretary of Banking shall simultaneously and by operation of law take over possession and serve as receiver in the manner provided by law

Section 1103 Proposal and Ratification of Plan of a Voluntary Dissolution Election of Liquidating Trustees A A plan to dissolve voluntarily the affairs of an association shall be proposed by resolution adopted by affirmative vote of two-thirds of all the directors of the association Such resolution shall direct that the question of dissolution be submitted to a vote of the shareholders at a meeting which may be either an annual meeting or a special meeting of the shareholders Written notice stating that the purpose or one of the purposes of such meeting is to discuss the desirability of voluntarily dissolving the association shall be given to each shareholder of record entitled to vote at such meeting within the time and in the manner provided in this act for the giving of notice for a meeting of shoreholders If such meeting be an annual meeting such purpose shall be included in the notice of the annual meeting

B The plan of voluntary dissolution proposed by the directors shall set forth in detail the number of liquidating trustees which shall be one three or five to be elected by the shareholders the amount of the bond which shall be supplied by each of them and the powers duties and compensation of such liquidating trustees

C The resolution shall be declared adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on majority of the resolution If the resolution is adopted the shareholders shall forthwith proceed to elect the number of liquidating trustees provided for in the plan of voluntary liquidation If more than one liquidating trustee is to be elected each shareholder shall have the right in person or by proxy multiply the number of votes to which he may be entitled by the number of liquidating trustees to be elected and he may cast his whole number of such votes for one candidate or her may distribute them among any two or more candidates The candidates receiving the highest number of votes up to the number of liquidating trustees to be chosen shall be elected

Section 1104 Certificate of Election to Dissolve Voluntarily A Upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of an association pursuant to the provisions of this act a certificate of election to dissolve shall be executed under the seal of the association signed and verified by at least two duly authorized officers of the association which shall set forth

(1) The name of the association

(2) The exact location of its place of business

(3) The names and respective addresses including the street and number if any of its officers

(4) The names and respective addresses including street and number if any of its directors

(5) The number of directors voting for and the number voting against the proposed plan of voluntary dissolution

(6) The number of shares outstanding the number of shares entitled to vote in respect to the dissolution of the association and the number of shares voted for and the number voted against the proposed plan of voluntary dissolution

(7) The names and addresses of the proposed liquidating trustees who were elected at the shareholders' meeting and the number of votes received by every candidate for the position of liquidating trustee

(8) The amount of the bond required to be supplied by each trustee

(9) The signed statement under oath or affirmation of each of the proposed liquidating trustees that he is willing to serve as liquidating trustee subject to the provisions of this act and to the terms of the proposed plan of voluntary dissolution that he will so far as the duty devolves upon him diligently and honestly liquidate the affairs of the association

and will not knowlingly violate or permit to be violated any of the provisions of this act or of the proposed plan of voluntary dissolution

(10) The proposed plan of voluntary dissolution

B The certificate of election to dissolve shall be delivered to the Department of Banking The Department of Banking shall then conduct an examination or an investigation or take such other action as it deems necessary to determine whether to approve the plan of voluntary dissolution

Section 1105 Approval by Department of Banking of Certificate of Election to Dissolve Voluntarily Filing Commencing of Liquidation If the Department of Banking shall approve the certificate of election to dissolve it shall endorse its approval thereon and shall send it to the Department of State for filing The Department of State shall forthwith send a copy of the certificate to the Department of Banking and a copy to the association or its representative Upon the filing by the Department of State of the certificate of election to dissolve the association shall cease to transact its business and the liquidating trustee or trustees as the case may be shall commence the liquidation of the association The liquidating trustee or trustees shall thereafter be authorized to carry out in his own name or in their own names as liquidating trustee or trustees of the association the powers granted to him or to them by the plan of voluntary liquidation

Section 1106 Notice to Creditors and Shareholders A After the Department of State has transmitted to the association the copy of the certificate of election to dissolve the liquidaing trustee or trustees as the case may be shall forthwith give notice to all corporations or persons who appear upon the books or other records of the association as or who are otherwise known to the liquidating trustee or trustees to be creditors or shareholders of the association Such notice shall be sent to or given at the address which appears upon the books or other records of the association for the particular corporation or person or if no address appears there then to the last known address of such corporation or person

The notice to each shareholder shall state the amount which the books or other records of the association show to be due to such shareholder It shall also state that unless such shareholder shall present his claim under oath or affirmation within three months from the date of the giving of such notice the amount shown to be due by the books of the association will be conclusively presumed to be correct

The notice to each creditor other than a shareholder shall inform such creditor that he must present his claim under oath or affirmation within three months from the date of the giving of such notice or else be barred from claiming an amount exceeding the amount shown to be due him on the books or other records of the association and that he must present his claim under oath or affirmation within six months from the date of the giving of the notice or else be forever barred from sharing in any distribution of the assets of the association

B The liquidating trustee or trustees as the case may be shall also forthwith advertise once a week for three successive weeks in a newspaper of general circulation and in a legal newspaper if any that the association is being liquidated pursuant to a plan of voluntary liquidation that all shareholders must present their claims under oath or affirmation within three months after the date specified in such advertisement which shall not be earlier than the first day on which advertisement was made either in the newspaper of general circulation or in the legal newspaper or be bound by the amount shown by the books or other records of the association to be due them or if a shareholder does not appear upon the books or other records of the association to be a shareholder that he must present his claim under oath or affirmation within six months from such date or else be permanently barred from sharing in the distribution of the assets of the association and that any creditor other than a shareholder must present his claim under oath or affirmation within three months from the date specified in the advertisement which shall not be earlier than the first day on which advertisement was made either in the newspaper of general circulation or in the legal newspaper or else be barred from claiming an amount exceeding the amount shown to be due him on the books or other records of the association and that he must present his claim under oath or affirmation within six months from such date or else be forever barred from sharing in any distribution of the assets of the association

C After the expiration of three months from the date of giving notice to creditors who appear as creditors upon the books or other records of the association other than shareholders the liquidating trustee or trustees as the case may be shall forthwith send a notice by registered mail to each creditor who has not yet presented his claim under oath or affirmation stating that unless he presents his claim under oath or affirmation within six months from the date upon which he was given the first notice required by this section he will be forever barred from sharing in any distribution of the assets of the association Such notice shall be sent to the address which appears for such creditor upon the books or other records of the association or if no address appears there to his last known address

D The first insertion of an advertisement in the newspaper of general circulation or in the legal newspaper shall in so far as possible be made on the same day as the giving of notice to shareholders and creditors

Section 1107 Prohibition upon Allowance of Claims The liquidating trustee or trustees as the case may be shall not allow any of the following claims

(1) The claim of a shareholder who appears upon the books or other records of the association as a shareholder for an amount in excess of the amount which the books or other records show to be due to him as a shareholder unless he has presented such claim under oath or affirmation within three months after the giving of notice to him

(2) The claim of a shareholder who does not appear upon the books or other records of the association as a shareholder unless he has presented such claim under oath or affirmation within six months after the date of the publication of the first advertisement required by this act

(3) The claim of any creditor other than a shareholder for an amount in excess of the amount shown to be due him on the books or other records of the association unless he has presented such claim under oath or affimration within three months after the giving of notice to him or any claim at all of such creditor unless he has presented such claim under oath or affirmation within six months after the giving of notice to him

(4) The claim of any creditor other than a shareholder who does not appear upon the books or other records of the association as a creditor unless he has presented such claim under oath or affirmation within six months after the date of the publication of the first advertisement required by this act

Section 1108 Bonds of Liquidating Trustees Before any liquidating trustee shall enter upon his duties he shall furnish to the association a bond in such amount as is specified in the certificate of election to dissolve or in such greater amount as is required by the Department with such corporate surety as is approved by the Department conditioned upon the faithful performance of his duties as liquidating trustee The Department may grant a reduction of such bond whenever it shall appear to it that as a result of partial liquidation or a decrease in the value of the assets of the association such reduction is justified The cost of the bond of a liquidating trustee may be paid out of the assets of the association Such bond shall be filed with the Department

Section 1109 Death or Resignation of Liquidating Trustees A In any case in which a plan of voluntary dissolution provides for one liquidating trustee and such liquidating trustee dies resigns or for any reason becomes unable to perform the duties of a liquidating trustee the Department shall forthwith appoint a liquidating trustee to take his place

B In any case in which a plan of voluntary dissolution provides for three or five liquidating trustees and one or more of such liquidating trustees die resign or for any reason become unable to perform the duties of liquidating trustees the remaining liquidating trustees if they constitute a majority of the whole number of liquidating trustees provided by the plan of voluntary dissolution shall by a majority vote select a liquidating trustee or liquidating trustees to take the place of such dead resigned or incapacitated liquidating trustee or trustees If the number of liquidating trustees remaining does not constitute a majority of the whole number of liquidating trustees provided by the plan of voluntary dissolution or if the number of remaining liquidating trustees constitutes such majority but they are equally divided in their votes for a new liquidating trustee or trustees the Department shall forthwith appoint a liquidating trustee to take his place

C Any liquidating trustee appointed pursuant to the provisions of this section shall have the same powers and shall be subject to the same duties as the liquidating trustee whose place he takes

Section 1110 Examination by Department Taking Possession by Department A The Department shall have the same power to examine or investgiate the affairs of an association which is in the process of voluntary dissolution and to assess the cost of such examination or investigation upon such association as is provided by law in the case of associations which are not in the process of voluntary dissolution

B The Department shall have the power to take possession of an association which is in the proceess of voluntary dissolution and the Secretary of Banking automatically and by operation of law to take over such possession as receiver whenever it shall appear to the Department that the best interests of the creditors and shareholders of the association will be served by such action

Section 1111 Approval of Department before Payment of Dividend A liquidating trustee or trustees as the case may be shall not distribute any of the assets of the association in the form of dividends to shareholders without the prior written approval of the Department

Section 1112 Order of Preference in Distribution A The following shall be the order followed by the liquidating trustee or trustees as the case may be in the distribution pursuant to the provisoins of this act of the assets of any association which is being liquidated in pursuance of a plan of voluntary dissolution

First Any reasonable expense incurred by the liquidating trustee or trustees as the case may be in the management liquidation or distribution of the assets and affairs of the association any fee or other debts owing to the Department for examinations or other services rendered or penalties incurred any other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Second Any claim of a creditor of the association other than the claim of a shareholder arising from his ownership of shares

Third Any claim of a shareholder whether or not reduced to a judgment arising from his ownership of shares whether such shares be installment full-paid prepaid matured or any other type The amount of the claim arising from each share shall be the amount actually paid in on account of such share less any amount lawfully deductible therefrom by the association except in the case of a lawfully and properly matured share in which case the amount of the claim shall be the actual par value of the share less any payment received on account thereof from the association and less any other amount lawfully deductible therefrom by the association

B Every claim enumerated above shall have the same rank and priority as every other claim in the same numbered paragraph regardless of the order in which such claims are enumerated

C All claims provided for in this section shall be construed to refer only to claims presented to the liquidating trustee or trustees in the manner provided in this act and approved by him or them in accordance with the plan of dissolution

Section 1113 Articles of Dissolution A When the liquidating trustee or trustees as the case may be have completely liquidated and distributed the assets of an association in the manner provided by this act articles of dissolution shall be executed under the seal of the corporation signed and verified by the liquidating trustee or trustees as the case may be which shall set forth

(1) The name of the association

(2) The address including the street and number if any of the place of business of the association

(3) A statement that the assocation has heretofore delivered to the Department of Banking a certificate of election to dissolve and the date on which the certificate was approved by the Department of Banking

(4) A statement that all the assets of the association have been liquidated and the distribution of the proceeds made in the manner provided by this act

(5) A statement that there are no suits pending against the association in any court

B The articles of dissolution shall be delivered to the Department of Banking If the Department of Banking shall approve the articles it shall endorse its approval thereon and shall send them to the Department of State which shall issue to the association or its representative a certificate of dissolution Upon the issuance of the certificate of dissolution the existence of the association shall cease The Department of State shall forthwith send a copy of the articles of dissolution to the Department of Banking

ARTICLE XII

FORFEITURE OF CHARTER GENERAL CRIMINAL PROVISIONS

Section 1201 Books Records and Accounts of Associations Reports Prohibitions Penalty A The total liabilities of each association to shareholders or creditors shall be set out in full upon the books or other records of the association and in all reports required by law It shall be unlawful for any association to reduce such liabilities for the purposes of concealing unadjusted losses expense charges loans or for any other purpose All such losses expense charges loans or other items shall be set up in separate accounts on the books or other records of the association until adjusted or charged off They shall not be charged in any manner whatsoever against dues or other payments made on account of shares or other credits for which the association may be liable

B Whenever an association shall pledge or assign assets as security for any money borrowed by it the amount of money borrowed together with the assets pledged or assigned therefor shall be set out in full on the books or other records of the association and in all reports required by law

C An association shall not conceal any of its assets in any manner whatsoever upon its books or other records or in any report required by law but an accurate and complete record shall be kept of the same An association shall not be any system of accounting or any device of bookkeeping directly or indirectly enter any of its assets upon its books in the name of any other corporation or person or under any title or designation that is not truly descriptive thereof

D An association shall not except with the written approval of the Department enter or at any time carry on its books any real or personal property owned by it at a valuation exceeding its actual cost to such association

E An association shall preserve in such form and manner that they may be readily produced upon proper demand all its records of original or final entries for a period of seven years from the date of making the last entry on the same

F An officer director or employe of an association who knowingly violates any provision of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment not exceeding one year or a fine not exceeding one thousand dollars or both

Section 1202 Repledging of Collateral A Except as otherwise specifically provided in this act an association shall not repledge any property held by it in pledge or as collateral

B Any officer director or employe of an association who knowingly repledges any property held by an association in pledge or as collateral in any manner except as specifically authorized by this act shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both

Section 1203 Relationship of Association with Employes of Department A An association shall not grant or give any sum of money or other property whether as a gift credit loan or otherwise either directly or indirectly to the Secretary of Banking or to any deputy examiner clerk or other employe of the Department However any association may grant a loan to the Secretary of Banking or any deputy examiner clerk or other employe of the Department if such loan is secured by a mortgage upon his own home which meets all the terms and conditions provided by this act for mortgage loans and which in addition meets any additional conditions imposed and followed by such association in granting such loan

B Any officer director or employe of an association who knowingly violates the provisions of this section or who on his own behalf grants or gives any sum of money or other property whether as a gift credit loan or otherwise either directly or indirectly to the Secretary of Banking or to any deputy examiner clerk or other employe of the Department shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he

shall also be subject to a further fine of a sum equal to the amount of the gift credit loan or other sum of money or the value of any other property given in violation of this section

Section 1204 Forfeitures of Articles of Incorporation A The articles of incorporation of an association shall be automatically forfeited by operation of law when

(1) It has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation within two years after the issuance thereof

(2) It has formerly exercised any of the powers conferred upon it by its articles but for a period of two years it has not exercised at least one of its powers

(3) The Secretary after having taken possession of the business and property of an association as receiver has completely liquidated its assets

(4) The Secretary after having taken possession of the business and property of an association as receiver has surrendered possession to the association itself because he was without funds to liquidate the business and property

(5) The Secretary after having taken possession of the business and property of an association as receiver has surrendered to the association itself or to any other corporation or person the assets of the association in order to permit the carrying out of a special plan of liquidation

(6) Liquidating trustees pursuant to a plan of voluntary dissolution have completely liquidated its assets and the Department has filed the articles of dissolution with the recorder of deeds pursuant to the provisions of this act

B Whenever it shall appear to the Department that any of the conditions shall under the provisions of this section effect the forfeiture of the articles of an association it shall except as otherwise specifically provided in this section issue a certificate of forfeiture of the articles of incorporation which shall be filed with the Department of State The Department of State shall send a copy of such certificate to the last known address of the association and a copy to the Department of Banking

C If the articles of incorporation of an association have been forfeited in the manner provided by this section the corporate powers may whenever necessary to effect the liquidation and winding up of the business and property of such association continue for a period of three years but they shall not be considered in existence for any other purposes whatsoever

Section 1205 Prohibition upon Doing of Business by Foreign Corporations A Foreign corporation shall not transact the business of a building and loan association within this Commonwealth nor maintain an office within this Commonwealth for the purpose of transacting such business It shall be unlawful for any person to act within this Commonwealth as agent for any person to engage in the business of soliciting or receiving within this Commonwealth subscriptions to the shares of such corporation or payments therefor or of granting loans within this Commonwealth on behalf of such corporations or soliciting applications therefor or of receiving within this Commonwealth on behalf of such corporation interest fees fines or permiums upon the shares or loans of such corporation or of transacting in any other manner business within this Commonwealth on behalf of such corporation

B Any individual who shall violate the prohibitions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both. He shall also be subject to a further fine equal to any moneys received by him within this Commonwealth in violation of this section The corporation which such individual represents shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of five thousand dollars such corporation shall be subject to a further fine equal to the amount of any moneys received by such corporation or by its agent in violation of this section

Section 1206 Perjury Anyone who shall wilfully and corruptly make a false statement under any oath or affirmation provided for in this act or anyone who shall by any means procure or suborn any other person to do so shall be guilty of the crime of perjury and upon conviction thereof shall be subject to the same punishment as is or may be provided by law for perjury

Section 1207 Statute of Limitations for Violation of Act Any prosecution for the commission of any criminal offense under the provisions of this act may be commenced at any time within six years after the date upon which the alleged offense shall have been committed However if the person against whom such prosecution is brought shall not have been an inhabitant of this Commonwealth or a usual resident therein during the term for which he shall be subject to prosecution then such indictment may be commenced and prosecuted against such person at any time with a similar space of time during which he shall be an inhabitant of or usual resident within this Commonwealth

ARTICLE XIII

EFFECTIVE DATE AND REPEALER

Section 1301 Effective Date This act shall become effective on the third day of July one thousand nine hundred thirty-three

Section 1302 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed

The act approved the twenty-eighth day of March one thousand eight hundred twenty (Pamphlet Laws one hundred sixty-nine) entitled "An act to regulate proxies" in so far as it relates to associations

The act approved the sixth day of February one thousand eight hundred thirty (Pamphlet Laws forty-two) entitled "A supplement to an act entitled 'An act to incorporate, the owners and occupiers of the Wicacoa and Moyamensing meadows in the county of Philadelphia for the sole purpose of keeping the banks dams sluices and floodgates in repair and to raise a fund to defray the expenses thereof' passed twelfth April eighteen hundred and twenty-eight and for other purposes" in so far as it relates to associations

The act approved the seventh day of March one thousand eight hundred fifty-three (Pamphlet Laws one hundred fifty-five) entitled "An act relative to land and building associations" absolutely

The act approved the third day of May one thousand eight hundred fifty-six (Pamphlet Laws four hundred twenty-three) entitled "An act relating to Corporations" in so far as it relates to associations

The act approved the ninth day of April one thousand eight hundred fifty-six (Pamphlet Laws two hundred ninety-three) entitled "Supplement to the acts relating to incorporations by the Courts of Common Pleas" in so far as it relates to associations

The act approved the eighth day of May one thousand eight hundred fifty-seven (Pamphlet Laws four hundred thirty-seven) (Number four hundred ninety-eight) entitled "A supplement to an act relative to Investments by Building Associations approved May eighth one thousand eight hundred and fifty-five" absolutely

The act approved the twelfth day of April one thousand eight hundred fifty-nine (Pamphlet Laws five hundred forty-four) entitled "An act to confer on certain Associations of the citizens of this Commonwealth the powers and immunities of corporations and bodies politic in law and to confirm charters heretofore granted" absolutely

The act approved the twenty-seventh day of November one thousand eight hundred sixty-five (Pamphlet Laws of one thousand eight hundred sixty-six page one thousand two hundred twenty-eight) entitled "An act relating to the organization and meetings of certain corporations incorporated under the laws of this commonwealth" in so far as it relates to associations

The act approved the thirty-first day of March one thousand eight hundred sixty-eight (Pamphlet Laws fifty) entitled "An act to authorize incorporated companies to invest and reinvest surplus funds in mortgages stock and other securities and fixing the time for holding elections for directors" in so far as it relates to associations

The act approved the fifteenth day of April one thousand eight hundred sixty-nine (Pamphlet Laws twenty-nine) entitled "An act requiring a majority of the directors or managers of corporations to constitute a quorum" in so far as it relates to associations

The act approved the fourth day of April one thousand eight hundred seventy-two (Pamphlet Laws forty) entitled "An act supplemental to an act entitled 'A supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" in so far as it relates to associations

The act approved the fourth day of April one thousand eight hundred seventy-two (Pamphlet Laws forty-six), entitled "An act for the appointment of a receiver in cases where corporations have been dissolved by judgment of ouster upon pro-

ceedings of quo warranto" in so far as it relates to associations

The act approved the twentieth day of April one thousand eight hundred seventy-four (Pamphlet Laws one hundred ten) entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations" in so far as it relates to associations

The act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" and its amendments in so far as it relates to associations

The act approved the fourteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws one hundred forty-six) entitled "An act relative to service of process upon the stockholders of corporations in actions brought to charge the stockholders for debts of the corporation or for unpaid instalments upon their stock" in so far as it relates to associations

The act approved the fifteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws one hundred eighty-six) entitled "An act to authorize corporations to increase the security of their bonded indebtedness" in so far as it relates to associations

The act approved the seventeenth day of April one thousand eight hundred seventy-six (Pamphlet Laws thirty) entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations" and its amendments in so far as it relates to associations

The act approved the seventeenth day of April one thousand eight hundred seventy-six (Pamphlet Laws forty-one) entitled "An act to confirm conveyances of lands made by savings fund building and loan associations after expiration of the term of their chartered existence" absolutely

The act approved the twenty-fifth day of April one thousand eight hundred seventy-six (Pamphlet Laws forty-seven) entitled "An act supplementary to the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini eighteen hundred and seventy-four extending its provisions to all who may have the right to vote at elections for directors managers or trustees" in so far as it relates to associations

The act approved the twenty-second day of May one thousand eight hundred seventy-eight (Pamphlet Laws ninety-six) entitled "An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold" in so far as it relates to associations

The act approved the twenty-fifth day of May one thousand eight hundred seventy-eight (Pamphlet Laws one hundred fifty-five) (Number two hundred) entitled "An act to prevent and punish the re-hypothecation of stocks bonds or other securities pledged for money lent or borrowed" in so far as it relates to associations

The act approved the seventeenth day of June one thousand eight hundred seventy-eight (Pamphlet Laws two hundred fourteen) entitled "An act to confirm the purchase and sale of real estate by building and loan associations and to authorize the disposal of the unsold portion thereof" absolutely

Sections one two three four five six and nine of the act approved the tenth day of April one thousand eight hundred seventy-nine (Pamphlet Laws sixteen) (Number fourteen) entitled "An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of re-payment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to the associations of the bonus tax and registry laws for corporations" absolutely

The act approved the thirteenth day of May one thousand eight hundred seventy-nine (Pamphlet Laws fifty-seven) entitled "An act to authorize corporations to borrow money to redeem previous loans authorized by special laws and limiting the rate of interest and terms thereof and providing for the payment of mechanics' liens" in so far as it relates to associations

The act approved the tenth day of June one thousand eight hundred eighty-one (Pamphlet Laws one hundred seven) (Number one hundred eighteen) entitled "A supplement to an act entitled 'An act to prevent and punish the re-hypothecation of stocks bonds or other securities pledged for money lent or borrowed' approved the twenty-fifth day of May Anno Domini one thousand eight hundred seventy-eight" in so far as it relates to associations

The act approved the twenty-second day of May one thousand eight hundred eighty-three (Pamphlet Laws forty-one) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-second day of May Anno Domini eighteen hundred and seventy-eight" in so far as it relates to associations

The act approved the thirteenth day of June one thousand eight hundred eighty-three (Pamphlet Laws one hundred twenty-two) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charters of corporations of the second class and authorizing the incorporation of traction motor companies" in so far as it relates to associations

The act approved the twenty-fifth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred seventy-eight) entitled "An act to amend an act entitled 'An act to enable the officers of dissolved corporations to convey real estate held by such corporations' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders" in so far as its relates to associations

The act approved the twenty-sixth day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred seventy-four) entitled "A supplement to an act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-second day of May Anno Domini one thousand eight hundred and eighty-three" in so far as it relates to associations

The act approved the thirty-first day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred eighty-one) entitled "An act permitting the stockholders of corporations to determine the number of directors and the time for holding annual elections of officers" in so far as it relates to associations

The act approved the seventeenth day of June four thousand eight hundred eighty-seven (Pamphlet Laws four hundred eleven) entitled "A further supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the further regulation of such corporations" in so far as it relates to associations

The act approved the twenty-fifth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws two hundred seventy-three) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four amending the twelfth section of said act and thereby relieving full paid capital stock from liability to further assessment" in so far as it relates to associations

The act approved the seventh day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred two) (Number one hundred eight) entitled "An act defining evidence of stock ownership in corporations and for determining the right to vote thereon" in so far as it relates to associations

The act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-seven) entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' amending the thirteenth section thereof" in so far as it relates to associations

The act approved the fifteenth day of April one thousand eight hundred ninety-one (Pamphlet Laws fifteen) entitled

"An act to amend an act entitled 'An act to amend an act entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders" approved the twenty-fifth day of June one thousand eight hundred and eighty-five" authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders or their legal representatives whenever requested so to do" in so far as it relates to associations

The act approved the fourteenth day of May one thousand eight hundred ninety-one (Pamphlet Laws sixty-one) entitled "An act to amend the fifth section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four defining the officers of corporations and allowing certain officers receiving salaries to be directors and receive compensations" in so far as it relates to associations

The act approved the twentieth day of May one thousand eight hundred ninety-one (Pamphlet Laws one hundred one) (Number seventy-seven) entitled "An act authorizing salaried officers of private or business corporations to concurrently serve as directors therein" in so far as it relates to associations

The act approved the second day of June one thousand eight hundred ninety-one (Pamphlet Laws one hundred seventy-four) entitled "A supplement to an act entitled 'An act to provide for the incorporation of certain corporations approved the twenty-ninth day of April one thousand eight hundred and seventy-four' so far as it relates to section thirty-seven relating to building and loan associations" absolutely

The act approved the twenty-sixth day of April one thousand eight hundred and ninety-three (Pamphlet Laws twenty-six) (Number twenty-two) entitled "An act providing for the appointment of a receiver in cases where corporations have been dissolved by judgment of ouster upon proceedings of quo warranto" in so far as it relates to associations

The act approved the eleventh day of May one thousand eight hundred and ninety-three (Pamphlet Laws forty-two) (Number forty) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" in so far as it relates to associations

The act approved the eighteenth day of May one thousand eight hundred and ninety-three (Pamphlet Laws eighty-eight) entitled "An act to revive and continue in force provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and eighty-seven" in so far as it relates to associations

The act approved the twenty-sixth day of May one thousand eight hundred and ninety-three (Pamphet Laws one hundred forty-one) entitled "An act amending an act entitled 'An act defining evidence of stock ownership in corporations and for determining the right to vote thereon' approved May seventh one thousand eight hundred and eighty-nine further defining evidence of stock ownership and the right to vote thereon" in so far as it relates to associations

The act approved the eighth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred fifty-one) entitled "An act to provide for the manner of reducing the capital stock of corporations" in so far as it relates to associations

The act approved the eighth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred fifty-five) entitled "An act to regulate the change of location of the principal office the place of annual and other meetings of stockholders and the time of such annual meetings of corporations of this Commonwealth" in so far as it relates to associations

The act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred seventeen) (Number three hundred sixteen) entitled "An act to authorize corporations to increase their capital stock for corporate purposes" in so far as it relates to associations

The act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred fifty-eight) (Number one hundred seventy-two) entitled "An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth" in so far as it relates to associations

The act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred three) entitled "An act amending an act entitled 'A supplement to an act entitled "An act to provide for the incorporation of certain corporations" approved the twenty-ninth day of April one thousand eight hundred and seventy-four so far as it relates to section thirty-seven relating to building and loan associations' approved June second one thousand eight hundred and ninety-one giving such associations the right when a series of stock has matured or when applications for loans by the stockholders thereof shall exceed the accumulations in the treasury to make temporary loans" absolutely

The act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred sixty-nine) (Number two hundred sixty-one) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four further amending the twelfth section thereof so as to permit corporations organized thereunder either for the purpose of carrying on any manufacturing business or for the supply of water or for the manufacture or supplying of light to purchase bonds or stock of other corporations of the same character or to guarantee the payment of interest and principal of such bonds or either principal or interest or to lease and operate corporate property" in so far as it relates to associations

The act approved the twentieth day of April one thousand eight hundred and ninety-seven (Pamphlet Laws twenty-eight) (Number twenty-three) entitled "An act to revive and continue in force provisions of an act entitled 'An act to extend the time which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the eighteenth day of May Anno Domini one thousand eight hundred and ninety-three" in so far as it relates to associations

The act approved the ninth day of February one thousand nine hundred and one (Pamphlet Laws three) entitled "An act to provide for increasing the capital stock and indebtedness of corporations" in so far as it relates to associations

The act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty) (Number fifty-one) entitled "An act to regulate the number of directors in corporations chartered under the laws of this Commonwealth" in so far as it relates to associtaions

The act approved the eleventh day of May one thousand nine hundred and one (Pamphlet Laws one hundred fifty-three) entitled "An act regulating foreign mutual savings fund or building and loan associations doing business within this Commonwealth and prescribing an annual license fee to be paid by such associations" absolutely

The act approved the twenty-ninth day of May one thousand nine hundred and one (Pamphlet Laws three hundred twenty-six) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four authorizing formation of corporations for profit by voluntary association of three or more persons one of whom at least must be a citizen of this Commonwealth" in so far as it relates to associations

The act approved the twenty-ninth day of May one thousand nine hundred and one (Pamphlet Laws three hundred forty-nine) entitled "An act supplementary to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four providing for the merger and consolidation of certain corporations" in so far as it relates to associations

The act approved the fourth day of June one thousand nine hundred and one (Pamphlet Laws four hundred three) entitled "An act conferring upon mutual savings fund or building and loan associations now incorporated or hereafter to be incorporated the right to receive in writing bids of premium for priority and making valid all such bids heretofore accepted" absolutely

The act approved the seventh day of June one thousand nine hundred and one (Pamphlet Laws five hundred thirty) entitled

"act to amend the forty-fifth section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four providing for the publication in separate pamphlet form of a certified list of all charters of incorporation" in so far as it relates to associations

The act approved the second day of July one thousand nine hundred and one (Pamphlet Laws six hundred three) (Number two hundred ninety-eight) entitled "An act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation" in so far as it relates to associations

The act approved the second day of July one thousand nine hundred and one (Pamphlet Laws six hundred six) (Number three hundred two) entitled "An act authorizing corporations organized under the laws of Pennsylvania to increase or diminish the par value of the shares of their capital stock" in so far as it relates to associations

The act approved the fifth day of March one thousand nine hundred and three (Pamphlet Laws fourteen) (Number seventeen) entitled "An act concerning proxies authorizing representation and voting of shares of capital stock of corporations at meetings and elections thereof" in so far as it relates to associations

The act approved the twenty-fourth day of March one thousand nine hundred and three (Pamphlet Laws fifty) (Number fifty-two) entitled "An act relating to the taking of stock votes upon subjects presented to stockholders of corporations of this Commonwealth for their action" in so far as it relates to associations

The act approved the fifteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred) (Number one hundred forty-five) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twentieth day of April Anno Domini one thousand eight hundred and ninety-seven" in so far as it relates to associations

The act approved the twenty-second day of April one thousand nine hundred and three (Pamphlet Laws two hundred fifty-one) entitled "An act regulating the change of corporate titles" in so far as it relates to associations

The act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred seventy-two) entitled "An act to amend the first section of an act entitled 'A supplement to an act entitled "An act to provide for the incorporation and regulation of certain corporations approved April twenty-nine one thousand eight hundred and seventy-four" authorizing the formation of corporations for profit by voluntary association of three or more persons one of whom at least must be a citizen of this Commonwealth' said supplement approved the twenty-ninth day of May one thousand nine hundred and one and to extend the provisions of said act to all corporations for profit embraced within corporations of the second class defined in section two (2) and the various supplements to section two (2) of the act of April twenty-ninth one thousand eight hundred and seventy-four and confirming all charters granted under the said supplements to corporations which have been formed under the various supplements to the said section two (2) of the act of April twenty-ninth one thousand eight hundred and seventy-four by the association of three or more persons one of whom at least was a citizen of this Commonwealth" in so far as it relates to associations

The act approved the sixteenth day of March one thousand nine hundred and five (Pamphlet Laws forty-two) (Number twenty-six) entitled "An act providing for the voting of shares of stock in corporations in this Commonwealth held by executors administrators guardians and trustees and the manner of voting the same" in so far as it relates to associations

The act approved the thirty-first day of March one thousand nine hundred and five (Pamphlet Laws ninety-three) entitled "An act amending the third section of a supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-nine one thousand eight hundred and seventy-four 'providing for the improvement amendment and alteration of the charters of corporations of traction motor companies' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three requiring corporations to file a certificate with the Governor of the Commonwealth setting forth that all reports required by the Auditor General of the Commonwealth have been duly filed and that all taxes due the Commonwealth have been paid before the improvement amendment or alteration of the charter of any corporation" in so far as it relates to associations

The act approved the thirty-first day of March one thousand nine hundred and five (Pamphlet Laws ninety-five) entitled "An act to amend section three of a supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four providing for the merger and consolidation of certain corporations approved the twenty-ninth day of May one thousand nine hundred and one requiring the filing of all reports required by the Auditor General and the payment of all taxes due the Commonwealth of Pennsylvania by corporations before merger or consolidation" in so far it relates to associations

The act approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred sixty-four) (Number one hundred eighty-three) entitled "An act to amend the first section of an act entitled 'An act to provide for the manner of reducing the capital stock of corporations' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three (1893) extending the provisions of the said act to all corporations created by general or special law and repealing all acts or parts of acts inconsistent therewith" in so far as it relates to associations

The act approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred eighty) entitled "An act to amend section one of the act entitled 'An act to provide for increasing the capital stock and indebtedness of corporations" approved the ninth day of February Anno Domini one thousand nine hundred and one authorizing corporations to increase their capital stock and indebtedness and secure the payment of principal and interest of their indebtedness" in so far as it relates to associations

The act approved the twelfth day of June one thousand nine hundred and seven (Pamphlet Laws five hundred twenty-five) entitled "An act requiring banks trust companies savings funds societies building and loan associations bond and investment companies provident associations and all other corporations under supervision of the Commissioner of Banking to furnish receipt in full to each depositor or investor for moneys received which shall also be entered in full on books of the company statement of liabilities to be set out in full in all reports to Commissioner of Banking or other supervisory authorities statement of all moneys borrowed to be placed in full as liabilities on books of the company violation of provisions of this act a misdemeanor and penalty therefor" in so far as it relates to associations

The act approved the twenty-ninth day of April one thousand nine hundred and nine (Pamphlet Laws two hundred eighty-nine) (Number one hundred eighty-five) entitled "An act to prevent any individual from holding at the same time more than one of the offices of president vice-president secretary treasurer or solicitor of any building and loan association incorporated under the laws of this Commonwealth and providing a penalty for the breach thereof" absolutely

The act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws four hundred eight) entitled "An act authorizing the merger and consolidation of certain corporations" in so far as it relates to associations

The act approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred thirty-six) (Number two hundred twenty-two) entitled "An act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid" in so far as it relates to associations

The act approved the fourteenth day of May one thousand nine hundred thirteen (Pamphlet Laws two hundred five) (Number one hundred forty-four) entitled "An act enlarging the powers of mutual savings fund or building and loan associations authorizing them to accumulate a reserve fund to pay contingent losses and validating such funds heretofore accumulated to permit members to secure the repayment of one-half of their loans by a straight bond and mortgage for a fixed term and authorizing said associations to

so secure loans authorizing said associations to make loans in certain cases upon a stipulated premium and further authorizing them to loan money to other like associations under certain conditions and repealing all laws inconsistent with this act" absolutely

The act approved the sixth day of June one thousand nine hundred thirteen (Pamphlet Laws four hundred fifty-nine) (Number three hundred five) entitled "An act to confirm conveyances of lands made by Building and Loan Associations after expiration of the term of their chartered existence" absolutely

The act approved the twenty-ninth day of April one thousand nine hundred fifteen (Pamphlet Laws two hundred five) entitled "An act to amend the third section of an act entitled 'An act authorizing the merger and consolidation of certain corporations' approved the third day of May Anno Domini one thousand nine hundred and nine" in so far as it relates to associations

The act approved the second day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred twenty-four) (Number three hundred thirty-three) entitled "An act to amend section twenty-three of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled 'A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all the reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corporation before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth" in so far as it relates to associations

The act approved the seventeenth day of May one thousand nine hundred seventeen (Pamphlet Laws two hundred twenty-eight) entitled "An act to authorize the payment by corporations to their directors of compensation for services rendered by them" in so far as it relates to associations

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred seventy-five) entitled "An act to amend section five of an act approved the tenth day of April one thousand eight hundred and seventy-nine entitled 'An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the nonapplication to these associations of the bonus tax and registry laws for corporations" absolutely

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred eighty) entitled "An act to amend section one of an act approved the twenty-ninth day of April one thousand nine hundred nine entitled 'An act to prevent any individual from holding at the same time more than one of the offices of president vice-president secretary treasurer or solicitor of any building and loan association incorporated under the laws of this Commonwealth and providing a penalty for the breach thereof' by prohibiting the president vice-president secretary or treasurer from holding the office of conveyancer" absolutely

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred eighty-one) (Number two hunderd forty-eight) entitled "An act permitting corporations to invest their surplus funds in bonds of the United States issued for war purposes" in so far as it relates to associations

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred ninety-eight) (Number two hundred fifty-eight) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to continue the salaries of employes enlisting or enrolling in any branch of the military or naval service of the United States or other protective organization" in so far as it relates to associations

The act approved the eighteenth day of April one thousand nine hundred and nineteen (Pamphlet Laws sixty-seven) entitled "An act to give to women married and single the same right as men to be corporators and in furtherance of their interests as stockholders to serve as directors and officers of corporations for profit" in so far as it relates to associations

The act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred eight) entitled "An act permitting building and loan associations to make temporary loans and to secure payment by pledge of bonds of the United States issued for war purposes" absolutely

The act approved the thirtieth day of March one thousand nine hundred and twenty-one (Pamphlet Laws fifty-four) (Number twenty-eight) entitled "An act permitting corporations to change the date of their annual meeting as fixed by its charter" in so far as it relates to associations

The act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred eighty) entitled "An act to amend section thirty-seven clause nine of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' increasing the powers of building and loan associations to purchase and hold real estate" absolutely

The act approved the twenty-fourth day of May one thousand nine hundred twenty-one (Pamphlet Laws one thousand seventy-one) entitled "An act requiring banks banking corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void" in so far as it relates to associations

The act approved the fifteenth day of March one thousand nine hundred twenty-three (Pamphlet Laws ten) entitled "An act relating to the recording of certificates of incorporation of domestic corporations providing for the recording of certified copies thereof in certain cases validating the recording of such certified copies heretofore recorded and making the record of such certified copies competent evidence for all purposes" in so far as it relates to associations

The act approved the twelfth day of July one thousand nine hundred twenty-three (Pamphlet Laws one thousand eighty-three) entitled "An act authorizing corporations to issue stock at a price in excess of the par value thereof" in so far as it relates to associations

The act approved the first day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred two) entitled "An act to amend section one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and seventy-one) entitled 'An act requiring banks banking corporations copartnership or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void' by extending its provisions to all corporations copartnerships and associations" in so far as it relates to associations

The act approved the seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred eighty-three) entitled "An act providing that certificates of association and articles of incorporation or of any improvements amendments or alterations thereto may be acknowledged and sworn or affirmed to before a notary public or justice of the peace validating such acknowledgments made prior to the approval of this act" in so far as it relates to associations

The act approved the thirtieth day of April one thousand nine hundred and twenty-five (Pamphlet Laws four hundred three) entitled "An act relating to the dissolution of corporations and imposing certain duties on the Secretary of the Commonwealth and the prothonotaries" in so far as it relates to associations

The act approved the twelfth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred fifteen) entitled "An act pertaining to corporations organized or doing business within the Commonwealth limiting the

operation of their by-laws and providing for the execution of contracts notes mortgages et cetera by such corporations" in so far as it relates to associations

The act approved the thirteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred seventy-nine) (Number three hundred sixty-eight) entitled "An act authorizing corporations to issue stock to their employes and to employes of their subsidiaries at par value or at a price in excess of par value" in so far as it relates to associations

The act approved the twenty-ninth day of March one thousand nine hundred twenty-seven (Pamphlet Laws seventy) entitled "An act to amend section one of the act approved the twenty-fifth day of April one thousand eight hundred and seventy-six (Pamphlet Laws forty-seven) entitled 'An act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini eighteen hundred and seventy-four extending its provisions to all who may have the right to vote at elections for directors managers or trustees' regulating the manner of voting in first class corporations" in so far as it relates to associations

The act approved the fifth day of April one thousand nine hundred twenty-seven (Pamphlet Laws one hundred ten) entitled "An act prescribing a uniform method for the issuance of full paid stock by building and loan associations prescribing a maximum periodical rate of dividend that may be paid thereon providing for the withdrawal and transfer thereof" absolutely

The act approved the eighth day of April one thousand nine hundred twenty-seven (Pamphlet Laws one hundred seventy-nine) entitled "An act to amend section one of an act approved the fourteenth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and five) entitled 'An act enlarging the powers of mutual savings fund or building and loan associations authorizing them to accumulate a reserve fund to pay contingent losses and validating such funds heretofore accumulated to permit members to secure the repayment of one-half of their loans by a straight bond and mortgage for a fixed term and authorizing said associations to so secure loans authorizing said associations to make loans in certain cases upon a stipulated premium and further authorizing them to loan money to other like associations under certain conditions and repealing all laws inconsistent with this act' permitting building and loan associations to have contingent funds not in excess of fifteen per centum of their assets" absolutely

The act approved the twenty-second day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred fifty-three) (Number two hundred eighteen) entitled "An act to amend subdivision three of section three of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' by regulating the weekly advertisements for corporate charters" in so far as it relates to associations

The act approved the twenty-first day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred thirty-three) entitled "An act prescribing a uniform method of issuing notes by building and loan associations for money borrowed" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (Pamphlet Laws four hundred four) (Number two hundred fifty-nine) entitled "An act making it unlawful for building and loan associations to charge a withdrawal or membership fee in excess of a certain amount and requiring a receipt to be given in case a membership fee is charged and providing for such membership fees to be charged to the general profit account" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred four) (Number two hundred sixty) entitled "An act prohibiting corporations from pleading usury as a defense" in so far as it relates to associations

The act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred five) (Number two hundred sixty-one) entitled "An act authorizing building and loan associations to issue stock to minors providing for the withdrawal thereof and providing also for the withdrawal of stock in certain cases by the beneficiary in the event of the death of the trustee' absolutely

The act approved the sixth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws eight hundred twenty-eight) (Number four hundred seventeen) entitled "An act to further amend the second paragraph of the fifth section of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations" in so far as it relates to associations

The act approved the twenty-seventh day of March one thousand nine hundred and twenty-nine (Pamphlet Laws seventy-four) entitled "An act amending section one of an act entitled 'An act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation' approved the second day of July Anno Dominin one thousand nine hundred and one (Pamphlet Laws six hundred and three) so as to include corporations either public or private of this or any other State or of the United States of America or of any territory or dependency thereof or of any foreign country or any subdivision or agency thereof and to validate all purchases sales assignments transfers mortgages pledges or other disposition thereof at any time heretofore made" in so far as it relates to associations

The act approved the tenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred eighty) entitled "An act to amend section one of the act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred fifty-eight) entitled 'An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth' by authorizing the counter-signatures of assistant treasurers thereon by permitting the signatures counter-signatures and seals thereon in facsimile printed or engraved and validating certificates of stock heretofore so executed and issued" in so far as it relates to associations

The act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-four) entitled "An act to amend the act approved the second day of July one thousand nine hundred and one (Pamphlet Laws six hundred three) entitled "An act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation' by extending the provisions thereof so as to apply to all corporations and validating past transactions of such character" in so far as it relates to associations

The act approved the sixteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred twenty-seven) (Number two hundred twenty-eight) entitled "An act regulating loans by building and loan associations" absolutely

The act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred sixty-six) entitled "An act regulating the granting of loans by building and loan associations where the security in whole or part is to be a mortgage or lien on real estate providing penalties and fixing the time during which indictments under this act may be found and prosecuted" absolutely

The act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred one) entitled "An act to amend section four of the act approved the tenth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws sixteen) entitled 'An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations'" absolutely

The act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred three) entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting" in so far as it relates to associations

The act approved the eighth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred forty-seven) (Number five hundred twelve) entitled "An act to amend the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred four) entitled 'An act prohibiting corporations from pleading usury as a defense" in so far as it relates to associations

The act approved the seventeenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand eight hundred two) entitled "An act providing that when all or a majority of the outstanding shares of the capital stock of any corporation now or hereafter created under the laws of this Commonwealth are owned by a corporation created under the laws of any other State the owner or owners of not less than one-fifth of the total number of the outstanding shares of the capital stock of such foreign corporation shall have the right to investigate and inquire into the affairs management and operations of such domestic corporation and to institute maintain and prosecute actions or proceedings against or in behalf of such domestic corporation for any purpose to the same extent in the same manner with the same force and effect and with the same rights and remedies as if he or they were the owner or owners of shares of the capital stock of such domestic corportaion and prescribing the conditions upon which a bond may be required in any such action or proceeding" in so far as it relates to associations

The act approved the twentieth day of March one thousand nine hundred and thirty-one (Pamphlet Laws four) entitled "An act to amend section one of the act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred fifty-eight) entitled 'An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth' as amended by permitting the signatures counter-signatures and seals thereon in facsimile printed or engraved when the certificate is signed by a transfer agent or assistant transfer agent and registrar and permitting the use of certificates bearing the signature or counter-signature or facsimile signature or counter-signature of any officer who has ceased to be such when the certificate is issud" in so far as it relates to associations

The act approved the twenty-sixth day of March one thousand nine hundred and thirty-one (Pamphlet Laws ten) (Number eight) entitled "An act to amend subdivision three of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' as amended by regulating the advertising of application of charters for corporations of the first class" in so far as it relates to associations

The act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred four) (Number one hundred sixty-one) entitled "An act authorizing building and loan associations to permit borrowers to have the dues on the stock credited on account of the principal of the loan and providing for the reduction of the stock in certain cases and defining the duties of the secretary of the association in respect thereto and providing also for the increase of the subsequent dues on the stock in certain cases and providing further that the stock shall not be subject to losses except for the profits in certain cases" except in so far as it relates to the appropriation of shares to reduce mortgage loans which were granted by associations prior to the effective date of this act

The act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred sixty-one) entitled "An act to amend section twenty-three of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) as amended by an act entitled 'An act to amend section twenty-three of an act entitled "An act to provide for the incorporation and regulation of certain corporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regultaion of certain additional corporations" approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all the reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corportaion before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth' approved June second one thousand nine hundred and fifteen (Pamphlet Laws seven hundred twenty-four) providing that in the case of the sale assignment disposition or conveyance by certain building and loan asociations of their franchises and property to certain other building and loan associations in lieu of the advertisement required by section nineteen of the act first mentioned notice of the time place and object of the meeting of stockholders therein mentioned shall be published once a week for two weeks prior to such meeting in at least one newspaper published in the county city or borough wherein the place of business of the building and loan association so selling assigning disposing or conveying is situate" in so far as it relates to associations

The act approved the twenty-eighth day of July one thousand nine hundred thirty-two (Pamphlet Laws eleven) entitled "An act to increase the powers of building and loan associations by empowering them to join the Federal Home Loan Bank or any other corporation or agency established under the authority of the United States Government and to empower them to borrow money from the Federal Home Loan Bank the Reconstruction Finance Corporation or any other corporation or agency established under the authority of the United States Government except National banks and to assign their bonds and mortgages and other property including the right to repledge the shares of stock pledged as collateral security without securing the consent of the owner thereto as security for the repayment of their indebtedness as evidenced by any bond note or obligation they may give therefor" absolutely

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Section 1303 General Repeal of Acts All other acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2276 (Senate Bill No. 962), as follows:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to the various political subdivisions of the Commonwealth for the maintenance of certain streets and roads and in townships of the second class for the maintenance and replacement of certain bridges during the calendar years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five and providing for certification of mileage of public roads and streets by municipal authorities to the Department of Highways

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Seventeen million eight hundred and ninety-one thousand dollars ($17,891,000) is hereby appropriated to the Department of Highways for the two calendar years beginning January first one thousand nine hundred and thirty-four out of the Motor License Fund for allocation to the cities incorporated towns boroughs and townships of the Commonwealth in the amounts upon the terms in the manner and for the purposes as set forth within this act

Section 2 Of the seventeen million eight hundred and ninety-one thousand dollars ($17,891,000) thus appropriated and transferred one million nine hundred and twenty-seven thousand dollars ($1,927,000) shall be allocated to and among the cities of the first class one million one hundred and sixty-three thousand five hundred dollars ($1,163,500) among cities of the second class and one hundred and sixteen thousand five hundred dollars ($116,500) among cities of the second class A and of the balance one million twenty-seven thousand four hundred dollars ($1,027,400) shall be for use in cities of the third class one million six hundred and eighty-six thousand nine hundred dollars ($1,686,900) for use in boroughs and incorporated towns six hundred and seventeen thousand two hundred dollars ($617,200) for use in townships of the first class and eleven million three hundred and fifty-two thousand dollars ($11,352,000) for use in townships of the second class in the repair and maintenance of streets and roads therein not repaired and maintained under the provisions of any other law

Section 3 The amounts allocated to the Political subdivisions shall be paid over in eight equal installments on the first days of January April July and October of the years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five into the treasury of the subdivision entitled thereto and shall be used in such subdivision by the proper authorities thereof for the repair and maintenance of such streets therein as are not now maintained by the Department of Highways under the provisions of any other law

Section 4 Of the amount appropriated to the Department of Highways for use upon the streets and roads in cities of the third class boroughs incorporated towns and townships of the first class and townships of the second class there shall be allocated by the Department of Highways in each of such political subdivisions for the repair and maintenance of streets and roads therein not repaired and maintained by the Department of Highways under the povisions of any other law such proportion of the total amount hereinbefore provided for use in the political subdivisions of which it is a class as the miles of streets or roads under its jurisdiction within its municipal limits and not maintained by the Department of Highways under the provisions of any other law bears to the total number of miles of such streets or roads within the municipal limits of all the political subdivisions of which it is a class as above provided

Section 5 Nothing in this act shall be construed to relieve any of the municipal subdivisions from any obligation they may have occurred under any contract or agreement entered into prior to January first one thousand nine hundred and thirty-four for the construction or repair of any highway or strueture now under their jurisdiction

Section 6 All unexpended balances of appropriations made to cities of the third class boroughs incorporated towns townships of the first class and townships of the second class which have not been obligated or expended prior to January first one thousand nine hundred and thirty-six shall revert to and become a part of the Motor License Fund

Section 7 All of the funds so allocated to the said political subdivisions shall for the purpose of expenditure be under the control and supervision of their proper officials of the city borough incorporated town or township to which paid and shall be subject to the existing laws governing and regulating the expenditure of tax revenues for street and road purposes of the said cities boroughs incorporated towns and townships including the approval of the Department of Highways where required by existing law The proper officials shall at the time of fixing the tax rate for the years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five reduce said tax rates for road and street purposes by an amount equal to the amount received under the provisions of this act as compared with the amount levied for road and street purposes for the year one thousand nine hundred and thirty-two provided that a sufficient millage shall be levied to meet requirements of interest sinking fund and repayment of debts of the municipality and necessary expenditures for other than road purposes

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. STEEDLE. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1203, entitled:

An Act to amend section six hundred seventy-five of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the advertising of orders of court setting dates for hearings upon the petitions of the commissioners of the several counties for the sale of certain real estate owned by said counties and repealing all special general or local legislation inconsistent therewith

And said bill having been read at length the third time considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Baker,	Hamilton,	McKinney,	Shettel,
Baldi,	Harmuth,	Melchiorre,	Shortz,
Barnhardt,	Harris,	Meredith,	Simon,
Beech,	Hart,	Merrell,	Sinwell,
Bennett,	Heffernan,	Metzler,	Sowers,
Bernhard,	Hefferon,	Mohn,	Spann,
Blumberg,	Heffner,	Moore,	Stank,
Boyd,	Hermansen,	Mumford,	Steedle,
Brancato,	Hester,	Myers,	Sterling, R. B.,
Brennan,	Hewitt,	Negley,	Stevens,
Brown, J. E.,	Himes, H. E.,	Nothnagle,	Stiteler,
Brown, W. L.,	Himes, L. R.,	O'Connor,	Stone,
Brownfield,	Hoffman,	O'Keefe,	Storb,
Cannon,	Holmes, J. L.,	O'Neill,	Stott,
Caputo,	Hoopes,	O'Rourke,	Surface,
Carey,	Horst,	Patterson,	Tahl,
Carson,	Hough,	Peelor,	Terry,
Chervenak,	Howard,	Pennock,	Turner,
Cohen,	Hutton,	Perry, D. R.,	Wade,
Conner,	Kane, J. J.,	Perry, J. J.,	Wagner,
Cooke,	Kane, L. P.,	Peters,	Walker, G. E.,
Cordier,	Kinney,	Powell,	Walker, W. A.,
Craig,	Labar,	Powers,	Wall,
Dane,	Lane,	Price,	Wasserman,
Davies,	Laubach,	Quinn,	Way,
DeFrehn,	Lenahan,	Raub,	Weidemann,
Denning,	Long,	Rectenwald,	Welsh,
Downey, J.,	Lord,	Reilly,	Westrick,
Dunmire,	Lose,	Rhodes,	White,
Dwyer,	Lovett, J. E.,	Rice,	Wike,
Ederer,	Lovett, W. S.,	Roan,	Williams, G.
Emhardt,	Lynch, J. R.,	Root,	Williams, J. J.,
Fitzgerald,	Lynch, M.,	Roth,	Wilson, L. M.,
Flanagan,	Malina,	Royle,	Wilson, T. B.,
Flinchbaugh,	Maloney,	Ruby,	Witkin,
Flynn,	Mason,	Sautter,	Wood,
Furman,	McBride,	Schrock,	Woodside,
Gallagher,	McCreary,	Schrope,	Wright,
Gartner,	McElwee,	Schwab,	Yeakel,
Gorman,	McGinnis,	Scott,	Yourishin,
Green,	McHenry,	Sheffer,	Zimmerman,
Griffith,	McKay,	Shenkel,	Talbot,
Habbyshaw,			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 452, as follows:

An Act authorizing the transfer to and acceptance by the Commonwealth of the Philadelphia Hospital for Mental Diseases at Byberry and for the management and operation thereof as a State Mental Health Hospital and making appropriations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Welfare shall accept on behalf of the Commonwealth a grant and conveyance by the city and county of Philadelphia without consideration of the Philadelphia Hospital for Mental Diseases at Byberry together with the entire grounds consisting of 1056.6109 acres thereto annexed and used in connection therewith and all other buildings located thereon used as an institution for feeble minded and upon said grant and conveyance to operate and maintain such hospital as a State mental health hospital in accordance with the laws of the Commonwealth relating to such hospitals No such grant shall be made or accepted until the Council of the City of Philadelphia shall by ordinance direct such transfer to be made Power is hereby conferred upon the council of such city to authorize such grant and conveyance by ordinance

Section 2 If and when the Commonwealth assumes the control and management of said hospital the terms of all officers and employes and the local management of such hospital shall cease and terminate The officers and employes of the hospital shall thereupon become employes of the Commonwealth subject to removal by the board of trustees appointed to manage said hospital All mental patients in such hospital shall remain therein when such hospital is taken over by the Commonwealth in the same manner as if committed or admitted to a State mental health hospital The hospital so taken over shall be known as the Philadelphia State Hospital

Section 3 If said hospital is conveyed to the Commonwealth the Governor shall appoint for such hospital a board of trustees as a departmental administrative board in the Department of Welfare in the same manner and with like terms as in the case of boards of trustees of State mental hospitals Such board shall manage such hospital and shall have all the powers and perform all the duties vested in and imposed upon boards of trustees of State mental health hospitals and departmental administrative boards under the Administrative Code of 1929

Section 4 Commitments may be made to said hospital mental patients detained maintained and cared for therein and transfers of mental patients made therefrom in the same manner and in accordance with laws applying to other State mental health hospitals The Department of Welfare shall have power to designate the counties of the Commonwealth from which commitments may be made to such State hospital

Section 5 The sum of three million, ninety thousand, three hundred and sixty dollars, ($3,090,360), is hereby specifically appropriated to the Philadelphia State Hospital for the two fiscal years beginning June first, one thousand nine hundred and thirty-three, for the payment of salaries, wages, or other compensation of the superintendents and other employes; for the expenses of maintaining and operating automobiles and other motor equipment; for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles; for the purchase of supplies, food and fuel; for minor repairs, alterations and improvements to plant and equipment; for improvement to land; for the purchase of equipment, furniture, furnishings and live stock; for the expenses of the board of trustees, and incidental expenses; and for all other expenses of maintenance and operation necessary for the proper conduct of the work of said hospital

The sum of one million dollars ($1,000,000) is hereby specifically appropriated to the Department of Property and Supplies for major repairs, replacements and improvements to the Philadelphia State Hospital taken over under the provisions of this act. Said repairs, replacements and improvements to be made by said Department in accordance with the provisions of the Administrative Code.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 933, as follows:

An Act reducing the salaries and compensation of certain county city borough town township and poor district employes and requesting and urging public officers of counties cities boroughs towns townships and poor districts to agree to voluntary reductions of salaries

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to reduce the cost of administration of local government the annual salary or compensation of each public employe of any county city borough town township and poor district is hereby reduced from the date this act takes effect twenty per centum (20%) of the amount of such salary which is in excess of twelve hundred dollars ($1,200) per annum the compensation of each public employe paid on a per diem basis is hereby reduced twenty per centum (20%) of the amount by which such compensation exceeds two dollars and forty cents ($2.40) per day

Section 2 This act shall not be construed as reducing the salary or compensation of any public officer during the term for which he was elected or appointed but every public officer of every county city borough town township and poor district is requested and urged by the General Assembly to agree voluntarily to accept a reduction in salary equal to that herein provided for public employes

Section 3 Where the compensation of public officers and public employes has heretofore been reduced voluntarily or otherwise to cut local governmental costs such prior reduction shall be taken into consideration in carrying into effect the provisions of this act and nothing contained in this act shall be construed as requiring the total reduction made to exceed the per centage fixed by this act

Section 4 This act shall become effective on the first day of June one thousand nine hundred and thirty-three and remain in force for a period of two years only

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158

Andrews,	Habbyshaw,	McHenry,	Scorza,
Baker,	Haines,	McKay,	Scott,
Baldi,	Harmuth,	McKinney,	Sheffer,
Beech,	Harris,	Melchiorre,	Shellenberger,
Bennett,	Hart,	Meredith,	Shortz,
Bernhard,	Hartman,	Merrell,	Shreiner,
Blumberg,	Heffernan,	Metzler,	Sinwell,
Brennan,	Hefferon,	Mohn,	Snyder,
Brown, J. E.,	Heffner,	Moore,	Spann,
Brownfield,	Hermansen,	Mumford,	Stank,
Cannon,	Hester,	Myers,	Sterling, R. B.,
Carey,	Hewitt,	Negley,	Stevens,
Carson,	Himes, H. E.,	Nothnagle,	Stevenson,
Cohen,	Himes, L. R.,	O'Connor,	Stiteler,
Conner,	Hoffman,	O'Keefe,	Stone,
Cordier,	Hutton,	O'Neill,	Surface,
Craig,	Jaffe,	O'Rourke,	Terry,
Dane,	Jones,	Patterson,	Turner,
Davies,	Kane, J. J.,	Peelor,	Wade,
Denning,	Kane, L. P.,	Pennock,	Wagner,
Downey, G. E.,	King,	Perry, D. R.,	Walker, G. E.,
Downey, J.,	Kinney,	Perry, J. J.,	Walker, W. A.,
Dunmire,	Labar,	Peters,	Wall,
Dwyer,	Laubach,	Powell,	Wasserman,
Ederer,	Lenahan,	Powers,	Way,

Emhardt,	Lewis,	Price,	Welsh,
Eroe,	Long,	Quinn,	Westrick,
Evans,	Lose,	Raub,	White,
Fitzgerald,	Lovett, J. E.,	Rectenwald,	Wike,
Fleisher,	Lovett, W. S.,	Reilly,	Williams, G. W.
Flinchbaugh,	Lynch, J. R.,	Rhodes,	Williams, J. J.,
Flynn,	Malina,	Rice,	Wilson, T. B.,
Forrest,	Maloney,	Roan,	Witkin,
Gallagher,	Marcks,	Roth,	Wood,
Gartner,	Mason,	Ruby,	Woodside,
Gillette,	McCreary,	Sautter,	Wright,
Gorman,	McElwee,	Schrock,	Yeakel,
Green,	McGinnis,	Schrope,	Zimmerman,
Greenstein,	McGrail,	Schwab,	Talbot,
Griffith,	McGregor,	Schwartz,	Speaker.

NAYS—10

Barnhardt,	Furman,	McGrail,	Wilson, L. M.,
Bechtel,	Hoopes,	Reed,	Yourishin,
Boyd,	Lane,	Stott,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. RUBY. Mr. Speaker, I desire to call up at this time House Bill No. 1241, Printer's No. 449, on page 44 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Ruby.

The House resumed the consideration on final passage of House Bill No. 1241, entitled:

An Act relating to memorial halls in counties of the second class, erected in honor of the veterans of the wars of the United States, and providing for the use, upkeep, management and control of such halls.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Harris,	McKinney,	Shortz,
Baker,	Hart,	Meredith,	Shreiner,
Barnhardt,	Hartman,	Merrell,	Simon,
Bechtel,	Heffernan,	Metzler,	Sinwell,
Bennett,	Hefferon,	Mohn,	Snyder,
Bernhard,	Heffner,	Moore,	Sowers,
Boyd,	Hermansen,	Mumford,	Spann,
Brancato,	Hester,	Myers,	Steedle,
Brennan,	Hewitt,	Negley,	Sterling, P.,
Brown, J. E.,	Himes, H. E.,	Nothnagle,	Stevens,
Brown, W. L.,	Himes, L. R.,	O'Connor,	Stevenson,
Brownfield,	Hoffman,	O'Keefe,	Stiteler,
Cannon,	Holmes, J. L.,	O'Neill,	Stone,
Caputo,	Hoopes,	O'Rourke,	Storb,
Carey,	Horst,	Patterson,	Stott,
Chervenak,	Hough,	Peelor,	Tahl,
Conner,	Howard,	Pennock,	Terry,
Cooke,	Hutton,	Perry, D. R.,	Turner,
Craig,	Jaffe,	Perry, J. J.,	Wagner,
Cramer,	Jones,	Peters,	Walker, G. E.,
Davies,	Kane, J. J.,	Powell,	Walker, W. A.,
DeFrehn,	Kane, L. P.,	Powers,	Wall,
Downey, G. E.,	King,	Price,	Wasserman,
Downey, J.,	Kinney,	Quinn,	Way,
Dunmire,	Laubach,	Raub,	Weidemann,
Dwyer,	Long,	Rectenwald,	Welsh,
Emhardt,	Lord,	Reilly,	Westrick,
Eroe,	Lovett, J. E.,	Rhodes,	White,
Fitzgerald,	Lovett, W. S.,	Rice,	Wike,
Flanagan,	Lynch, J. R.,	Roan,	Williams, G. W.,
Fleisher,	Lynch, M.,	Roth,	Williams, J. J.,
Flinchbaugh,	Male,	Royle,	Wilson, L. M.,
Forrest,	Maloney,	Ruby,	Wilson, T. B.,
Furman,	Marcks,	Sautter,	Witkin,
Gartner,	Mason,	Schrock,	Wood,
Gillette,	McBride,	Schrope,	Woodside,
Gorman,	McCandless,	Schwab,	Wright,
Greenstein,	McClure,	Scorza,	Yeakel,
Griffith,	McCreary,	Scott,	Yourishin,
Habbyshaw,	McGinnis,	Shellenberger,	Zimmerman,
Haines,	McGrail,	Shenkel,	Talbot,
Hamilton,	McHenry,	Shettel,	Speaker.
Harmuth,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1233, entitled:

An Act to regulate commerce and prevent unfair competition; defining fair prices, prescribing remedies to uphold the same, and providing penalties.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. HOUGH. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1672, entitled:

An Act to repeal the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred thirty-seven), entitled "An act for the protection of public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth, imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

The SPEAKER. On page 4 of today's calendar appears House Bill No. 1103, Senate Bill No. 314. The Chair announced this morning that this bill should be on third reading. The Chair now lays before the House this bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1103 (Senate Bill No. 314), entitled:

An Act authorizing the Commonwealth, the City of Philadelphia and the State of New Jersey to accept from the Delaware River Joint Commission bonds or other obligations, in lieu of moneys for the repayment of the amounts due for moneys advanced in the construction of the Delaware

River Bridge and its approaches and in the acquisition of property in connection therewith; providing for the disposition of such bonds delivered to the Commonwealth and the City of Philadelphia; authorizing the purchase thereof by custodial funds of the Commonwealth; and providing that this act shall become effective upon the adoption of reciprocal legislation by the State of New Jersey.

And said bill having been read at length the third time, sidered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Baker,	Harris,	McGregor,	Shenkel,
Baldi.	Hart,	McHenry,	Shortz,
Bechtel,	Hartman,	McKay,	Shreiner,
Bernhard,	Heffernan,	Melchiorre,	Simon,
Blumberg,	Hefferon,	Meredith,	Sinwell,
Brancato,	Heffner,	Merrell,	Snyder,
Brown, J. E.,	Hermansen,	Metzler,	Sowers,
Brown, W. L.,	Hester,	Mohn,	Spann,
Cannon,	Hewitt,	Moore,	Steedle,
Caputo,	Himes, H. E.,	Myers,	Sterling, P.,
Carson,	Himes, L. R.,	Negley,	Stevens,
Chervenak,	Hoffman,	Nothnagle,	Stevenson,
Cohen,	Holmes, J. B.,	O'Keefe,	Stiteler,
Cooke,	Holmes, J. L.,	O'Neill,	Stone,
Cordier,	Hoopes,	O'Rourke,	Storb,
Craig,	Horst,	Patterson,	Stott,
Dane,	Hough,	Peelor,	Surface,
Davies,	Howard,	Pennock,	Tahl,
DeFrehn,	Hutton,	Perry, D. R.,	Turner,
Denning,	Jaffe,	Perry, J. J.,	Wade,
Downey, J.,	Jones,	Peters,	Walker, G. E.,
Duffy,	Kane, L. P.,	Powell,	Walker, W. A.,
Dunmire,	King,	Powers,	Wall,
Dwyer,	Kinney,	Price,	Wasserman,
Ederer,	Labar,	Quinn,	Way,
Embardt,	Laubach,	Raub,	Weidemann,
Eroe,	Lenahan,	Rectenwald,	Westrick,
Fitzgerald,	Lewis,	Reed,	White,
Flanagan,	Long,	Reilly,	Wike,
Flinchbaugh,	Lord,	Rhodes,	Williams, G. W.,
Flynn,	Lose,	Rice,	Williams, J. J.,
Ferrest,	Lovett, J. E.,	Root,	Wilson, L. M.,
Furman,	Lovett, W. S.,	Roth,	Wilson, T. B.,
Gallagher,	Lynch, J. R.,	Royle,	Witkin,
Gillette,	Male,	Ruby,	Wood,
Gorman,	Maloney,	Sarig,	Woodside,
Green,	Marcks,	Sautter,	Wright,
Greenstein,	Mason,	Schrope,	Yeakel,
Griffith,	McBride,	Schwartz,	Yourishin,
Habbyshaw,	McCandless,	Scorza,	Zimmerman,
Haines,	McCreary,	Scott,	Talbot,
Hamilton,	McElwee,	Sheffer,	Speaker.
Harmuth,	McGinnis,		

NAYS—1

Lane,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILL ON SECOND READING

Mr. PHILIP STERLING asked and obtained unanimous consent to call up out of order House Bill No. 2279, Printer's No. 962, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2279, entitled:

A Supplement appropriating the moneys in the Motor License Fund for two years beginning June first one thousand nine hundred and thirty-three and repealing the act of May first one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" except as to certain provisions relative to unpaid bills and moneys received by the Department of Highways from the Federal government

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and cited as the "Motor License Fund Appropriation Act of one thousand nine hundred and thirty-three"

The second section was read as follows:

Section 2 The moneys in the Motor License Fund are hereby specifically appropriated to the several hereinafter named administrative agencies of the Commonwealth in the following sums or as much thereof as may be necessary and for the purposes hereinafter set forth for the two fiscal years beginning June first one thousand nine hundred and thirty-three

Board of Finance and Revenue

For the payment of approved claims for refund made to the board for moneys paid into the Motor License Fund to which the Commonwealth is not rightfully entitled the sum of one hundred thirty-two thousand five hundred dollars ($132,500)

Pennsylvania State Police

For the payment of salaries wages and other compensation board lodging uniforms arms and equipment and the maintenance traveling and other necessary expenses of the State Highway Patrol for the construction through the Department of Property and Supplies or the purchase and repair or maintenance of buildings for the use of the State Highway Patrol for the purchase or leasing of lands for the use of the State Highway Patrol for the payment of fees charges by physicians for examining a person suspected of operating a motor vehicle when intoxicated whenever such persons are found as a result of the examination not to be intoxicated except that no sum in excess of five dollars shall be paid to any physician for such an examination for the payment of expenses in connection with traffic safety educational work exhibits photography models and other exhibitions or educational accessories and other expenses of every kind and description necessary effectively to carry on this work for the payment of postage telegraph telephone rentals and toll charges for the payment of traveling expenses and witness fees in the amount of two dollars per capita per diem to witnesses testifying for the Commonwealth at hearings and for the payment of any other expenses necessary for the proper conduct of the work of the State Highway Patrol for the payment of transportation medical attendance and hospital charges of State highway patrolmen injured or killed in line of duty and the payment of workmen's compensation to injured patrolmen or dependents of the deceased patrolmen or the payments of premiums upon policies insuring the Commonwealth against workmen's compensation liability to patrolmen or dependents of patrolmen the sum of three million dollars ($3,000,000)

Department of Highways

For the payment of the salaries wages or other compensation and the traveling and other necessary expenses of the Secretary of Highways and such deputies directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers laborers and other assistants and employes as may be required for the proper conduct of the work of the department and such special deputy attorney generals assistant deputy attorney generals and attorneys as may be assigned by the Attorney General to the department or for handling any legal business pertaining to its work for the purchasing maintenance and repair of furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding and for the payment of premiums on policies of insurance covering motor vehicles operated by employes of the department and surety bonds for officers and employes of the department required to furnish such bonds but all such purchases shall be made and all such contracts of insurance and surety bonds

shall be placed through the Department of Property and Supplies as purchasing agent except that the Department of Highways may purchase directly equipment materials and supplies necessary for the construction of highways if such equipment materials or supplies are not on the schedule of the Department of Property and Supplies for the payment of rentals for branch buildings and repairs thereto for the payment of postage telegraph telephone rentals and toll charges and rentals for or royalty on leased office equipment or other devices or machines for maintaining reconstructing replacing and repairing or assisting in maintaining reconstructing replacing and repairing State highways State-aid highways and any other highways which the department may be authorized to maintain reconstruct replace and repair or assist in maintaining reconstructing replacing and repairing and of such bridges as the department may be authorized by law to maintain reconstruct replace and repair or to assist in maintaining reconstructing replacing and repairing for constructing and improving or assisting in constructing and improving State highways State-aid highways and any other highways or streets and any bridges which the department may be authorized by law to construct or improve or assist in constructing or improving but the moneys expended by the department under this clause for construction and improvement of highways without expense to the political subdivisions of the State shall be allocated among the several counties in such manner and to such an extent as shall from time to time be provided by law and in the absence of or beyond any such statutory direction shall be expended as the department shall determine and the moneys expended for State-aid and upon city streets shall be expended to the extent to which such expenditures shall from time to time be authorized by law for the maintenance and repair of all interstate bridges over the Delaware River between the Commonwealth and the State of New Jersey now owned or to be acquired or constructed from Morrisville Bucks County to Milford Pike County and of interstate bridges between this Commonwealth and the State of New York now owned or which may hereafter be acquired or constructed for the payment of workmen's compensation to injured employes or the dependents of deceased employes or the payment of premiums upon policies insuring the Commonwealth against workmen's liability to employes or dependents of employes of the department Provided That such insurance shall be carried only with the approval of the Governor for purchasing acquiring and leasing lands in the name of the Commonwealth containing stone suitable for use in the construction improvement reconstruction replacement or maintenance of highways and to quarry and prepare the stone therein for use in the construction improvement reconstruction replacement and maintenance of highways to manufacture any other material used in the construction improvement reconstruction replacement or maintenance thereof whether for use by the department in the construction improvement reconstruction replacement or maintenance of highways or for selling the same to contractors engaged in such work or to political subdivisions of the State for the construction improvement reconstruction replacement and maintenance of roads as may now or hereafter be provided by law for the erection of such buildings and the purchase of such machinery as may be necessary or essential for the proper prosecution of the work of quarrying or manufacturing stone or materials for the construction improvement reconstruction replacement or maintenance of highways subject to the approval of the Governor and of the Department of Property and Supplies for the purchase or acquisition of land in the name of the Commonwealth for the purpose of erecting thereon garages storage sheds laboratories or other buildings necessary in connection with the construction improvement reconstruction replacement or maintenance of highways and for the erection on land thus acquired of such garages storage sheds laboratories or other buildings for the purchase of trees shrubs vines or grasses for planting on or along the State highways and the maintenance of the same for the purchase installation and maintenance of signs and traffic signals on State highways for the payment of traveling expenses and witness fees in amount of two dollars per capita per diem to witnesses testifying for the Commonwealth for the payment of damages to property heretofore or hereafter caused or occasioned in connection with the work of the department in the construction improvement maintenance and repair or in the preparation of materials for such purpose of roads highways or bridges under the jurisdiction of the department and for which the Commonwealth is responsible for maintenance and attributed to negligence or carelessness on the part of the employes of the department not exceeding however the sum of twenty-five thousand dollars ($25,000) but all claims for damages to property payable hereunder shall be submitted to the Secretary of Highways in writing verified by affidavit and the secretary shall investigate the same and determine the amount to be paid if any subject to the approval of the Attorney General for all other expenses of every kind and description necessary effectively to carry on the work of the department as authorized by law for the payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the Motor License Fund and in auditing annually periodically or specially the aforesaid affairs of the Department of Highways at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine for payment to the Treasury Department of the cost of making disbursements out of the Motor License Fund on behalf of the Department of Highways in the performance of the duties above mentioned at such amounts as the Treasury Department with the approval of the Executive Board shall determine for payment to the Department of Property and Supplies for the cost of making purchases for the Department of Highways as purchasing agent and for space occupied in the Capitol building and for water light heat power telephone and other services utilized and consumed by the Department of Highways in the performance of the above mentioned duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine the sum of one hundred four million dollars ($104,000,000) Provided however That the total costs of any of the following allocations shall not exceed the amounts hereby allocated For all costs in connection with the construction and reconstruction of State and State-aid highways usually referred to as the old State Highway System the sum of
dollars for all costs in connection with the construction and reconstruction of State highways usually known as rural highways the sum of dollars for all costs in connection with the construction and reconstruction of State highways in cities the sum of
dollars for all costs in connection with the maintenance and upkeep of State and State-aid highways usually known as the old State Highway System the sum of
dollars for all costs in connection with the maintenance and upkeep of State highways usually known as rural highways the sum of dollars for all costs in connection with the maintenance and upkeep of State highways in cities the sum of
dollars for all costs in connection with detours the maintenance of interstate bridges welfare institution roads State park roads forestry roads health institution roads educational institution roads property damages workmen's compensation insurance restoration of pavements in connection with the permit work cooperative work for other departments and miscellaneous work performed under agreement the sum of dollars for all costs in connection with general administration engineering and research the sum of dollars for all costs in connection with the purchase of equipment and tools and the construction of buildings and purchase of land the sum of dollars Provided however That in the event of a grave emergency the Department of Highways may with the approval of the Governor and the Auditor General exceed any one of the cost allocations as above set forth by not more than ten per centum of such allocation but in such event a corresponding reduction shall immediately be effected in such other allocations as the department with the approval of the Governor and the Auditor General may determine

The department is hereby authorized to make expenditures for materials and supplies generally known as stores and for equipment to operate quarries labor camps and to maintain and operate and store tools equipment and buildings and as soon as practicable to transfer the costs of these items including depreciation on tools equipment and buildings owned by the department to the items for which specific allocations have been provided for above

The Department of Highways shall keep all records of costs entering into each of the aforesaid specific allocations and furnish to the Governor and the Auditor General a monthly

statement showing the status of each and every allocation in such form as the Department of the Auditor General may require

The Department of the Auditor General may from time to time make an audit of the Department of Highways records in order to ascertain whether all charges against the aforesaid allocations are proper The Department of the Auditor General shall file a copy of every audit with the Governor not later than sixty days after the completion of the audit

Except as provided hereinbefore and in section three of this act it shall be unlawful for the Department of Highways to exceed any cost allocations hereinbefore set forth If any distribution of costs as shown by the monthly statement of the Department of Highways shall exceed the statutory cost allocations prescribed by this act the Department of the Auditor General shall refuse to approve any further requisitions which would be chargeable to such cost allocations

Department of Revenue

For the payment of salaries wages or other compensation and traveling and other necessary expenses of the Commissioner of Motor Vehicles and such deputies directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chief engineers expert draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers laborers and other assistants and employes as may be required for the proper conduct of the work of the department in titling and registering motor vehicles trailers and tractors licensing the operators of vehicles and for the collection of liquid fuels taxes for the purchase maintenance and repair of furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding and for the payment of premiums on policies of insurance covering motor vehicles operated by employes of the department and surety bonds for officers or employes of the department required to furnish such bonds and required for the above activities of the department for the payment of postage telegraph telephone rentals and toll charges and rentals for or royalty upon leased office equipment or other devices or machines required for the above activities of the department for the purchasing or leasing of lands through the Department of Property and Supplies and the construction thereon of highways and buildings suitable for the examination of applicants for operator's licenses for the payment of rentals for branch buildings and repairs thereto for the payment of workmen's compensation to the injured employes or the dependents of deceased employes or the payment of premiums upon policies insuring the Commonwealth against workmen's compensation to employes or dependents of employes of the department engaged in the above work of the department Provided That such insurance shall be carried only with the approval of the Governor for the payment of traveling expenses and witness fees in the amount of two dollars per capita per diem for witnesses testifying for the Commonwealth at hearing for the purchase of registration plates and any other expenses incidental thereto for the payment of rewards for detection of fraud for all other expenses of every kind and description necessary for the promotion by the department of the aforesaid work for payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the Motor License Fund and in auditing annually periodically or specially the aforesaid affairs to the Department of Revenue at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine for payment to the Treasury Department of the cost of making disbursements out of the Motor License Fund on behalf of the Department of Revenue in the performance of the duties above mentioned at such amounts as the Treasury Department with the approval of the Executive Board shall determine for payment to the Department of Property and Supplies for space occupied in the Capitol buildings and for water light heat power telephone and other services utilized and consumed by the Department of Revenue in the performance of the above mentioned duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine the sum of three million seven hundred nineteen thousand dollars ($3,719,000)

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 6 by inserting at the beginning of said line, before the word "Board" the words: "To the"

Amend section 2, page 2, line 12 by inserting at the beginning of said line, before the word "Pennsylvania" the words: "To the"

Amend section 2, page 3, line 5 by inserting after the word "hearings" the following: "for the purchasing, maintenance and repair of furniture, furnishings, stationery, supplies, materials, equipment, fuel, motor vehicles and printing and binding."

Amend section 2, page 3, line 7 by inserting after the word "Patrol" the following: "in enforcing the laws regulating the registration, titling and operation of vehicles upon the highways."

Amend section 2, page 3, line 16 by inserting at the beginning of said line, before the word "Department" the words: "To the"

Amend section 2, page 3, line 29 by striking out the word "or"

Amend section 2, page 8, line 18 by inserting before the word "dollars" the following: "twenty-seven million, three hundred and fifty thousand"

Amend section 2, page 8, line 18 by inserting after the word "dollars" the figures: "($27,350,000)"

Amend section 2, page 8, line 21 by inserting before the word "dollars" the following: "nineteen million, five hundred and forty thousand"

Amend section 2, page 8, line 21 by inserting after the word "dollars" the following: "($19,540,000) for all costs in connection with the construction, reconstruction, maintenance and upkeep of State highways in cities of the first class, the sum of three million, five hundred thousand dollars ($3,500,000)"

Amend section 2, page 8, line 22 by striking out the word "and"

Amend section 2, page 8, line 22 by inserting after the word "reconstruction" the words: "maintenance and upkeep"

Amend section 2, page 8, line 23 by inserting after the word "cities" the words: "other than first class"

Amend section 2, page 8, line 23 by inserting before the word "dollars" the following: "four million"

Amend section 2, page 8, line 23 by inserting after the word "dollars" the following: "($4,000,000)"

Amend section 2, page 8, line 27 by inserting before the word "dollars" the following: "nineteen million, eight hundred and fifty thousand"

Amend section 2, page 8, line 27 by inserting after the word "dollars" the following: "($19,850,000)"

Amend section 2, page 8, line 29 by inserting after the word "of" the following: "sixteen million, one hundred and thirty thousand"

Amend section 2, page 9, lines 1 to 3, both inclusive, by striking out the words "for all costs in connection with the maintenance" in line 1, all of the words in line 2 and the word "dollars" in line 3, and inserting in lieu thereof: "($16,130,000)"

Amend section 2, page 9, line 10 by inserting before the word "dollars" the following: "two million, ninety-two thousand"

Amend section 2, page 9, line 10 by inserting after the word "dollars" the following: "($2,092,000)"

Amend section 2, page 9, line 12 by inserting before the word "dollars" the following: "nine million, three hundred and four thousand"

Amend section 2, page 9, line 12 by inserting after the word "dollars" the following: "($9,304,000)"

Amend section 2, page 9, line 15 by inserting before the word "dollars" the following: "three million, seven hundred and thirty-four thousand"

Amend section 2, page 9, line 15 by inserting after the word "dollars" the following: "($3,734,000)"

Amend section 2, page 10, line 26 by inserting at the beginning of said line, before the word "Department" the words: "To the"

Amend section 2, page 11, line 8 by inserting after the word "vehicles" the following: "and such special deputy attorney generals, assistant deputy attorney generals and attorneys as

may be assigned by the Attorney General to the department for handling any legal business pertaining to its work"

Amend section 2, page 12, lines 3 to 6, both inclusive, by striking out the words "for the payment of travel-" in line 3, all of the words in lines 4 and 5, and the words "the Commonwealth at hearing" in line 6.

On the question,

Will the House agree to the section as amended?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 The act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" and its amendment is hereby repealed except for the payment of obligations incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three the amount of which unpaid obligations incurred by the Department of Highways may with the approval of the Governor and the Auditor General be added by the Department of Highways to the amount of the statutory cost allocations under the proper headings in this act and except as to any moneys allocated to the Commonwealth by the Federal government for highway purposes during the fiscal biennium ending May thirty-first one thousand nine hundred and thirty-five in excess of nine million two hundred eighty-one thousand three hundred ninety-four dollars ($9,281,394) In the event such additional moneys are allocated to the Commonwealth the Department of Highways with the approval of the Governor and the Auditor General may increase any cost allocation prescribed in this act to an amount which will enable the Commonwealth to receive such Federal moneys

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 13, line 7 by inserting after the word "except" the following: "that such act shall remain in full force and effect (a)"

Amend section 3, page 13, line 7 by inserting after the word "incurred" the following: "by the Department of Highways"

Amend section 3, page 13, line 15 by striking out the words "except as to" and inserting in lieu thereof: "(b) for the expenditure of"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read and agreed to as follows:

Section 4 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

The title was read as follows:

An Act appropriating the moneys in the Motor License Fund for two years beginning June first, one thousand nine hundred and thirty-three; and repealing the act of May first, one thousand nine hundred and twenty-nine (P. L. 1046), entitled "An act appropriating the moneys in the Motor License Fund," except as to certain provisions relative to unpaid bills and moneys received by the Department of Highways from the Federal Government.

On the question,

Will the House agree to the title?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, next to last line of title, by striking out the word "bills" and inserting in lieu thereof: "obligations"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE

Mr. STEEDLE. Mr. Speaker, I desire to call up at this time House Bill No. 2122, Senate Bill No. 767, Printer's No. 247, on page 36 of today's calendar, which was placed upon the final passage postponed calendar today.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Steedle,

The House resumed the consideration on final passage of House Bill No. 2122 (Senate Bill No. 767), entitled:

An Act to add section seven hundred thirty-seven to the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing two or more counties jointly with the consent of the Department of Highways to levy and collect tolls on certain toll bridges acquired and rebuilt by such counties for the purpose of paying off the indebtedness incurred or reimbursing such counties for moneys expended in the requisition rebuilding and maintenance of such toll bridges.

And said bill having been read at length the third time, considered and agreed to,

On the question ,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166

Andrews,	Hamilton,	McHenry,	Sheffer,
Baldi,	Harmuth,	McKay,	Shellenberger,
Bechtel,	Hart,	McKinney,	Shenkel,
Bennett,	Hartman,	Meredith,	Shettel,
Bernhard,	Heffernan,	Metzler,	Shortz,
Blumberg,	Hefferon,	Mohn,	Shreiner,
Boyd,	Heffner,	Moore,	Snyder,
Brancato,	Hermansen,	Mumford,	Sowers,
Brennan,	Hester,	Myers,	Spann,
Brown, J. E.,	Hewitt,	Negley,	Steedle,
Brownfield,	Himes, H. E.,	Nothnagle,	Sterling, P.,
Cannon,	Himes, L. R.,	O'Connor,	Stevens,
Caputo,	Hoffman,	O'Keefe,	Stevenson,
Carey,	Holmes, J. L.,	O'Neill,	Stiteler,
Carson,	Hoopes,	O'Rourke,	Stone,
Chervenak,	Horst,	Patterson,	Stott,
Cohen,	Hough,	Peelor,	Tahl,
Conner,	Howard,	Pennock,	Terry,
Cordier,	Jaffe,	Perry, D. R.,	Turner,
Craig,	Jones,	Perry, J. J.,	Wade,
Cramer,	Kane, L. P.,	Peters,	Wagner,
Davies,	King,	Powell,	Walker, G. E.,
DeFrehn,	Kinney,	Powers,	Wall,
Denning,	Laubach,	Price,	Wasserman,
Downey, J.,	Lenahan,	Quinn,	Weidemann,
Dunmire,	Lewis,	Raub,	Welsh,
Ederer,	Long,	Rectenwald,	Westrick,

Emhardt,	Lord,	Reed,	White,
Evans,	Lose,	Reilly,	Wike,
Fitzgerald,	Lovett, J. E.,	Rhodes,	Williams, G. W.
Fleisher,	Lovett, W. S.,	Rice,	Williams, J. J.,
Flinchbaugh,	Lynch, J. R.,	Roan,	Wilson, L. M.,
Flynn,	Lynch, M.,	Root,	Wilson, T. B.,
Forrest,	Malina,	Roth,	Witkin,
Furman,	Maloney,	Royle,	Wood,
Gallagher,	Marcks,	Ruby,	Woodside,
Gartner,	Mason,	Schrock,	Wright,
Gillette,	McCandless,	Schrope,	Yeakel,
Gorman,	McCreary,	Schwab,	Yourishin,
Greenstein,	McElwee,	Schwartz,	Zimmerman,
Griffith,	McGinnis,	Scorza,	Talbot,
Haines,	McGregor,	Scott,	Speaker.

NAYS—1

Baker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed it without amendment.

PERMISSION GRANTED COMMITTEE ON STATE GOVERNMENT TO SIT DURING SESSION OF THE HOUSE

Mr. HUTTON asked and obtained permission of the House for the Committee on Ways and Means to sit during the session of the House.

RESOLUTION

RECALLING HOUSE BILL No. 1786 FROM THE GOVERNOR

Mr. PHILIP STERLING asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 1786, entitled "An act to further amend section eleven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two), entitled 'An act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof' by making the moneys in the State Workmen's Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1789 FROM THE GOVERNOR

Mr. PHILIP STERLING asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 1789, entitled "An act to further amend paragraph (a) of section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents' by making the moneys in the Banking Department Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1648 FROM THE GOVERNOR

Mr. PHILIP STERLING asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 18, 1933.

Resolved (if the Senate concur), That House Bill No. 1648, entitled "An act to amend section four of the act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ten) entitled 'An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties' by increasing the license fee to be collected by the Department of Welfare," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1646 FROM THE GOVERNOR

Mr. PHILIP STERLING asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 1646, entitled "An act to amend sections 1 and 2 of act number two hundred seventy-six approved the seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws six hundred seventy-seven) entitled 'An act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and juvenile courts and imposing certain expenses upon counties' by requiring the data and notices required by the act to be filed with the Department of Health instead of the Department of Welfare," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 131 FROM THE GOVERNOR

Mr. STEEDLE asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 18, 1933.

Resolved (if the Senate concur), That House Bill No. 131, entitled "An act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several boroughs of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assesments and claims," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 265 FROM THE GOVERNOR

Mr. STEEDLE asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 18, 1933.

Resolved (if the Senate concur), That House Bill No. 265, entitled "An act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several boroughs of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments and claims," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES

Mr. WILSON, from the Committee on State Government, reported as commited, House Bill No. 2333, entitled:

An Act authorizing the Secretary of the Commonwealth, with the approval of the Attorney General and Director of the Legislative Reference Bureau, to correct certain errors in the original copies of laws.

Mr. GREENSTEIN, from the Committee on Ways and Means, reported as committed, House Bill No. 1300, entitled:

An Act imposing an additional excise license tax on each store or mercantile establishment in excess of one operated or maintained within this Commonwealth under the same general management, supervision, or ownership.

Mr. SOWERS, from the Committee on Judiciary General, reported as committed, House Bill No. 2290 (Senate Bill No. 969), entitled:

An Act providing for the payment of damages caused by the change of grade where the property was improved on the natural surface of the ground without conforming to the established grade regulation where said regulation had been established for more than three years prior to the improvement.

Mr. STOTT, from the Committee on Ways and Means, reported as committed, House Bill No. 2331 (Sentae Bill No. 1207), entitled:

An Act to amend section two of the act approved the first day of June, one thousand nine hundred and thirty-one (Pamphlet Laws two hundred and ninety-nine), entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid feuls tax, separately from the price of such liquid fuels, on liquid fuels price display signs; and imposing a penalty," and providing for disposition of fine.

Mr. WILSON, from the Committee on Education, reported as amended, House Bill No. 2287 (Senate Bill No. 825), entitled:

An Act to amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended; authorizing the officers of school districts to prepare, sign and make payment upon certain orders before approval of the orders by the board; relating to the payment of temporary indebtedness from current revenue; permitting the refunding of certain indebtedness, and the depositing of collateral security by depositories, secretaries, treasurers and tax collectors of school districts in lieu of surety bonds; removing the right of certain boards of school directors to make agreements concerning the tuition of non-resident pupils; relieving certain school districts of the duty of providing special education for feebleminded children and placing such obligation upon the Department of Welfare; allowing certain pupils to attend schools in other districts; empowering the State Council of Education to regulate the issuance of certificates to students and graduates of State teachers colleges; authorizing boards of trustees of State teachers colleges to charge their pupils certain fees; designating certain persons as auditors of financial matters of certain school districts; relating to the filing of reports of audits; discontinuing teachers institutes and providing for meetings of teachers, the payment of the expenses thereof by the counties, and the compensation for the teachers in attendance; and repealing certain sections and parts of sections.

BILLS ON FIRST READING

The following bills were read the first time pursuant to resolution presented by the Rules Committee fixing the order of the day.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2333, entitled:

An Act authorizing the Secretary of the Commonwealth, with the approval of the Attorney General and Director of the Legislative Reference Bureau, to correct certain errors in the original copies of laws.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1300, entitled:

An Act imposing an additional excise license tax on each store or mercantile establishment in excess of one operated or maintained within this Commonwealth under the same general management, supervision or ownership.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2290 (Senate Bill No. 969), entitled:

An Act providing for the payment of damages caused by the change of grade where the property was improved on the natural surface of the ground without conforming to the established grade regulation where said regulation had been established for more than three years prior to the improvement.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2331 (Senate Bill No. 1207), entitled:

An Act to amend section two of the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws two hundred and ninety-nine) entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax separately from the price of such liquid fuels on liquid fuels price display signs and imposing a penalty" and providing for disposition of fine.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires at this time to publicly thank the membership of this body for their loyalty in their attendance at sessions, in spite of the fact that the press has announced on several occasions that they have been doing nothing here. We have tonight cleared the calendar in its entirety on third reading bills. This House is to be congratulated.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 158.

An Act to amend section six, as amended, and section eight of an act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; prohibiting persons from being candidates for more than one party nomination.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 2, line 2 by striking out after the syllable "hibiting" the word "persons" and inserting in lieu thereof the words "candidates for certain offices"; also by inserting after the word "nomination" in the last line of the title the words "and requiring candidates' affidavits from candidates for additional offices"

Amend section 1, page 5, line 9 by striking out after the word "opposite" the word "to"; also in line 14 by inserting after the word "for" the words "United States Senator or Representative in Congress or for any"; also in lines 14 and 15 by striking out after the word "city" the words "borough and township" and inserting in lieu thereof the following: "borough incorporated town township school or poor district"; also in line 19 by striking out after the word "office" the word "and"; also in line 21 by striking out after the syllable "ing" the word "nominations" and inserting in lieu thereof the word "nomination"; also in line 22 by striking out after the word "therewith" the word "That" and inserting in lieu thereof the words "and unless he is a candidate for judge of a court of record that"; also in line 25 by inserting after the word "candidates" the words "except candidates for judge of a court of record"; also in line 27 by striking out after the word "Office" the word "and"; also in line 29 by inserting after the word "office" the words "except the office of judge of a court of record"; also on page 6, line 2 by striking out at the beginning of said line the words "Provided That" and inserting in lieu thereof the word "and"; also in line 3 by inserting after the word "a" the words "candidate for"; also on page 7, line 7 by striking out after the word "on" the word "a" and inserting in lieu thereof the word "the"

Amend section 2, page 7, line 28 by striking out after the word "age" the word "sex"; also by striking out in same line after the word "residence" the word "and"; also in line 29 by inserting after the word "citizenship" the words "and party membership"; also in same line by striking out after the word "be" the word "electors" and inserting in lieu thereof the word "signers"; also on page 8, line 21 by striking out after the word "in" the word "the"; also in line 23 by striking out after the word "as" the word "the" and inserting in lieu thereof the word "to."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HEFFERON. Mr. Speaker, I move that the House do non concur in the amendments of the Senate.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair is informed by the Parliamentarian that the procedure on the motion to non concur does not require a roll call. Therefore, the question will be determined by a "yea" and "nay" vote.

The yeas and nays were required by Mr. Roan and Mr. Mason.

Mr. HEFFERON. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—55

Andrews,	Hamilton,	McHenry,	Sautter,
Barnhardt,	Hefferon,	McKinney,	Schrock,
Bechtel,	Hermansen,	Merrell,	Schrope,
Carey,	Hester,	Metzler,	Sheffer,
Chervenak,	Hewitt,	Mohn,	Shellenberger,
Dane,	Hoffman,	O'Connor,	Shettel,
DeFrehn,	Holmes, J. L.,	O'Neill,	Shortz,
Downey, J.,	Kane, L. P.,	Powers,	Simon,
Fitzgerald,	Kinney,	Rectenwald,	Stevenson,
Flynn,	Long,	Roan,	Wade,
Gallagher,	Lovett, W. S.,	Root,	Westrick,
Gartner,	Lynch, J. R.,	Roth,	White,
Green,	Maloney,	Ruby,	Yeakel,
Griffith,	Mason,	Ruth,	Yourishin,
Haines,			

NAYS—74

Beech,	Harmuth,	Melchiorre,	Stiteler,
Blumberg,	Harris,	Nothnagle,	Stone,
Boyd,	Heffner,	O'Keefe,	Stott,
Brancato,	Himes, H. E.,	Peelor,	Tahl,
Brown, J. E.,	Himes, L. R.,	Pennock,	Turner,
Brown, W. L.,	Holmes, J. B.,	Price,	Wagner,
Cannon,	Hoopes,	Quinn,	Walker, G. E.,
Caputo,	Horst,	Raub,	Weidemann,
Carson,	Howard,	Rhodes,	Welsh,
Conner,	Hutton,	Rice,	Wike,
Cooke,	Kane, J. J.,	Sarig,	Williams, J. J.,
Cordier,	Lane,	Schwab,	Wilson, L. M.,
Davies,	Laubach,	Schwartz,	Wilson, T. B.,
Downey, G. E.,	Lenahan,	Scorza,	Witkin,
Ederer,	Lovett, J. E.,	Shreiner,	Woodside,
Eroe,	Lynch, M.,	Sinwell,	Zimmerman,
Flanagan,	McGinnis,	Snyder,	Talbot,
Furman,	McGrail,	Stank,	Speaker.
Habbyshaw,	McGregor,	Sterling, R. B.,	

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

MOTION TO MAKE SPECIAL ORDER

Mr. RHODES. Mr. Speaker, I move that this matter be deferred until tomorrow morning at 12.00 when it shall be made a special order of business.

On the question,

Will the House agree to the motion?

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. WITKIN. Mr. Speaker, under the order of the day a motion fixing a special order of business is not in order.

The SPEAKER. The gentleman is informed that the order of the day has been completed, and the motion is in order.

ADJOURNMENT

Mr. FLYNN. Mr. Speaker, I move that this House do now adjourn until tomorrow morning, Thursday, April 20, 1933, at 10.00 o'clock.

The motion was agreed to, and (at 12.06 A. M.) the House adjourned until Thursday, April 20, 1933, at 10.00 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., THURSDAY, APRIL 20, 1933 — No. 52

SENATE

THURSDAY, April 20, 1933

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Thou Almighty and Eternal God, may we hear Thee speaking to us as Thou didst speak in Thy Word, "Be still and know that I am God," and that amid the storms and stress of life we may hear Thy Word speaking above the clamor of this world. We also read in Thy Word of Truth that "He that sitteth in the heavens shall laugh." God grant that we may not have the Infinite and Eternal Mind of this universe laugh at the childishness of many of the things which we are doing which are for today and tomorrow will be forgotten. Abide with us and keep us as individual men, and may we keep our individuality notwithstanding all the efforts of this age and the craziness of these times to swallow us up in the mechanical grind of the business of life or anything else. We ask Thy blessing upon all of us this week as we go to our homes to find rest. We ask it in Thy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MANSFIELD, the further reading was dispensed with, and the Journal was approved.

PETITION

FAVORING OLD AGE PENSIONS

The Chair cleared his table and laid before the Senate petition from the Presbytery of Northumberland favoring old age pensions.

Which was referred to the Committee on Pensions and Gratuities.

LEAVE OF ABSENCE

Mr. SCOTT asked and obtained leave of absence for the Senator from Cumberland, Mr. Prince.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1933.

To the Honorable, the General Assembly of the Commonwealth of Pennsylvania:

The two subjects before the General Assembly in which the people of Pennsylvania are most vitally interested are relief for the unemployed and relief for the local taxpayer, as I pointed out at the opening of the session.

As to relief for the unemployed, something has been done for April and May, but nothing beyond that time. As to relief for the local taxpayer, nothing has been done at all.

We are nearing the end of the sixteenth week of this session. It seems to me, therefore, highly necessary that we should take stock of the situation as it affects relief for the unemployed and the local taxpayer.

It is equally necessary to take stock of what remains to be done before the present session will have performed its duty to the people of Pennsylvania.

RELIEF FOR THE UNEMPLOYED

When you convened I advised you that the least amount which you could safely appropriate and raise for relief was $20,000,000. The rapidly increasing demand for relief and the fact that we are now spending at the rate of almost $100,000,000 a year for food alone, has made it clear that additional funds must be provided.

If the Federal Government will continue as in the past to supply not less than half of our relief funds, we are required to provide in round numbers $50,000,000 to take care of relief needs for the next twelve months.

Of this amount $25,000,000 can be provided through a bond issue, which has passed two sessions of the General Assembly and will be voted upon by the people next fall.

When this session began I point out a way to raise $20,000,000 for relief without new taxes. Bills were accordingly introduced to achieve this result. Not one of them has even been reported out of committee.

For your convenience I present a list of these bills, of the committees where they lie, and of the amount of relief which would be provided if they were passed:

House Bill 21 and House Bill 1059 each provides for the collection of the four mill personal property tax by the Department of Revenue, guarantees to the counties as much as they have been collecting themselves, and divides the rest between the counties and the State. House Bill 21 is in the Committee on Counties. House Bill 1059 is in the Committee on Ways and Means. Either bill, if passed, would provide the State during the next biennium with $13,000,000

House Bill No. 1570 equalizes taxes on foreign corporations so that they would pay substantially the equivalent of the capital stock tax imposed on domestic corporations. This bill is in the Committee on Ways and Means. If passed it would provide the State during the next biennium with $3,000,000.

House Bill 19 provides for collecting the mercantile tax directly by the Department of Revenue. This bill is in the Committee on Ways and Means. If passed it would produce for the State during the next biennium in economies and greater collections, $1,700,000.

House Bill 1330 authorizes the Department of Revenue to collect all inheritance taxes directly. It is in the Committee on Ways and Means. It passed it would produce for the State during the next biennium in economies and greater collections, $2,300,000. Total, $20,000,000.

I have repeatedly announced that I would not insist on my plan but would accept any other reasonable plan which did not involve new taxes or the pillaging of the Motor License Fund.

The only substitutes which have been proposed are:

1. Further to reduce State expenditures below the $60,000,000 of savings incorporated in the budget. Such reductions cannot be made without hurting the State Government. Nevertheless, I have agreed to cooperate with the Legislature in making additional reductions of $6,000,000. A number of the bills required for this purpose have been passed. Others have not.

2. A tax on beer. At first the Administration suggested a tax at the rate of one cent per pint, or $2.48 per barrel. This, it was estimated would produce a revenue of $15,000,000 for the biennium. The beer lobby contended that this tax would prevent the sale of a five cent glass of beer, and demanded that the rate of tax be cut in half. The beer lobby has since blocked the passage of any valid legislation on this subject.

At the rate of $2.48 a barrel the State is losing at least $20,000 every day. At the rate of $1.24 per barrel the loss is at least $10,000 daily.

A careful check-up shows that five cent beer is very scarce. The prevailing price is ten cents a glass. At ten cents a glass beer can easily stand a State tax of $2.48 per barrel, in addition to the Federal tax of $5.00 per barrel. The beer tax bill is House Bill No. 2096. It is pickeled in the Committee on Ways and Means.

A bond issue for $25,000,000 for State expenses has passed two sessions. The people will vote upon it this fall. It was agreed between the leaders of the General Assembly and the Reconstruction Finance Corporation that this bond issue should be devoted to relief. But no bill to that effect was introduced until Monday of this week.

This bill—Senate Bill 1351—must be passed before the session adjourns if relief is to be provided without new taxation, and if the people are to know what they are voting for when the bond issue comes before them.

The net result in relief to date is the passage of appropriations of $7,000,000 for April and May under a promise from the leaders to raise the money required to meet it, but with no provision actually made to do so.

No funds whatever have been raised for unemployment relief after June 1st. Unless further steps are taken the unemployed will begin to starve within six weeks from today. And if they starve they cannot be expected to starve quietly.

RELIEF FOR THE LOCAL REAL ESTATE TAXPAYER

Thus far nothing whatever has been done for the relief of local taxpayers and especially the local real estate taxpayers. There has been much talk about reductions in State expenditures. But reductions in State expenditures have no bearing whatever on this question.

Not a single penny from any real estate tax goes to the State. Every cent of real estate tax goes to counties, cities, boroughs, townships, school districts, and poor districts.

At the beginning of this session I pointed out how the General Assembly could and should relieve local real estate taxpayers in the following ways:

By the State taking over the remaining 53,000 miles of second class township roads.

The bill to do so is Senate Bill 541. It has not passed the Senate and has not come before the House.

The saving to local taxpayers in two years would be $18,000,000.

To collect the personal property tax through the Department of revenue, as already outlined. The saving to local real estate taxpayers in two years would be $13,000,000

To put all poor districts on a county unit basis. House bill 1396 for this purpose is still in the Committee on Counties. It would save local real estate taxpayers in two years at least $4,000,000.

By reducing the number of third and fourth class school districts from more than 2,600 to not more than 500. This proposal was embodied in the School Code—House Bill No. 690. It has not been reported out of committee.

The saving to local real estate taxpayers in two years would be $6,300,000.

To suspend temporarily the automatic increase in teachers' salaries and enabling local school boards to reduce such salaries not more than 10% when the boards are financially unable to continue on the present basis.

This would save local taxpayers in two years $24,000,000.

No bill for this purpose has yet reached my desk.

The total savings under this plan to local real estate tax payers in two years would amount to $65,300,000.

In closing, I repeat that relief for the unemployed has been provided for two months only, but for local real estate taxpayers, the hardest hit of all taxpayers in this Commonwealth, not one cent of relief has been provided.

This amazing neglect of the folks back home does not lie at my door.

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

CHESTER COUNTY

Harry M. Neuhauser, Phoenixville.

DELAWARE COUNTY

H. Eugene Bowerman, Upper Darby.

MONTGOMERY COUNTY

Layton R. Fireng, Norristown.

VENANGO COUNTY

William Edward Wurster, Oil City.

GIFFORD PINCHOT.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of J. Hiram Swope, of Myerstown, Berks County, as Justice of the Peace in the Township of Bethel, Berks County, vice Jonathan Swope, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 408 (Senate Bill No. 1394), entitled:

An Act to protect the lives and secure the safety and health of the people by making it unlawful to evict persons from dwellings under certain conditions.

Which was committed to the Committee on Judiciary General.

House Bill No. 729 (Senate Bill No. 1395), entitled:

An Act to amend section fifty of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "Fish Law of 1925," legalizing the taking of eels, catfish, suckers and carp with spears and gigs.

Which was committed to the Committee on Game and Fisheries.

House Bill No. 1189 (Senate Bill No. 1396), entitled:

An Act providing for the registration of contractors and builders as herein defined by the Department of Labor and Industry; providing for the issuing, suspension and revocation of licenses; and imposing penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 1256 (Senate Bill No. 1397), entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the maintenance and development of the Drake Well Memorial Park.

Which was committed to the Committee on Appropriations.

House Bill No. 1519 (Senate Bill No. 1398), entitled:

An Act to regulate insurance companies chartered under general or special laws of this Commonwealth by providing that no director need be a resident of any particular city or county, that the directors shall elect the president or appoint the secretaries, that the residence of the president and secretaries need not be in the county wherein the principal office of the company is located, and that the annual meeting shall be held and reports shall be published as provided in the by-laws.

Which was committed to the Committee on Insurance.

House Bill No. 1566 (Senate Bill No. 1399), entitled:

An Act establishing a State Public Works Planning Board; prescribing and defining its powers and duties; granting authority to counties of the first, second and third classes and cities to create local public works planning boards and defining their powers and duties; defining the relationship of the state board to such local boards and to classes of counties and such cities where no such approved local boards exist on and after January first, one thousand nine hundred and thirty-six; and making an appropriation.

Which was committed to the Committee on Appropriations.

House Bill No. 1591 (Senate Bill No. 1400), entitled:

An Act authorizing and empowering school districts to furnish food, including milk, to undernourished and poor school children in their districts.

Which was committed to the Committee on Education.

House Bill No. 1746 (Senate Bill No. 1401), entitled:

An Act establishing a State Emergency Public Works Commission; prescribing and defining its powers and duties, including the power to prepare an emergency program of construction projects for the immediate creation of employment, with the assistance of the various State agencies having charge of the construction of public works and the various duly constituted official planning agencies; or citizen-constituted planning bodies which have developed general plan studies to devise and recommend for adoption by local and State government, draft of legislation establishing properly staffed and empowered official planning bodies; to study and recommend, in general terms, such types of legislation as will encourage or effect such needed reforms of financial and taxing procedure as are particularly related to the execution of public works, and which will also result in the establishment of long-term programs of public works construction and expenditure; providing for the terms, salaries, and compensation of the members of the State Board, its officers, and employes; and making an appropriation for its work.

Which was committed to the Committee on Appropriations.

House Bill No. 1865 (Senate Bill No. 1402), entitled:

An Act to further amend section one of the act, approved the fifteenth of July one thousand eight hundred and ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation."

Which was committed to the Committee on Finance.

House Bill No. 836 (Senate Bill No. 1403), entitled:

An Act declaring certain agreements between employes and employers and others to be contrary to public policy and void

Which was committed to the Committee on Judiciary General.

House Bill No. 861 (Senate Bill No. 1404), entitled:

An Act making an appropriation to the Department of Labor and Industry for the purpose of conducting an experimental employment agency in the city of Philadelphia through a State Employment Commission.

Which was committed to the Committee on Appropriations.

House Bill No. 1229 (Senate Bill No. 1405), entitled:

An Act to amend section one hundred and thirty-five of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," as amended; by limiting the salary of the solicitor to the controller in counties of the fifth class.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1319 (Senate Bill oN. 1406), entitled:

A Supplement to the act, approved the sixth day of April, one thousand eight hundred thirty (Pamphlet Laws, two hundred seventy-two), entitled "An act for the levy and collection of taxes upon proceedings in courts, and in the offices of register and recorder, and for other purposes, requiring prothonotaries and recorders of deeds to file with the Department of State a bond covering certain moneys received by them for use of the Commonwealth, and repealing section nine of said act.

Which was committed to the Committee on Judiciary General.

House Bill No. 1351 (Senate Bill No. 1407), entitled:

An Act to amend section two hundred thirteen of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled "Insurance Department Act of 1921," as amended, by adding thereto provisions granting hearings before reports of examinations of insurance companies by the Insurance Department are filed and providing for authority to the Insurance Commissioner to publish such reports and authorizing the Insurance Commissioner to accept the report of examination of insurance companies made by or upon the authority of the supervising official of any other State.

Which was committed to the Committee on Insurance.

House Bill No. 1353 (Senate Bill No. 1408), entitled:

An Act to amend section six hundred fifty-two of article six of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (Pamphlet Laws six hundred eighty-two) entitled " Insurance Company Law of 1921," providing that all premiums and interest charges on account of policies insuring employers against workmen's compensation liability and all judgments recovered for same shall be preferred claims in all insolvency or bankruptcy proceedings and trustees proceedings for administration of estates and receiverships.

Which was committed to the Committee on Insurance.

House Bill No. 1372 (Senate Bill No. 1409), entitled:

An Act to provide reciprocal relations in respect to death duties in taxation of estates of non-resident decedents.

Which was committed to the Committee on Finance.

House Bill No. 1504 (Senate Bill No. 1410), entitled:

An Act to amend the title, section ten, and sections two hundred and two hundred and two, as amended, of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 762), entitled "General Poor Relief Act of 1925." extending the provisions of said act to counties of the first and second classes.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1517 (Senate Bill No. 1411), entitled:

An Act to amend section two hundred and five of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," as amended, by fixing the minimum par value of the shares of capital stock of all stock insurance companies.

Which was committed to the Committee on Insurance.

House Bill No. 1518 (Senate Bill No. 1412), entitled:

An Act to amend section six hundred and twenty-nine of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," as amended, exempting additional corporations from the provisions of subdivision (b) of Article Six of the act

Which was committed to the Committee on Insurance.

House Bill No. 1704 (Senate Bill No. 1413), entitled:

An Act to further amend the first paragraph of section two hundred twelve of the act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "Public School Code," as amended.

Which was committed to the Committee on Education.

House Bill No. 1812 (Senate Bill No. 1414), entitled:

An Act relating to policies of indemnity insurance; requiring such policies to contain provisions covering cases of insolvency and bankruptcy of the insured, and to permit injured persons or their personal representatives to maintain suits against the insurer in such cases.

Which was committed to the Committee on Insurance.

House Bill No. 1971 (Senate Bill No. 1415), entitled:

An Act to amend section two hundred and twelve of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "Insurance Department Act of 1921," as amended, by bringing public adjusters' solicitors within the retialiatory provisions relating to agents, brokers and public adjusters.

Which was committed to the Committee on Insurance.

House Bill No. 1972 (Senate Bill No. 1416), entitled:

An Act to amend setcion six hundred and three as amended, and section six hundred and twenty-two of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "Insurance Department Act of 1921," by defining the right of corporations to be licensed as insurance agents or insurance brokers.

Which was committed to the Committee on Insurance.

House Bill No. 1973 (Senate Bill No. 1417), entitled:

An Act to amend section six hundred and ten of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," as added, by further defining resident agents of foreign casualty insurance companies.

Which was committed to the Committee on Insurance.

House Bill No. 1781 (Senate Bill No. 1418), entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "Fiscal Code," as amended, by adding new sections; eliminating the duty of the Treasury Department to examine and audit requisitions for disbursements; eliminating the duty of the Department of the Auditor General to audit the affairs of the State Workmen's Insurance Board; providing for the adjustment and settlement of claims against the Commonwealth; abolishing the publication of mercantile appraisers lists; and providing for the reimbursement of the General Fund by the special operating funds for services rendered by the Department of the Auditor General and the Treasury Department.

Which was committed to the Committee on Finance.

House Bill No. 925 (Senate Bill No. 1419), entitled:

An Act to provide for the investigation and study of wages of women and minors employed in trade and industry in the Commonwealth of Pennsylvania; and for the determination and establishment of minimum fair wage standards for such workers; and for the purpose of preventing unfair and oppressive exploitation of such workers, and for other purposes.

Which was committed to the Committee on Judiciary General.

House Bill No. 1668 (Senate Bill No. 1420), entitled:

An Act to repeal paragraph (x) of section one of Article II and section eight of Article IV and to amend section forty-seven of Article VI of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (P. L. 1374), entitled "Public Service Company Law" by eliminating the duties of the Public Service Commission pertaining to the investigation of accidents and authorizing additional fees to be collected for papers filed with the commission.

Which was committed to the Committee on Finance.

House Bill No. 1188 (Senate Bill No. 1421), entitled:

An Act exempting shoe repairing machinery and tools and the appurtenances thereto, leased, loaned, hired or conditionally sold, from levy or sale on execution or distress for rent.

Which was committed to the Committee on Judiciary General.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 265

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 20, 1933.

Resolved (if the Senate concur), That House Bill No. 265, Printer's No. 87, entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens, in the several boroughs of this Commonwealth, and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessments and claims.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1646

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 20, 1933.

Resolved (if the Senate concur), That House Bill No. 1646, Printer's No. 348, entitled:

An Act to amend Section 1 and 2 of act Number two hundred seventy-six approved the seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws six hundred seventy-seven) entitled "An act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and juvenile courts and imposing certain

expenses upon counties" by requiring the data and notices required by the act to be filed with the Department of Health instead of the Department of Welfare

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1648

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 20, 1933.

Resolved (if the Senate concur), That House Bill No. 1648, Printer's No. 381, entitled:

An Act to amend Section four of the act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ten) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by increasing the license fee to be collected by the Department of Welfare

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1789

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 20, 1933.

Resolved (if the Senate concur), That House Bill No. 1789, Printer's No. 390, entitled:

An Act to further amend paragraph (a) section nine of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (P. L. 809), entitled "Banking Act of 1923," by making the moneys in the Banking Department Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1786

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 20, 1933.

Resolved (if the Senate concur), That House Bill No. 1786, Printer's No. 388, entitled:

An Act to further amend section eleven of the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 772), entitled "State Workmen's Insurance Fund Law," by making the moneys in the State Workmen's Insurance Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 131

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 20, 1933.

Resolved (if the Senate concur), That House Bill No. 131, Printer's No. 114, entitled:

An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several boroughs of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments and claims

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 901

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 901, entitled:

An Act making an appropriation to the West Side Hospital Association of Scranton, Lackawanna County, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1198

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1198, entitled:

An Act relating to dentistry; defining and providing for the licensing and registration of dentists, and dental hygienists, and for the revocation and suspension of such licenses and registrations subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1934

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1934, entitled:

An Act providing for receipt by the Commonwealth of personal property bequeathed to the Commonwealth; providing for the vesting of title in the Commonwealth of real estate devised to the Commonwealth, the custody, repairs, leasing and sale thereof by the Department of Property and Supplies with approval of the Department fo Justice; and providing the payment of costs of repair of such property.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1476

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1476, entitled:

An Act providing for the deferring of sentences in certain cases pending the mental examination of defendants; authorizing trial judges and the Department of Welfare to require psychiatrists employed by county and state mental hospitals to examine certain such defendants without additional compensation except expenses payable by counties; providing for

the commitment of defendants to certain institutions where the reports show the same to be advisable; providing for the payment by individuals, counties, or the Commonwealth of the cost of admission, care and discharge of such defendants.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1837

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1837, entitled:

An Act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1371

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1371, entitled:

An Act to further amend sections five and six of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" by increasing the number of signers to nomination papers changing the time for filing same and changing the time for filing objections thereto.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1007

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1007, entitled:

An Act making an appropriation to the Franklin Hospital, Franklin, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 267

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 267, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, located at East Falls, Philadelphia.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 276

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 276, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 415

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 415, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries.

HOUSE CONCURS IN SENATE BILL No. 184

He also returned to the Senate, Senate Bill No. 184, entitled:

An Act making an appropriation to the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 191

He also returned to the Senate, Senate Bill No. 191, entitled:

An Act making an appropriation to the Columbia Hospital, at Columbia, Lancaster County, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 198

He also returned to the Senate, Senate Bill No. 198, entitled:

An Act making an appropriation to the Pennsylvania Association for the Blind, Incorporated, at Pittsburgh, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 199

He also returned to the Senate, Senate Bill No. 199, entitled:

An Act making an appropriation to the Boy's Industrial Home of Western Pennsylvania, located at Oakdale, Allegheny County.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 240

He also returned to the Senate, Senate Bill No. 240, entitled:

An Act making an appropriation to the Union Home for Old Ladies of West Philadelphia, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 241

He also returned to the Senate, Senate Bill No. 241, entitled:

An Act making an appropriation to the Friends' Home for Children of the city of Philadelphia, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 242

He also returned to the Senate, Senate Bill No. 242, entitled:

An Act making an appropriation to the Western Temporary Home of Philadelphia, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 245

He also returned to the Senate, Senate Bill No. 245, entitled:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 247

He also returned to the Senate, Senate Bill No. 247, entitled:

An Act making an appropriation to the George F. Geisinger Memorial Hospital, Danville, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 254

He also returned to the Senate, Senate Bill No. 254, entitled:

An Act making an appropriation to the Wills Eye Hospital, Philadelphia, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 255

He also returned to the Senate, Senate Bill No. 255, entitled:

An Act making an appropriation to the Home for the Aged, located at one thousand eight hundred nine Mount Vernon Street, Philadelphia, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 259

He also returned to the Senate, Senate Bill No. 259, entitled:

An Act making an appropriation to the Reading Hospital, Reading, Pennsylvania

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 269

He also returned to the Senate, Senate Bill No. 269, entitled:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital, of Reading, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 276

He also returned to the Senate, Senate Bill No. 276, entitled:

An Act making an appropriation to the St. Luke's and Children's Homeopathic Hospitals of Philadelphia, Pennsylvania, for the maintenance of said hospitals.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 303

He also returned to the Senate, Senate Bill No. 303, entitled:

An Act making an appropriation to the Bloomsburg Hospital, Bloomsburg, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 304

He also returned to the Senate, Senate Bill No. 304, entitled:

An Act making an appropriation to the Berwick Hospital, Berwick, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 305

He also returned to the Senate, Senate Bill No. 305, entitled:

An Act making an appropriation to the American Oncologic Hospital, at Philadelphia, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 307

He also returned to the Senate, Senate Bill No. 307, entitled:

An Act making an appropriation to the Citizens General Hospital, New Kensington, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 309

He also returned to the Senate, Senate Bill No. 309, entitled:

An Act making an appropriation to the Easton Hospital, at Easton, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 310

He also returned to the Senate, Senate Bill No. 310, entitled:

An Act making an appropriation to the National Stomach Hospital, of Philadelphia, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 327

He also returned to the Senate, Senate Bill No. 327, entitled:

An Act making an appropriation to the Aged Colored Women's Home at Williamsport, Lycoming, County, Pennsyl-

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 326

He also returned to the Senate, Senate Bill No. 326, entitled:

An Act making an appropriation to the Williamsport Hospital of the City of Williamsport, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 328

He also returned to the Senate, Senate Bill No. 328, entitled:

An Act making an appropriation to the Home for the Friendless of the City of Williamsport, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 329

He also returned to the Senate, Senate Bill No. 329, entitled:

An Act making an appropriation to the Florence Critterton Mission of the City of Williamsport, Lycoming County, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 335

He also returned to the Senate, Senate Bill No. 335, entitled:

An Act making an appropriation to the Greenville Hospital, Greenville, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 637

He also returned to the Senate, Senate Bill No. 637, entitled:

An Act making an appropriation to the Canonsburg General Hospital Association at Canonsburg, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 667

He also returned to the Senate, Senate Bill No. 667, entitled:

An Act making an appropriation to the Home for Widows and Single Women of Reading, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 669

He also returned to the Senate, Senate Bill No. 669, entitled:

An Act making an appropriation to the Somerset Community Hospital, at Somerset, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 704

He also returned to the Senate, Senate Bill No. 704, entitled:

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases of Philadelphia.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 733

He also returned to the Senate, Senate Bill oN. 733, entitled:

An Act making an appropriation to the South Side Hospital of Pittsburgh, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 756

He also returned to the Senate, Senate Bill No. 756, entitled:

An Act making an appropriation to the Department of Military Affairs for the use of the State Armory Board for the partial payment of arbitration award to the general contractors for services rendered in connection with the construction of the Wilkes-Barre Artillery Armory.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 177

He also returned to the Senate, Senate Bill No. 177, entitled:

An Act making an appropriation to the Home of Industry for Discharged Prisoners of the City of Philadelphia and State of Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 929

He also returned to the Senate, Senate Bill No. 929, entitled:

An Act making a deficiency appropriation to the Department of the Auditor General.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 959

He also returned to the Senate, Senate Bill No. 959, entitled:

An Act making an appropriation to the Children's Hospital of Pittsburgh in the city of Pittsburgh, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 960

He also returned to the Senate, Senate Bill No. 960, entitled:

An Act making an appropriation to the Eye and Ear Hospital, of Pittsburgh, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 961

He also returned to the Senate, Senate Bill No. 961, entitled:

An Act making an appropriation to the Pittsburgh Home for Babies, Pittsburgh, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 67

He also returned to the Senate, Senate Bill No. 67, entitled:

An Act increasing the discretionary powers of the county commissioners in counties of the third class with reference to the assessment levy and collection of taxes

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 458

He also returned to the Senate, Senate Bill No. 458, entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens, in the several cities of the third class of this Commonwealth, and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessments and claims.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 467

He also returned to the Senate, Senate Bill No. 467, entitled:

An act relating to Trusts for Charitable or Benevolent Purposes and Providing for the Combining of the same under certain conditions

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 516

He also returned to the Senate, Senate Bill No. 516, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of May, one thousand eight hundred and ninety-seven

(P. L. 89), entitled "An act authorizing and requiring grand and petit juries to dispose of the costs in criminal prosecutions for larceny, where the value of the goods alleged to be stolen is less than ten dollars, and in the prosecutions for assault or assault and battery where felony is charged, and in which the prosecutor had no reasonable ground for making the charge of felony," by giving the juries jurisdiction over the costs in prosecutions for larceny and receiving stolen goods.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 640

He also returned to the Senate, Senate Bill No. 640, entitled:

An Act to amend the first "Whereas" clause, the first paragraph of article one, clause (d) of article two, and article ten of section one, and section two as amended, of the act approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said Commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by providing for the appointment of an engineer by the commission, and for the repayment to the Commonwealth of appropriation herein made.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 84

He also returned to the Senate, Senate Bill No. 84, entitled:

An Act making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, defining the powers and duties of the boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of this act to appropriate certain moneys; and providing penalties," as amended.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 368

He also returned to the Senate, Senate Bill No. 368, entitled:

An Act authorizing the Secretary of Property and Supplies to convey a certain lot of ground in the possession and occupancy of the Philipsburg State Hospital to the Rush Township School District.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 433

He also returned to the Senate, Senate Bill No. 433, entitled:

An Act to amend section four hundred and forty-eight of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by increasing the membership of the State Military Reservation Commission.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 537

He also returned to the Senate, Senate Bill No. 537, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred ten) entitled "A further supplement to 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four" by providing that all corporations organized not for profit shall have authority to issue capital stock to an amount not exceeding five hundred thousand dolars

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 643

He also returned to the Senate, Senate Bill No. 643, entitled:

An Act dedicating and setting aside certain lands in Cameron and Clinton Counties as a public park and pleasure ground, to be known as "Bucktail State Park;" and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 695

He also returned to the Senate, Senate Bill No. 695, entitled:

An Act to preserve the continuity of service of officers and enlisted men of the Pennsylvania National Guard who are mustered into the service of the United States during the World War and afterward were enlisted or commissioned in the said National Guard.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 771

He also returned to the Senate, Senate Bill No. 771, entitled:

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all

persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," as amended, by providing for special certificates of the birth of adopted persons; and requiring school authorities to accept such certificates for certain purposes.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 932

He also returned to the Senate, Senate Bill No. 932, entitled:

An Act to amend sections one, two three, and four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties;" limiting the status of an approved inspector; changing the requirements for holders of milk permits and imposing additional duties on such permit holders or applicants therefor; granting additional powers to the Secretary of Health in the enforcement of the act.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 674

He also returned to the Senate, Senate Bill No. 647, entitled:

An Act to repeal section three of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-eight) entitled "A supplement to the act approved the eleventh day of June one thousand nine hundred and thirty-one (Act number fifteen-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one' making additional appropriations to the Department of Military Affairs and to the Department of Property and Supplies and an appropriation to the Senate Committee for the Investigation of the Public Service Commission" lapsing the appropriation made by said act to the Senate committee for the investigation of the Public Service Commission.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 728

He also returned to the Senate, Senate Bill No. 728, entitled:

A Supplement to act number fifteen-A, approved the eleventh day of June, one thousand nine hundred thirty-one (Appropriation Acts of One Thousand Nine Hundred Thirty-one, page sixteen), entitled "An act to provide for the ordinary expense of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one," providing for a deficiency in the appropriation to the Department of Forests and Waters for the extinction and control of forest fires for the fiscal biennium ending May thirty-first, one thousand nine hundred thirty-three.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 442

He also returned to the Senate, Senate Bill No. 442, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 1

He also returned to the Senate, Senate Bill No. 1, entitled:

An Act authorizing counties of the second class and cities of the second class to appropriate sums of money to aid in defraying the expenses of entertaining the stated convention of the National Encampment of the United Spanish War Veterans in the year one thousand nine hundred and thirty-four.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 68

He also returned to the Senate, Senate Bill No. 68, entitled:

An Act increasing the discretionary powers of boards of school directors in school districts of the second class with reference to the assessment, levy and collection of taxes.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 144

He also returned to the Senate, Senate Bill No. 144, entitled:

An Act to amend section two of the act approved the twenty-ninth day of April, one thousand nine hundred and fifteen (P. L. 200), entitled "An act creating, in counties having over eight hundred thousand, and less than one million five hundred thousand, inhabitants, according to the last preceding United States census, a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments, and divisions thereof; prescribing the powers and duties of said board, and regulating appeals from the decision thereof"; defining the voting power of members of the salary board.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 153

He also returned to the Senate, Senate Bill No. 153, entitled:

An act to amend clause (d) of section ten of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," as amended, by defining the powers of the courts on appeals from the Department of Public Instruction.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 183

He also returned to the Senate, Senate Bill No. 183, entitled:

An Act to amend sections fifty-one and sixty as amended, and section one hundred and four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," by fixing the time at which the terms of elected

county officers shall begin, and the time for the county commissioners to organize.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 189

He also returned to the Senate, Senate Bill No. 189, entitled:

An Act making an appropriation to the Uniontown Hospital, Uniontown, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 190

He also returned to the Senate, Senate Bill No. 190, entitled:

An Act making an appropriation to the Brownsville General Hospital, Brownsville, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 296

He also returned to the Senate, Senate Bill No. 296, entitled:

An Act to amend sections five and six of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws, seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of streets improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act" by providing for the limit of width of construction and maintenance on said streets.

with the information that the House has passed the same without amendment.

HOUSE ONCURS IN SENATE BILL No. 322

He also returned to the Senate, Senate Bill No. 322, entitled:

An Act to eliminate reckless and irresponsible drivers from the public highways, and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident), and for the establishment of ability to respond in damages for injury to property and persons, including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles); conferring powers and imposing duties upon the Department of Revenue, the Insurance Commissioner, insurance carriers, and clerks of the courts; requiring certain provisions in motor vehicle liability insurance policies; and providing penalties.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 399

He also returned to the Senate, Senate Bill No. 399, entitled:

An Act authorizing the Board of County Commissioners of counties of the second class to appropriate monies toward the maintenance of the Organized Reserve of the Army of the United States and for the assistance of conventions and meetings of Associations of Officers of the Officers Reserve Corp of the Army of the United States, and validating, ratifying, and approving all such appropriations heretofore made.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 427

He also returned to the Senate, Senate Bill No. 427, entitled:

An Act relating to libraries making it unlawful to retain any book, pamphlet, magazine, newspaper, manuscript, map or other property belonging to a library after notice to return the same providing penalty to be imposed in summary proceedings providing for payment of any fine imposed to the library instituting the prosecution.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 476

He also returned to the Senate, Senate Bill No. 476, entitled:

An Act ratifying and confirming certain contracts for the erection of joint county bridges where the bridges have been erected and accepted.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 478

He also returned to the Senate, Senate Bill No. 478, entitled:

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended, and paragraph one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 702

He also returned to the Senate, Senate Bill No. 702, entitled:

An Act to repeal the act, approved the twentieth day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, three hundred ten), entitled "An act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the seventh class."

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 730

He also returned to the Senate, Senate Bill No. 730, entitled:

An Act to ratify, confirm and validate, as debts of the municipality, bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 794

He also returned to the Senate, Senate Bill No. 794, entitled:

An Act establishing certain public roads and streets in the City of Pittsburgh and County of Allegheny as a State highway, and providing for their construction and maintenance by the Department of Highways, subject to certain terms and conditions.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 836

He also returned to the Senate, Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Welfare for the payment of claims against the Commonwealth for the erection and construction of railroad tracks and trestles

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 848

He also returned to the Senate, Senate Bill No. 848, entitled:

A Supplement to the act, approved the eighth day of May, one thousand nine hundred and nineteen (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River," and its amendments, authorizing the commission created under said act to borrow money from the Reconstruction Finance Corporation for the purpose of constructing toll bridges, to charge tolls thereon, and to repay loans from tolls collected.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 856

He also returned to the Senate, Senate Bill No. 856, entitled:

An Act authorizing cities of the third class to provide, by ordinance, for the payment for public work or improvements heretofore made for or furnished to the city and accepted and used by the city, where no legal or valid contract was entered into as required by law.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 876

He also returned to the Senate, Senate Bill No. 876, entitled:

An Act to amend clause (a) of section four hundred and eleven of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing of operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds;" by providing for transfer of registration from husband and wife to either spouse.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 972

He also returned to the Senate, Senate Bill No. 972, entitled:

An Act making an appropriation to the Zoar Home for Mothers Babies and Convalescents of Allison Park Allegheny County

with the information that the House has passed the same without amendment.

SENATE BILL No. 102 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 102, entitled:

An Act authorizing county treasurers to make, execute, acknowledge and deliver deeds of seated lands sold by them for delinquent taxes under the provisions of an act of Assembly of the Commonwealth of Pennsylvania, approved the ninth day of May, one thousand nine hundred and twenty-nine (P. L. 1684), entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assessed on such seated lands by authority of any county, borough, town, township, school district and poor district are delinquent and remain unpaid, and fixing penalties for such delinquency; authorizing county commissioners to purchase such lands under certain circumstances"; prior to its repeal, notwithstanding that said deeds were not made, issued, acknowledged or delivered and surplus bond not given prior to said repeal; and authorizing the making, execution, acknowledgment and delivery of said deeds by said county treasurers after the expiration of term of office or by their successors in office; and confirming the title to lands so sold where the deeds have been made, executed and delivered and the surplus bonds filed since the repeal of said act, and whether the said deeds were made, executed or delivered by the county treasurer who made said sale during the term of his office or after its expiration or by his successor in office.

which was laid upon the table.

SENATE BILL No. 194 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 194, entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; by authorizing counties of the second class to levy and collect tolls on certain county bridges for the purpose of paying off the indebtedness incurred in locating, constructing and purchasing such bridges.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. MANSFIELD. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows: Amend section 781, page 2, line 15 by striking out after the word "of" the words "four hundred thousand" and insert in lieu thereof "one million"; also line 16, by striking out after "lars" the figure "($400,000)" and insert in lieu thereof "($1,000,000)."

On the question,

Will the Senate concur in the amendments?

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 257 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 257, entitled:

An Act requiring State-aided hospitals under certain conditions immediately to admit indigent veterans as herein defined, and to provde care and treatment for them until they can be accommodated in Federal institutions.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. BENNETT. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendmnts made by the House of Representatives to the foregoing bill.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constiution, were twice read as follows: Amend section 2, page 2, lines 5, 6, and 7 by striking out after the word "hospitalization" in line 5, the following: "upon the presentation to the hospital of a certificate by any sick or disabled and eligible for Federal hospitalization"; also line 10, by striking out after the word "and" and before the word "an" the word "that."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 266 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 266, entitled:

An Act to provide for the hospitalization of tubercular patients in State and State-aided hospitals when State-owned institutions established for that purpose are unable to provide therefor.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. CHAPMAN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by th House of Representatives to the foregoing bill.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows: Amend title, page 1, line 2 by inserting before the word "State-aided" the words "State and"; also section 1, page 1, line 9, by inserting before word "State-aided" the following: "State owned medical and surgical hospital and"; also line 11, by inserting after the word "Pennsylvania" the following: "if such hospitals agree to receive them"; also section 2, page 1, line 17, by inserting before the word "State-aided" the words "State and"; also section 3, page 2, line 5, by inserting before the word "State-aided" the words "State and"; also lines 8, 9, 10 and 11 by striking out the following: "Such cost shall be equivalent to but not greater than the cost of such service in the State institutions established for the care and treatment of such patients"; also after the words "patients" in line 11, by inserting the following: "the per diem cost of the care and treatment of such patients in State and State-aided hospitals shall be the cost as determined quarterly and reported to the Pennsylvania Department of Welfare by each hospital concerned not to exceed $3 per day."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 345 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 345, entitled:

An Act prohibiting contractors, subcontractors and builders and their agents from paying out, using or appropriating moneys and funds received for the erection, construction, alteration, completion and repair of buildings and for additions thereto before first paying in full or pro rata all claims due to architects, surveyors, engineers, and persons furnishing labor and material.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. PARKINSON. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SORDONI. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows: Amend section 1, page 2, by striking out the section beginning in line 11, with the word "Any" and ending with the word "both" in line 22; also by inserting after the word "both" in line 22, the following: "No moneys or funds shall be paid for the erection construction completion alteration on repair of any building or for additions to a building except for payment of all bona fide claims due and owing by such contractor or builder to architects surveyors engineers and persons furnishing labor or materials thereto and if paid in one payment the owner of said building or his disbursing agent shall require the contractor to present a schedule supported by affidavit of said contractor showing the amounts owing to architects surveyors engineers and persons furnishing labor or materials whether or not the said labor or material enter into or become component parts of the building or additions thereto and the payment shall be made to the contractor as agent of said architect surveyor engineer and person furnishing labor or materials in accordance with said schedule If paid in one or more payments no payment after the first payment may be made by the owner or his disbursing agent unless the contractor furnish to the owner or his disbursing agent a statement supported by his affidavit showing that any money previously paid to the contractor had been expended in payment to the architects surveyors engineers and persons furnishing labor or materials for services work labor or material supplied or done in connection with the particular building or buildings and none other allowing a reasonable amount to the contractor for overhead not exceeding ten per centum of any amount received Before final payment the owner or his disbursing agent shall require a schedule of all amounts remaining due the said architects surveyors engineers and persons furnishing labor or materials and shall give fifteen days notice to all such architects surveyors engineers and persons furnishing labor or materials that final payment is about to be made and where it shall be made and said final payment shall be made to the contractor as the agent of the subcontractors contained in the list or schedule so presented"

On the question,

Will the Senate concur in the amendments?

The yeas and neys were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim.
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 385, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 385, entitled:

An Act providing for the fixing of salaries or compensation of all appointed officers clerks and other employes paid from the county funds in counties of the sixth seventh and eighth classes and creating salary boards in certain counties

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. McCLURE. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line 5, by striking out the heavy faced bracket before the word "third" and the heavy faced bracket after the word "fifth;" also section 1, page 1, line 4, by striking out the heavy faced bracket before the word "third" and the heavy faced bracket after the word "fifth."

On the question,

Will the Senate concur in the amendments?

The yeas and neys were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—0

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—38

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 388 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 388, entitled:

An Act providing for the appointment promotion reduction removal and reinstatement of paid officers firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the first second and third class defining the powers and duties of civil service commissions for such purposes and fixing penalties

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. SNYDER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line 6, by striking out before the word "second" the word "first;" also section 1, page 1, line 8, by striking out before the word "second" the word "first;" also page 2, line 7, by striking out before the word "second" the word "first;" also section 17, page 19, line 10, by striking out before the word "second" the word "first."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	Mansfield,	Snyder,
Baumer,	Frazier,	McClure,	Sones,
Bell,	Gelder,	Miller,	Sordoni,
Bennett,	Graff,	Norton,	Staudenmeier,
Boyd,	Harris,	Owlett,	Thompson,
Brandt,	Harvey,	Parkinson,	Trainer,
Chapman,	Homsher,	Pethick,	Williamson,
Clark,	Howell,	Reed,	Woodward,
Coyne,	Krause,	Rice,	Ziesenheim,
Ealy,	Lanius,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 389, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 389, entitled:

An Act to amend sections six, twelve, seventeen and twenty-six of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, seven hundred ten), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," as amended, by extending the provisions of said act so as to include bookers, booking agents, representatives of booking agencies for services of wrestlers; modifying license fees in certain cases; exempting amateur boxing or wrestling in schools colleges and universities

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. SNYDER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line I by striking out the word "twelve"; also page 4, Section 3, by striking out lines 25, 26 and 27 and substituting the following; "None of the provisions of this act shall apply to boxing sparring or wrestling matches conducted or sponsored by or for any university college or secondary school wherein all of the contestants are students regularly enrolled as such in the universities colleges or secondary schools participating in such matches In all such cases such matches shall be conducted under the supervision management and control of the authorities of the university college or secondary school conducting or sponsoring the same or under the supervision and control of an intercollegiate or interscholastic association of which all participating colleges universities and secondary schools are members."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 454 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 454, entitled:

An Act authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and members of the school board in relation to said funds and fixing a penalty for the violation thereof

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. MANSFIELD. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 3, page 3, by striking after the word "due" the following: "of which amount of uncollected taxes an amount"; also line 16 by striking out after the word "section" the figure "5" and inserting in lieu thereof the figure "4"; also section 5, line 25, by striking out after the word "be" the words "like numbered" and inserting in lieu thereof the words "numbered alike"; also line 26, by striking out after the word "order" the words "consecutively numbered."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,

Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 535 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 535, entitled:

An Act to amend section eight of the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances;" as amended, by further providing for the sales of seated lands for delinquent taxes assessed and levied for the year one thousand nine hundred and thirty, or any year prior thereto; where no sales have previously been made for delinquent taxes of that year, and validating liens on lands, taxes heretofore returned when alnd has not been advertised or sold.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. SCOTT. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title page 2, line 2, by inserting after the word "year" the following: "and validating liens on lands of taxes heretofore returned when land has not been advertised or sold;" also page 5, by inserting after the word "hereof" in line 3, the following section: "'Section 2 No failure to advertise for sale any lands heretofore returned under this or any other act of Assembly and no failure to hold any treasurers sale of any such lands at the time required by the law shall be deemed to invalidate the lien of any tax assessed against such lands but the lien of any such tax is hereby validated and any such lands may be advertised and sold under the provisions of this act and the taxes due thereon collected in the same manner as if said lands had been returned under the provisions of this act; also, line 4, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "3".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 548 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 548, entitled:

A Supplement to act number four-A approved the fourteenth day of April one thousand nine hundred thirty-one (Appropriation Acts of one thousand nine hundred thirty-one page five) entitled "An act providing for the investigation and study of the effect of the diversion of water for water supply purposes upon the lower Delaware River and the industries using water therefrom imposing certain duties upon the Sanitary Water Board and making an appropriation" authorizing the Sanitary Water Board for the continuation of the investigation and study of the effect of the diversion of water for water supply purposes from the lower Delaware River and the industries using water therefrom and extending the scope of the investigation and study.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. McCLURE. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title page 1, line 10, by striking out after the word "appropriation" the following: "making an appropriation to the Department of Health for the use of" and inserting in lieu thereof the word "authorizing"; also line 12 by striking out after the word "Board" the words "for the continuation of"; also section 1, page 2, by striking out lines four, five and six; also line 7, by inserting between the word "Board" and the word "for" the words "is hereby authorized and directing during"; also line 7, by striking out after the word "Board" the word "for"; also line 9, by striking out before the article "the" the words "for the continuation of" and inserting in lieu thereof the words "to continue"; also line 14, by striking out after the word "and" the words "for the investigation"; also by striking out after the word "study" the word "of"; also by striking out after the word "River" in line 17, lines 17 to 25 inclusive.

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,

Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 645 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 645, entitled:

An Act to amend section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. PARKINSON. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 5, page 2, line 14, by striking out after the word "in" the word "four" and inserting in lieu thereof the word "two"; also line 15, by striking out after the word "first" the words "and fifteenth"; also by striking out after the article "the" the words "first and."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 720 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 720, entitled:

An Act to authorize certain corporations organized under the laws of Pennsylvania, including railroad corporations organized under the laws of Pennsylvania and of any other state or states, to increase or decrease the par value of the shares of their capital stock; providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock, or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued; prescribing the manner in which such change shall be made; and repealing all acts and parts of acts inconsistent herewith.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. BOYD. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 2, page 2 line 24, by inserting after the word "corporation" the following: "Provided that no such change or alteration in the value of the aggregate par value of the outstanding stock shall be valid in law unless notices to all persons interested shall be given as now required by law where it is proposed to increase or reduce the capital stock of any corporation."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 721 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 721, entitled:

An Act authorizing stock corporations, with certain exceptions, to make provisions for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilities of their directors; making other provisions relating to the capital and capital stock of such corporations; and repealing all acts or parts of acts inconsistent herewith.

with information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. BOYD. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. KRAUSE. I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 2, page 4, line 12, by inserting after the word "corporation" the following: "Provided That no such change or alteration in the value of the aggregate par value of the outstanding stock shall be valid in law unless notices to all persons interested shall be given as now required by law where it is proposed to increase or reduce the capital stock of any corporation."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 843 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 843, entitled:

A Supplement to the act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" as amended authorizing any major general in command of the National Guard with the approval of the Governor as Commander-in-Chief thereof to continue to hold such position until he reaches the age of sixty-nine years

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. PETHICK. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. PARKINSON. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title page 1, line 7, by striking out after the word "any" the word "officer" and inserting in lieu thereof the words "major general in command"; also line 10, by striking out after the word "hold" the word "his" and inserting in lieu thereof the word "such"; also by striking out after the word "position" the following: "For a certain time after he reaches the age of retirement" and insert in lieu thereof "until he reaches the age of sixty-nine years"; also section 1, page 1, line 4, by striking out after the word "any" the following: "person commissioned or warranted as an officer" and insert in lieu thereof "major general in command"; also line 5, by striking out after the word "Commonwealth" the following: "who reaches the age of sixty-four years"; also line 8, by striking out after the word "hold" the word "his" and insert in lieu thereof the word "such."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 538 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 538, entitled:

An Act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies, associations, exchanges or persons not authorized to do business in this Commonwealth; requiring certificates from the Insurance Department before accepting insurance advertisements or broadcasting the same by radio; and fixing penalties.

with information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. COYNE. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. KRAUSE Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 3, page 2, line 22, by inserting after "poration" following: "engaged in the insurance business."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 498 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 498, entitled:

An Act authorizing counties, cities, boroughs, townships of the first and second class and school districts to issue and

sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds, and fixing a penalty for the violation thereof.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. MANSFIELD. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr SONES. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend Section 1, page 2, line 3, by striking out after the word "exceeding" the worth "sixty" and insert in lieu thereof the word "eighty"; also after the word "sent" by striking out "(60%)" and insert in lieu thereof "(80%)"; also line 6, by inserting after the word "action" the following: "Any subsequent borrowing under the provisions of this act shall be limited to an amount which when added to the amount or amounts previously borrowed shall not exceed eighty per cent (80%) of the amount of the uncollected taxes"; also section 3, page 3, line 1, by striking out after the figure "3" the article "The" and insert in lieu thereof the word "Each"; also line 2, by striking out after the word "recite" the article "the" and insert in lieu thereof the word "an"; also by inserting after the word "of" the article "the"; also line 3, by striking out after the word "due" the following: "of which amount of taxes an" and insert in lieu thereof "at least equal to the amount"; also line 4, by striking out after the word "amount" the words "equal to" an insert in lieu thereof the word "of"; also line 4, by striking out after the word "bonds" the following: "which amount of uncollected taxes so recited"; also section 5, page 4, line 1, by striking out before the word "numbered" the word "like" and insert in lieu thereof the word "alike"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Howell,	Pethick,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 679 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 679, entitled:

An Act to amend section twenty-nine of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; refining highways and State-aid highways; providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by relieving townships of the duty to contribute towards the maintenance of certain State-aid highways; and discharging certain existing obligations therefor.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. SCOTT. Mr. President. I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend Section 1, page 6, line 4, by inserting after the word "representatives" the following: "Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,

Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 898 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 898, entitled:

An Act authorizing municipalities and townships to provide work for unemployed persons by renewing, repairing and replacing sidewalks.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. BAUMER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 1, line 4, by inserting after the word "municipality" the words "except cities of the first class".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 1024 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1024, entitled:

An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the Eighteenth Amendment to the said Constitution and for the prohibition of the transportation, importation, delivery or use of intoxicating liquors in violation of the laws of states, territories or possessions of the United States and to provide for the election of delegates to such convention.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. McCLURE. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 5, page 4, line 5 by striking out the entire line; also by inserting after the word "petitions" the following: "shall be prepared and furnished by the Secretary of the"; also page 6, line 2, by striking out before the word "ratification" the word "Favors"; also by striking out before the word "ratification" the word "Opposes"; also line 6, by striking out ofter the word "for" the figure "(21)" and inserting in lieu thereof the figure "(15)"; also by striking out after the word "for" as used the second time in the line the figure "(21)" and inserting in lieu thereof the figure "(15)"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—0

NAYS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Harris,	Miller,	Sones,
Bell,	Gelder,	Norton,	Sordoni,
Bennett,	Graff,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

Less than a majority of all the Senators having voted "no" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. SCOTT, from the Committee on Appropriations, reported as committed Senate Bill No. 1230 (House Bill No. 10), entitled:

An Act to repeal the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred seventy-eight) entitled "An act creating a 'Greater Pennsylvania Council' for the promotion of the economic social industrial agricultural educational civic and recreational welfare of the Commonwealth of Pennsylvania and its citizens prescribing the organization powers and duties of said council and making an appropriation"

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1370 (House Bill No. 446), entitled:

An Act making an appropriation to the Department of Property and Supplies to be expended by it in payment to the Harisburg Railways Company of the City of Harrisburg of the unpaid balance of the damages occasioned by the erection by the Commonwealth of the Soldiers and Sailors Memorial Bridge.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1371 (House Bill No. 687), entitled:

An act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims of the Commonwealth not paid before the insolvency of the insurance carrier.

Mr. ZIESENHEIM, from the Committee on Education, reported as amended, Senate Bill No. 1375 (House Bill No. 1009), entitled:

An Act fixing the minimum salaries of county and assistant county superintendents for the first year of their terms which will begin on the first Monday of July one thousand nine hundred thirty-four providing for the payment of such minimum salaries by the Commonwealth and temporarily superseding any inconsistent acts and parts of acts

Mr. OWLETT, from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 796, entitled:

An Act defining and regulating the practice of photography providing for the licensing and registration of persons to carry on the practice of photography and the promulgation and enforcement of rules for the conduct thereof by the Department of Public Instruction.

Also from the Committee on Education, re-reported as amended, Senate Bill No. 146, entitled:

An Act to amend section one thousand one hundred and twenty-six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" as amended, vesting discretion in the school directors of certain counties with respect to the appointment of an assistant county superintendent.

Mr. EALY, from the Committee on Judiciary General, reported as committed the following Resolution:

The petition of the undersigned, electors and taxpayers, of the Township of Loyalsock, County of Lycoming, Commonwealth of Pennsylvania, respectfully represents:

1. That one W. W. Scott was duly elected by the voters of Loyalsock Township, County of Lycoming, as a Justice of the Peace at the municipal election held in November, 1931.
2. That the said W. W. Scott was duly commissioned by His Excellency, the Governor, as a Justice of the Peace for the Township of Loyalsock, County of Lycoming, for a term of six years commencing the first Monday of January, 1932.
3. That on or about July 3, 1932, the said W. W. Scott disappeared from his home and community and has since failed to return thereto, nor are his present whereabouts known to the undersigned, your petitioners, nor to the other residents of the community.
4. That your petitioners verily believe that the said W. W. Scott is a fugitive from justice by virtue of certain warrants issued for his arrest, of which the said W. W. Scott had knowledge.
5. That your petitioners verily believe that the said W. W. Scott has no intention of returning to the community or of resuming his duties and authority as a Justice of the Peace.
6. That by reason of the absence of the said W. W. Scott, the citizens of the Township of Loyalsock are deprived of the services of a Justice of the Peace to their great inconvenience.

Wherefore, the undersigned respectfully petition your Honorable body to address the Governor as provided by the Constitution of Pennsylvania for the removal from office of the said W. W. Scott to the end that a vacancy may be declared to exist in the office of Justice of the Peace in Loyalsock now held by the said W. W. Scott, and a successor be appointed as provided by law.

And they will ever pray, etc.,

Raymond W. Wood, R. D. No. 1, Williamsport.
Chas. E. Stryker, 1800 E. 3rd Street.
Grover Stahkeeper, 405 Pierson Avenue, City.
Wilbur L. Seizero, 1201 Shiffler Avenue, Paxon.
Theodore F. Audet, 1332 Sheridan Street, Paxon.
Wm. M. Ault, R. D. No. 2, Montoursville.
Thomas B. Glosser, Williamsport.
John E. Keagle, 323 Russell Avenue, Williamsport.
Wm. H. Lukens, 328 Clayton Avenue, Williamsport.
Gordon B. Wilson, Montoursville.
Hiram Heller, 330 Clayton Avenue, Kenmar.
A. E. Eschenbach, 1732 E. 3rd Street, Williamsport.
A. Edgar Eshenbach, 1732 E. 3rd Street, Williamsport.
Raymond Harris, R. D. No. 2, Montoursville.
Frank D. Carpenter, R. D. No. 2, Montoursville.
G. I. Woodside, R. D. No. 2, Montoursville.
William F. Frick, R. D. No. 2, Montoursville.
Clyde C. Rathmell, R. D. No. 2, Montoursville.
Samuel W. Wise, R. D. No. 2, Montoursville.
Chester Wheeland, R. D. No. 2, Montoursville.
Fenton Hayes R. D. No. 2, Montoursville.
H. B. Foreman, Williamsport.
C. B. Bower, Williamsport.
Howard Eck, 1411 E. 3rd Street, Williamsport.
J. E. Knight, 319 Russell Avenue, Williamsport.
C. L. Reighard, 2056 Reed Street, Williamsport.

State of Pennsylvania }
County of Lycoming } ss.

Personally appeared before me, an Alderman in and for said County and State, Frank D. Carpenter, one of the signers of the foregoing petition, who, being duly sworn, according to law, depose and says that the signers to the above petition are bona fide residents and voters in the Township of Loyalsock, County of Lycoming, and that the facts set forth in said petition are true and correct to the best of his knowledge and belief.

FRANK D. CARPENTER.

(SEAL)
Harry C. Sweely, Alderman.

RESOLUTION RELATIVE TO DECLARING VACANT THE OFFICE OF JUSTICE-OF-THE-PEACE OF LOYALSOCK TOWNSHIP, COUNTY OF LYCOMING

Mr. EALY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY. Mr. President, I am directed by the Committee on Judiciary General to offer a resolution which, perhaps, requires a word of explanation. Some weeks ago the Senator from Lycoming, Mr. Sones, presented to the Senate a petition of sundry citizens of Loyalsock Township, in that county, setting forth that one W. W. Scott had disappeared from his home, that the petitioners believed he was a fugitive from justice, and petitioning the Senate to address the Governor asking him to declare a vacancy in this office of justice of the peace and appoint a new justice. This petition was referred to the Committee on Judiciary General, which adopted the resolution which I now submit; and this resolution, under the Constitution of Pennsylvania, appears to require a two-thirds vote of the Senate.

Mr. EALY, on behalf of the Committee on Judiciary General, offered the following resolution, which was twice read:

Whereas, one W. W. Scott was duly elected by the voters of Loyalsock Township, County of Lycoming, as a justice of the peace at the municipal election held in November, 1931, and was commissioned as a justice of the peace for said township for a term of six years commencing the first Monday in January, 1932; and

Whereas, it appears that on or about July 3, 1932, the said W. W. Scott disappeared from his home and community, and has since failed to return thereto, and his present whereabouts is unknown, as appears from affidavits filed with the Senate and referred to the Committee on Judiciary General; and

Whereas, said affidavits allege that the petitioners believe that said W. W. Scott to be a fugitive from justice because certain warrants for his arrest had been issued; and

Whereas, the citizens of Loyalsock Township are thus deprived of the service of a justice of the peace, to which they are legally entitled; and

Whereas, Section 4, Article 7, of the Constitution provides that all officers elected by the people, except Governor, Lieutenant Governor, members of the General Assmbly and

judges of the courts or record learned in the law, shall be removed by the Governor for reasonable cause after due notice and full hearing on the address of two-thirds of the Senate; therefore be it

Resolved, that the Senate of the Commonwealth of Pennsylvania, in accordance with Section 4, Article 7 of the Constitution, and for the reasons cited in the preamble hereof, do hereby address the Governor to remove from the office of justice of the peace for the Township of Loyalsock, County of Lycoming, the said W. W. Scott, who was elected to said office at the municipal election in the year 1931 and duly qualified for said office.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

The PRESIDENT. The resolution will be certified to the Governor, together with a copy of the original petition.

REPORTS FROM COMMITTEES

Mr. MANSFIELD, from the Committee on Judiciary Gengeneral, reported as amended, Senate Bill No. 1285 (House Bill No. 2010), entitled:

An Act establishing courts of record in second class counties for control, care and treatment of delinquent, neglected and dependent children under eighteen years of age; defining their jurisdiction, powrs and duties, and regulating procedure therein; providing for the transfer of certain powers, functions and duties from other courts; providing for the election of judges thereof; the appointment of referees, probation officers, other necessary staff officials and assistants; providing for the housing of same; and providing for detention facilities.

Mr. PETHICK, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1235 (House Bill No. 1033), entitled:

An Act to amend section seven hundred twoney-two of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehilces tractors street cars trackless trolley omnibuses bicycles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peacee officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended exempting certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them.

Mr. GELDER, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1317 (House Bill No. 1949), entitled:

An Act providing for the designation as State highways of certain existing township roads in townships of the second class by the Secretary and Chief Engineer of the Department of Highways; providing for their construction and maintenance at the expense of the Commonwealth under certain terms and conditions and subject to certain limitations and making an appropriation from the Motor License Fund for the purpose of this act.

Also from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1318 (House Bill No. 1833), entitled:

An Act providing for the taking over of certain roads in townships of the first class as State highways and providing for their construction, improvement and maintenance by the Commonwealth, including certain bridges thereon and drainage facilities connected therewith, and conferring powers upon township and county commissioners.

Also from Committee on Education, reported as committed, Senate Bill No. 817 (House Bill No. 1185), entitled:

An Act creating borough and township poor districts in the County of Wyoming, to be administered by overseers of the poor; and abolishing the county poor district.

Mr. OWLETT, from the Committee on Finance, reported as committed, Senate Bill No. 775, entitled:

An Act to amend article eleven of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 762), entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Comrelating thereto," as amended, by extending the time of ing the directors to make temporary loans payable out temporary loans to meet unusual expenditures; and authorizand revising, amending, consolidating, and changing the law monwealth, except in counties of the first and second class; current revenue, when the district is out of funds.

Mr. SCOTT, from the Committee on Appropriation, reported as committed, Senate Bill No. 875, entitled:

An Act to require county commissioners, poor boards, public officers, voluntary relief organizations, trustees, and others having jurisdiction of funds available for poor or unemployment relief, or to tax or borrow for such purposes, to furnish information and exhibit their records to the State Emergency Relief Board; and providing penalties.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons:

MEMBERS OF THE GENERAL GALUSHA PENNYPACKER MONUMENT COMMISSION

B. G. Harrington, of Franklin, Venango County, from January 2, 1933, until the third Tuesday of January, 1935, or until his successsor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

John O'Donnell of Oil City, Venango County, from December 30, 1932, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA ORAL SCHOOL FOR THE DEAF

(Mrs.) Charlotte Uptegrove, Scranton, from August 20, 1932, for the term of four years, and until her successor is qualified.

Charles H. Welles, Jr., Scranton, from August 20, 1932, for the term of four years, and until his successor is qualified.

(Mrs.) Cathryn W. Gearhart, Scranton, from August 20, 1932, for the term of four years, and until her successor is qualified.

J. C. Platt, Scranton, from August 20, 1932, for the term of four years, and until his successor is qualified.

(Mrs.) Louise H| Dimmick, Scranton, from August 20, 1932, for the term of four years, and until her successor is qualified.

Paul A. Kelly, Scranton, from August 20, 1932, for the term of four years, and until his successor is qualified.

Louis A. Watres, Scranton, from August 20, 1932, for the term of four years, and until his successor is qualified.

J. Rossa McCormick, Scranton, from December 14, 1932, for the term of four years, aud until his successor is qualified.

GIFFORD PINCHOT.

MEMBERS OF THE BOARD OF TRUSTEES OF THE MOTHERS ASSISTANCE FUND

MONROE COUNTY

(Mrs.) Julia C. Henry, East Stroudsburg, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Lou W. Rhoads, Tobyhanna, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Lena F. Swaine, Mountainhouse, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Elmira Shafer, Gilbert, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Gertrude Hill Stearns, Delaware Water Gap, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

CARBON COUNTY

(Miss) Ella M. Peters, Lehighton, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Miss) Elizabeth A. Lewis, Nesquehoning, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Ida Carling, Weatherly, from August 20, 1932, until June 1, 1937, and until here successor is duly appointed and qualified.

(Mrs.) Millie B. Garrett, Summit Hill, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Fannie H. Coxe, Lansford, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

GIFFORD PINCHOT.

TRUSTEE POLK STATE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senaee the following:

MEMBER OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

B. G. Harrington, o f Franklin, Venango County, vice John W. Chalfant, deceased, for the term of four years, and until his successor is qualified.

GIFFORD PINCHOT.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Francis M. Ciurczak, of Oil City, Venango County, as Alderman of the Eigth Ward of the City of Oil City, Venango County, until the first Monday of January, 1934.

GIFFORD PINCHOT.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

John C. Nagy, Jr., of Lake Ariel, Lackawanna County, as Justice of the Peace in Jefferson Township, Lackawanna County, vice John P. More, resigned, until the first Monday in January, 1934.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. KRAUSE.

That Rule 38, which requires reports of committees on nominations by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. KRAUSE.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. HOMSHER. Mr. President, I move that the Executive Session do now rise.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED

Mr. SORDONI read in his place and presented to the Chair, Senate Bill No. 1422, entitled:

An Act authorizing directors of building and loan associations to pro rate, or with the approval of the Department of

Banking, to fix the maximum amount of withdrawals and maturities; and applying retroactively.

Which was committed to the Committee on Banks and Building and Loan Associations.

Also read in his place and presented to the Chair, Senate Bill No. 1423, entitled:

An Act limiting the period within which non-assenting or dissenting shareholders of building and loan associations, which have merged and consolidated or which shall merge and consolidate prior to the third day of July, one thousand nine hundred thirty-three, may enforce their rights.

Which was committed to the Committee on Banks and Building and Loan Associations.

RESOLUTION RECALLING FROM THE HOUSE OF REPRESENTATIVES HOUSE BILL No. 583

Mr. SCOTT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 20, 1933.

Resolved (if the House of Representatives concur), That House Bill No. 583, entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg, Pennsylvania

be recalled from the House of Representatives for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE HOUSE OF REPRESENTATIVES HOUSE BILL No. 1647

Mr. SCOTT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 20, 1933.

Resolved (if the House of Representatives concur), That House Bill No. 1647, Printer's No. 380, entitled:

An Act to amend Sections 8 and 15 of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 465), entitled "Fire Safety Building Regulation Law," as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases.

be recalled from the House of Representatives for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE HOUSE OF REPRESENTATIVES HOUSE BILL No. 266

Mr. SCOTT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 20, 1933.

Resolved (if the House of Representatives concur), That House Bill No. 266, entitled:

An Act making and appropriation to the Hospital of the Woman's Medical College of Pennsylvania located at Henry Avenue and Abbotsford Road East Falls Philadelphia Pennsylvania.

be recalled from the House of Representatives for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS SIGNED

THE PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 1099, entitled:

An Act authorizing counties cities boroughs and townships of the first and second classes and school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities in relation to said funds; and fixing a penalty for the violation thereof.

House Bill No. 218, entitled:

An Act to amend section twelve of the act, approved the twenty-first day of May, one thousand nine hundred and thirty- one (P. L. 149), entitled "Liquid Fuels Tax Law" by peventing suspension of permits without hearings, and providing for appeals in case of suspension or revocation of permits.

House Bill No. 490, entitled:

An Act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled "An act authorizing the abatement of penalties on local taxes" providing further for the abatement of tax penalties.

House Bill No. 660, entitled:

An Act to amend clause (b), section four hundred and fifteen, article four of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," as amended further defining group life insurance.

House Bill No. 948, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt.

House Bill No. 1107, entitled:

An Act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created

House Bill No. 1187, entitled:

An Act empowering a court in which a suit for the recovery of damages for personal injuries to a minor is pending to make an order authorizing a compromise or settlement to be made for such minor and empowering a court in which a judgment is obtained for such minor, or by which a compromise or settlement is approved, to fix counsel fees and other expenses incident to said suit; and to award the balance to a duly appointed guardian of such minor; and limiting the liability of said guardian to the sum of money thus coming into his hands.

House Bill No. 1615, entitled:

An Act denying a right of action to the Commonwealth to collect certain claims from boroughs for the maintenance of State highways.

House Bill No. 1659, entitled:

An Act to further amend section seventeen of the act approved the fourteenth day of June, one thousand nine hundred

and twenty-three (P. L. 710), entitled "Boxing and Wrestling Law," by increasing certain license fees.

House Bill No. 1676, entitled:

An Act to further amend paragraph (b) of section nine of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (P. L. 809), entitled "Banking Act of 1923," by requiring building and loan associations to pay the full cost of examinations by the Department of Banking.

Whereupon,

The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE APPOINTS COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1374

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists upon its non-concurrence in amendments made by the Senate to House Bill No. 1374, entitled:

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools; granting power to the State Council of Education to permit, as to certain school districts, temporary reductions in the salary schedules; authorizing the State Council of Education to suspend mandatory provisions of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," and of the amendments and supplements; prohibiting school districts from demanding, requesting or accepting gifts or donations from members of the teaching and supervisory staffs, and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof; and temporarily superseding any inconsistent acts and parts of acts

and has appointed Messrs. Wilson, Hutton and Zimmerman as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF COMMITTEE OF CONFERENCE

Mr. WILLIAMSON. Mr. President, I move that the Senate insist upon its amendments and that a Committee of Conference be appointed to confer with a similar committee of the House (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair appoints as said Committee on the part of the Senate Messrs. Williamson, Staudenmeier and Ely.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL RECOMMITTED

Mr. TRAINER. Mr. President, I move that Senate Bill No. 630, on third reading, entitled:

An Act declaring milk to be a commodity charged with a public interest, creating a Milk Commission with powers to regulate the price, terms and conditions upon which milk may be sold, and providing penalties for violations thereof.

be recommitted to the Committee on Agriculture.

Mr. MANSFIELD. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent that Senate Bill No. 945 (House Bill No. 1788), on final passage, entitled:

An Act to further amend Sections three and four of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" by making the moneys in the Motor License Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments and for the maintenance of the State Highway Patrol

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 104, entitled:

An Act requiring the Department of Revenue to prepare and distribute lists of stocks and securities exempt from the city and county tax on intangible personal property.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 151, entitled:

An Act to enlarge the jurisdiction of Justices of the Peace and Aldermen.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Batchelor,	Ealy,	Lanius,	Scott,
Baumer,	Fay,	McClure,	Snyder,
Bell,	Gelder,	Miller,	Sones,

Bennett,	Graff,	Norton,	Sordoni,
Boyd,	Harris,	Owlett,	Staudenmeier,
Brandt,	Harvey,	Parkinson,	Thompson,
Chapman,	Homsher,	Pethick,	Trainer,
Clark,	Howell,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,

NAYS—1

Mansfield,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. EALY. Mr. President, I ask unanimous consent that Senate Bill No. 308, on third reading, entitled:

An Act to amend section one of the act approved the twenty-second day of July, one thousand nine hundred and nineteen (P. L. 1089), entitled "An act regulating the advertising of the sales of real estate by the sheriffs in the several counties of this Commonwealth; and repealing all acts and parts of acts general and inconsistent therewith," by stipulating the location of newspapers in which publication shall be made.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 367, as follows:

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (Pamphlet Laws two hundred thirteen) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" and making an appropriation for carrying the same into effect

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to carry into effect the act of Congress approved July second one thousand eight hundred and sixty-two granting public land to the several states for educational purposes and subsequent act of Congress related thereto and the act of the Legislature of Pennsylvania approved April first one thousand eight hundred and sixty-three and subsequent acts of the Legislature of Pennsylvania accepting the provisions and conditions of said acts of Congress and pledging the faith of the State to carry the same into effect the sum of three million seven hundred and eight thousand dollars ($3,708,000) is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred and thirty-three to the Trustees of The Pennsylvania State College for the general maintenance of instruction research and extension in the School of Agriculture the School of Engineering the School of the Liberal Arts the School of Mineral Industries the School of Chemistry and Physics the School of Education the Graduate School the School of Physical Education for the general maintenance of other departments offices and services including repairs and improvements to the grounds and buildings service of light heat power water and sewage disposal salaries and wages materials supplies equipment books and periodicals insurance and interest and such other expenditures as the trustees may deem necessary and practicable including any payments becoming due under a cooperative agreement between the Commonwealth and the trustees for the joint use of the facilities of the Pennsylvania State Forest School at Mont Alto

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 420, entitled:

An Act concerning elections, including general, municipal, special and primary elections; and amending revising, consolidating and changing the laws relating thereto.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. SORDONI. Mr. President, I ask unanimous consent that Senate Bill No. 446, on third reading, enttiled:

An Act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of banking corporations, with or without fiduciary powers, including the conversation of national banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries,

recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 575, entitled:

An Act to amend section eight of the act approved the twelfth day of June, one thousand nine hundred and thirteen (P. L. 481), entitled "An act relating to inns and hotels; regulating certain rights and liabilities of hotelkeepers and innkeepers; and providing penalties for fraud against innkeepers and hotelkeepers"; increasing the penalty.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. BOYD. Mr. President, I move that Senate Bill No. 583 (House Bill No. 750), on third reading, entitled:

An Act to amend section one thousand nine hundred and two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" permitting cities temporarily to construct and reconstruct highways and sewers without contract.

be recommitted to the Committee on Municipal Affairs.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 785, entitled:

An Act to amend section fifty and section two hundred and twenty, as amended, of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by permitting and regulating the use of eel chutes.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Batchelor,	Ealy,	McClure,	Sones,
Baumer,	Fay,	Miller,	Sordoni,
Bell,	Gelder,	Owlett,	Staudenmeier,
Bennett,	Graff,	Parkinson,	Thompson,
Boyd,	Harris,	Pethick,	Trainer,
Brandt,	Harvey,	Reed,	Williamson,
Chapman,	Homsher,	Rice,	Woodward,
Clark,	Krause,	Snyder,	Ziesenheim,
Coyne,			

NAYS—5

Howell,	Mansfield,	Norton,	Scott,
Lanius,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 864 (House Bill No. 864), entitled:

An Act to repeal article twenty-one of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Batchelor,	Ealy,	Lanius,	Snyder,
Baumer,	Fay,	McClure,	Sones,
Bell,	Gelder,	Miller,	Sordoni,
Bennett,	Graff,	Norton,	Staudenmeier,
Boyd,	Harris,	Owlett,	Thompson,
Brandt,	Harvey,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Homsher,	Rice,	Woodward,
Coyne,	Krause,	Scott,	Ziesenheim,

NAYS—2

Mansfield,	Parkinson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 899 (House Bill No. 146), on third reading, entitled:

An Act to amend sections four hundred nine and six hundred three of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended by providing for change in regulating the registration of foreign motor vehicles and licensing of foreign operators.

be recommitted to the Committee on Public Roads and Highways.

Mr. WOODWARD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SORDONI. Mr. President, I would like to interrogate the Senator from Center, Mr. Scott.

The PRESIDENT. Will the Senator from Center, Mr. Scott, permit himself to be interrogated?

Mr. SCOTT. Yes, indeed, I will.

Mr. SORDONI. Mr. President, will the Senator from Center, Mr. Scott, please tell us why he wants this bill recommitted, when it has been threshed out in committee and is now on the calendar?

Mr. SCOTT. Mr. President, for the purpose of a hearing.

On the question,

Will the Senate agree to the motion?

It was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 910 (House Bill No. 1415), entitled:

An Act imposing penalties for improper use of food orders issued by or under the authority of the State Emergency Relief Board, or any poor board or other relief agency and improper furnishing of money, food and other merchandise thereon.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Clark,	Howell,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Scott,	Ziesenheim,
Chapman,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senate Bill No. 999 (House Bill No. 903), on third reading, entitled:

An Act to amend section four hundred and twenty-three of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by requiring application for payment of allowance for burial of widows of certain soldiers sailors or marines to be made within one year

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. MANSFELD. Mr. President, I ask unanimous consent that Senate Bill No. 1000 (House Bill No. 999), on third reading, entitled:

An Act to amend section five of the act approved the twenty-ninth day of June, one thousand nine hundred and twenty-three (P. L. 944), entitled "An act relating to salaries, compensation, bonds, offices and supplies of certain county officers, their deputies and clerks, in counties of the sixth class;" providing that county officers shall be members of the salary board when matters affecting their offices are under consideration.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senate Bill No. 1009 (House Bill No. 1124), on third reading, entitled:

An Act to amend section two hundred and ninety-five of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third four fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by limiting the conmpensation of the clerk to the jury commissioners in counties of the sixth class

go over in its order.

The PRESIDENT. Is there objection? The chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1010 (House Bill No. 1125), entitled:

Au Act fixing the compensation and mileage of Jury commissioners in counties of the sixth class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Scnes,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 360

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives, recalling from the Governor Senate Bill No. 360, Printers' No. 65, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL No. 360

Mr. OWLETT. Mr. President, I move to reconsider the vote by which Senate Bill No. 360, entitled:

An Act to validate sheriff's deeds acknowledged previous to the return day of the writ by virtue of which the real estate was sold or acknowledged defectively.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. OWLETT. Mr. President, I voted "aye".

Mr. KRAUSE. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. KRAUSE. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. OWLETT. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. OWLETT. Mr. President, I voted "aye."

Mr. KRAUSE. Mr. President, I voted "aye."

The PRESIDENT. How did the Senator vote?

Mr. KRAUSE. Mr. President, I voted "aye."

The motion was agreed to.

And the question, recurring,

Will the Senate agree to the bill on third reading?

Mr. OWLETT. Mr. President, I ask unanimous consent to amend page 1, line 1, of the title by striking out after the word "validate" and before the word "deeds" the word: "[sheriff's]" and inserting in lieu thereof the word "sheriffs' "; also line 10 by inserting at the end of the line after the word "acknowledgment" the following: "Provided that the provisions of this act shall not apply in any instance where the validity of any sheriff's deed has been made the subject of litigation in any court of the Commonwealth prior to the effective date of this act nor to any litigation in any court of this Commonwealth instituted prior to the effective date of this act and still pending and undetermined."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS OVER IN ORDER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senate Bill No. 1012 House Bill No. 1383), on third reading, entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, and revising, amending and consolidating the laws relating thereto"; by providing for depositories of county funds in counties of the third class.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senate Bill No. 1013 (House Bill No. 1511), on third reading, entitled:

An Act to amend section four hundred and twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh nd eighth classes and revising amending and consolidating the laws relating therto" as amended by defining the term "service man or woman"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCLURE. Mr. President, I ask unanimous consent that Senate Bill No. 1030, on third reading, entitled:

An Act to amend sections three and six as amended of and to add section three and one-tenth to the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1046), entitled "An act appropriating the moneys in the Motor License Fund," transferring the appropriation for the State Highway Patrol from the Department of Revenue to the Pennsylvania State Police; and making the same a definite amount for each biennium.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1069 (House Bill No. 1791), as follows:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five million dollars ($5,000,000) is hereby specifically appropriated out of the Motor License Fund to the Department of Public Instruction of the Commonwealth of Pennsylvania for the two fiscal years commencing June first one thousand nine hundred and thirty-three for aiding financially handicapped and distressed local public school districts The Superintendent of Public Instruction shall apportion the sum hereby appropriated to such local public school districts and in such amounts as he shall deem expedient The sum hereby appropriated shall be in addition to any appropriation made to the said Department of Public Instruction by the general appropriation bill passed at this session of the Legislature

Section 2 The General Assembly hereby declares that a moral obligation rests on the General Assembly to return such money to the Motor License Fund in the future whenever the financial condition of the General Fund permits an appropriation from the General Fund for such purposes without incurring an over appropriation liability

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. SCOTT. Mr. President, I ask unanimous consent to amend title, page 1, line 2, of title, by inserting after the word "Instruction" the following: "and providing for the repayment of such moneys from the General Fund"; also section 2, page 2, lines 4 to 9, by striking out all of said lines, both inclusive, and insert in lieu thereof: "Section 2. The amount appropriated from the Motor License Fund by this act to aid financially handicapped school districts shall be repaid to the Motor License Fund from moneys in the General Fund during the fiscal biennium beginning June first, one thousand nine hundred and thirty-three, at such time or times and in such instalments as the Governar, Auditor General and State Treasurer shall determine, and for such purposes any moneys in the General Fund are hereby specifically appropriated."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1096 (House Bill No. 513), as follows:

An Act making an appropriation to the Wayne County Memorial Hospital at Honesdale Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5.000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Wayne County Memorial Hospital at Honesdale Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1175 (House Bill No. 1060), as follows:

An Act making an appropriation to the Maple Avenue Hospital Association of DuBois at DuBois Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Maple Avenue Hospital Association of DuBois at DuBois Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1190 (House Bill No. 1466), as follows:

An Act making an appropriation to the Meadville City Hospital Meadville Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-seven thousand dollars ($27,000) or so much thereof os may be necessary be and the same is hereby specifically appropriated to the Meadville City Hospital Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL POSTPONED

Mr. CLARK. Mr. President, I move that further consideration of Senate Bill No. 1203, on third reading, entitled:

An Act requiring certain persons, associations, copartnerships and corporations to keep full accounts and records with respect to the sales and transactions relating to dairy products and to submit the same to inspection by the Secretary of Agriculture, and prescribing the effect of failure to comply with the orders of the Secretary of Agriculture.

be postponed for the present.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1208 (House Bill No. 128), entitled:

An Act making an appropriation to the Margaret Henry Children's Home, New Castle, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harvey,	Owlett,	Staudenmeier,
Boyd,	Harris,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 1209 (House Bill No. 254), entitled:

An Act making an appropriation to the Abington Memorial Hospital, Montgomery County, Pennsylvania.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,

Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1211 (House Bill No. 484), entitled:

An Act making an appropriation to the St. Francis Hospital of the City of Pittsburgh, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. THOMPSON. Mr. President, I ask unanimous consent that Senate Bill No. 1212 (House Bill No. 500), on third reading, entitled:

An Act to amend the act, approved the twenty-fifth day of February, one thousand eight hundred and seventy-five (P. L. 4), entitled "A supplement to the act, approved March thirty-first, one thousand eight hundred and sixty, entitled 'An act to consolidate, revise and amend the penal laws of this Commonwealth,' further defining the offence of kidnapping, and affixing additional penalties thereto," by increasing the penalty for kidnapping of children under the age of sixteen years with intent to extort money for restoration.

go over in its order

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1214 (House Bill No. 670), entitled:

An Act making an appropriation to the New Future Association located on Sherman Avenue, North Side, Pittsburgh, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Brandt,	Harvey,	Parkinson,	Thompson,
Boyd,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1215 (House Bill No. 752), entitled:

An Act making an appropriation to the Northern Tier Home, Harrison Valley, Potter County, Pennsylvania.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HOUSE INSISTS UPON ITS AMENDMENTS TO SENATE BILL No. 1024

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 1024, entitled:

An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the Eighteenth Amendment to the said Constitution and for the prohibition of liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such convention.

APPOINTMENT OF COMMITTEE OF CONFERENCE

Mr. McCLURE. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments to the foregoing bill and that a committee of conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs Woodward, Harris and McClure be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. CLARK. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CLARK, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 913 (House Bill No. 1758), entitled:

An Act to repeal the act approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 770), entitled "An act creating a Division of Township Highways in the State Highway Department; conferring powers, and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session; and providing penalties."

Also, Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Also, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1257 (House Bill No. 1774), entitled::

An Act establishing portions of certain highways lying partially within the corporate limits of cities, boroughs or incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

Mr. FAY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FAY, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1258 (House Bill No. 1775), entitled:

An Act authorizing agreements between the Department of Highways and local authorities to provide for the construction and maintenance of streets and highways in cities, counties, boroughs, towns and townships, under certain conditions; providing for assessments on abutting property owners; and making an appropriation.

Mr. GRAFF. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GRAFF, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1314 (House Bill No. 1754), entitled:

An Act to amend section four hundred fifteen of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled "For the protection of the public safety regulating the use of highways and the operatio nof vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by providing for the sale of statistics relating to the titling and registration of motor vehicles.

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as amended, Senate Bill No. 519, entitled:

A Supplement to the act, approved the tenth day of July, one thousand nine hundred nineteen (Pamphlet Laws, eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of board of trustees including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties," its amendments and supplements; authorizing, in certain cases, the payment of grants accrued and unpaid at the date of death of a mother.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 1338, entitled:

An Act fixing the fee for the filing of applications for pardon.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 1340, entitled:

An Act fixing the fee for the analysis of water by the Department of Health.

Mr. BENNETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BENNETT, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1313 (House Bill No. 1753), entitled:

An Act requiring Pennsylvania registration plates on certain vehicles when being operated under a contract for a public improvement; and requiring the operators thereof to have a Pennsylvania operator's license.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

A Supplement to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 869), entitled "An act providing for the organization, government,

discipline, maintenance, and regulation of the armed land forces of this Commonwealth, as amended, authorizing any Major General in command of the National Guard, with the approval of the Governor, as Comander-in-Chief thereof, to continue to hold such position until he reaches the age of sixty-nine years.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 421

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives,

Resolved (if the Senate concur), That House Bill No. 421, entitled:

An Act validating, ratifying and confirming certain assessments by boroughs of sewage taxes against property outside the limits of such boroughs, benefited by sewers constructed by such boroughs and all municipal claims filed and entered pursuant to such assessments.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 1024

He also presented communication from the House of Representatives informing the Senate that the House insists upon the amendments non-concurred in by the Senate to Senate Bill No. 1024, entitled:

An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the eighteenth amendment to the said Constitution and for the prohibition of the transportation, importation, delivery or use of intoxicating liquors in violation of the laws of states, territories, or possessions of the United States, and to provide for the election of delegates to such convention.

and has appointed Messrs. Blumberg, Steedle and Turner as a Committee of Conference to confer with a similar committee of the Senate (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1216 (House Bill No. 982), entitled:

An Act making an appropriation to the Home for Aged Couples of the City of Philadelphia, located at seventeen hundred and twenty-three Francis Street, Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1218 (House Bill No. 1063), entitled:

An Act making an appropriation to the Friendship Home, nineteen hundred thirty-nine North Twenty-second Street, Philadelphia.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1220 (House Bill No. 1313), entitled:

An Act making an appropriation to the Colored Children's Bureau located at seven hundred twenty-two North Forty-third Street, Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1223 (House Bill No. 1733), entitled:

An Act making an appropriation to Willow Crest for Convalescents, Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1228 (House Bill No. 2042), entitled:

An Act making an appropriation to the Milton Wright Memorial Home of Franklin County, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1229 (House Bill No. 2106), entitled:

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL RECOMMITTED

Mr. OWLETT. Mr. President, I move that Senate Bill No. 1232 (House Bill No. 450), on third reading, entitled

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors, where there is no evidence of fraud or conspiracy, and to sanction, ratify, confirm, and validate, payments of such contracts by the school district and relieve against surcharge and ouster therefor,

be recommitted to the Committee on Education.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1248 (House Bill No. 1777), entitled:

An Act to amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint stock associations; providing the manner of collecting such tax, and prescribing penalties," by extending the exemptions from the tax imposed by the said act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice.	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield.		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1252 (House Bill No. 2103), entitled:

An Act providing for the reimbursement by the State of counties for costs and the maintenance of prisoners imposed as a result of prosecutions under laws, providing that fines and penalties imposed under such laws or forfeited bail recovered as the result of such prosecutions shall be payable into the State Treasury or any fund thereof; providing for the audit of the accounts of counties by the Auditor General, and for the collection of amounts due from counties, and for appeals by counties to the Board of Finance and Revenue; and imposing powers and duties on the Auditor General, Department of Revenue, and Department of Highways, and certain duties upon counties, and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. EALY. Mr. President, I ask unanimous consent that Senate Bill No. 1254 (House Bill No. 314), on third reading, entitled

An Act to amend section seven hundred five of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine), entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended permitting "cooperation only in the manner known as driving in" the killing or more than one legal deer bear or elk in one season by a member at a camp or body of men hunting together so long as the number of deer killed by such camp does not exceed six.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1266 (House Bill No. 1312), entitled:

An Act providing for the filling of vacancies in certain county officers in counties of the first class, and fixing the terms of such appointees.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1267 (House Bill No. 1499), entitled:

An Act to amend section three of Article five and section three of Article six of the act approved the twenty-fifth day

of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one) entitled "An act for the better government of cities of the first class of this Commonwealth" by transferring the care management administration and supervision of electrical lighting from the Department of Public Safety to the Department of Public Works

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HARVEY. Mr. President, I ask unanimous consent that Senate Bill No. 1268 (House Bill No. 1550), on third reading, entitled:

A Supplement to the act approved the second day of April one thousand eight hundred and sixty (Pamphlet Laws five hundred thirty-eight), entitled "An act to authorize the erection of a Poor House by the township of Wilkes-Barre in Luzerne county" authorizing the central poor district to create indebtedness.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1272 (House Bill No. 425), entitled:

An Act making an appropriation to the Glen Mills Schools for Boys situated in Delaware County Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1273 (House Bill No. 427), entitled:

An Act making an appropriation to The Sleighton Farm School For Girls situate in Delaware County Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1274 (House Bill No. 571), entitled:

An Act to amend section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by decreasing and limiting the compensiation of the members of the board of viewers in counties of the fourth fifth and sixth classes

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. REED. Mr. President, I ask unanimous consent to amend section 1, page 2, line 27, by striking out the word "classes" and underscoring the word "class"; also line 29, by underscoring the words "and in counties of the fourth"; also page 3, line 1, by underscoring the words "class each member shall receive"; also lines 1 and 2, by striking out the

words "seven dollars and fifty cents ($7.50)" and inserting in lieu thereof the following: "ten dollars ($10.00)."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1275 (House Bill No. 911), entitled:

An Act to amend sections four and five of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eighty) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by providing for the extension of the period during which such taxes shall remain liens on real estate and authorizing the filing of such liens in the prothonotary's office

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1278 (House Bill No. 1563), entitled:

An Act to amend section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred eighty-three) entitled "An act relating to proceedings where goods or chatel have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process and relieving the sheriff from liability therefor" by further prescribing procedure upon rules for interpleaders

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1284 (House Bill No. 1948), entitled:

An Act to amend section one of the act approved the eleventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred thirty-eight) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace in counties of this Commonwealth having a population of over eight hundred thousand inhabitants as computed by the last preceding United States census" as amended by extending said act to counties of the second class changing and further fixing the the fee to be charged by said clerks

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1286 (House Bill No. 413), entitled:

An Act to amend section four hundred and twenty-one of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (P. L. 840), entitled "An act concerning

townships revising amending and consolidating the laws relating thereto," as amended; reducing the tax millage, which township supervisors may levy.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1289 (House Bill No. 1022), entitled:

An Act to amend sections one hundred and one and six hundred and one of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359) entitled An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by removing the reccoon from the list of fur-bearing animals.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Batchelor,	Fay,	Mansfield,	Scott,
Baumer,	Gelder,	McClure,	Snyder,
Bell,	Graff,	Miller,	Sones,
Bennett,	Harris,	Norton,	Sordoni,
Boyd,	Harvey,	Owlett,	Staudenmeier,
Brandt,	Homsher,	Parkinson,	Trainer,
Chapman,	Howell,	Pethick,	Williamson,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

Thompson,

NAYS—1

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECONSIDERATION OF SENATE BILL No. 1286

Mr. REED. Mr. President, I move to reconsider the vote by which Senate Bill No. 1286, entitled:

An Act to amend section four hundred and twenty-one of the act approved the fourteenth day of July one thousand nine hundred and seventeen (P. L. 840) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" as amended reducing the tax millage which township supervisors may levy

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. REED. Mr. President, I voted "aye."

Mr. SCOTT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. REED. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. REED. Mr. President, the Senator from Somerset, Mr. Ealy, asked me to make this motion. This act amends the township code of 1917. The new township code, which repeals the act of 1917, is now in the hands of the Governor. I feel, therefore, that this bill should be on the postponed calendar until we know the fate of the new township code.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1292 (House Bill No. 1140), entitled:

An Act to amend paragraph nine of section one as amended, and section thirteen of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred fifty-eight) entitled "An act establishing a state employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties by further extending the time limit for becoming original members of the retirement association and limiting total annuities to five thousand dollars.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,

Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1293 (House Bill No. 1199), entitled: :

An Act to amend section two hundred and eight of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrains, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, alderman, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garages keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" by providing for the continuance of a lien on motor vehicles where ownership is changed by operation of law or judicial sale, and determining the effect of the issuance of a certificate of title showing a lien or encumbrance.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1294 (House Bill No. 1204), entitled:

An Act to abolish the action of account render, and to repeal certain acts and parts of acts relating thereto.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1295 (House Bill No. 1206), entitled:

An Act to abolish the action of dower, and to repeal certain acts and parts of acts relating thereto.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1296 (House Bill No. 1207), entitled:

An Act to abolish the action of detinue.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,

Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1299 (House Bill No. 1441), entitled:

An Act to amend section one of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 434), entitled "An act to empower courts of competent jurisdiction to issue writs of execution against property of defendant, and attachment execution or in the nature of attachment execution against trusts, including those commonly known as spendthrift trusts, no matter when such trusts were created, in cases where an order, award or decree has been made against a husband for the support of his wife or children, or both, making an attachment execution against trusts, a continuing lien and levy for fifty per centum of such money on property until the order, judgment or decree is paid in full with costs; and abolishing the benefit of the exemption law in such cases," by making such report orders, decrees and judgments liens against real property of the husband.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1325 (House Bill No. 2156), as follows:

An Act to amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the procedure to create the office of county controller including procedures where decrees have heretofore been entered

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred thirty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 136 Establishment of Office of Controller by Decree of Court in Counties of the Sixth Seventh and Eighth Classes The Office of controller may be established in any county of the sixth seventh or eighth class by petition to the court of common pleas of such county of twenty-five per centum of the number of electors who voted at the general or municipal election as the case may be next preceding the date of such petition The petition shall include the signatures of a majority of the board of county commissioners the clerk of the courts coroner county treasurer prothonotary recorder of deeds and register of wills of the county Upon presentation of such petition the court after consideration of the petition and hearing if any requested by taxpayers shall if it deems the same to be for the best interests of the county direct that at the next municipal election and quadrennially thereafter the electors of such county shall choose a citizen of the county for the office of controller in place of the county auditors Such person shall serve for a term of four years or until his successor is qualified if he shall so long behave himself well Upon the filing of such decree the prothonotary shall transmit cretified copies thereof to the county commissioners the sheriff and to the Governor Upon receipt thereof the sheriff shall give at least thirty days public notice by proclamation in addition to any other notice required by law Such proclamation shall be printed three times in every newspaper of general circulation in the county and shall contain a notice that a citizen of said county is to be elected at the next ensuing municipal election for the office of country controller Such controller shall be nominated and elected in compliance with the provisoins of the general election laws

Section 2 In any county where a petition has heretofore been presented to court for the creation of the office of county controller and a decree has been entered by the court directing an election to be held but where no appointment of a controller has been made by the Governor and no election held prior to the effective date of this act the court may upon petition of any taxpayer revoke its decree and proceed to a reconsideration of said petition and grant a hearing in accordance with this act and if the court deems the creation of the office to the best interest of the county it shall decree an election as in this act provided otherwise it shall dismiss the petition

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HARVEY. Mr. President, I ask unanimous consent that Senate Bill No. 1328 (House Bill No. 1761), on third reading, entitled:

An Act authorizing the county commissioners of certain counties to levy and collect the taxes necessary to pay the interest and principal of any bonds heretofore issued by any one of said counties to repay the money borrowed to maintain and support their poor.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1331, entitled:

An Act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1334, entitled:

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1335, entitled:

An Act to amend section seven hundred fifty-six, article nine of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing counties in certain cases to pay the cost of repairing or rebuilding bridges other than county bridges.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1337, entitled:

A Supplement to the act approved the eleventh day of June, one thousand nine hundred and thirty-one (Appropriation Acts page sixteen), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one," providing for deficiencies in certain appropriations for the fiscal biennium ending May thirty-first, one thousand nine hundred and thirty-three.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1351, entitled:

An Act making an appropriation for unemployment relief contingently upon the approval by the voters of a constitutional amendment authorizing the borrowing of twenty-five million dollars to defray the expenses of State Government for the biennium beginning June first one thousand nine hundred thirty-three.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1352, entitled:

An Act to amend sections one, two and three of the act approved the nineteenth day of August, one thousand nine hundred thirty-two (Pamphlet Laws, eighty-eight), entitled "An act creating the State Emergency Relief Board, consisting of the Governor, the Lieutenant Governor, the Auditor General, State Treasurer, and the Speaker of the House of Representatives; prescribing its powers and duties; empowering the Governor to disburse moneys received from the Federal Government for the relief of the unemployed in accordance with plans adopted by the board; and making an appropriation."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1355, entitled:

A Supplement to an act approved the fourteenth day of June, A. D., one thousand eight hundred and thirty-six (Pamphlet Laws, six hundred and thirty-seven) entitled "An act relating to Bonds, with Penalties and Official Bonds."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 5, as follows:

An Act making on appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to commemorate the heroic achievements of the citizens of Pennsylvania who served on the battlefields of Europe and to perpetuate the memories of those who fell in the World War there is hereby appropriated the sum of not over twenty-five thousand dollars ($25,000) or so much

thereof as may be necessary for the compilation and the printing in book form of the history of the Eightieth Division

A commission is hereby constituted which shall be composed of five (5) citizens who were former Pennsylvania soldiers and who served with the Eightieth Division during the war with Germany The members of the commission shall be oppointed by the Governor They shall serve without compensation but shall receive their actual and necessary expenses incurred in the performance of the duties imposed upon them by this act The commission shall organize at the call of the Governor Vacancies occurring in the membership of the commission shall be filled by oppointment by the Governor Any member so appointed shall have the same qualifications as is required of the original appointees

Section 2 It shall be the duty of the commission after its organization to forthwith make arrangements for the preparation of the history the furnishing of photographs with accompanying maps and shall then make a complete report of its proceedings to the General Assembly as soon as possible In the said report the commission shall state the amount of money required to print and furnish each citizen who served as a member of the Eightieth Division with a copy of the history in book form

Payments from the said appropriation shall be made by requisition of the secretary of the commission under such regulation as the Auditor General shall prescribe

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 484, as follows:

An Act requiring licenses for the operation maintenance opening or establishment of stores in this Commonwealth prescribing the license and filing fees to be paid therefor and the disposition thereof and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of July one thousand nine hundred and thirty-three it shall be unlawful for any person corporation association or copartnership either foreign or domestic to operate maintain open or establish any store in this Commonwealth without first having obtained a license so to do from the Department of Revenue as hereinafter provided

Section 2 Any person corporation association or copartnership desiring to operate maintain open or establish a store in this Commonwealth shall apply to the Department of Revenue for a license so to do The application for a license shall be made on a form which shall be prescribed and furnished by the Department of Revenue and shall set forth the name of the owner manager trustee lessee receiver or other person dsiring such license the name of such store the location including the street number of such store and such other facts as the Department of Revenue may require If the applicant desires to operate maintain open or establish more than one such store he shall make a separate application for a license to operate maintain open or establish each such store but the respective stores for which the applicant desires to secure licenses may all be listed on one application blank Each such application shall be accompanied by a filing fee of fifty cents and by the license fee as prescribed in section five of this act

Section 3 As soon as practicable after the receipt of any such application the Department of Revenue shall carefully examine such application to ascertain whether it is in proper form and contains the necessary and requisite information If upon examination the Department of Revenue shall find that any such application is not in proper form and does not contain the necessary and requisite information it shall return such application for correction If an application is found to be satisfactory and if the filing and license fees as herein prescribed shall have been paid the Department of Revenue shall issue to the applicant a license for each store for which an application for a license shall have been made Each licensee shall display the license so issued in a conspicuous place in the store for which such license is issued

Section 4 All licenses shall be so issued as to expire on the thirty-first day of December of each calendar year On or before the first day of January of each year every person corporation association or copartnership having a license shall apply to the Department of Revenue for a renewal license for the calendar year next ensuing All applications for renewal licenses shall be made on forms which shall be prescribed and furnished by the Department of Revenue No license shall lapse prior to the thirty-first day of January of the year next following the year for which such license was issued and if by such thirty-first day of January an application for a renewal license has not been made the Department of Revenue shall notify such delinquent license holder thereof by registered mail and if application is not made for and a renewal license issued on or before the last day of February next ensuing the former license shall lapse and become null and void Each such application for a renewal license shall be accompanied by a filing fee of fifty cents and by the license fee so prescribed in section five of this act

Section 5 Every person corporation association or copartnership opening establishing operating or maintaining one or more stores or mercantile establishments within this Commonwealth under the same general management supervision or ownership shall pay the license fees hereinafter prescribed for the privilege of opening establishing operating or maintaining such stores or mercantile establishments The license fee herein prescribed shall be paid annually and shall be in addition to the filing fee prescribed in sections two and four of this act

The license fees herein prescribed shall be as follows

(1) Upon one store the annual license fee shall be one dollar for each such store

(2) Upon two stores or more but not to exceed five stores the annual license shall be fifteen dollars for each such store

(3) Upon each store in excess of five but not to exceed ten the annual license shall be twenty-five dollars for each such additional store

(4) Upon each store in excess of ten but not to exceed fifteen the annual license shall be thirty dollars for each additional store

(5) Upon each store in excess of fifteen but not to exceed twenty the annual license shall be forty dollars for each such additional store

(6) Upon each store in excess of twenty but not to exceed twenty-five the annual license shall be fifty dollars for each such additional store

(7) Upon each store in excess of twenty-five but not to exceed thirty the annual license shall be sixty dollars for each such additional store

(8) Upon each store in excess of thirty but not to exceed thirty-five the annual license shall be seventy dollars for each such additional store

(9) Upon each store in excess of thirty-five but not to exceed forty the annual license shall be eighty dollars for each such additional store

(10) Upon each store in excess of forty but not to exceed forty-five the annual license shall be ninety dollars for each such additional store

(11) Upon each store in excess of forty-five but not to exceed fifty the annual license shall be one hundred dollars for each additional store

(12) Upon each store in excess of fifty the annual license shall be two hundred dollars for each such additional store

Such fees shall be in addition to the mercantile license tax paid by such persons corporation copartnership or association under the provisions of existing law

Section 6 Each license issued prior to the first day of July of any year shall be charged for at the full rate and each license issued on or after the first day of July of any year shall be charged for at one-half of the full rate as prescribed in section five of this act

Section 7 The provisions of this act shall be construed to apply to every person corporation copartnership or association either domestic or foreign which is controlled or held with others by majority stock ownership or ultimately controlled or directed by one management or association of ultimate management

Section 8 The term "store" as used in this act shall be construed to mean and include any store or stores or any mercantile establishment or establishments which are owned operated maintained or controlled by the same person corpo-

ration copartnership or association either domestic or foreign in which goods wares or merchandise of any kind are sold either at retail or wholesale

Section 9 If any person corporation copartnership or association shall violate the provisions of this act by operating or opening for operation any store or stores as herein defined within this Commonwealth without first having paid the license fees and secured the licenses as herein provided for such store or stores an injunction shall issue from the court of common pleas in the county where such violation occurs in a suit to be prosecuted by the Attorney General in the name of the Commonwealth as plaintiff and against the person corporation copartnership or association charged with such violation as defendant restraining the operation or opening for operation of any such store or stores until such license fees shall be paid and the license issued as herein provided In any such suit the Commonwealth shall not be required to give a bond and the court having jurisdiction thereof may issue a temporary injunction upon reasonable notice to the defendant at a hearing to be fixed by the court upon the filing of the petition in the case On final hearing if the court shall find that the defendant has violated the provisions of this act in the respects referred to in this section the final decree shall direct the closing of such store or stores until the license fees provided for herein shall have been paid and the license or licenses issued as in this act provided

Section 10 The proceeds received from such license fees shall be paid into the State Treasury by the Department of Revenue All moneys so paid into the State Treasury are hereby specifically appropriated to the Department of Public Instruction and shall by it be paid over to the school districts of this Commonwealth for the support and maintenance of the public schools of such districts in the same proportions as other moneys appropriated for such purposes during the current biennium are paid

Section 11 Except as hereinbefore otherwise specifically provided the provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 631, as follows:

An Act to regulate the mixture of manufactured gas with natural gas permitting the mixture to be distributed by natural gas companies providing for the number of British Thermal Units in said mixture and requiring the consent of the municipality wherein said gas is to be distributed together with notice to the consumers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That corporations engaged in supplying natural gas under the provisions of any laws of this Commonwealth shall also have power to purchase deal in transport and supply manufactured fuel gas to the people through their transportation and distribution lines to and into any district in which they are authorized to do business and to mix in proper proportions the said natural and manufactured gas

Section 2 That said mixture of manufactured gas with natural gas shall be scrubbed thoroughly before its distribution to the consumer and that said mixed gas shall have a constant heating power of 1,000 British Thermal Units to each cubic foot of the mixed gas

Section 3 That the state authorities or the authorities from the proper county or any municipality wherein the said gas is distributed shall have the right at any time to make tests of the said mixed fuel and if the mixture is found below 1,000 British Thermal Units to each cubic foot of gas then a reduction shall be made in the bills rendered to the consumer of the said gas for thirty days previously equaling in ratio the reduced number of British Thermal Units found in said gas by said tests

Section 4 That no company shall have the right to commence the distribution of any mixture of manufactured gas with natural gas without first having obtained the consent of the city or borough council in the municipality where it expects to distribute said gas

Section 5 Whenever proper or satisfactory arrangements have been made for the distribution of gas mixed as provided in this act the consumer of said gas so mixed shall be notified by the said gas company of their intention to commence the delivery of mixed gas and that wherever any appliance formerly used for the burning of natural gas must be readjusted to properly burn the mixed gas then the company shall proceed to make the necessary changes in said appliances of said customers at the cost and expense of said company

Section 6 That an Act entitled "A supplement to an Act entitled 'An act to provide for the incorporation and regulation of natural gas companies' approved the twenty-ninth day of May one thousand eight hundred and eighty-five providing that corporotions engaged in the business of supplying natural gas may manufacture or purchase and transport and supply manufactured fuel gas approved the twenty-sixth day of April Anno Domini one thousand nine hundred seventeen" and all other acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceed to the second reading and consideration of Senate Bill No. 644, as follows:

An Act making an appropriation to the Department of Forests and Waters for the maintenance and improvement of Fort Washington Park

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Two Thousand Dollars ($2,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the two fiscal years beginning June one One Thousand Nine Hundred and Thirty-three (June 1, 1933) for the maintenance and improvement of Fort Washington Park

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 815 (House Bill No. 962), as follows:

An Act relating to judicial sales of real estate the credits to be given upon obligations on account of certain sales giving the right of subrogation to mortgagors in the event of certain sales and providing the procedure in such cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where real estate shall be levied upon under any writ of execution and the execution creditor shall directly or indirectly in whole or in part become the purchaser thereof at a price which at the time of sale clearly does not equal the fair value of such real estate the execution debtor shall be entitled to such credit on account of his obligation as the court shall find to be fair and just

Section 2 In all cases where real estate not described in any mortgage given to secure the payment of the obligation for the payment of which executon is issued is levied upon and advertised for sale upon any writ of execution and it shall appear to the Court that the fair value of the real estate levied upon is in excess of the obligation with interest and costs the Court shall have the power to control the sale thereof so that the execution debtor shall receive such credit upon his obligation where the execution creditor shall be the purchaser

directly or indirectly in whole or in part as the Court shall determine to be fair and just and only so much of such real estate shall be sold as shall be necessary to fully secure the payment of the obligation with interest and costs

Section 3 In all cases where a mortgagor shall have parted with title to real estate subject to the mortgage and thereafter execution shall issue for the collection of the obligation secured by such mortgage and property of the mortgagor other than that described in the mortgage shall be levied upon and sold the obligation of the mortgage as against the mortgaged property shall not be reduced or affected and the mortgagor shall be subrogated to the rights of the mortgagee in such mortgage to the extent of the price for which the property of the mortgagor was sold or the credit to which the court shall have determined he is entitled as hereinbefore provided Provided however that the rights of the mortgagee remaining in such mortgage shall be superior and prior to any right in the mortgagor

Section 7 Proceedings for the determination by the court of the value of any property or the amount of the credit which shall be fair and just as provided by this act shall be as follows

(a) The court shall upon the application of any party appoint three viewers one to be nominated by the plaintiff or plaintiffs one by the defendant or defendants and the third by the court If either party shall fail to make such nomination within five days after notice in writing about the opposite party so to do the court shall appoint without the nomination of such party

(b) The viewers so appointed shall be sworn to perform their duties faithfully and impartially shall after ten days notice to the parties view the property in question receive such competent evidence as shall be offered by the parties and shall make report of their findings as to the amount of the credit which shall be fair and just with their reasons therefor to the court thirty days after their appointment unless such time shall be extended by the court upon cause shown

(c) The findings of the viewers or a majority of them as filed with the court shall be final unless exceptions thereto shall be filed within fifteen days after filing of the report

(d) Upon exceptions the matter shall be heard de novo before a court and jury unless a jury trial be waived by the parties At such hearing the viewers' report shall be admissible in evidence and shall be prima facie evidence of the facts found therein

(e) The right of appeal from the finding and judgment of the court shall be as in other cases of like nature

Section 8 The parties may waive the appointment of viewers as provided in section seven of this act Upon such waiver the matter shall proceed as in equity

Section 9 Upon the presentation of a petition for relief as provided by this act the petitioner shall pay into court such sum as the court shall require to pay reasonable compensation and expenses of viewers

Section 10 Upon the filing of a bond in an amount adequate to protect the debtor as determined by the court and with sufficient sureties to be approved by the court the creditor may proceed by way of execution notwithstanding the provisions of this act shall have been invoked by the execution debtor Such bond shall be conditioned that the execution creditor shall promptly pay and reimburse the execution debtor for the value of all property sold under such execution in excess of the amount of the obligation as determined in proceedings authorized by this act

Section 11 This act is hereby declared to be an emergency measure and shall be liberally construed

Section 12 This act shall apply only to sales of real estate made within two years from the date of its final enactment

And provided further that in the event the mortgaged property or part thereof shall after such right of subrogation has arisen be levied upon and sold for the obligation secured by the mortgage and the execution creditor shall become the purchaser thereof directly or indirectly in whole or in part the Court shall have power to enter such judgment or decree or to make such charge against such real estate as shall be right and just and shall protect the right of subrogation herein given

Section 4 Whenever it shall appear to the Court at any time that the provisions of this Act have been evaded the Court shall have power to enter and enforce such judgment order or decree as shall be necessary to secure and protect the rights herein given or to assess proper damages in favor of the person injured by such evasion

Section 5 In any proceeding wherein the execution debtor can or may avail himself of the privileges or rights granted by this Act the execution creditor shall have the right prior to the sale of said real estate reasonable notice having been given to the execution debtor to have the Court determine the credit to which the execution debtor would be entitled should he avail himself of the privileges given by this Act

Section 6 The jurisdiction herein given to the Court shall be exercised after due notice by the Court of Common Pleas out of which the writ of execution upon which the sale was had shall have been issued and shall be exercised upon petition in the same proceeding The Court shall have power to bring necessary additional parties upon the record by citation

Section 13 This Act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 880, as follows:

An Act authorizing repayment to the Federal Unemployment Relief Fund and the State Emergency Relief Board of relief funds paid into the Motor License Fund in certain cases and appropriating moneys in the Motor License Fund for that purpose

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where the Governor has paid or shall hereafter pay Federal Unemployment Relief Funds or where the State Emergency Relief Board has paid or shall pay relief funds into the Motor License Fund to be used for work relief on highways and bridges and thereafter the Governor with respect to such Federal funds or the State Emergency Relief Board as to State funds shall determine that the amount so paid as the allocation of any county will not be needed or that it should be used for some other form of relief the unexpended and unencumbered balance of any such allocation shall from time to time at the request of the Governor or of the State Emergency Relief Board respectively be repaid to the Federal Unemployment Relief Fund or to the State Emergency Relief Board as the case may be Upon such repayment such moneys shall be credited to the respective counties from whose allocations they were originally paid and thereupon they shall be administered as though they had not been paid into the Motor License Fund

Section 2 All moneys necessary to make the repayments provided in this act are hereby appropriated from the Motor License Fund respectively to the Federal Unemployment Relief Fund and to the General Fund for the use of the State Emergency Relief Board

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall become effective immedately upon its final passage

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 909 (House Bill No. 1337), entitled:

An Act to amend section one of the act approved the eleventh day of July one thousand nine hundred and seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treament of the drug habit by providing for the revocation and suspension of licenses

physicians dentists veterinarians pharmacists druggists and registered nurses for certain cases and by providing for the enforcement of this act and penalties as amended by extending the provisions of said act to include marihunna

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. HARRIS. Mr. President, I move that Senate Bill No. 956, on second reading, entitled:

An Act to require and provide for the issuing of licenses and permits to persons, firms and corporations for the construction, maintenance and use of billboards and /or other structures for outdoor advertising, to regulate the same and providing penalties for violations hereof.

be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Mr. McCLURE. Mr. President, I move that Senate Bill No. 993, on second reading, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June, one thousand eight hundred ninety-five (Pamphlet Laws four hundred eight), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" as amended, by providing for the distribution of the two per centum tax paid by foreign insurance companies on premiums for what is commonly known as collision, liability and other accident insurance on motor vehicles, by the State Treasurer to the treasuries of the several cities, boroughs and townships within this Commonwealth for payment by them to the respective police pension associations of such cities, boroughs and townships.

be recommitted to the Committee on Finance.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 998 (House Bill No. 846), entitled:

An Act to appropriate money in the Motor License Fund to the Department of Highways for the purpose of paying commissary supplies heretofore furnished said Department.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1007 (House Bill No. 1040), entitled:

An Act to amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled, "An act to provide revenue for state and county purposes and in cities coextensive with counties, for citiy and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting certain non-interest or non-dividend paying loans and stocks from payment of tax.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1015 (House Bill No. 1714), as follows:

An Act authorizing the Department of Agriculture to establish and promulgate standards of quality condition and fill of containers of canned food and standards of containers or receptacles therefor and for the marking branding and labeling thereof and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Agriculture may after investigation and public hearing from time to time as far as practicable establish and promulgate standards of quality condition and fill of containers of canned food and may establish and promulgate standards for receptacles for canned food by which its quality value or quantity may be determined and may make regulations governing the marks brands and labels which may be required upon receptacles and containers for canned food for the purpose of showing the name and address of the producer or packer or distributor the quantity nature and quality of the product or any of them and for the purpose of preventing deception with reference thereto

Any standard for any canned food or any standard for any container or receptacle for canned food or any requirement for marking containers or receptacles for canned food so established and promulgated shall not conflict or be at variance with any standard now or hereafter adopted under authority of the Congress of the United States

No standard established or requirement for marking prescribed under this section shall become effective until the expiration of not less than three months after it shall have been promulgated

Section 2 Whenever any standard of quality condition or fill of container of canned food becomes effective under this act it shall be unlawful for any person thereafter to pack for sale offer for sale consign for sale or sell any such canned food manufactured or prepared within this Commonwealth as being of any such standard grade or classification so established or in imitation thereof unless it conforms to such standards subject to such variations therefrom as may be allowed in the rules and regulations made under this act except that any such canned food may be packed canned offered or consigned for sale or sold without conforming to the standard for the grade or other classification applicable thereto if the container is plainly marked so as to indicate that the contents thereof are subgrade or below the minimum standard of the grade or classification as established by the department and is not described marked or labeled in such a way as to indicate or to appear upon ordinary observation that the contents conform to the standard of such grade or classification

The department is authorized to make such rules and regulations under this act as may be deemed necessary to prevent deception with reference to any standards made effective under the act

Whenever any standard for a receptacle or container for canned food becomes effective under this act it shall be unlawful for any person thereafter to manufacture for sale or shipment pack for sale offer for sale consign for sale or sell or ship any such receptacle or container either filled or unfilled to which the standard is applicable unless the receptacle or container conform to the standard subject to such variations therefrom as may be allowed in the regulations made under this act The Department of Agriculture and the Department of Internal Affairs by their joint action are auth-

orized to make such rules and regulations under this act as may be deemed necessary to enforce the provisions of this section relating to such standard receptacles or containers

Whenever any requirement for the marking branding or labeling of a receptacle or container for canned food becomes effective under this act it shall be unlawful for any person thereafter to can pack for sale offer for sale consign for sale or sell and deliver any such canned food in a receptacle or container to which such requirement is applicable unless the receptacle or container be marked branded or labeled according to such requirement or unless such product be brought from outside the Commonwealth and offered for sale consigned for sale or sold in the original package

The department is authorized at any time through its agents to cause such investigations classifications and tests to be be made and such certificates to be issued and upon payment or tender of payment of the market value thereof to cause such samples to be taken as may be deemed necessary to enforce the provisions of this section

Section 3 In carrying out the provisions of this act the department its employes or agents are authorized to enter on any business day during the usual hours of business any store storehouse warehouse cold-storage plant packing house stock yard railroad yard railroad car or any other building or place where canned food is marketed

Section 4 In carrying out the provisions of this act the department or its employes or agents designated for the purpose may require the attendance before it or any of them of any person engaged in the canning sale storage distribution or preparation of canned food or of any employe of such person may administer oaths to and take testimony of any such person or his employe and may require the production by such persons or their employes of any books records and other documentary evidence relating to the same

Section 5 The department is authorized to make and promulgate such regulations as may be necessary to carry out the provisions of this act

Section 6 Any person violating or failing or refusing to comply with any of the provisions of this act or with intent to deceive answers or reports falsely in response to any of the requirements of this act or who wilfully interferes with the department or its employes or agents in the execution or on account of the execution of his or their duties prescribed in this act shall be prosecuted in a summary proceeding before any alderman magistrate or justice of the peace of the proper city or county and upon being convicted thereof shall be punished for the first offense by a fine of not more than twenty-five dollars and upon conviction of the second offense by a fine of not less than twenty-five dollars nor more than one hundred dollars and upon conviction of the third and each subsequent offense by a fine of not less than one hundred dollars nor more than five hundred dollars In default of the payment of any fine as aforesaid any person convicted shall be sentenced to serve one day in the jail of the proper county for each dollar of the fine and costs

Any violations of the provisions of this act relating to standard receptacles or containers for canned food which may be established as herein provided for shall be prosecuted in a summary proceeding before any alderman magistrate or justice of the peace of the proper city or county by the inspectors of weights and measures of the respective cities and counties and the Department of Internal Affairs or its agents.

Section 7 The term "person" as used in this act includes individuals partnership associations and corporations

The word "department" as used in this act means the Department of Agriculture

The words "canned food" as used in this act means any food which is in hermetically sealed containers and is sterilized by heat

Section 8 This act shall become effective immediately upon final enactment

And said bill having been read at lnegth the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No 1016 (House Bill No. 1808), entitled:

An Act to amend section one thousand eight hundred and six of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the admiinistrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" defining the powers of persons appointed to police State parks.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1020 (House Bill No. 1891), entitled:

An Act making an appropriation to the Department of Property and Supplies to erect steps from the Soldiers and Sailors Memorial Bridge to Baum and Linden streets.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1065 (House Bill No. 1138), entitled:

An Act making an appropriation for the purchase of a history of the One Hundred and Ninth Field Artillery of the Pennsylvania National Guard, and providing for the distribution thereof.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1249 (House Bill No. 1779), entitled:

An Act to amend section one of the act, approved the eighth day of June, one thousand nine hundred twenty-three (P. L. 685), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth," by increasing certain fees to be collected by the Secretary of the Commonwealth.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1255 (House Bill No. 1205), as follows:

An Act exempting household furniture and household goods leased hired or conditionally sold from levy and sale on execution or distress for rent under certain conditions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all household furniture and household goods leased or hired under bailment lease to any person residing within this Commonwealth or conditionally sold to any such person under contract of sale reserving the title in the vendor until paid for shall be exempt from levy and sale on execution or distress for rent so long as title thereto remains in the bailment lessor or conditional vendor Provided however That written notice that such household furniture or household goods specifically describing the same have been leased or hired or conditionally sold to any such person shall be given to the landlord or his agent at the time the said household furniture or household goods are placed upon the demised premises or within five days thereafter and such notice shall contain a statement of the respective amounts due to the lessor or conditional vendor on each of the articles named therein and when so given shall be effective as to such landlord and any future owner or owners of said premises Upon request at any reasonable time the owner of said furniture or goods shall advise the landlord as to the status of the account with the tenant relative thereto Nothing herein contained shall prevent the landlord or his agent from levying upon and selling on execution or distress for rent any right or interest of the bailment lessee or conditional vendee under such bailment lease or contract of conditional sale subject to the rights therein of the bailment lessor or conditional vendor

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall be effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1282 (House Bill No. 1809), entitled: :

An Act to amend section forty of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," as amended, changing the number of trout allowed to be caught in one day.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1288 (House Bill No. 960), entitled:

An Act to amend section one hundred and thirteen of the act approved the fifteenth day of April, one thousand eight hundred and thirty-four (P. L. 537), entitled "An act relating to counties and townships, and county and township officers, as amended; by requiring a deputy constable in cities of the first class to work under or through the constable who appoints him

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1311 (House Bill No. 1636), entitled:

An Act to validate certain municipal liens in the several cities of the third class of the Commonwealth of Pennsylvania; and providing the proceedings for the revival and collection thereof.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT

Mr. MILLER. Mr. President, I move that Senate Bill No. 1324 (House Bill No. 1888), on second reading, entitled:

An Act to amend an act approved the eighteenth day of May, on thousand nine hundred and eleven (P. L. 309), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith"; extending the time within which school districts of the second class may levy their taxes; conferring jurisdiction upon certain courts to review the budgets of school districts of second, third and fourth classes and relating to the effect of the institution of such proceedings upon contracts, agreements, undertakings, and the tax levy made during their pendency.

be recommitted to the Committee on Education.

Mr. SNYDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SCOTT. Mr. President, I desire to interrogate the Senator from Northumberland, Mr. Miller.

The PRESIDENT. Will the Senator for Northumberland, Mr. Miller, permit himself to be interrogated?

Mr. MILLER. Mr. President, I will.

Mr. SCOTT. Mr. President, what is the purpose of recommitting this bill at this time? Why not let it go over to third reading and then recommit it?

Mr. MILLER. Mr. President, what is the difference? Why let it go over for third reading?

Mr. SCOTT. Mr. President, this bill was brought out of the Committee on Law and Order on Tuesday, as committed, and, on that day was read for the first time. Yesterday it appeared on the Second Reading Calendar and was recommitted to the Committee on Education for a hearing.

Mr. GELDER. Mr. President, the Committee on Education did have a hearing on this bill, and it was considered at that time.

And the question recurring,

Will the Senate agree to the motion?

It was not agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1324 (House Bill No. 1888) entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" extending the time within which school districts of the second class may levy their taxes conferring jurisdiction upon certain courts to review the budgets of school districts of second third and fourth classes and relating to the effect of the institution of such proceedings upon contracts agreements undertakings and the tax levy made during their pendency.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1326 (House Bill No. 663), entitled:

An Act to amend sections one, two and three of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 920), entitled "An act providing for the relocation and change of width, grades and lines of State highways in boroughs by the Secretary of Highways, with the approval of the Governor and commissioners of the proper county, and for the payment of damages occasioned thereby by the county; and repealing certain acts," by extending said act to incorporated towns.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1329 (House Bill No. 1803), entitled:

An Act relating to Sunday music permitting musicians to receive compensation for services rendered on Sunday authorizing pay concerts to be given and broadcast on Sunday under certain circumstances and allowing school and certain public buildings and parks to be used therefor conferring powers and imposing duties on the Department of Public Instruction and imposing penalties.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1330 (House Bill No. 2009), entitled:

An Act exempting the net amount payable under policies of accident and disability insurance from the claims of creditors.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1345 (House Bill No. 141), entitled:

An Act to amend sections two and three, section four as amended, sections seven and eight, and section nine as amended of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by reducing the salaries of judges.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. NORTON. Mr. President, I ask unanimous consent that Senate Bill No. 1347 (House Bill No. 1897), on second reading, entitled:

An Act to further amend section twenty-four of the act approved the first day of June, Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred twenty-nine, entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by further defining deductions in case of reinsurance.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. NORTON. Mr. President, I ask unanimous consent that Senate Bill No. 1348 (House Bill No. 1898), on second reading, entitled:

An Act to further amend section seven hundred fourteen of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts, and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivision, every person, association and corporation, required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further defining deductions in case of reinsurance.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1349 (House Bill No. 2155), entitled:

An Act to amend section twenty of the act approved the eleventh day of May one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by abolishing the fee payable to police officers for killing and disposing of unlicensed dogs.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. NORTON. Mr. President, I ask unanimous consent that Senate Bill No. 1350 (House Bill No. 1899), on second reading, entitled:

An Act to further amend section three hundred twenty-one of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, six hundred eighty-two), entitled "An act relating to insurance, amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further defining deductions in case of reinsurance.

go over in its order.

The PRESIDENT. Is there objections? The Chair hears none.

BILL RECOMMITTED

Mr. SNYDER. Mr. President, I move that Senate Bill No. 1360 (House Bill No. 1878), on third reading, entitled:

An Act providing for the registration of magazines and periodicals prohibiting the sale distribution and circulation of unregistered magazines or periodicals or magazines or periodicals containing indecent or immoral matter conferring powers and imposing duties on the Superintendent of Public Instruction and otherwise providing for the administration of this act and prescribing penalties.

be recommitted to the Committee on Law and Order.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1363, as follows:

An Act to amend the act approved the the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licesning qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by adding certain new sections including corporations which have the power to insure owners of real property mortgages and others interested in real property from loss by reason of defective titles liens and encumbrances within the scope of the act and further providing for the supervision examination regulation suspension involuntary dissolution and liquidation of such corporations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" be and the same is hereby amended to read as follows

Section 101 Certain Words Defined The word "company" as used in this act shall be construed to include only incorporated insurance companies and corporations possessing the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances whether incorporated under the laws of this Commonwealth or of any other State Territory or district or under the laws of any foreign country

Except where otherwise indicated the word "association" as used in this act shall be construed to include only individuals partnerships or associations of individuals authorized to engage in the business of insurance in the Commonwealth as insurers on the Lloyds plan

The word "exchange" as used in this act shall be construed to include only individuals partnerships and corporations authorized by the laws of the Commonwealth to exchange with each other inter-insurance or reciprocal insurance contracts

Section 2 That at the end of article two of said act the following new section is hereby added

Section 221 Supervision of Title Insurance Companies by the Insurance Department The Insurance Department shall have the power and duty to supervise examine and regulate all corporations possessing the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances to the same extent and in the same manner as such power and duty has heretofore been conferred and imposed by law upon the Department of Banking and the Secretary of Banking of this Commonwealth and all powers rights privileges and duties heretofore by any law of this Commonwealth conferred or imposed upon the Secretary of Banking or the Department of Banking in relation to such corporations are hereby transferred to and conferred and imposed upon the Insurance Department but if any such corporation has the additional power to receive money for deposit or safe-keeping or to act as fiduciary or to engage in any other business under the supervision of the Department of Banking the Insurance Department shall not have the power to supervise examine or regulate any part of the business of such corporation where such part of its business is under the supervision of the Department of Banking

Section 3 That at the end of article five of said act the following section is hereby added

Section 511 Liquidation of Title Insurance Companies Partially under Supervision of Department of Banking The Insurance Commissioner may be appointed in accordance with the provisoins of this article as liquidator of the title insurance business of any company which also has the power to transact

any class of business under the supervision of the Department of Banking The Insurance Commissioner shall promptly notify the Department of Banking of his appointment as liquidator of any such company

Upon receipt of notice from the Secretary of Banking that as receiver he has taken possession of any such company the Attorney General may procure the appointment of the Insurance Commissioner as liquidator of the title insurance business of such company in accordance with the provisoins of this article

Section 4 This act shall become effective on the third day of July one thousand nine hundred thirty-three and shall apply to all corporations described herein whether in existence on such date or coming into existence at any time thereafter

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1364, as follows:

An Act creating a commission to make a study of local government and report thereon and making an appropriation

Whereas Local government developed in its present complex form with small areas largely from the lack of adequate means of transportation and

Whereas The development and simplification of local government has not kept step with the development of transportation and

Whereas The support of local government has become a problem and ways and means should be devised to lessen the existing and ever increasing burden of local government on the taxpayer therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a commission is hereby created which shall consist of three members of the Senate to be appointed by the President Pro Tempore of the Senate three membrs of the House of Representatives to be appointed by the Speaker of th House and three citizens to be appointed by the Governor The commission shall be known as "The Local Government Commission" The commission shall organize at the call of the Governor by electing a chairman vice-chairman and a secretary The secretary need not be a member of the commission The members of the commission shall serve without compensation but shall be allowed all expenses necessarily incurred in the discharge of their duties

Section 2 It shall be the duty of the commission to study and investigate the cost of local government and ways and means of lessening the burden on the taxpayer by reducing the same to study the advisability and feasibility of increasing the areas of local governments and of establishing larger units for school administration and of abolishing certain forms of local government to study overlaping functions of local government and ascertain how the same may be eliminated and to frame such legislation and constitutional amendments as may be deemed necessary to carry into effect the recommendations of the commission

The commission shall make a report to the Legislature of the session of one thousand nine hundred and thirty-five not later than March first

Section 3 The commission shall have power to employ and fix the compensation of such experts stenographers and assistants as may be deemed necessary to carry on the work of the commission The Legislative Reference Bureau and the Bureau of Statistics of the Department of Internal Affairs shall give the commission such assistance as it may require

Section 4 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission for the payment of the expenses of the commission for the compensation and expenses of the secretary and appointees of the commission for printing the report of the commission for postage supplies and miscellaneous expenses and generally for the purposes of carrying into effect the provisions of this act

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1376 (House Bill No. 1051), entitled:

An Act to amend section seven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen), entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party offices including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent signers required for nomination petitions for magistrates in cities of the first class

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1385 (House Bill No. 1765), entitled:

An Act empowering the Department of Forests and Waters and the Board of Game Commissoners to purchase in the name of the Commonwealth seated and unseated lands at tax sales held by county treasurers providing for and regulating the payment of the purchase price and redemptions in such cases and providing for the payment of State charges on such lands.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1387 (House Bill No. 2107), as follows:

An Act to further amend section six hundred and three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the licensing of insurance agents

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six hundred and three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine)

entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreing insurance companies associations or exchanges providing penalties and repealing existing laws" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred sixteen) is hereby further amended to read as follows

Section 603 Agent's Licenses The Insurance Commissioner may issue upon certification as aforesaid by any company association or exchange authorized by law to transact business within this Commonwealth an agent's license to any person of at least twenty-one years of age and to any copartnership or corporation No license as agent shall be granted to any corporation unless by provisions of its charter it is authorized to engage in the business of insurance or real estate and unless individual licenses are also secured for each active officer of such corporation and no license shall be granted to a copartnership or firm unless individual licenses are also secured for each active member of such copartnership or firm Before any such license is granted the applicant shall first make answer in writing and under oath to interrogatories on forms and supplements such as the Insurance Commissioner shall prepare and submit which answers shall be vouched for by indorsement of the company association or exchange interested and to the effect that the applicant is of good business reputation and of experience in underwriting other than soliciting and is worthy of a license Provided That any licensed agent who shall have held for a continuous period of five years a license to transact as agent any class or kind of insurance business for any company association or exchange authorized to transact business within this Commonwealth shall be entitled upon proper application to receive a license to transact as agent the same class or kind of insurance business for any other company association or exchange so authorized to transact business without the necessity of submitting to an examination When the Insurance Commissioner is satisfied that the applicant is worthy of license and that he is reasonably familiar with provisions of the insurance law of this Commonwealth he shall issue a license stating that the company association or exchange represented by the agent has complied with the requirements of law and has been authorized by the Insurance Commissioner to transact business within this Commonwealth and that the agent has been duly appointed by the company association or exchange named in the license [All agents' licenses] Licenses of life insurance agents shall expire annually at midnight of March thirty-first licenses of fire insurance agents shall expire annually at midnight of September thirtieth and the licenses of casualty and health and accident insurance agents shall expire annually at midnight of November thirtieth unless sooner terminated as the result of severance of business relations between the company association or exchange and the agent or unless revoked by the Insurance Commissioner for cause Licenses for fire insurance agents and for casualty and health and accident insurance agents issued to expire at midnight March thirty-first one thousand nine hundred and thirty-four are hereby extended until midnight of September thirtieth and November thirtieth one thousand nine hundred and thirty-four respectively in accordance with the expiration dates fixed by this act The department shall collect an additional fee for each such license extended at the rate of one-twelfth of the annual rate as fixed by this act for each additional month that the term of such licenses are extended Any person whose license is revoked may appeal to the court of common pleas of Dauphin County within thirty days of the date of receipt by registered mail of a notice of the fact of such revocation Nothing in this section shall be construed as applying to domestic mutual fire insurance companies

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as amended, Senate Bill No. 522 (House Bill No. 766), entitled:

An Act to amend part of section two of the Appropriation Acts of one thousand nine hundred and thirty-one (Act Number fifteen-A page sixteen) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one" amending the appropriation relating to the Coaldale State Hospital

BILLS INTRODUCED

Mr. SCOTT. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT read in his place and presented to the Chair Senate Bill No. 1424, entitled:

An Act providing for the preservation of the records of banks, bank and trust companies, trust companies, savings banks, and private banks; and imposing penalties for violations.

Which was committed to the Committee on Banks and Building and Loan Associations.

Also read in his place and presented to the Chair, Senate Bill No. 1425, entitled:

An Act to further amend part of section one of the act, approved the thirteenth day of June, one thousand nine hundred thirty-one (Act number, eighteen-A, Appropriation Acts of one thousand nine hundred thirty-one), entitled "An act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings for the Commonwealth, and the erection and construction of new buildings and additions, alterations or improvements to and replacement of new or existing buildings of the Commonwealth, including fixtures and heating or sewerage systems and service lines for the accommodation of buildings," by extending the scope for the appropriation made to the Department of Property and Supplies for the erection and construction of buildings at the State Industrial Home for Women at Muncy.

Which was committed to the Committee on Appropriations.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until four o'clock this afternoon.

Mr. FAY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 80, entitled:

An Act making an appropriation to the Children's Home of Bethlehem, Salisbury Township, Lehigh County, Pennsylvania.

Senate Bill No. 81, entitled:

An Act making an appropriation to Saint Luke's Hospital located at Bethlehem, Lehigh County, Pennsylvania.

Senate Bill No. 82, entitled:

An Act making an appropriation to the Allentown Hospital, Allentown, Lehigh County, Pennsylvania.

Senate Bill No. 110, entitled:

An Act making an appropriation to the Board of Managers of the Seamen's Church Institute of Philadelphia, Pennsylvania.

Senate Bill No. 185, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Senate Bill No. 223, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Senate Bill No. 226, entitled:

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm, Chester County, Pennsylvania.

Senate Bill No. 227, entitled:

An Act making an appropriation to the Chester County Hospital, West Chester, Pennsylvania.

Senate Bill No. 229, entitled:

An Act making an appropriation to the Florence Crittenton Circle of Wilkes-Barre, Pennsylvania.

Senate Bill No. 232, entitled:

An Act making an appropriation to the Lancaster General Hospital, Lancaster, Pennsylvania.

Senate Bill No. 238, entitled:

An Act making an appropriation to the Hospital of the University of Pennsylvania.

Senate Bill No. 239, entitled:

An Act making an appropriation to the Graduate Hospital of the University of Pennsylvania.

Senate Bill No. 244, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum.

Senate Bill No. 253, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia School of Design for Women at Philadelphia, Pennsylvania.

Senate Bill No. 271, entitled:

An Act making an appropriation to the Lee Homeopathic Hospital, Johnstown, Pennsylvania.

Senate Bill No. 272, entitled:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital at Johnstown, Pennsylvania.

Senate Bill No. 342, entitled:

An Act making an appropriation to the Northeastern Hospital of Philadelphia, Pennsylvania.

Senate Bill No. 355, entitled:

An Act making an appropriation to the Montefiore Hospital Association of Western Pennsylvania.

Senate Bill No. 278, entitled:

An Act making an appropriation to the Allegheny General Hospital, Pittsburgh, Pennsylvania.

Senate Bill No. 379, entitled:

An Act making an appropriation to the Curtis Home for Destitute Women and Children, Pittsburgh, Pennsylvania.

Senate Bill No. 380, entitled:

An Act making an appropriation to the Home for Colored Children, Termon Avenue, Twenty-seventh Ward, Pittsburgh, Pennsylvania, or its successors.

Senate Bill No. 382, entitled:

An Act making an appropriation to the Robert Wood's Industrial Home and Day Nursery for Colored Boys and Girls, of Philadelphia, Pennsylvania.

Senate Bill No. 383.

An act making an appropriation to the Philadelphia Home for Infants located at four thousand six hundred and eighteen Westminster Avenue, Philadelphia, Pennsylvania.

Senate Bill No. 418, entitled:

An Act making an appropriation to the Germantown Dispensary and Hospital, Germantown, Pennsylvania.

Senate Bill No. 419, entitled:

An Act making an appropriation to the Children's Aid Society of Pennsylvania.

Senate Bill No. 423, entitled:

An Act making an appropriation to the Coudersport General Hospital.

Senate Bill No. 429, entitled:

An Act making an appropriation to the Wilkes-Barre General Hospital, Wilkes-Barre, Pennsylvania.

Senate Bill No. 437, entitled:

An Act making an appropriation to the Carlisle Hospital, Carlisle, Pennsylvania.

Senate Bill No. 441, entitled:

An Act making an appropriation to the Lying-in Charity Hospital, Philadelphia, Pennsylvania.

Senate Bill No. 443, entitled:

An Act making an appropriation to the Maternity Hospital, Philadelphia, Pennsylvania.

Senate Bill No. 444, entitled:

An Act making an appropriation to the Contributors to the Pennsylvania Hospital of Philadelphia, Pennsylvania, for the maintenance of its Department for the Sick and Injured.

Senate Bill No. 445, entitled:

An Act making an appropriation to the Pennsylvania Society to Protect Children from Cruelty, Philadelphia, Pennsylvania.

Senate Bill No. 451, entitled:

An Act making an appropriation to the Home for the Aged and Infirm Colored Women of Pittsburgh, Pennsylvania.

Senate Bill No. 452, entitled:

An Act making an appropriation to the McKeesport Day Nursery at McKeesport, Pennsylvania.

Senate Bill No. 485, entitled:

An Act making an appropriation to the Beulah Anchorage of Reading, Pennsylvania.

Senate Bill No. 493, entitled:

An Act making an appropriation to the Woods Run Settlement House of Allegheny County.

Senate Bill No. 511, entitled:

An Act making an appropriation to the Greene County Memorial Hospital of Waynesburg, Pennsylvania.

Senate Bill No. 551, entitled:

An Act making an appropriation to the Greene County Memorial Hospital, of Waynesburg, Pennsylvania.

Senate Bill No. 589, entitled:

An Act making an appropriation to the Charleroi-Monessen Hospital, at Charleroi, Pennsylvania.

Senate Bill No. 597, entitled:

An Act making an appropriation to the Annie M. Warner Hospital, Gettysburg, Adams County, Pennsylvania.

Senate Bill No. 628, entitled:

An Act making an appropriation to the American Hospital for Diseases of the Stomach, of Philadelphia, Pennsylvania.

Senate Bill No. 635, entitled:

An Act making an appropriation to the Memorial Hospital Association of Monongahela City, Washington County, Pennsylvania.

Senate Bill No. 636, entitled:

An Act making an appropriation to the Washington Hospital Association of Washington, Pennsylvania.

Senate Bill No. 766, entitled:

An Act making an appropriation to the Chester Hospital, in the City of Chester, Pennsylvania.

Senate Bill No. 795, entitled:

An Act making an appropriation to the Home for the Friendless Children in the City of Reading, Pennsylvania.

Senate Bill No. 888, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal, and maintenance of the indigent insane in Dixmont Hospital, at Dixmont, Allegheny County.

Senate Bill No. 889, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in county and poor district hospitals.

Senate Bill No. 926, entitled:

An Act making an appropriation to the Old Ladies' Home located at Wissinoming, Philadelphia.

Senate Bill No. 927, entitled:

An Act making an appropriation to the Almira Home Association, New Castle, Pennsylvania.

Senate Bill No. 930, entitled:

An Act making an appropriation to the Chestnut Hill Hospital, of Philadelphia, Pennsylvania.

Senate Bill No. 931, entitled:

An Act making an appropriation to the Florence Crittenton Home, Germantown, Philadelphia, Pennsylvania.

Senate Bill No. 935, entitled:

An Act making an appropriation to the Industrial Home for Crippled Children at Pittsburgh, Pennsylvania.

Senate Bill No. 936, entitled:

An Act making an appropriation to the Children's Aid Society of Western Pennsylvania at Pittsburgh, Pennsylvania.

Senate Bill No. 937, entitled:

An Act making an appropriation to the Colored Women's Relief Association of Western Pennsylvania.

Senate Bill No. 938, entitled:

An Act making an appropriation to the Ladies of the Grand Army of the Republic Home, Department of Pennsylvania, at Hawkins Station, Allegheny County, Pennsylvania.

Senate Bill No. 957, entitled:

An Act making an appropriation to the Grand View Institution for the Care and Treatment of Poor Consumptives, Oil City, Pennsylvania.

Senate Bill No. 958, entitled:

An Act making an appropriation to the Coleman Industrial Home for Colored Boys, of one thousand seven hundred and twenty-one Bedford Avenue, Pittsburgh, Pennsylvania.

Senate Bill No. 2, entitled:

An Act relating to the collection of delinquent county taxes in counties of the second class repealing all acts or parts of acts general local or special inconsistent herewith.

Senate Bill No. 3, entitled:

An Act authorizing cities of the first, second and third classes to defray the expenses of National encampment of certain organizations of veterans.

Senate Bill No. 48, entitled:

An Act to amend sections nine hundred and one, and one thousand and eighty-one of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs;" providing for the appointment of the county treasurer as tax collector in certain cases.

Senate Bill No. 106, entitled:

An Act to amend section ten as amended of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by

route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by providing for the construction, reconstruction and maintenance of certain bridges forming parts of State Highways in boroughs and incorporated towns by the Department of Highways.

Senate Bill No. 139, entitled:

An Act fixing the pay and mileage of jurors and witnesses.

Senate Bill No. 187, entitled:

A Joint Resolution continuing the Senate Committee constituted to investigate charges against members of the Public Service Commission and related matters; defining the powers and duties of said committee; ratifying and confirming the filling of vacancies in the membership thereof; and making an appropriation for the payment of its past and future expenses.

Senate Bill No. 210, entitled:

An Act fixing the compensation of assessors and registry or assistant assessors performing duties pertaining to the assessment and registration of voters in counties other than first and second class and repealing existing acts relating thereto

Senate Bill No. 325, entitled:

A Supplement to the act approved the third day of April, one thousand nine hundred and three (P. L. 137), entitled "An act regulating the confinement of children, under the age of sixteen years, awaiting trial"; providing for the management of houses of detention for juveniles in counties of the second class, imposing expense in connection therewith on the county and permitting and authorizing the county commissioners thereof to appropriate money or issue bonds for the purchase of lands, or erecting, constructing and equipping of buildings for such purpose.

Senate Bill No. 348, entitled:

An Act permitting sheriffs in counties of the third class to collect the cost of schedules of distribution on sheriff's sales of real estate.

Senate Bill No. 392, entitled:

An Act authorizing the compromise of tax claims on real property purchased by the county on county treasurers' sales for nonpayment of taxes, and the reconveyance of such property.

Senate Bill No. 460, entitled:

An Act providing for the appointment of township police in townships of the second class; defining their powers and duties; providing for their compensation; requiring the keepers or persons in charge of jails, lockups or station houses to receive persons arrested by such policemen; and prohibiting such policemen from charging or accepting additional compensation.

Senate Bill No. 466, entitled:

An Act to amend sections three and seven of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk and for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" by regulating the pasteurization of milk and milk used for certain purposes

Senate Bill No. 616, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yeomanettes and nurses, who were killed in action or died during the World War, and conferring certain duties upon the State Veterans' Commission.

Senate Bill No. 629, entitled:

An Act to prohibit the employment by the Commonwealth and by counties, cities, boroughs, towns, townships, departments, boards, commissions, and by certain corporations, hospitals, homes and institutions, of aliens who entered the United States unlawfully; and providing penalties.

Senate Bill No. 639, entitled:

An Act relating to insurance companies, exchanges, associations, societies, orders and individuals under the supervision of the Insurance Department; authorizing the Insurance Commissioner during the existing emergency to suspend laws relating to certain payments by insurers and to impose conditions upon the conduct of the business of insurance; and providing penalties.

Senate Bill No. 707, entitled:

An Act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace and aldermen, unless names and addresses of prosecutors, defendants and witnesses appear on the transcript thereof.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

APPROVAL OF SENATE BILL 843

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 843, Printer's No. 464, entitled: "A

Supplement to the act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred sixty-nine) entitled 'An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth' as amended authorizing any major general in command of the National Guard with the approval of the Governor as Commander-in-Chief thereof to continue to hold such position until he reaches the age of sixty-nine years."

GIFFORD PINCHOT.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 115 (Senate Bill No. 1426), entitled:

An Act to amend section five hundred and twenty-three as added to the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled, "Administration Code of 1929," further limiting the purchase of supplies and materials.

Which was committed to the Committee on Finance.

House Bill No. 541 (Senate Bill No. 1427), entitled:

An Act establishing certain public roads and streets in the county of Allegheny as a State highway and providing for their construction and maintenance by the Department of Highways subject to certain terms and conditions.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 712 (Senate Bill No. 1428), entitled:

An Act to establish as a State highway a certain section of public road in the County of Lackawanna and providing for its construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 937 (Senate Bill No. 1429), entitled:

An Act to amend section fifty and section two hundred and twenty as amended of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth by permitting and regulating the use of eel baskets and fyke nets for the taking of suckers and eels.

Which was committed to the Committee on Game and Fisheries.

House Bill No. 966 (Senate Bill No. 1430), entitled:

An Act to amend section four hundred twenty-two and four hundred thirty-two of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "General County Laws," by extending the provisions of the act to The Pennsylvania Soldiers' and Sailors' Home at Erie, Pennsylvania; and authorizing flags to be placed on graves of members of the enlisted nurse corps.

Which was committed to the Committee on Military Affairs.

House Bill No. 1033 (Senate Bill No. 1431), entitled:

An Act regulating the furnishing and sale of natural gas, artificial gas and admixtures thereof; requiring and authorizing the Public Service Commission to establish standards; requiring public service companies to file, post and publish tariffs and schedules of rates in accordance with such standards; making it unlawful to furnish or sell natural gas admixtures under certain circumstances, or to furnish or sell for fuel any gas below the minimum standard; and imposing penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 1127 (Senate Bill No. 1432), entitled:

An Act declaring and adopting the Mountain Laurel (Kalmia latifolia) as the State flower of Pennsylvania.

Which was committed to the Committee on Agriculture.

House Bill No. 933 (Senate Bill No. 1433), entitled:

An Act reducing the salaries and compensation of certain county, city, borough, town and township officers and employes.

Which was committed to the Committee on Finance.

House Bill No. 1203 (Senate Bill No. 1434), entitled:

An Act to amend section six hundred seventy-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by providing for the advertising of orders of court setting dates for hearings upon the petitoins of the commissioners of the several counties for the sale of certain real estate owned by said counties, and repairing all special general or local legislation inconsistent therewith.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1241 (Senate Bill No. 1435), entitled:

An Act relating to memorial halls in counties of the second class, erected in honor of the veterans of the wards of the United States and providing for the use, upkeep, management and control of such halls.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1877 (Senate Bill No. 1436), entitled:

An Act limiting the jurisdiction of the Public Service Commission over carriers of property on the public highways.

Which was committed to the Committee on Judiciary General.

House Bill No. 1280 (Senate Bill No. 1437), entitled:

An Act exempting persons, associations, copartnerships and corporations moving and delivering furniture, goods and merchandise only in cities of the first class from the duty to procure certificates of public convenience.

Which was committed to the Committee on Judiciary General.

House Bill No. 1642 (Senate Bill No. 1438), entitled:

An Act to authorize incorporated towns to secure lands for the purpose of establishing and maintaining municipal airports, airdomes, aviation landing fields, intermediate landing fields, and airport facilities; to establish, equip, condition, operate and maintain municipal airports, airdomes, landing fields, or intermediate landing fields, and lease the same, either separately or jointly with other political subdivisions of this Commonwealth.

Which was committed to the Committee on Aeronautics.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 320

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 23, 1933.

Resolved (if the Senate concur), That House Bill No. 320, Printer's No. 571, entitled:

An Act to amend clause (b) of section four article two of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundre eighty-one) entitled "First Class City Charter Law," as amended, changing the order in which officers of such cities shall act as mayor in case of a vacancy or disability of the mayor to act

be recalled from the Governor for further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL No. 314

He also returned to the Senate, Senate Bill No. 314, entitled:

An Act authorizing the Commonwealth, the City of Philadelphia and the State of New Jersey to accept from the Delaware River Joint Commission bonds or other obligations, in lieu of moneys, for the repayment of the amounts due for moneys advanced in the construction of the Delaware River Bridge and its approaches and in the acquisition of property in connection therewith; providing for the disposition of such bonds delivered to the Commonwealth and the City of Phliadelphia; authorizing the purchase thereof by custodial funds of the Commonwealth; and providing that this act shall become effective upon the adoption of reciprocal legislation by the State of New Jersey.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 691

He also returned to the Senate, Senate Bill No. 691, entitled:

An Act to amend section fifty-seven of the act approved the eight (Pamphlet Laws one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-nine), entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the law srelating thereto" by requiring the county commissioners to furnish office supplies for county officers not located in county buildings or at the county seat.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 746

He also returned to the Senate, Senate Bill No. 746, entitled:

An Act to amend section two hundred and four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing that the coroner shall act in case the sheriff resigns.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 820

He also returned to the Senate, Senate Bill No. 820, entitled:

An Act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 985

He also returned to the Senate, Senate Bill No. 985, entitled:

An Act to amend clause nine of section one and clause two of section eleven, of the act approved the twenty-seventh day of June, one thousand nine hundred ahd twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board of the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the haeds of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended, openin gthe system further for original members, and preserving the rights of certain retired State employes who re-enter State service.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 995.

He also returned to the Senate, Senate Bill No. 995, entitled:

A Supplement to the act approved the eighth day of May, one thousand nine hundred and nineteen (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River" and its amendments, authorizing the commission created under said act to borrow money from the Reconstruction Finance Corporation for the purpose of constructing toll bridges to charge tolls thereon and to repay loans from tolls collected.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 1035

He also returned to the Senate, Senate Bill No. 1035, entitled:

An Act to amend paragraph seventeen of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred fifty-eight) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State emloyes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "final salary"

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 507

He also returned to the Senate, Senate Bill No. 507, entitled:

An Act fixing the salaries of directors of the poor in counties of the second class.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 61

He also returned to the Senate, Senate Bill No. 61, entitled:

An Act to amend section one of the act approved the twenty-seventh day of April, one thousand nine hundred and eleven (P. L. 101), entitled "An act for the assignment of judges to districts other than their own, for the purpose of expediting business, with provision for their compensation," as amended; allowing certain judges and requiring certain judges who

can spare the time from their own courts to send monthly statements to the prothonotary of the Supreme Court of the days when they can sit in other courts; and requiring the prothonotary of the Supreme Court to transmit transcripts of the Judicial Assingment Register to the General Assembly.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 77

He also returned to the Senate, Senate Bill No. 77, entitled:

An Act to amend the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (P. L. 148), entitled "An act to require all magistrates and other officials in cities of the first, second and third class, authorized to take acknowledgments and administer oaths, to perform such service free of charge for soldiers and widows of soldiers when making affidavit to papers for the purpose of drawing pensions," extending the provisions of the act to all officers taking oath, and to papers other than those connected with pensions.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 209

He also returned to the Senate, Senate Bill No. 209, entitled:

An Act fixing the compensation of property assessors elected for county purposes in boroughs, townships of the second class and wards, and repealing existing acts relating thereto.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 373

He also returned to the Senate, Senate Bill No. 373, entitled:

An Act empowering cities, boroughs, incorporated towns and townships to charge and collect annual rentals for the use of sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation and the amortization of indebtedness and interest thereon.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 615

He also returned to the Senate, Senate Bill No. 615, entitled:

An Act validating certain proceedings of borough councils pursuant to the provisions of the act, approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs; and revising, amending and consolidating the law relating to boroughs," and the several supplements and amendments thereto.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 690

He also returned to the Senate, Senate Bill No. 690, entitled:

An Act providing for the assessment of costs for the acquiring and adopting of or connecting with existing sewers of adjacent municipalities by townships or boroughs and the maintenance thereof and providing for filing of liens therefor

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 773

He also returned to the Senate, Senate Bill No. 773, entitled:

An Act to repeal section thirteen of the act approved the twenty-fifth day of March, one thousand eight hundred and forty-two (P. L. 192), entitled "An act to appoint commissioners to re-survey and mark that portion of the county line, which divides the township of Bristol, in the county of Philadelphia, from the township of Cheltenham, in the county of Montgomery and for other purposes." (Proof of Publication attached).

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 834

He also returned to the Senate, Senate Bill No. 834, entitled:

An Act empowering cities, boroughs, incorporated towns and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation and the amortization of indebtedness and interest thereof.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN RESOLUTION CONTINUING LEGISLATION COMMITTEE ON FINANCES

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 18, 1933.

Resolved (if the House of Representatives concur), That the Legislative Committee on Finances authorized to be appointed pursuant to concurrent resolution approved April 30, 1929 (P. L. 1816), and continued pursuant to the concurrent resolution of April 22, 1931 (P. L. 1426), to devise ways and means of financing the Commonwealth is hereby continued for a further period of two years and shall make a further report of their recommendations to the General Assembly of 1935.

Any vacancy existing on said committee, for any cause shall be filled by an appointment of a Senator or Member by the President pro tempore or Speaker as the case may be.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE HOUSE OF REPRESENTATIVES, HOUSE BILL No. 266

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 20, 1933.

Resolved (if the House of Representatives concur) That House Bill No. 266, entitled:

An Act making an appropriation to the Hospital of the Women's Medical College of Pennsylvania, located at Henry Avenue and Abbotsford Road, East Falls, Philadelphia, Pennsylvania.

be recalled from the House of Representatives for the purpose of amendment.

RECONSIDERATION OF HOUSE BILL No. 266, RECALLED FROM THE HOUSE

Mr. SCOTT. Mr. President, I move to reconsider the vote by which House Bill No. 266, recalled from the House, entitled:

An Act making an appropriation to the Hospital of the Women's Medical College of Pennsylvania, located at Henry Avenue and Abbotsford Road, East Falls, Philadelphia, Pennsylvania.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye."

Mr. COYNE. I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. COYNE. Mr. President, I voted "aye."
The motion was agreed to.
And the question recurring,
Shall the bill pass finally?
Mr. SCOTT. Mr. President, I move to reconsider the vote by which the bill passed third reading.
The PRESIDENT. How did the Senator vote?
Mr. SCOTT. Mr. President, I voted "aye."
Mr. COYNE. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. COYNE. Mr. President, I voted "aye.'
The motion was agreed to.
And the question recurring,
Will the Senate agree to the bill on third reading?
Mr. SCOTT. Mr. President, I ask unanimous consent to amend House Bill No. 266, Printer's No. 633, page 1, line 4, by striking out the words "seventy-two,' and insert in lieu thereof the word "ninety"; also on page one, line five, by striking out the figures "($72,000)" and insert in lieu thereof the figures "($90,000)."
The PRESIDENT. Is there objection? The Chair hears none.
The amendment was agreed to.
On the question,
Will the Senate agree to the bill on third reading as amended?
It was agreed to.
Ordered, That the bill as amended be printed for the use of the Senate.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE HOUSE OF REPRESENTATIVES, HOUSE BILL No. 583

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 20, 1933.

Resolved (if the House of Representatives concur), That House Bill No. 583, entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg Pennsylvania.

be recalled from the House of Representatives for the purpose of amendment.

RECONSIDERATION OF HOUSE BILL No. 583, RECALLED FROM THE HOUSE

Mr. SCOTT. Mr. President, I move to reconsider the vote by which House Bill No. 583, recalled from the House, entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg, Pennsylvania.

passed finally.
The PRESIDENT. How did the Senator vote?
Mr. SCOTT. Mr. President, I voted "aye."
Mr. COYNE. I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. COYNE. Mr. President, I voted "aye."
The motion was agreed to.
And the question recurring,
Shall the bill pass finally?
Mr. SCOTT. Mr. President, I move to reconsider the vote by which the bill passed third reading.
The PRESIDENT. How did the Senator vote?
Mr. SCOTT. Mr. President, I voted "aye."
Mr. COYNE. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. COYNE. Mr. President, I voted "aye."
The motion was agreed to.
And the question recurring,
Will the Senate agree to the bill on third reading?
Mr. SCOTT. Mr. President, I ask unanimous consent to amend House Bill No. 583, Printer's No. 501, page 1, line 4, by striking out the word "four" and insert in lieu thereof the word "five"; also in the same line by striking out the words "five hundred"; also on page one, line five, by striking out the figures "($4,500)" and insert in lieu thereof the figures "($5,000)."
The PRESIDENT. Is there objection? The Chair hears none.
The amendment was agreed to.
On the question,
Will the Senate agree to the bill on third reading as amended?
Ordered, That the bill as amended be printed for the use of the Senate.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE HOUSE OF REPRESENTATIVES, HOUSE BILL No. 1647

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 20, 1933.

Resolved (if the House of Representatives concur), That House Bill No. 1647, entitled:

An Act to amend Sections 8 and 15 of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 465), entitled "Fire Safety Building Regulation Law," as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases.

be recalled from the House of Representatives for the purpose of amendment.

RECONSIDERATION OF HOUSE BILL No. 1647, RECALLED FROM THE HOUSE

Mr. SCOTT. Mr. President, I move to reconsider the vote by which House Bill No. 1647, recalled from the House, entitled:

An Act to amend Sections 8 and 15 of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 465), entitled "Fire Safety Building Regulation Law," as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases.

passed finally.
The PRESIDENT. How did the Senator vote?
Mr. SCOTT. Mr. President, I voted "aye."
Mr. HOWELL. I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. HOWELL. Mr. President, I voted "aye."
The motion was agreed to.
And the question recurring,
Shall the bill pass finally?
Mr. SCOTT. Mr. President, I move to reconsider the vote by which the bill passed third reading.
The PRESIDENT. How did the Senator vote?
Mr. SCOTT. Mr. President, I voted "aye."
Mr. HOWELL. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?

Mr. HOWELL. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SCOTT. Mr. President, I ask unanimous consent to amend section 8, page 3, line 4, by striking out the words "unless such draw-"; also lines 5, 6 and 7, by striking out all of said lines; also line 8, by striking out the words "approved by the Department of Property and Supplies"; also section 15, page 4, lines 13, 14 and 15, by striking out the words "or in cities of the third class, boroughs, incorporated towns and townships which have adopted building codes or provide for the inspection of plans of buildings"; also lines 25 to 29, by striking out all of said lines, both inclusive; also page 5, lines 1 and 2, by striking out all of said lines.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

HOUSE INSISTS UPON ITS AMENDMENTS TO SENATE BILL No. 385

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments, non-concurred in by the Senate, to Senate Bill No. 385, entitled:

An Act providing for the fixing of salaries or compensation of all appointed officers, clerks and other employes paid from the county funds in counties of the third, fourth, fifth, sixth, seventh and eighth classes; and creating salary boards in certain counties.

MOTION TO APPOINT COMMITTEE OF CONFERENCE

Mr. GELDER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments to the foregoing bill, and that a Committee of Conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Sones, McClure and Howell be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. FAY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FAY, from the Committee on Finance, reported as committed, Senate Bill No. 1390, entitled:

An Act to amend section twenty, sections twenty-six, twenty-seven, twenty-nine, thirty and thirty-two, as amended, and to repeal section twenty-eight of the act approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs and for dogs temporarily imported for trial, show and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," changing the fee for killing dogs and disposing of their carcasses; and providing that appraisements for damages to live stock and poultry shall be made by an agent of the Commonwealth.

Mr. TRAINER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TRAINER, from the Committee on Finance reported as committed, Senate Bill No. 1388, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by adding a new section providing for the reimbursement of the General Fund by the special operating funds for services rendered by the Department of Property and Supplies, and for space occupied in the Capitol buildings by departments, boards and commissions supported from the operating funds.

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Public Roads and Highways reported as amended, Senate Bill No. 1270 (House Bill No. 1780), entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws five hundred ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing certain routes and adding certain new routes.

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Finance reported as committed, Senate Bill No. 1391, entitled:

An Act to amend section eleven of the act approved the second day of May, one thousand nine hundred and twenty-nine

(P. L. 1518), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of elevators outside of cities of the first and second and second A classes granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," fixing the fees for the approval of plans of elevators.

Mr. PARKINSON. Mr. President, I ask uanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Finance reported as committed, Senate Bill No. 1389, entitled:

An Act to amend paragraph (c) of section five and section seven of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 899), entitled "An act regulating public bathing places, swimming pools, public bath houses, public and private natatoriums, turkish bath houses, all places hired for any form of bathing or swimming, and all related appurtenances; fixing license fees; providing, in matters of sanitation, cleanliness and safety, for supervision by the Department of Health; and prescribing penalties for violtaions," by increasing the inspection and license fees chargeable by the Department of Health.

Also from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF THE MOTHERS ASSISTANCE FUND

SUSQUEHANNA COUNTY

(Mrs.) Corvia A. Christian, Skinner's Eddy, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Carrie J. Dayton, Montrose, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

BRADFORD COUNTY

(Mrs.) Dorothy N. VanDyne, Troy, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Marion M. Newman, Canton, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Harriet S. Lewis, Wyalusing, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Rose E. Hagerman, Towanda, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Anne Hale Codding, Towanda, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

CHESTER COUNTY

Harry M. Neuhauser, Phoenixville.

DELAWARE COUNTY

H. Eugene Bowerman, Upper Darby.

MONTGOMERY COUNTY

Layton R. Fireng, Norristown.

VENANGO COUNTY

William Edward Wurster, Oil City.

GIFFORD PINCHOT.

JUSTICES OF THE PEACE

TRUSTEE OF CALIFORNIA STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In connformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

J. Hiram Swope, of Myerstown, Berks County, as Justice of the Peace in the Township of Bethel, Berks County, vice Jonathan Swope, deceased, until the first Monday in January 1934.

Harry E. Price, of Charleroi, Washington County, as a member of the Board of Trustees of California State Teachers College, vice Joseph A. Herron, deceased, for the term of four years, and until his successor is qualified.

Cletus I. Glomb, of Bradford Woods, Allegheny County, as Justice of the Peace in the Borough of Bradford Woods, Allegheny County, until the first Monday in January, 1934.

S. Elmore Haag, of Newfoundland, Wayne County, as Justice of the Peace in the Township of Dreher, Wayne County, vice H. M. Jones, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. GELDER,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. GELDER,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

Two-third of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SCOTT. Mr. President, I move that the Executive Session do now rise.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

SENATE BIL No. 874 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 874, entitled:

An Act making an appropriation to the Clearfield Hospital, Clearfield, Pennsylvania.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. SCOTT. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows: Amend section 1, page 1, line 4, by striking out before the word "thousand" the word "forty-seven" and inserting in lieu thereof the word "fifty"; also line 5, by striking out before the word "or" the figure "($47,000)" and inserting in lieu thereof "($50,000)."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 228 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 228, entitled:

An Act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amended, revising and consolidating the law relating thereto; and repealing existing laws.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. McCLURE. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. PARKINSON. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows: Amend article one, section 102, page 3, line 27, after the figure "(2)" by striking out the word "The" and inserting in lieu thereof "except where specifically referred to in this act the"; also by striking out after the word "laws" the word "specifically"; also article 2, section 201, page 6, line 16, by striking out after the word "such" the syllable "per" and inserting in lieu thereof the word "persons"; also line 19, by striking out after the article "the" the word "first"; also line 20 by striking out after the article "the" the word "first"; also section 204, page 8, line 2, by striking out after the word "by" the article "the"; also, page 9, line 10, by striking out after the word "grounds" all of lines 10, 11, 12 and 13; also, line 28, by inserting after the word "continues" the following: "Except as otherwise provided in clause (k) of this section all property real or personal other than that which is in actual use and occupation for the purposes specified in this section and all such property from which any income or revenue is derived other than from recipients of the bounty of the institution or charity shall be subject to taxation except where exempted by law for State purposes and nothing herein contained shall exempt same therefrom Except as otherwise provided in clause (j) of this section all property real and personal in actual use and occupation for the purposes specified in this section shall be subject to taxation unless the person or persons association or corporation so using and occupying the same shall be seized of the legal or equitable title in the realty and possessor of the personal property absolutely"; also, article 3, section 302, page 10, line 21, by inserting after the word "commissioners" the following: "or Board of revision of taxes or board for the assessment and revision of taxes"; also, article 4, section 401, page 16, line 15, by striking out after the word "make" the word "triennial" and inserting in lieu thereof the word "annual"; also, section 403, page 18, line 21, by striking out after the word "counties" the following: "except counties of the first class"; also, line 23, by inserting after the word "commissioners" the following: "or board of revision of taxes"; also, page 19, line 4, by inserting after the word "given" the following: "sible shall be given The provisions of this section shall not apply to any county of the first class except where under the provisions of existing law a tax upon occupations may be levied by any city within such county which makes its tax levies on the basis of the assessments provided for by this act and where such city has authorized such levy"; also, section 431, page 31, by striking out lines 4 to 9 inclusive; also, line 10 by striking out the letter "(b)" and inserting in lieu thereof the letter "(a)" also, line 18 by striking out the letter "(c)" and inserting in lieu thereof the letter "(b)"; also line 25, by striking out the letter "(d)" and inserting in lieu thereof the letter "(c)"; also, page 32, line 3, by striking out the letter "(e)" and inserting in lieu thereof the letter "(d)"; also, section 432, page 33, line 2, by inserting after the word "assessment" the following: "except in counties of the first class and"; also, line 3, by striking out after the article "the" the word "first"; also, line 4, by striking out after the word "commissioners" the following: "or board of revision of taxes"; also, article 5, section 502, page 36, line 22, by striking out after the word "revision" and before the word "or" the following: "or the board of revision of taxes"; also, section 503, page 38, line 5, by striking out after the word "Revision" the following: "or the board of revision of taxes"; also, section 504, line 19, by striking out

after the word "office" and before the word "or" in line 20, the following: "or office of the board of revision of taxes"; also, section 507, page 4, line 7, by striking out after the word "revision' the following: "or the board of revision of taxes"; also, section 508, line 20, by striking out after the word "revision" the following: "or the board of revision of taxes"; also, line 28, by striking out after the word "revision" the following: "or the board of revision of taxes"; also, section 509, page 41, line 8, by striking out after the word "revision" the following: "or the board of revision of taxes"; also, section 511, page 42, line 4, by striking out after the word "revision" the following: "or the board of revision of taxes"; also, line 9, by striking out after the word "revision" the following: "or the board of revision of taxes"; also, line 25, by striking out after the word "revision" the following: "or the board of revision of taxes"; also, section 514, page 43, line 12, by striking out after the word "revision" the following: "or the board of revision of taxes"; also, section 517, page 45, line 5, by striking out after the word "revision" the following: "or the board of revision of taxes".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 897 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 897, entitled:

An Act authorizing the issuance of scrip certificates for relief purposes by political subdivisions of this Commonwealth; providing for the printing and issuance of scrip and stamps by the Commonwealth, for the creation of scrip redemption fund in the State Treasury and for the redemption of scrip therefrom; imposing duties on the State Emergency Relief Board and the State Treasurer; appropriating the moneys in the scrip redemption fund and imposing penalties.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. McCLURE. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read as follows: Amend section 14, line 2, by inserting after the word "this" the following: "act and for the payment into the General Fund of the"; also by striking out all of line 3.

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Batchelor,	Fay,	McClure,	Snyder,
Baumer,	Gelder,	Miller,	Sones,
Bell,	Graff,	Norton,	Sordoni,
Bennett,	Harris,	Owlett,	Staudenmeier,
Boyd,	Harvey,	Parkinson,	Thompson,
Brandt,	Homsher,	Pethick,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Scott,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDENT PRO TEMPORE (Honorable Jams S. Boyd) IN THE CHAIR

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 6 (Senate Bill No. 1439), entitled:

An Act to further amend paragraph eight of section one thousand two hundred ten, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," as amended, decreasing the minimum salaries of county superintendents and assistant county superintendents.

Which was committed to the Committee on Education.

House Bill No. 188 (Senate Bill No. 1440), entitled:

An Act to amend section one hundred and seventy-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," prescribing the oath to be taken by members of the board of viewers.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1030 (Senate Bill No. 1441), entitled:

An Act fixing the salaries of certain county officers in counties of the fourth class.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1259 (Senate Bill No. 1442), entitled:

An Act relating to criminal procedure imposing upon officers conducting preliminary hearings, the duty of obtaining names of persons whom defendants desire notified of time of trial and imposing upon the district attorney the duty of notifying such persons thereof.

Which was committed to the Committee on Finance.

House Bill No. 1651 (Senate Bill No. 1443), entitled:

An Act to further amend section twenty-three of the act approved the first day of June, one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred twenty) entitled "An act to provide revenue by taxation approved the seventh day of June Anno Domini, one thousand eight hundred and

seventy-nine" by extending the provisions of the act to include natural gas companies, artificial gas companies, water companies, steam heat companies, and limited partnerships, associations, joint-stock associations, copartnerships, and persons engaged in the natural gas, artificial gas, water, or steam heat business and appropriating part of the tax to the Public Service Commission of the Commonwealth.

Which was committed to the Committee on Finance.

House Bill No. 1732 (Senate Bill No. 1444), entitled:

An Act to amend section one hundred and seventy-one of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," as amended, providing for the number and compensation of the members of the board of viewers in counties of the third and fourth classes.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1767 (Senate Bill No. 1445), entitled:

An Act authorizing plaintiffs in actions on written instructions to join as defendants persons severally, jointly and severally, liable thereon, and regulating the effect thereof and the procedure in such actions.

Which was committed to the Committee on Judiciary General.

House Bill No. 1925 (Senate Bill No. 1446), entitled:

An Act authorizing persons employed under any system of State work relief to work out the per capita school taxes of himself and members of his family; and providing for the payment of such taxes.

Which was committed to the Committee on Education.

House Bill No. 1766 (Senate Bill No. 1447), entitled:

An Act relating to procedure in actions of assumpsit and trespass.

Which was committed to the Committee on Judiciary General.

House Bill No. 2324 (Senate Bill No. 1448), entitled:

An Act to amend part of section one of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled "An act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution," by changing certain representative districts in Allegheny County and increasing the number of Representatives allowed such county.

Which was committed to the Committee on Legislative Apportionment.

House Bill No. 1235 (Senate Bill No. 149), entitled:

An Act to amend section two hundred and twenty-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law" as amended by changing the qualifications of the first deputy prothonotary in counties of the third class

Which was committed to the Committee on New Counties and County Seats.

HOUSE CONCURS IN SENATE BILL No. 237

He also returned to the Senate, Senate Bill No. 237, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by adding a new subdivision providing for the appointment of a fire marshal in counties of the second class.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 740

He also returned to the Senate, Senate Bill No. 740, entitled:

An Act making an appropriation to the Department of Property and Supplies to reimburse any contractor having a contract with the Commonwealth, for costs, expenses and loss incurred where work under such contract was not prosecuted on account of the lapsing of part of the appropriation on which the contract was based.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 767.

He also returned to the Senate, Senate Bill No. 767, entitled:

An Act to add section seven hundred and thirty-seven to the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing two or more counties jointly, with the consent of the Department of Highways, to levy and collect tolls on certain toll bridges acquired and rebuilt by such counties for the purpose of paying off the indebtedness incurred or reimbursing such counties for moneys expended in the acquisition, rebuilding and maintenance of such toll bridges.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 871

He also returned to the Senate, Senate Bill No. 871, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission, for the purpose of reimbursing the Conrad Weiser Memorial Park Association for moneys expended in maintaining Conrad Weiser Memorial Park until accepted by the Commonwealth.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 872

He also returned to the Senate, Senate Bill No. 872, entitled:

An Act to amend section one of the act approved the fourteenth day of April, one thousand eight hundred and eighty-one (P. L. 10), entitled "An act granting power to counties, cities (except cities of the first and second classes) boroughs municipalities and school districts in this Commonwealth, which have issued bonds or other interest-bearing evidences of indebtedness to redeem the same and issue new bonds therefor, with or without interest coupons attached," as amended, by extending the provisions of the said act to cities of the first and second classes and providing that the refunding bonds, issued under the provisions thereof may bear interest at a rate of six per centum and providing further that said bonds shall be payable at any time not exceeding twenty years after the date thereof.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 1021

He also returned to the Senate, Senate Bill No. 1021, entitled:

An Act making an appropriation to the Home for Widows and Single Women of Lebanon Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 1025

He also returned to the Senate, Senate Bill No. 1025, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that department in acting as purchasing agent of the Department of Highways.

with the information that the House has passed the same without amendment.

MOTION TO READ BILLS FOR THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 519, entitled:

A Supplement to the act, approved the tenth day of July, one thousand nine hundred nineteen (Pamphlet Laws eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties," its amendments and supplements; authorizing, in certain cases, the payment of grants accrued and unpaid at the date of death of a mother.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 522 (House Bill No. 756), entitled:

An Act to amend part of section two of the Appropriation Acts of one thousand nine hundred and thirty-one (Act Number fifteen-A page sixteen) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one" amending the appropriation relating to the Coaldale State Hospital.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 775, entitled:

An Act to amend article eleven of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 762), entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth, except in counties of the first and second class; and revising, amending, consolidating and changing the law relating thereto," as amended, by extending the time of temporary loans to meet unusual expenditures; and authorizing the directors to make temporary loans payable out of current revenue, when the district is out of funds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 817 (House Bill No. 1185), entitled:

An Act creating borough and township poor districts in the County of Wyoming to be administered by overseers of the poor and abolishing the county poor district

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 875, entitled:

An Act to require county commissioners, poor boards, public officers, voluntary relief organizations, trustees and others having jurisdiction of funds available for poor or unemployment relief, or to tax or borrow for such purposes, to furnish information and exhibit their records to the State Emergency Relief Board; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 913 (House Bill No. 1758), entitled:

An Act to repeal the act approved the eighth day of July one thousand nine hundred nineteen (Pamphlet Laws seven hundred seventy) entitled "An act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions and providing penalties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1235 (House Bill No. 1033), entitled:

Au Act to amend section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the dispostion of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1257 (House Bill No. 1774), entitled:

An Act establishing portions of certain highways lying partially within the corporate limits of cities boroughs or incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1258 (House Bill No. 1775), entitled:

An Act authorizing agreements between the Department of Highways and local authorities to provide for the construction and maintenance of streets and highways in cities counties boroughs towns and townships under certain conditions providing for assessments on abutting property owners and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1270 (House Bill No. 1780), entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws Five Hundred Ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and imprisonment under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry uot the provisions of said act" by changing certain routes and adding certain new routes

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1285 (House Bill No. 2010), entitled:

An Act establishing a court of record in the County of Allegheny for control care and treatment of delinquent neglected and dependent children under sixteen years of age defining their jurisdiction powers and duties and regulating procedure therein providing for the transfer of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of referees probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1313 (House Bill No. 1753), entitled:

An Act requiring Pennsylvania registration plates on certain vehicles when being operated under a contract for a public improvement and requiring the operators thereof to have a Pennsylvania operator's license.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1314 (House Bill No. 1754), entitled:

An Act to amend section four hundred fifteen of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled "For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by providing for the sale of statistics relating to the titling and registration of motor vehicles

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No 1317 (House Bill No. 1949), entitled:

An Act providing for the designation as State highways of certain existing township roads in townships of the second class by the Secretary and Chief Engineer of the Department of Highways providing for their construction and maintenance at the expense of the Commonwealth under certain terms and conditions and subject to certain limitations and making an appropriation from the Motor License Fund for the purposes of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1318 (House Bill No. 1833), entitled:

An Act providing for the taking over of certain roads in townships of the first class as State highways and providing for their construction improvement and maintenance by the Commonwealth including certain bridges thereon and drainage facilities connected therewith and conferring powers upon township and county commissioners.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1338, entitled:

An Act fixing the fee for the filing of applications for pardon.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1340, entitled:

An Act fixing the fee for the analysis of water by the Department of Health.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1370 (House Bill No. 446), entitled:

An Act making an appropriation to the Department of Property and Supplies to be Expended by it in the payment to the Harrisburg Railways Company of the City of Harrisburg of the unpaid balance of the damages occasioned by the erection by the Commonwealth of the Soldiers' and Sailors' Memorial Bridge.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1371 (House Bill No. 687), entitled:

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims of the Commonwealth not paid before the insolvency of the insurance carrier.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1375 (House Bill No. 1009), entitled:

An Act fixing the minimum salaries of county and assistant county superintendents for the first year of their terms which will begin on the first Monday of July one thousand nine hundred thirty-four providing for the payment of such minimum salaries by the Commonwealth and temporarily superseding any inconsistent acts and parts of acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill Bill No. 1388, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws, one hundred seventy-seven), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" by adding a new section providing for the reimbursement of the General Fund by the special operating funds for services rendered by the Department of Property and Supplies, and for space occupied in the Capitol buildings by departments, boards and commissions supported from the operating funds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1389, entitled:

An Act to amend paragraph (c) of section five, and section seven, of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 899), entitled "An act regulating public bathing places, swimming pools, public bath houses, public and private natatoriums, turkish bath houses, all places hired for any form of bathing or swimming, and all related appurtenances; fixing license fees; providing, in matters of sanitation, cleanliness and safety, for supervision by the Department of Health; and prescribing penalties for violations," by increasing the inspection and license fees chargeable by the Department of Health.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1390, entitled:

An Act to amend section twenty, sections twenty-six, twenty-seven, twenty-nine, thirty and thirty-two, as amended, and to repeal section twenty-eight of the act, approved the eleventh day of May one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," changing the fee for killing dogs and disposing of their carcasses; and providing that appraisements for damages to live stock and poultry shall be made by an agent of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1391, entitled:

An Act to amend section eleven of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of elevators outside of cities of the first and second and second A classes; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," fixing the fees for the approval of plans of elevators.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until eight o'clock this evening.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

QUESTION OF PERSONAL PRIVILEGE

Mr. McCLURE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Delaware, Mr. McClure, will state his question of personal privilege.

Mr. McCLURE. Mr. President, the veto of the Sowers-Conner Bill is a surprise to no one. The Governor previously stated that he would not sign a beer control bill authorizing Judges to grant licenses or where politics played a part.

I have drawn a bill to meet the Governor's view point. The Bill which I have presented provides for the granting of licenses to manufacturers by the State Treasurer, and to wholesale and retail distributors by County Treasurers. It is mandatory on their part to grant the licenses, and provides for revocation of Courts of Quarter Sessions.

This Bill was prepared by me after consultation with General Edward Martin, Chairman of the Republican State Committee, and represents an effort on the part of the State Organization to regulate the traffic in beer. It is the opinion of the State Organization not only that revenues should be derived from the sale of beer but that the distribution should be controlled. I ask for favorable consideration of this bill, and at the same time urge Members of the House and Senate to promptly pass the revenue bill which was reported from the Committee on Ways and Means of the House today, and which will provide revenue from the sale of beer amounting to seven and a half million dollars for the biennium.

As Chairman of the Committee on Finance of the Senate, I wish it understood by everyone that this revenue must be had if the State is to provide sufficient money for the relief of the unemployed.

BILLS INTRODUCED

Mr. McCLURE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCLURE read in his place and presented to the Chair Senate Bill No. 1450, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing license fees and providing for collection and distribution of revenue therefrom restricting ownership and interest in licensed places making appropriations providing penalties and repealing existing acts

Which was committed to the Committee on Law and Order.

Mr. SCOTT. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT read in his place and presented to the Chair Senate Bill No. 1451, entitled:

An Act to amend the act, approved the fifth day of May one thousand nine hundred twenty-one (Pamphlet Laws, three hundred seventy-four), entitled "An act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith, a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties," as amended, by providing for the transfer from the Department of Banking to the Pennsylvania Securities Commission of the rights and duties with respect to the licensing and regulation of such corporations, copartnerships, associations, and individuals.

Which was committed to the Committee on Banks and Building and Loan Associations.

REPORT FROM COMMITTEE

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chairs hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as committed, Senate Bill No. 1425, entitled:

An Act to further amend part of section one of the act, approved the thirteenth day of June, one thousand nine hundred thirty-one (Act numer eighteen-A Appropriation Acts of one thousand nine hundred thirty-one), entitled "An act making an appropriation to the Department of Property a l Supplies for the acquisition of land and buildings for the Commonwealth, and the erection and construction of new buildings and additions, alterations or improvements to and replacement of new or existing buildings of the Commonwealth, including fixtures and heating or sewerage systems and services lines for the accommodation of buildings," by extending the scope of the appropriation made to the Department of Property and Supplies for the erection and construction of buildings at the State Industrial Home for Women at Muncy.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 638

Mr. PARKINSON. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON offered the following resolution, which was twice read, considered and agreed to:

Resolved (if the House of Representatives concur), That Senate Bill No. 638, entitled "An act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors providing for the appointment and compensation of a director of welfare investigators assistants experts and employes and for the employment and compensation of elected directors whose terms have not expired and repealing existing laws," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 51.

Mr. KRAUSE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KRAUSE offered the following resolution, which was twice read, considered and agreed to:

Resolved (if the House of Representatives concur), That Senate Bill No. 51, entitled "An act to amend the act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-two) entitled 'An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired and to validate the conveyances and other instruments of said corporation' as amended extending said validating provisions to January one thousand nine hundred and thirty-three," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. TRAINER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TRAINER, from the Committee on Law and Order, reported as committed, Senate Bill No. 1450, entitled:

An Act to regulate and restrain the traffic in malt, brewed and vinous and fruit juice beverages as herein defined; providing for the licensing of the manufacture, sale, transportation and distribution of such beverages; imposing license fees, and providing for collection and distribution of revenue therefrom; restriction ownership and interest in licensed places; making appropriation; providing penalties; and repealing existing acts.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1425, entitled:

An Act to further amend part of section one of the act, approved the thirteenth day of June, one thousand nine hundred thirty-one (Act number eighteen-A, Appropriation Acts of one thousand nine hundred thirty-one), entitled "An act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings for the Commonwealth, and the erection and construction of new buildings and additions, alterations or improvements to and replacement of new or existing buildings of the Commonwealth, including fixtures and heating or sewerage systems and service lines for the accommodation of buildings", by extending the scope of the appropriation made to the Department of Property and Supplies for the erection and construction of buildings at the State Industrial Home for Women at Muncy.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1450, entitled:

An Act to regulate and restrain the traffic in malt, brewed and vinous and fruit juice beverages as herein defined; providing for the licensing of the manufacture, sale, transportation and distribution of such beverages; imposing license fees, and providing for collection and distribution of revenue therefrom; restricting ownership and interest in licensed places; making appropriations; providing penalties; and repealing existing acts.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10 o'clock.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 8:15 p. m. until Friday morning April 21, 1933, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES

THURSDAY, April 20, 1933

The House met at 10.00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

O God, Thou great comrade of the souls of men and women who put their trust in Thee. We would fellowship with Thee today. We need Thee.

If our spirits are a bit jade, and our minds weary, and our bodies worn, with the constant strain of toil and care, thou canst rejuvinate us both in body and soul, by thy presence.

We thank Thee for the high privilege of serving our fellows in this General Assembly, during these most unusual times.

Grant that the laws enacted by the House and Senate may adequately meet the needs of our people, and thus vindicate the judgment of these Ladies and Gentlemen, thy servants and the people's.

Continue to bless the Speaker, the Members the Officers and Personale of the Government, that they may fully justify the confidence placed in them by the people of the Commonwealth.

For thy great glory. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when on motion of Mr. Denning, the further reading was dispensed with and the Journal approved.

RESOLUTION

FIXING ORDER OF BUSINESS

Mr. HUTTON offered a resolution from the Committee on Rules, fixing the order of business for the day, which was twice read, considered and adopted as follows:

REPORT FROM THE COMMITTEE ON RULES

Resolved, That the order of the business of the House for the Session Thursday, April 20, 1933, shall be as follows:

1. Communications from the Governor and the Senate, reference of bills or petitions to committees; signing bills or other papers; clearing the table may be considered at any time.
2. The asking of leave of absence.
3. The receiving reports of committees. Reports from committees may also be received immediately before or after a recess or before adjournment. (All bills reported from committee, as committed shall be read for the first time).
4. Resolutions:
   - A. House and concurrent resolutions originating in the House other than those to discharge committees from consideration of bills.
   - B. Resolutions recalling bills from the Governor or resolutions returning bills to the Governor are privileged at any time.
   - C. Senate Bill No. 158, Printer's No. 552 is made a special order of business for Monday, April 24, at 10.30 P. M.
5. Motions to recommit (this motion may also be made when a bill is reached in its regular order).
6. Motions to reconsider may be made (this motion may also be made when necessary for any bill on the calendar).
7. Bills on first reading.

8. Bills on second reading.
9. Bills on final passage recalled from the Governor.
10. Bills on final passage (bills on the final passage postponed calendar may be called up under this order of business).
11. Bills on third reading (bills on the third reading or final passage postponed calendars may be called up under this order of business).
12. Conference reports may be received or called up for consideration at any time.

RULES COMMITTEE:
GROVER C. TALBOT,
A. J. WHITE HUTTON,
WILSON G. SARIG,
T. B. WILSON.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 1, Printer's No. 473, entitled "An act relating to baseball and football on Sunday prohibiting baseball and football during certain hours and also during certain other hours unless the electors of a municipality are in favor of the same and in certain cases a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 18, 1933.

Resolved (if the House of Representatives concur), That the Legislative Committee on Finances authorized to be appointed pursuant to concurrent resolution approved April 30, 1929 (P. L. 1816), and continued pursuant to the concurrent resolution of April 22, 1931 (P. L. 1426), to devise ways and means of financing the Commonwealth is hereby continued for a further period of two years and shall make a further report of their recommendations to the General Assembly of 1935.

Any vacancy existing on said committee, for any cause, shall be filled by an appointment of a Senator or member by the President pro tempore or Speaker as the case may be.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 671.

An Act to amend sections three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen, three hundred sixteen, three hundred seventeen, three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred twenty-one, three hundred twenty-two, three hundred twenty-three, three hundred twenty-four, three hundred twenty-five and three hundred twenty-six, and to repeal section three hundred twenty-seven as added of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the amount of contributions to the retirement fund the retirement age, the length of service necessary to entitle members to retirement allowance, upon being totally disabled, and increasing the number of members of the retirement board, and authorizing counties of the second class and the county poor district to make appropriations to an employes retirement fund.

Mr. RECTENWALD. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate, and that a committee of conference be appointed.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk.

URGING AMENDMENT OF BLUE LAWS BE SUBMITTED TO VOTERS

Woodrow Wilson Democratic League, Philadelphia.

Referred to Committee on Law and Order.

REPORT FROM COMMITTEE

Mr. HAINES, from the Committee on Ways and Means, reported as amended, House Bill No. 1770, entitled:

An Act requiring the licensing of portable grinding mills, conferring powers and imposing duties on the Department of Agriculture, and prescribing penalties.

RESOLUTIONS

URGING OBSERVANCE OF FLAG DAY IN SCHOOLS

Mr. RHODES offered the following resolution which was twice read and laid over for printing.

In the House of Representatives, April 20, 1933.

On the fourteenth day of June, 1777, the Congress of the United States, by resolution, enacted that "the flag of the United States be thirteen stripes, alternating red and white, and that the Union be thirteen stars, white in a blue field, representing a new constellation."

Patriotic citizens and various organizations have for many years been observing that day as Flag Day, and by holding and fostering the holding of services at which love of flag and country were emphasized in addresses, have endeavored to inculcate into the minds and hearts of future citizens a sincere devotion to our flag and the country for which it stands.

A true regard and respect for our flag and the law it symbolizes is the basis of true patriotism without which the Nation cannot long endure.

The teaching to the youth of our country of the origin, development and meaning of the flag, of what it stands for and what it typifies is more important than any other teaching; therefore be it

Resolved (if the Senate concur), That this Legislature hereby suggests to the Superintendent of Public Instruction the holding in every public school in the Commonwealth of Flag Day exercises on an appropriate day in each year to be selected by the Superintendent of Public Instruction.

That it is further suggested the Department of Public Instruction prepare and submit to the board of school directors of each school district within the Commonwealth an appropriate program best suited to the various grades with sug-

gestions as to how such programs can best be rendered, with the idea of developing in each pupil a proper realization of the meaning of our flag and an idealization of all it symbolizes; and

That a copy of this resolution be forthwith forwarded by the Chief Clerk of the House to the Superintendent of Public Instruction.

RESOLUTION

RECALLING HOUSE BILL No. 421 FROM THE GOVERNOR

Mr. CRAIG asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 421, entitled "An act validating ratifying and confirming certain assessments by boroughs of sewage taxes against property outside the limits of such boroughs benefited by sewers constructed by such boroughs and all municipal claims filed and entered pursuant to such assessments," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair is informed that the last Printer's Number on the files of the members is Senate 570 and House 977. The Chair will not take up bills beyond those numbers.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1400, entitled:

An Act relating to the business of insurance; providing for the organization, merger, and consolidation of insurance companies, title insurance and mortgage insurance companies, fraternal benefit societies, for the reincorporation of certain beneficial societies, for the conversion of stock life insurance companies to mutual life insurance companies and for the conversion of certain mutual fire insurance companies into stock fire insurance companies; defining the rights, powers, duties, liabilities and immunities of such companies and societies; provding for the regulation, supervision, and protection of domestic, foreign and alien insurance companies, title insurance and mortgage insurance companies, fraternal benefit societies, beneficial societies, employers' mutual liability insurance associations, Lloyds associations, reciprocal and inter-insurance exchanges, fire insurance rating bureaus, and compensation insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, societies, associations and exchange, including insurance carried by the State Workmen's Insurance Fund and boiler insurance conducted within cities of the first class, and the loss reserves of self-insured employers under the Workmen's Compensation Act; restricting the engaging in the insurance business by any other corporation or by individuals; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions and officers; providing for the acceptance of the provisions of this act; imposing penalties; and repealing certain acts and parts of acts.

And said bill having been read at length the first time, Orderedl, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 175, as follows:

An Act making an appropriation to the Department of Military Affairs for payment of property damages occasioned by a horse the property of the Federal Government issued to and in possession of the National Guard of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy-five dollars ($75.00) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs for the purpose of paying any claim with interest thereon for repairs to a motor vehicle damaged by a cavalry horse the property of the United States of America which horse was issued to the Commonwealth of Pennsylvania for the training of the National Guard and was in the possession of and under the control of the One Hundred and Fourth Cavalry Regiment of the National Guard when such damage occurred Payment from said appropriation shall be made by requisition of the Department of Military Affairs upon proof of such claim to the satisfaction of the Department of Military Affairs and the Department of the Auditor General

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1271, as follows:

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eight thousand dollars ($8,000) or so much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Board of Finance and Revenue for the purpose of paying the claim or claims of any person or persons for expenditures made by such person or persons for medical and hospital services and funeral expenses incurred and for pain and suffering and loss of support on account of an accident to any person or persons caused by the negligence of employes of the Department of Highways in permitting any road construction machinery to remain on any public highway at night without being guarded by red lanterns

Payment of any such claim or claims may be made upon requisition of the Treasury Department for the Board of Finance and Revenue upon proof before said Board of such accident the incurring of such expenditures and the sustaining of such injuries and loss of support if in the opinion of the Board of Finance and Revenue a moral obligation rests on the Commonwealth to pay the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1807, as follows:

An Act to amend section one of the act approved the twenty-seventh day of February one thousand eight hundred and sixty-five (Pamphlet Laws four) entitled "An act to increase the fees of mercantile appraisers in certain counties of this Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-seventh day of February one thousand eight hundred and sixty-five (Pamphlet Laws four) entitled "An act to increase the fees of mercantile appraisers in certain counties of this Commonwealth" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees of the appraisers of mercantile taxes for each certificate of license issued shall be fifty cents instead of thirty-seven and a half cents as now provided by law and the said mercantile appraisers shall also be allowed [six] five cents per mile [circular] for all necessary travel in the manner now provided by law in lieu of three cents per mile heretofore provided and that all laws inconsistent herewith are hereby repealed [Provided That this act shall not apply to the city of Philadelphia and county of Allegheny]

Section 2 This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2064 (Senate Bill No. 487), entitled:

An Act to amend section one thousand thirty-four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing how executions on judgments against counties may be issued, the procedure thereon; authorizing the court to direct the levy of a tax to satisfy such judgments, and fixing the rate of interest which such judgments shall bear.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2111 (Senate Bill No. 72), entitled:

An Act prescribing penalties to be imposed upon conviction of stealing poultry.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2313 (Senate Bill No. 1027), entitled:

An Act authorizing the conveyance to the United States of America of a certain tract of land in or near Petersburg Virginia

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2314 (Senate Bill No. 996), enittled:

An Act to validate sales of mortgaged real estate made by sheriffs on writs of fieri facias without inquisition where the sales were made under judgments upon the bonds, not containing waivers of inquisition, accompanying such mortgages.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2315 (Senate Bill No. 1032), entitled:

An Act authorizing the courts of common pleas of this Commonwealth in certain cases, to extend the return days of writs and providing for the effect of such extensions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2311 (Senate Bill No. 973), entitled:

A Supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," to exempt persons furnished work as an emergency unemployment relief measure by welfare or relief officers from the provisions thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2317 (Senate Bill No. 788), entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase of certain veins and seams of coal or minerals underlying lands of the Commonwealth occupied by the State Tuberculosis Sanatorium at Cresson.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2300 (Senate Bill No. 987), entitled:

An Act relating to unemployment relief; making an appropriation to the State Emergency Relief board for direct relief and work relief; prescribing the powers and duties of the board with reference thereto; and conferring powers and imposing duties upon certain State departments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 808, as follows:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts

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Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Department of Banking Code"

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Department" the Department of Banking of this Commonwealth

"Secretary" the Secretary of Banking of this Commonwealth or his duly authorized deputy or other representative

"Corporation" a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Person" an individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals

"Institution" a corporation or a person as defined in this section which is subject to the supervision of the Department

"Court" the court of common pleas of the county in which the corporation or person has its principal or only place of business in this Commonwealth or where an institution of which the Secretary is receiver is concerned the particular court in which the certificate of possession as defined later in this act is filed

"Prothonotary" the prothonotary of such court

"Written" this includes printed typewritten engraved lithographed telegraphed cabled radiogramed photographed photostated telephotographed or other form of recorded or transmitted message

B Article and section headings shall not be construed to affect in any manner in scope or meaning of any article or section of this act

C The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 3 Notices to Corporations and Persons Unless expressly provided otherwise all written notices required by this act to be given to any corporation or person shall be (1) served in the manner now or hereafter established by law for the service of writs of summons except that such service need not be made by the sheriff or (2) mailed or sent by telegram charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation formed under the laws of this Commonwealth to its principal office and (c) in the case of a corporation formed under the laws of some other state to the office of its duly authorized agent in Pennsylvania or if there be no duly authorized agent in Pennsylvania to its home office in the state of incorporation or in any other state

If a notice is sent by mail or by telegraph such notice shall be deemed to have been given to the corporation or person addressed when it is deposited in the United States mail or with a telegraph office for transmission to such corporation or person

Section 4 Advertisements or Notices in Newspapers A Unless expressly provided otherwise any advertisement or notice in a newspaper required by this act shall be published once a week for three successive weeks (1) in a newspaper of general circulation in the county as defined by the Newspaper Advertising Act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four) its supplements and amendments published in the city borough or township in which the principal place of business of the institution is located and (2) in first and second class counties also in the legal newspaper if any published within the county as defined by the Newspaper Advertising Act

If there is no newspaper of general circulation published in the city borough or township then the advertisement or notice shall be inserted in a newspaper of general circulation in the county published at the county seat If no newspaper of general circulation in the county is published at the county seat then such advertisement or notice shall be inserted in the newspaper of general circulation published nearest to the city borough or township in which the principal place of business of such institution is located and within the county If there is no newspaper of general circulation published within the county then the advertisement or notice shall be inserted in the newspaper of general circulation published nearest to such city borough or township in an adjoining county

B Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act

Section 5 Waiver of Notice Any notice required by this act to be given to any corporation or person may be waived by such corporation or person either before or after the day prescribed for the giving of such notice Such waiver shall be in writing and signed by such corporation or person

Section 6 Fees Except as otherwise specifically provided in this act any prothonotary or recorder of deeds and any State department board commission or officer other than the Department of Banking or its employes shall be entitled to receive for services performed as required by this act such fees as it lawfully charges for such similar services

Section 7 Certification of Copies and Affixing of Department Seal All certifications by the Department of copies of books accounts reports or other papers filed with it shall bear the official seal of the Department

Section 8 Fees for Copies and Certifications by Department The Department may by general rule or regulation prescribe and charge reasonable fees for any copy of a book account report or other paper filed in its offices and for any certification thereof authorized or required by law

Section 9 Admissibility of Copies into Evidence When duly certified by the Department a copy of any book paper or document on file with it shall be evidence in any court of law or equity or in any investigation or proceeding authorized by law or for any other purpose equally and with the same effect as the original but in any proceeding the court having jurisdiction may on cause shown require the production of the original

Section 10 Evidential Value of Results of Examinations The record of any examination or investigation of an institution by the Department or the report by the examiner or employe of the Department who conducted such examination or investigation or a copy of either when duly certified by the Department shall be prima facie evidence of the facts therein stated in any action at law or in equity in which one of the parties is the Department or any officer or employe thereof either in his official capacity or otherwise where the basis of the action is an act performed by him in the name of the Department

Section 11 Appeals from Court Orders Whenever pursuant to the provisions of this act any judgment decree or other order is entered by any court in this Commonwealth either for or against the Department or any relief requested by or against the Department is refused by such court either the Department or any other party to such proceeding shall have a right of appeal to the Supreme Court in the manner provided by law for appeals to that court regardless of the amount in controversy

Section 12 Construction of References A Any reference in this act to any act by title or otherwise shall be con-

strued to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

B Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act as well as those then in existence

Section 13 Saving Clause A The provisions of this act in so far as they are the same as those of existing acts shall be construed as a continuation of such acts and not as new enactments The repeal by this act of any existing act or any part thereof shall not be construed to revive any act or part of any act heretofore repealed or superseded

B The provisions of this act shall not affect any act done liability incurred or right accrued or any suit or prosecution pending or to be instituted to enforce any right or penalty to punish any offense under the authority of any act repealed or superseded by this act

C Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term subject to the conditions attached to such office prior to the passage of this act

D All resolutions regulations and rules made pursuant to any act repealed by this act shall unless inconsistent with any provision of this act continue with the same force as if such act had not been repealed

Section 14 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 15 Act Not Applicable to Small Loan Companies This act does not apply to and does not affect any act relating to corporations and persons licensed by the Department to make small loans as provided by the act approved the seventeenth day of June one thousand nine hundred fifteen (Pamphlet Laws one thousand twelve) entitled "An act regulating the business of loaning money in sums of three hundred ($300.00) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" its amendments and supplements

ARTICLE II

JURISDICTION AND MAINTENANCE OF DEPARTMENT

Section 201 Corporations and Persons Subject to Supervision of Department The Department shall have the power to supervise

(1) All corporations and persons which are authorized to receive or which do receive in this Commonwealth money on deposit or for safe-keeping or which are authorized to engage or which do engage in this Commonwealth in a banking business and all corporations which are authorized to act of which do act in this Commonwealth as trustees guardians executors administrators or in other fiduciary capacities including banks bank and trust companies trust companies private banks savings banks mutual savings funds and safe-deposit companies but not including hotels which receive money from guests for temporary safe-keeping express steamship or telegraph companies which receive money for transmission or brokers licensed under the laws of this Commonwealth holding membership in a lawfully constituted brokerage exchange who do and have authority to do only such banking as is incidental to their brokerage business

(2) All building and loan associations authorized to transact or transacting business in this Commonwealth

(3) All national banking associations incorporated under the laws of the United States which are authorized to act or which do act in this Commonwealth as trustees guardians executors administrators or in any other fiduciary capacities to the extent to which supervision by state authorities is or may be permitted under the laws of the United States

However when any corporation subject to the supervision of the Department of Banking shall also engage in a title insurance business a mortgage guarantee business or any other business subject to the supervision of the Insurance Department such branch of its business shall not be subject to the supervision of the Department of Banking

Section 202 General Scope of Supervision Exercise of Discretion A In addition to the powers and duties provided for in this act the Department shall exercise any power and fulfill any duty imposed upon it by any other law of this Commonwealth Except where otherwise specifically provided the Department shall enforce and administer all laws of this Commonwealthm which relate to any institution and shall exercise such general supervision over institutions as will afford the greatest possible safety to depositors other creditors and shareholders thereof

B Whenever under this act discretion is vested in the Department as to whether or the manner in which to exercise a power or fulfill a duty the Deparement shall after such examination or investigation as it shall deem appropriate under the circumstances take such action as it deems to the best interests of the depositors other creditors and shareholders of such institution

Section 203 Appropriations for Expenses of Department Receipts A All moneys collected or received by the Department arising from fees assessments charges and penalties from the sale by the Department of Property and Supplies of unserviceable property originally paid for out of the Banking Department Fund and from similar sources are hereby specifically appropriated to the Department of Banking to be used to pay its expenses including the following

(1) Salaries of the Secretary the deputies the examiners the other employes of the Department and such deputy attorneys general special deputy attorneys general assistant deputy attorneys general and other counsel as may be assigned by the Department of Justice to the Department or to the handling of any legal business pertaining to its work

(2) Rental and other expenses for offices rooms garage space and other accommodations outside of the Capitol Buildings either in or outside of the capital city occupied by the Department

(3) Premiums for Workmen's Compensation Insurance covering the officers and employes of the Department

(4) Premiums for surety bonds for such officers or employes of the Department as may be required by law to furnish such bonds

(5) Purchase and operating costs of motor vehicles required by the Department for full-time use including premiums for liability insurance covering such motor vehicles and the Department officers and employes operating them also the amount payable to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use by the Department of Banking

(6) Furniture stationery materials supplies and all other overhead expenses of the Department

All such purchases and leases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as agent

B Estimates of the amounts to be expended under this act by the Department of Banking either itself or through the Department of Property and Supplies as purchasing agent shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Banking or by the Department of Property and Supplies at its agent in excess of the estimates approved by the Governor Subject to this provision the Auditor General shall from time to time draw warrants upon the State Treasury for the amounts specified in such requisitions not exceeding however the amount in the Banking Department Fund at the time of the making of any such requisition

Section 204 Assesment of Expenses of Department upon Institutions A All the expenses of the Department including those enumerated in this act or otherwise authorized by law shall be charged to and paid by all institutions in such equitable amounts at such times and in such manner as the Department shall by general rule or reguation prescribe The expenses incurred by the Department in connection with any examination or investigation whether regular or special including a proportionate part of the salary of any examiner or other employe of the Department engaged in such examination or investigation and all counsel assigned by the Department of Justice at the request of the Department of Banking to an examination or investigation may be assessed by the Department of Banking upon the particular institution examined or investigated

B The Department shall give written notice to each institution of the amount lawfully charged against it under the pro-

visions of this act The institution shall pay the amount of such assessment to the Department within thirty days after such notice If payment is not made by any institution within such thirty-day period the Department through the Department of Justice may institute an appropriate action at law for the amount lawfully assessed against such institution together with any additional costs incurred by the Department of Banking or the Department of Justice by virtue of such failure to pay

ARTICLE III
RESTRICTIONS UPON DEPARTMENT AND EMPLOYES THEREOF

Section 301 Relationships of Employes of Department with Institutions Penalty A Neither the Secretary nor any deputy examiner clerk or other employe of the Department shall be an officer director trustee manager employe or shareholder of or directly or indirectly have any precuniary interest in any institution nor shall he after becoming Secretary or a deputy examiner clerk or other employe of the Department directly or indirectly receive from any institution or from any officer director or employe thereof any sum of money or other property whether as a gift credit loan or otherwise However the Secretary or any deputy examiner clerk or other employe of the Department may secure from any institution a mortgage loan upon his own home upon the same terms and in the same manner as are provided by law for mortgage loans by such institutions upon real property and as are customarily imposed and followed by the institution making such loan

This section shall not be construed to prohibit the Secretary or any deputy examiner clerk or other employe of the Department from becoming a depositor in any institution

B A violation by the Secretary deputy examiner clerk or other employe of the prohibitions of this section shall constitute sufficient ground for his removal from office In addition the Secretary deputy examiner clerk or other employe committing such violation shall be deemed guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount of the gift credit loan or other sum of money which he has directly or indirectly received in violation of this section

Section 302 Disclosure of Information Forbidden Penalty Exceptions A Neither the Secretary nor any deputy examiner clerk or other employe of the Department shall publish or divulge to anyone other than the Governor the Department of Justice the Department of Revenue or the Department of the Auditor General any information contained in or ascertained from any examination or investigation made by the Department or any letter report or statement sent to the Department or any other paper or document in the custody of the Department except when the publication or divulgement of such insions of this act or of any other law of this Commonwealth sions o fthis act or of any other law of this Commonwealth or when the production of such information is required by subpoena or other legal process of a court of competent jurisdiction or when it is used in prosecutions or other court actions instituted by the Department

B A Violation of the provisions of this section by the Secretary or by any deputy examiner clerk or other employe of the Department shall be sufficient ground for his removal from office In addition the Secretary deputy examiner clerk or other employe committing such violation shall be deemed guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one thousand dollars or both

ARTICLE IV
EXAMINATIONS BY AND REPORTS TO THE DEPARTMENT

Section 401 Examinations of Institutions A The Department shall examine all institutions thoroughly at least once each year and more frequently if it deems such action necessary or advisable to safeguard the interests of the depositors other creditors or shareholders of such institutions This examination shall include a complete review of the property assets and resources of the institution the loans and discounts made by it and the collateral deposited with it as security for such loans the mode of conducting its affairs the investment of its funds the interest taken in its affairs by its officers directors and employes if a corporation or by its employes and the partners or individuals owning it if a person its compliance with the law and with the terms of its charter or license if it has either and any other matters bearing any relations to its condition which the Department shall prescribe

The Department may also make special examinations or investigations of any institution at any time the Department deems such action necessary or advisable to protect depositors other creditors or shareholders thereof

B The Department when requested in writing by a person subject to its supervision or by the board of directors or the holders of a majority of the shares of capital stock of a corporation subject to its supervision shall examine or investigate the affairs and condition of such institution However this provision shall not be construed to mean that such person directors or shareholders shall have any greater right to require the Department to disclose to them the results of any such examination or investigation than they have in the case of any regular examination or investigation

C The Department upon the receipt of notice from the Insurance Commissioner that he has become receiver of a corporation or person any branch of the business of which is subject to the supervision of the Department of Banking shall examine or investigate the affairs and condition of such institution in order to determine whether any action should be taken by the Department of Banking pursuant to the provisions of this act

D Examinations or investigations shall be made by the Secretary or by qualified examiners or other qualified employes designated for that purpose by the Secretary or by his duly authorized deputy and empowered in writing by the Department to make examinations or investigations of institutions

E In the case of an institution which is a member of a Federal Reserve Bank the Department may in its discretion accept the examinations or reports made under the Federal Reserve Act in lieu of those required by this act

F In connection with any examination or investigation the Department shall have power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by the officers directors agents employes or members respectively of any corporation or person which the Department is authorized under the provisions of this act to examine The Department shall also have the power to question such witnesses under oath or affirmation and to examine such books and papers

Any witness who refuses to obey a subpoena issued under this section or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court and for this purpose an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed for which purpose such court is hereby given jurisdiction

Section 402 Examination of Corporations or Persons Affiliated with Institutions For the purpose of determining the condition of and obtaining full information about an institution the Department may examine and investigate the property assets books papers and affairs of any corporation or person affiliated with such institution A corporation or person shall be deemed to be affiliated with an institution for the purposes of this section if

(1) It it owned directly or indirectly by such institution or

(2) It owns directly or indirectly such institution or

(3) It is owned directly or indirectly by the same person or corporation which owns directly or indirectly such institution or

(4) The election of a majority of its board of directors is controlled directly or indirectly by any instrumentality agency or arrangement that controls directly or indirectly the election of a majority of the board of directors of such institution or

(5) A majority of its directors or a majority of the members of the executive committee of its board of directors or a majority of its owners are also directors of such institution or

(6) Members of its board of directors of its owners constitute a majority of the board of directors or a majority of the executive committee of the board of directors of such institution or

(7) Substantially all of its principal executive officers constitute a majority of the board of directors of any such institution or comprise all or substantially all of the executive officers of any such institution or

(8) Its board of directors is composed of executive officers of any such institution or

(9) It dominates or controls in whole or in part the business or policy of such institution either by contract or otherwise or

(10) Its business or policy is dominated or controlled in whole or in part either by contract or otherwise by such institution or by any instrumentality agency or arrangment which also dominates or controls in whole or in part either by contract or otherwise the business or policy of such institution

Provided however that the Department shall not have power to examine any corporation or person as an affiliated corporation or person under this section unless (1) such corporation or person either directly or indirectly owns an institution or (2) within the preceeding two-year period business transactions or relations existed between such corporation or person and the institution or (3) the institution within the preceding two-year period had outstanding loans secured in whole or in part by shares of stock or securities of such corporation or person or by any property in which such corporation or person was in any way or to any extent interested

For the purposes of this section the ownership of fifty per centum or more of the total number of voting shares outstanding or fifty per centum or more of the total number of shares voted upon at the last meeting of the shareholders of a corporation for the election of its directors shall be deemed to be ownership of such corporation

Shares of stock held in the name of a nominee of any corporation for the benefit of such corporation shall be deemed to be shares owned or controlled by the corporation

Section 403 Examination of Corporations or Persons Having Business Relations with an Institution Whenever it shall appear to the Department that the examination of the books papers and affairs of a corporation or person which it has no power by law to examine and which has business transactions or relations with an institution would materially aid the Department in determining the condition of such institution it shall have the power after giving notice to such corporation or person to petition the court to issue an order to such corporation or person to permit its books papers and affairs to be examined by the Department After allowing the corporation or person at least five days in which to show cause why the petition should not be granted and upon satisfactory proof by the Department that the circumstances set forth in this section and justifying such an order are present the court shall have the power to issue the order petitioned for

Section 404 Reports to Department Publication Penalties A Every institution except building and loan associations shall send to the Department at least twice each year and more frequently if the Department shall so order a complete report of its condition exhibiting in detail under appropriate haedings the resources and liabilities of the institution Every building and loan association shall send such a report to the Department once each year unless the Department orders more frequent reports

The Department may also require special reports on the condition of or any particular facts concerning any institution at any time the Department deems it necessary or advisable for the protection of the depositors other creditors or shareholders thereof

B The form of all reports the information to be contained in them and the date on which they shall be due shall be prescribed by the Department The reports shall be verified by the oath or affirmation of the president cashier secretary treasurer or other managing officer of a corporation or by one of the firm in the case of a partnership or other unincorporated association or by the banker if an individual In the case of a corporation the report shall also be attested as correct by the signatures of at least three of its directors or trustees

C Every institution except building and loan associations shall publish during each year in a newspaper or newspapers in the manner provided by this act abstract summaries of any two of its reports designated for this purpose by the Department and shall send proof of such publication to the Department Such publication shall be required only once in a newspaper of general circulation and in first and second class counties once in a legal newspaper Building and loan associations shall not be required to publish any abstract summaries of reports

D The Department shall furnish to anyone requesting it upon payment of a reasonable fee to be fixed by the Department an abstract summary of any report then in its possession of any building and loan association subject to its supervision showing the assets liabilities receipts and disbursements of such building and loan association

E Any institution which fails to make or publish any report or to furnish any proof of publication in accordance with the provisions of this section shall pay to the Department a penalty of one hundred dollars for each day after the time fixed by the Department for filing such report making such publication or furnishing such proof of publication but the Department may in its discretion relieve any institution from the payment of such penalty in whole or in part if good cause be shown to it for the failure of such institution to file or publish the report or to furnish proof of publication thereof If an institution fails to pay a penalty from which it has not been relieved the Department may through the Department of Justice maintain an action at law to recover it

Section 405 Disclosure of Information A The Department may divulge to an institution or to any officer or any director or trustee thereof any information contained in or ascertained from an examination or investigation of such institution made by the Department

C The Department on the written request or consent of any institution authorized in the case of corporations by resolution of its board of directors or its board of trustees as the case may be may discuss with any person or persons selected by the Department or selected by such institution and approved by the Department any matters relating to the financial condition of such institution

C The Department on the wrtten request or consent of any institution authorized in the case of corporations by resolution of its board of directors or its board of trustees as the case may be may furnish to the Federal Reserve Board to the Federal Reserve Bank of the district in which the place of business of any institution is located or to any agency or instrumentality of the United States government or of the Commonwealth of Pennsylvania any information in its possession relating to such institution

D The Department may from time to time with the approval of the Governor cause to be published a summary of the condition of institutions under its supervision with such information in relation to such institutions as in its judgment is desirable

E This section shall not be construed to require the Department to publish or divulge any such information when in the opinion of the Department such publication or divulgement is undesirable

ARTICLE V

ACTION BY DEPARTMENT AFTER OFFENSES BY OR CHANGES IN CONDITION OF INSTITUTIONS

Section 501 Orders by Department A Whenever it shall appear to the Department that any institution is violating any provision of its charter or of this act or of any other law regarding the business of such institution or that such institution or that such institution is conducting business in an unsafe or unsound manner the Department may issue a written order under the seal of the Department directing such institution to discontinue within such period as shall be specified in the order such violation of law or such unsafe or unsound practice

B Whenever it shall appear to the Department that the capital of a corporation under its supervision has been impaired or reduced below the minimum required by law or below the amount required by its articles of incorporation the Department may issue a written order under the seal of the Department directing such corporation to make good the deficiency within such period as shall be specified in the order but not exceeding sixty days from the date of the issuance of such order

C Whenever it shall appear to the Department that the bond or securities of a person under its supervision which are required by law to be deposited with the Department have depreciated in value so that their present value is below the minimum amount required by law the Department may issue a written order under the seal of the Department directing such person to make good the deficiency within such period as shall be specified in the order but not exceeding sixty days from the date of issuance of the order

D Whenever it shall appear to the Department that any institution is not keeping its books and accounts in such manner as to enable the Department with reasonable facility to ascertain the true condition of the institution the De-

partment may issue a written order under the seal of the Department requiring such institution within such period as shall be specified in the order to open and keep such books as the Department may in its discretion reasonably determine are essential for the purpose of keeping accurate and convenient records of the transactions and accounts of such institution

E Whenever any institution shall refuse to submit its records and affairs to a legally conducted examination or investigation by the Department the Department may issue a written order under its seal requiring such institution to permit the Secretary or other duly authorized examiner to make such examination or investigation within such period as shall be specified in the order

Section 502 Enforcement of Department's Order by Court Whenever an institution shall not comply with the terms of an order of the Department which has been lawfully issued the Department upon notice to the institution may through the Department of Justice petition the court of common pleas either of Dauphin County or of the county in which the institution has its principal or only place of business for an order directing the institution to obey the order of the Department within such period as shall be fixed by the court Upon the filing of such petition the court shall allow a rule to show cause why it should not be granted Whenever after a hearing upon the merits it shall appear that the order of the Department was lawfully issued the court shall grant the petition of the Department

Section 503 Quo Warranto or Injunction Proceedings A When any corporation subject to the supervision of the Department (1) has not had its capital surplus or expense fund paid in as required by law or (2) has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation within two years after the issuance of its certificate of incorporation by the Department of State or (3) has formerly exercised any of its corporate powers but for a period of two years has not exercised at least one of them the Department shall notify the Department of Justice of these facts and the Department of Justice may then proceed by quo warranto against such corporation in the manner provided by law to oust it from its corporate powers and privileges

B When any institution violates any provision of its articles of incorporation and refuses to obey a lawfully issued order of the Department that it cease such violation the Department may notify the Department of Justice of these facts and the Department of Justice may then institute quo warranto proceedings against such corporation in the manner provided by law

C When any person subject to the supervision of the Department has not for a period of two years done any act in pursuance of its banking powers the Department shall notify the Departmnet of Justice of these facts and the Department of Justice may then proceed against such person by the method provided by law to enjoin it permanently from doing a banking business in this Commonwealth

D Quo warranto or injunction proceedings brought pursuant to the provisoins of this section may be instituted either in the court of common pleas of the county in which the institution has its place of business or in the Court of Common Pleas of Dauphin County

Section 504 Taking of Possession by Department A The Department may take possession of the business and property of any institution subject to its supervision whenever it shall appear to it that such institution

(1) Is violating its articles of incorporation any lawfully issued order of the Department or any law of the Commonwealth regulating its business

(2) Is conducting its business in an unauthorized or unsafe manner

(3) Is in an unsafe or unsound condition to transact its business

(4) In the case of a corporation has an impairment of its capital below the minimum required by law or by its articles of incorporation and in the case of a person has not made good a depreciation in the value of the bonds or securities deposited with the Department below the minimum required by law

(5) Has suspended payment of its obligations and in the case of a building and loan association has not for a period of one year after due demand or notice by a shareholder paid any matured share or any withdrawal

(6) Has refused to submit its records and affairs to or its officers or directors have refused to be examined upon oath or affirmation concerning its affairs by the Secretary or any other duly authorized examiner in connection with any lawful examination or investigation

(7) In the case of a corporation by its board of directors or its board of trustees and in the case of a person by its individual owner or owners requests the Department to take possession for the benefit of depositors other creditors and shareholders

B Before taking possession the Department shall conduct a hearing before the Department and the Department of Justice which may be attended only by and notice of which shall be given only to the officers and directors of the corporation or the officers and individual owner or owners of the person After such hearing the Department may if it first procures the consent of the Department of Justice take possesison

Provided however that whenever immediate action shall be necessary in order to protect the interests of the depositors other creditors or shareholders of an institution it may take possession without conducting a hearing and without the approval of the Department of Justice

C In addition whenever the Secretary in his official capacity is appointed receiver by any court of equity as provided by law the Department shall take possession of the business and property and the Secretary shall act as receiver of institution in the same way and with the same rights and limitations as when the Department takes possession in the customary manner provided by this act

Section 505 Suits by Department Jurisdiction of Courts This act shall not be construed to limit the right of the Department in the course of its supervision of institutions to bring any suit in courts of law or of equity in pursuance of any remedy permitted by the laws of this Commonwealth or by those of any other state in which the Department brings suit

ARTICLE VI

TAKING OF POSSESSION BY SECRETARY AS RECEIVER AND SURRENDER THEREOF

Section 601 Taking Over Possession by Secretary as Receiver Whenever the Department takes possession of the business and property of an institution the Secretary shall by operation of law simultaneously take over such possession from the Department and become receiver of such institution subject to the provisions of this act His official title when thus in possession of the business and property of an institution shall be receiver o fsuch institution

Section 602 Posting of Notice of Possession The Secretary upon taking possession of the business and property of an instutition as receiver shall post notice of such fact on the front of such institution

Section 603 Notice to Insurance Commissioner Whenever the Secretary shall become receiver of an institution which engages in the business of insuring titles of guaranteeing bonds secured by mortgages or which transacts any other business which is subject to the supervision of the Insurance Department he shall inform the Insurance Department that he has taken possession of the business and property of such institution

Section 604 Certificates of Possession Filing A The Secretary upon taking possession of the business and property of an institution as receiver shall forthwith under the seal of the Department prepare in duplicate a certificate to be known as the certificate of possession setting forth that he has become receiver of the institution It shall state the name of the deputy receiver whom the Secretary pursuant to the provisions of this act appoints to take charge of the affairs of the institution and shall set forth the duties which he delegates to such deputy receiver If the Secretary does not appoint a deputy receiver prior to the date of the filing of the certificate of possession or if he appoints a new deputy receiver or an additional one or if he adds to the duties of the deputy receiver he shall prepare in duplicate and file a supplement to the certificate of possession

B The Secretary shall file the original certificate of possession and the original of any supplement thereto in his office in Harrisburg and the duplicate certificate of possession and the duplicate of any supplement thereto in the office of the prothonotary The certificate of possession filed in the prothonotary's office and any supplement thereto shall be listed in the judgment index in the name of the institution as defendant and of the Secretary as plaintiff

C In addition the Secretary shall as soon as possible file a certified copy of the certificate of possession and of any supplement thereto in the office of the recorder of deeds in each county in the Commonwealth or with the proper official in any other state or country in which any real property shall be situated which belongs to the institution or title to which is in its name or upon which there s a mortgage or other lien which belongs to the institution or title to which is in its name Such copy shall be recorded in the current deed book and shall be indexed in the grantors' index in the name of the institution and in the grantee's index in the name of the Secretary or it shall be filed indexed or registered by whatever other method is provided by the law of the particular county state or country in which such real property is located

Section 605 Injunction to Restrain Secretary Any institution of whose business or property the Secretary has taken possession as receiver may at any time within ten days after the Secretary has become receiver apply to the court for an order requiring the Secretary to show cause why he should not be enjoined from continuing as receiver Service may be made in such action by serving the Secretary personally or by leaving a copy with the deputy in charge of his office in the Department or by serving the deputy receiver appointed by the Secretary to manage the affairs of such institution The court shall after a hearing upon the merits either dismiss the application or order the Secretary to surrender to the institution possession of its business and property but no such injunction shall issue where the Secretary has been appointed receiver by action of a court of competent jurisdiction or by action of the institution itself in accordance with the provisions of this act

Section 606 Power of Courts to Appoint Receivers No court shall appoint anyone but the Secretary as receiver of an institution Whenever any court at the instance of a depositor shareholder or other person entitled by law to institute such proceedings shall determine that a receiver should be appointed for any reason whatsoever it shall appoint the Secretary as such receiver

When thus appointed receiver by a court the Secretary shall serve in the same manner and with the same limitations and he shall have the same rights powers and duties as when he becomes receiver by operation of law and without appointment by any court No court shall impose upon the Secretary as receiver any duties or restrictions which are in conflict with the provisions of this act

Section 607 Taking of Possession upon Request of Institution No institution shall make a general assignment of its business and property for the benefit of its creditors by the appointment of an assignee or a trustee or otherwise In lieu of the power to make an assignment for the benefit of creditors an institution may request the Department to take possession in the regular manner provided by law In such cases the Department shall take possession and the Secretary shall take over such possession and become receiver in the same manner and subject to the same provisions of this act as when the Department takes possession of the business and property of an institution without the request of such institution

Section 608 Surrender of Possession Special Liquidations and Reorganizations A The Secretary may upon conditions approved by him surrender possession of an institution of which he has taken possession as receiver at any time prior to final liquidation and distribution under the following circumstances

(1) He may surrender possession to the institution itself when he finds it to be in a safe and sound condition to resume its business

(2) He may surrender possession to the institution itself when he is without funds to liquidate its business and property In such case the Secretary shall first accord to the shareholders and the depositors or other creditors of the institution a period of not less than two weeks in which to advance sufficient funds for the Secretary to liquidate the business Where such funds are advanced they shall be considered an expense of administration and shall be given the same preference in the distribution of assets as any other expenses of administration Where possession has been surrendered to an institution under such circumstances the institution may not conduct any business except the liquidation of the assets In the distribution of any moneys realized by the institution on its assets it shall follow the same order and preference as is established by this act for distribution by the Secretary of the assets of an institution of which he is in possession as receiver Upon the approval of his account by the court and upon the filing of the supplement to the certificate of possession pursuant to the provisions of this section the secretary shall be relieved of all duties with reference to such institution However if the Department shall deem it advisable to resume possession of the institution at any time it may do so in the same manner as is provided for the taking possession of any institution in which case the Secretary shall again take over possession and become receiver with all the rights powers and duties granted to or imposed upon the Secretary as receiver by this act

(3) He may surrender to the institution itself or to any other corporation or person possession of all or part of the business property moneys credits or other assets of the institution of which he is in possession as receiver to permit to be carried into effect a special plan of liquidation reorganization or rehabilitation which has been approved by the court and by (a) depositors and other creditors of the institution to whom is due ninety per cent in amount regardless of the number of the claims stated in writing by the Secretary to be due to depositors and other creditors of such institution and (b) the holders of a majority of the shares of stock of such institution if a corporation except that in the case of a building and loan association the approval of the holders of eighty per cent of the shares of stock of such corporation shall be required

However the Secretary shall not authorize any decrease of capital by a corporation affected by the provisions of this section except upon compliance by such corporation with the provisions of law as to such decrease

B Whenever the Secretary shall surrender possession under the provisions of this section he shall forthwith under the seal of the Department prepare in duplicate a supplement to the certificate of possession setting forth in detail all the conditions and purposes of such surrender He shall file the original of such supplement in his office in Harrisburg and the duplicate in the office of the prothonotary where it shall be indexed in a manner which will in so far as necessary satisfy the prior record of the certificate of possession He shall also file a certified copy of such supplement in the office of the recorder of deeds in each county of the Commonwealth or with the proper official in any other state or county in which any real property so surrender or any real property upon which there shall be a mortgage or other lien so surrendered shall be situated

C Whenever the Secretary shall under the provisions of this section surrender possession of the entire business and property of an institution of which he is in possession as receiver he shall file in the court an account which shall correspond to any other final account which he is required by this act to file Such account shall be subject to exceptions by shareholders or depositors or other creditors and to confirmation by the court in the same manner as is provided by this act for any account filed by the Secretary as receiver

ARTICLE VII
RIGHTS POWERS AND DUTIES OF SECRETARY AS RECEIVER

Section 701 Status of Secretary as Receiver Except as otherwise provided in this act the Secretary when he has taken possession of the business and property of an institution shall be responsible to the court in which the certificate of possession is filed and not to any other court His rights powers and duties shall be those of a general receiver appointed by any court of equity in this Commonwealth except as such rights powers and duties are increased or limited by the provisions of this act He shall be vested in his official capacity with all the rights powers and duties of such institution with the title or the right to possession of all prpoerty to which the instiution has title or the right to possession includingdebts due and liens and other security therefor and with the institution's rights of action or redemption This shall be so whether such property and debts due such liens or other security therefor or such rights of action or redemption are held in the name of such institution or in the name of some other corporation or person He shall have power to execute in his name as receiver any instrument incident to the exercise of any power granted to or any duty imposed upon him as receiver of such institution

The Secretary shall be the representative of the creditors of the institution and shall be entitled as such to have vacated and set aside for the benefit of the creditors any judgment execution attachment sequestration payment pledge assignment transfer conveyance or encumbrance which could have

been avoided by any of the creditors or by which one creditor is given an unlawful preference over another

Section 702 Appointment of Deputy Receivers Counsel and Other Assistants The Scertary may appoint one or more official agents to be known as deputy receivers to assist him in the management reorganization consolidation liquidation or distribution of the assets and affairs of any institution of which he had taken possession as receiver The Secretary may delegate to each deputy receiver any duty imposed upon or any right or power granted to him as receiver The Secretary may also employ such other assistants as he deems necessary including such deputy attorneys general special deputy attorneys general assistant deputy attorneys general or other attorneys as may be appointed by the Department of Justice and assigned to the Secretary for the handling of any legal business pertaining to the affairs or property of such institution The Secretary may also retain to assist him in the management reorganization consolidation liquidation or distribution any officer or other employe of the institution of which he has taken possession

Section 703 Exercise of Discretion by Secretary A Whenever under this act dicretion as to whether or the manner in which to exercise a power or fulfill a duty is vested in the Secretary in possession of an institution as receiver he shall after such examination or investigation as shall seem appropriate under the circumstances take such action as he deems to the best interests of the depositors or other cerditors and in the case of building and loan associations also of the shareholders of such institution

B The words "the best interests of the estate" whenever used in this act shall be construed to refer to the best interests of the depositors or other creditors and in the case of building and loan asosciations also of the shareholders of such instiution

Section 704 Suspension or Continuation of Business The Secretary is authorized upon taking possession of the business and property of an institution as receiver to continue or to supend the business for such period a she may deem necessary to enable him to determine whether to surrender such posssion to the institution to authorize a merger or consolidation to liquidate the affairs of such institution or to take such other action as is authorized by law During such period he shall take any action he deems necessary to conserve the assets and business or to protect the best interests of the estate

Section 705 Determination to Liquidate Filing of Supplemental Certificates The Secretary shall within six months after the date on which he takes possession of any institution as receiver determine whether or not to liquidate the business and property and distribute the assets of the institution If he shall determine to liquidate he shall forthwith under the seal of the Department prepare in duplicate a supplement to the certificate of possession setting forth this fact He shall file the original supplement in his office in Harrisburg and the duplicate in the office of the prothonotary He shall then proceed to liquidate the affirs of the institution with as much dispatch as shall appear to be expedient under the circumstances

Section 706 Powers and Duties before and after Determination to Liquidate Except where otherwise specifically provided all powers and duties granted by this act to the Secretary in possession of the business and property of an institution as receiver may be exercised by him both before and after his formal determination pursuant to the provisions of this act to liquidate the affairs of such institution

Section 707 Inventory and Appraisement A When the Secretary has taken possession of the business and property of an institution as receiver he shall forthwith prepare in duplicate a complete and detailed inventory of the assets of such institution The inventory shall be verified by oath or affirmation of the Secretary or other person making it

B As soon as expedient after taking possession the Secretary shall cause a complete appraisement of the assets of the institution to be made in duplicate under oath or affairmation by not less than two nor more than three disinterested appraisers selected by him Such appraisement shall be included upon the same document or documents as the inventory The value of the assets shall be computed in such appraisement as of the date on which the Secretary took possession

C The original and duplicate of the inventory and appraisement shall be filed in the office of the Secretary in Harrisburg However if the Secretary shall determine in accordance with the provisions of this act to liquidate the affairs of the institution he shall immediately after such determination to liquidate file the duplicate inventory and appraisement in the office of the prothonotary

Section 708 Issuance of Subpoenas Questioning of Witnesses A In order to enable the Secretary to secure a complete inventory and appraisement or to carry out any other right power or duty granted to or imposed upon him as receiver by this act the Secretary shall have the power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by any officer director agent employe or member respectively of the corporation or person of which he has taken possession or any other individual whom the Secretary believes to have information of importance regarding the affairs of the institution He shall also have the power to question such witnesses under oath or affirmation and to examine such books and papers

The Secretary may delegate to the appraisers appointed by him or to any other duly authorized agent the powers granted to him as receiver under this section

Any witness who refuses to obey a subpoena issued under this section or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court by the court in which the certificate of possession of the institution concerning the affairs of which the witness was subpoenaed is filed

B Every witness called by the Secretary or his duly authorzed agent in connection with the affairs of an institution in possession shall be entitled to the fees and mileage customarily paid to witnesses in the courts of the county in which the institution has its place of business

Section 709 Power of Court to Make and Enforce Orders The court in whch the certificate of possession is filed shall sit as a court of equity It shall have the power upon petition of the Secretary to make and enforce any appropriate order to enable him with the utmost dispatch to discharge his duties in connection with the business and property of any institution of which he has taken possession as receiver pursuant to the provisions of this act

The court shall grant to the party against whom the order is sought the right to appear within ten days after notice is given to show cause why the order should not be made The court shall have the power at the end of the ten-day period ex parte if the other party does not appear to show cause or upon the merits if the party does appear to issue the aforementioned order

Section 710 Notice to Holders of Assets Power of Court to Order Transfer A Upon becoming receiver of any institution the Secretary shall forthwith give notice in writing of such fact to all corporations and persons having custody or possession of any assets or other property which the institution of which he is receiver owns or to which it has the right to possession or custody for any purpose whatsoever

B The court shall have the power upon petition of the Secretary to order any corporation or person which has custody or possession of assets or other property which belongs to the institution of which the Secretary is receiver or to which such institution shall have the right of custody or possession for any reason whatsoever to transfer or convey such property to the Secretary and to execute and deliver any instrument necessary to accompish that purpose

The court shall grant to such corporation or person the right to appear within ten days after notice is given to show cause why the order should not be made The court shall have the power at the end of the ten-day period to issue the aforementioned order ex parte if the corporation or person does not appear to show cause or upon the merits if the corporation or person does appear

Section 711 Sale of Assets Repledged by Institution Repledge after Possession A Where assets belonging to others shall be pledged or given as collateral by an institution of which the Secretary subsequently takes possession as receiver and the pledgee has actual knowledge at the time of the pledge that the assets are not assets of the institution such pledgee shall not forfeit or sell any such collateral or pledged assets after the Secretary has taken possession without the written permission of the Secretary any provision in any collateral note or agreement to the contrary notwithstanding but if the Secretary refuses such permission the pledgee may after notice to the Secretary petition the court for leave to sell such assets The court may after giving the pledgee and the Secretary an opportunity to be heard grant such leave

or it may make such other order as it deems to the best interests of all parties concerned

However if the assets so pledged by any such institution are accompanied by the obligation of the corporation or person owning them the pledgee shall have the power to exercise all the rights powers and privileges contained in such obligation held by such pledgee including the sale of the assets

B The Secretary shall not repledge any assets held by an institution of which he is in possession in pledge or as collateral but belonging to other corporations or persons unless such repledge is accompanied by the obligation of the original borrower from the institution and is not for an amount exceeding the amount of the original obligation due at the time the collateral is repledged

Section 712 Liens Judgments and Executions Assignments of Claims A The statue of all parties shall become fixed on the date the Secretary takes possession of the business and property of the institution as receiver No corporation or person shall thereafter acquire any lien or charge against any of the assets of the institution of which the Secretary is receiver including mechanics' liens for charges payments advances or clearances thereafter made or thereafter incurred or liens by reason of the entry of any judgment against such institution after the Secretary has taken possession

B Assignments of claims of depositors or other creditors of the institution which are made before the Secretary takes possession but notice of which is not received by the institution before such taking of possession shall be regarded as and shall have only the legal incidents of assignments made after the Secretary takes possession

C No execution or attachment pending or otherwise shall respectively issue or be proceeded with against any property moneys or assets owned by or legally in the custody or possession of an institution of which the Secretary is in possession as receiver except that an execution may be permitted by special leave of the court In lieu of the right to issue an attachment against money or property belonging to others which is legally in the custody or possession of such institution a plaintiff may proceed as follows He may give written notice of his claim to the Secretary or to the deputy receiver of such institution and he shall thereafter present proof in the regular manner provided by this act for the proof of the claim which he is attempting to attach After the filing of the regular account of the Secretary the court shall adjudicate the matter as in the case of other disputed claims Where two or more plaintiffs attempts to attach the same claim in this manner the order in which they shall take as among themselves shall be determined by the order in which written notice of their claims was received by the Secretary

Section 713 Actions and Suits by and against Secretary A For the purpose of executing any of the powers and performing any of the duties respectively conferred or imposed upon him as receiver by this act the Secretary may in his name as receiver of such institution prosecute any action at law or in equity in any court of this Commonwealth or of any other state whether or not such action is pending on behalf of the institution at the time he takes possession He may likewise similarly defend any action at law or in equity pending against the institution at the time he takes possession

The Secretary may in his name as receiver of a corporation institute and maintain against any officer director trustee manager or other employe of such corporation any action at law or in equity which such corporation or any shareholder or creditor thereof could have instituted or maintained and he may likewise in the case of a person of which he is receiver maintain any similar action against the individuals owning the business or against any employe thereof which a depositor or other creditor of the person could have instituted or maintained

B All Claims against the institution suit upon which has not been commenced prior to the time the Secretary took possession shall be presented in the regular manner provided by this act for the presentation of claims neither a depositor or other creditor of the institution nor any other claimant may maintain any action at law or in equity upon such claim except by regular method provided by this act for exceptions to the accounting of the Secretary as receiver However an action for the return of specific property which could have been recovered from the institution of which he is receiver may be maintained against the Secretary in his name as receiver of the institution

C Any action at law or in equity based upon a cause of action against the institution of which the Secretary is receiver which may be brought against the Secretary as receiver shall be instituted only in the court in which the certificate of possession is filed

Section 714 Power of Secretary to Borrow from Government Agencies The Secretary may without leave of court borrow money from any agency or instrumentality of the United States government except national banks or of the Commonwealth of Pennsylvania and pledge or hypothecate as security therefor any real or personal property of the institution for the purpose of expediting the liquidation of the assets of the institution of which he is receiver and the distribution of the proceeds thereof to the depositors the other creditors or the shareholders thereof

Section 715 Surrender or Transfer of Burdensome Assets The Secretary may with leave of court surrender to the institution of which he is receiver any assets including choses in action whether the subject of pending proceedings or not which appear to be burdensome and of no advantage to the estate He may likewise with leave of court convey title to a holder of a mortgage or of any other lien against property in his possession where it shall appear that to contnue to hold such property in burdensome and of no advantage to the estate

The Secretary shall give notice to the depositors or other creditors of the institution and in the case of building and loan associations to the shareholders of the filing of the petition for leave to transfer or convey such property pursuant to the provisions of this section Such notice shall be given at the addresses which appear for such depositors other creditors or shareholders upon the books or other records of the institution or if none appear there then at their last known addresses However the court may if it shall appear to the best interests of the estate order the Secretary to substitute a single advertisement in a newspaper or newspapers for the individual notice to the depositors and other creditors and in the case of a building and loan association the shareholders The court shall grant at least ten day for the filing of objections by the depositors or other creditors of the institution and in the case of a building and loan association the shareholders of such institution

Section 716 Compromise of Claims Extension of Mortgages A The Secretary may with leave of court compound or compromise any debt claim or judgment due to the institution of which he is in possession as receiver and discontinue any action or other proceeding pending therefor

B The Secretary may without leave of court enter into an agreement in writing upon such terms as shall seem reasonable to him with any mortgagor or owner to extend for a period not to exceed three years the maturity of any mortgage obligation in his possession

Section 717 Payment of Mortgages and Liens Protection of an Equity The Secretary may with leave of court pay off all mortgages contracts of conditional sale pledges and liens of or upon any real or personal property which belongs to the institution He may without leave of court purchase at a judicial sale or at any sale authorized by an order of a court of competent jurisdiction any real or personal property in order to protect any equity which such institution has in such real or personal property

Section 718 Sales of Real Property A The Secretary may with leave of and upon the terms and conditions prescribed by the court sell any real property of the institution of which he is in possession as receiver The order of the court authorizing such sale shall state whether the sale shall be entirely for cash or partly for cash and partly for evidences of indebtedness whether it shall be public or private whether notice shall be given to depositors other creditors and shareholders or to any of these groups and whether advertisement shall be made Unless the court in any case deems advertisement or notice necessary or desirable to protect the interests of the estate such advertisement or notice shall not be required

Where the order of the court provides for advertisement it shall in no case require that there be more than a single insertion in one newspaper of general circulation in the county and in first and second class counties in one legal newspaper Where real property which is to be sold is situated in a county other than the one in which the institution is located the court may also authorize a single insertion in a newspaper of general circulation in such other county and in first and second class counties in one legal newspaper

Every such sale of real property shall be confirmed by the court if all the terms and conditions of its order authorizing such sale have been complied with

B When any real property of an institution of which the Secretary is in possession as receiver is situated in a county other than the one in which the institution is located the Secretary shall proceed in the same manner as is provided by this section for the sale of real property within the county In addition he shall petition the court of common pleas of the county in which the real property is located and it shall be the duty of such court to issue an order authorizing the sale upon the terms or conditions prescribed by the order of the court having jurisdiction of the receivership The Secretary shall file a return of the sale in the court of common pleas in the county in which the real estate is located which court if all the terms and conditions of the order of the court in which the certificate of possession is filed have been met shall confirm the sale and shall give the Secretary a certified copy of the return of the sale and a certified copy of the confirmation thereof Such certified copies shall be filed with the prothonotary of the court in which the certificate of possession is filed

Section 719 Effect of Sale upon Liens The sale by the Secretary of any real property of an institution of which he is in possession as receiver shall not affect any lien thereon except that in the case of a lien which would under the laws of the Commonwealth ordinarily be discharged by a judicial sale the court in its order authorizing the sale may prescribe that such lien shall be discharged by the sale Whenever such liens are to be discharged by a sale the Secretary shall give notice of the sale to all creditors who appear by the books of the institution or by the records of the county or otherwise to have such or to claim to have liens upon such property The proceeds of the sale shall then take the place of the property sold and shall be distributed in the order prescribed by and to the parties entitled to take under the laws of the Commonwealth which relate to the discharge of liens by a judicial sale

B If real property is situated in a county other than that in which the institution is located the court in which the certicate of possession is filed shall be the one empowered to issue the original order prescribing the discharge of liens The procedure shall be the same as in the case of any other terms or conditions prescribed in its order for the sale of real property situated in another county

Section 720 Leases for Property The Secretary may without leave of court enter into leases for real or personal property belonging to the institution of which he is in possession as receiver for a period not to exceed one year He may with leave of court enter into such leases for a period not to exceed ten years upon the terms and under the conditions prescribed by the order of the court

The court shall not require advertisement or notice of leases entered into upon its order except where special circumstances shall appear to require such action in order to protect the interests of the estate

Section 721 Sale or Exchange of Listed and Unlisted Securities A The Secretary may without leave of court sell on any stock exchange or otherwise at such times and in such manner as he shall deem to be to the best interests of the estate listed or unlisted securities which belong to the institution of which he is in possession as receiver or which such institution has the power to sell

B The Secretary may without leave of court exchange listed or unlisted secruities for other securities of the corporation issuing the securities upon or of a corporation which has merged or consolidated with or has taken over such corporation

C The Secretary may without leave of court sell any mortgage or other lien upon real property or any judgment at such times and in such manner as he shall deem to the best interests of the estate

D Except as otherwise specifically provided by this act the Secretary may without leave of court sell any personal property which belongs to the institution of which he is in possession as receiver or which such institution has the power to sell (1) at public sale or (2) at private sale for a net consideration not below the amount at which such personal property has been valued in the appraisement required by this act He may with leave of court sell such personal property at private sale upon such terms and under such conditions as the court shall prescribe

Section 722 Deposit of Moneys by Secretary All moneys received by the Secretary as receiver of an institution shall be deposited by him with one or more corporations or persons authorized by law to receive deposits and subject to the supervision either of Federal or State banking authorities He shall require of such depository security therefor in such amount and of such nature as the Secretary shall deem adequate

Section 723 Enforcement of Shareholders' Liability A If at any time after he takes possession of a corporation as receiver it shall appear to the Secretary that the assets of such corporation will be insufficent to pay in full its debts to depositors and other creditors he shall as soon as expedient estimate the amount which shall be assessed against all shareholders who are under these circumstances personally liable for any part of the debts of such corporation by reason of their ownership of such shares He shall assess against such shareholders the amount which he then deems necessary for the payment of such debts not however exceeding the maximum liability of such shareholders as provided by law The Secretary shall send to every such shareholder by registered mail to the address which appears on the records of the corporation or if none appears there then to his last known address a demand that the amount assessed against him be paid Such demand shall state the total amount assessed by the Secretary against all the shareholders and the specific amount to be paid by the particular shareholder It shall also designate a period within which such assessment shall be paid such period to be not less than thirty days after the date of the sending of the notice If any shareholders shall not pay the amount assessed against them the Secretary may institute actions at law or in equity against them either severally or jointly for the amount of such assessment together with interest from the date designated in the notice from the Secretary for the payment of such assessment In such action the written statement of the Secretary signed by him in his official capacity as receiver and bearing the seal of the Department asserting that the assets of the corporation appear insufficient to meet its liabilities to depositors and other creditors that consequently he has made an assessment against the shareholder or shareholders being sued that the period designated for the payment of the assessment has expired and that the value of the assets of the corporation and the liabilities of such corporations are as set forth shall be prima facie evidence of the facts therein stated

B The Secretary may make as many partial assessments as shall appear expedient until the total liability of the shareholders or the total amount necessary to pay in full the depositors and other creditors of the corporation has been assessed

Section 724 Property in Safe Deposit Valut or Held for Safe-Keeping The Secretary may any time after taking possession of an institution as receiver give written notice to anyone claiming or appearing on the books of such institution to be the owner or to be entitled to the possession of any personal property left with such institution as bailee for safe-keeping or depository for hire and to anyone appearing on the books of the institution to be the lessee of any safe vault or safe deposit box notifying such bailor or lessee respectively to remove all such personal property within the period fixed by the notice provided that such period shall in no case be less than sixty days after the date of the notice

At the expiration of such period if the lessee of a safe vault or safe deposit box has not removed the contents thereof the Secretary may cause such sale vault or safe deposit box to be opened either in his presence or in the presence of the deputy receiver of the institution and in the presence of a notary public not an officer or employe of the institution or of the Department The contents if any of such safe vault or safe deposit box shall then be sealed and marked by such notary with the name and address of the lessee in whose name such safe vault or safe deposit box appeared on the books of the institution and with a list and description of the property therein The Secretary shall take such action as he shall deem desirable to safeguard such property until it is delivered to the owner or is otherwise disposed of in accordance with law

The Secretary shall follow the same procedure and have the same powers with regard to the property left with the institution as bailee for safe-keeping or depository for hire and not called for within the period specified by the notice

The contract of bailment or lease if any shall be considered at an end upon the date designated by the Secretary for the removal of the property therein The amount of unearned rent or charges if any paid by the bailor or lessee shall become a debt of the institution

ARTICLE VIII

SECRETARY IN POSSESSION OF TRUST DEPARTMENT

Section 801 Institution as Fiduciary References in this act to funds property or investments held in a fiduciary capacity by an institution of which the Secretary has taken possession shall apply only to funds property or investments held in such fiduciary capacity by the trust department of such institution and shall not apply to funds property or investments which were held by the commercial department of such institution

Section 802 Secretary in Possession of Trust Department A The Secretary upon taking possession of an institution as receiver shall keep all the funds property and investments if any which are held by such institution in a fiduciary capacity separate from the assets of the institution itself

B The Secretary when in possession of an institution as receiver shall have all the rights powers and duties which such institution had in its fiduciary capacity He shall have title to all the assets including debts due liens and other security therefor and all rights of action or redemption of all estates of which the institution either alone or jointly with someone else was trustee executor administrator guardian assignee or other similar fiduciary and shall have the power to administer such estates In pursuance of this power the Secretary may institute any action at law or in equity or execute and sign any written instruments which the institution itself could have instituted executed or signed

The Secretary shall not however have the power to invest funds or proprty of any such estate except where it shall appear necessary to purchase any real or personal property Such purchase by the Secretary shall not however be made with out the approval of any corporation or person whose approval would have been necessary to such purchase by the institution prior to the taking of possession by the Secretary and of the court which has exercised jurisdiction over such estate If no court has yet exercised jurisdiction over the estate then the approval either of the court of common pleas or of the orphans' court of the county in which the place of business of the institution is situated shall be procured

Except where otherwise specifically provided references in this act to the court which has exercised jurisdiction over an estate of which an institution in possession of the Secretary was fiduciary shall be construed to refer in cases in which the institution was executor or administrator to the orphans' court of the county of which the register of wills issued the letters testamentary or letters of administration respectively and in all other cases to the court of common pleas or the orphans' court in which an account of the estate has been filed or which has in any manner exercised control or supervision over the administration of such estate by the institution as fiduciary

Section 803 Disputes as to Identity of Trust Funds All disputes as to the identity of the funds property or investments of an estate of which an institution in the possession of the Secretary was fiduciary arising either because such funds property or investments have become or are alleged to have become mingled with other funds property or investments or for any other reason shall be determined by the court in which the certificate of possession is filed Such court shall have exclusive jurisdiction over such disputes

Section 804 Appointment of Substituted Fiduciaries Upon filing a supplement to the certificate of possession setting forth his determination to liquidate the affairs of the institution the Secretary shall forthwith give written notice in so far as the giving of such notice is practicable to all parties of whom he has notice who are interested in any funds property or investments held by such institution in a fiduciary capacity Such notice shall require such parties within thirty days after the giving of notice to apply for the appointment of substituted fiduciaries Such application shall be made as follows In any case in which the institution was executor or administrator application shall be made to the register of wills having jurisdiction to grant new letters in such form as the case shall require in any other case application shall be made to any court which has exercised jurisdiction over the estate or if no court has exercised such jurisdiction then to the court of common pleas or the orphans' court of the county in which the institution has its place of business However if the instrument under which the fiduciary relationship was established provides a particular method for the selection of fiduciaries such method shall be followed

If the parties to whom such notice has been given do not within the thirty-day period designated make such application or pursue whatever method is prescribed by the instrument under which the fiduciary relationship was established for the appointment of a substituted fiduciary or if it is impracticable to give notice to the parties interested in the estate then the Secretary shall make the application for the appointment of a substituted fiduciary to the court or the register of wills whichever the case may be designated above Such court or register of wills shall appoint a substituted fiduciary upon such petition of the Secretary

Section 805 Transfer of Assets to Substituted Fiduciary without Filing Account If a substituted fiduciary has been appointed in accordance with the provisions of this act and if there is no dispute as to the amount of identity of the funds property or investments of the particular estate and as to the fees commissions and expenses due either to the institution before the Secretary took possesson or to the Secretary as receiver since the taking posssession and if all the parties in interest being sui juris agree in writing to waive an accounting in court the Secretary in possession of an institution as receiver may transfer to such substituted fiduciary all the funds property and investments of the particular estate without filing an account in any court Upon such transfer he shall procure from all the parties in interest and from the substituted fiduciary a receipt and release in full which shall discharge the Secretary and the institution from any further duty or liability with reference to such estate

Section 806 Filing of Account Transfer of Assets to Substituted Fiduciary A Except in cases in which the Secretary is authorized by the provisions of this act to transfer to a substituted fiudciary without filing an account the funds property or investments of an estate of which the institution was fiduciary he shall file an account for every estate of which such institution was fiduciary The Secretary shall file each account upon the date fixed by the instrument creating the fiduciary relationship or if there is no such date fixed then as soon as expedient after the filing of a supplement to the certificate of possession setting forth his determination to liquidate the affairs of the institution Such account shall be filed in the court which has exercised jurisdiction over the particular estate or if no court has yet exercised jurisdiction then in the court of common pleas or the orphans' court of the county in which the place of business of the institution is situated The Secretary shall then transfer or pay to the substituted fiduciary appointed pursuant to the provisions of this act any funds property or investments in his possession which belong to such estate Such transfer or payment shall be made in accordance with the order of the court in which the account for such estate is filed The court in directing such transfer or payment may reserve for future determination any question of surcharge

B The court which has exercised jurisdiction over a particular estate of which the institution was fiduciary of if no court has exercised such jurisdiction then the court of common pleas or the orphans' court of the county in which the institution has its place of business may order the Secretary to transfer the funds property or investments of the estate to the substituted fiduciary even prior to the filing of an account The court in such order may reserve for future determination any question of surcharge or any other question which may arise upon the audit of the account

C This section shall not be construed to give any court other than the one in which the certificate of possession is filed jurisdiction over disputes involving the identity of funds property or investments of an estate of which the institution was fiduciary

Section 807 Deficiencies in Assets Held by Institution as Fiduciary Whenever the court in which the Secretary has filed the account of an estate of which an institution in his possession was fiduciary shall in the manner provided by law rule that there is a deficiency in the funds property or investments of such estate or that the institution is liable to surcharge in respect thereto the amount determined by such court to be due shall constitute a claim against the institution and shall be presented in the same manner as other claims except that it may be presented at any time within six months after the appointment of a substituted fiduciary of the estate and the adjudication of the account of such estate by the competent court Such order or decree of such court shall be conclusive as to the amount due except for the right of appeal provided by law Any dispute as to the classification or order of

payment of such claim as distinguished from the amount shall be adjudicated by the court in which the certificate of possession is filed

If the existence or amount of any such deficiency or surcharge but undetermined at the time dividends for claims having no priority in order of payment over such claims are being distributed the Secretary shall upon notice of such fact from the substained fiduciary withhold and set apart a sufficient amount to pay the proportionate dividend which will be due upon such undetermined claim if it is finally adjudicated in favor of the estate of which the institution was fiduciary

Section 808 Compensation Due Institution and Secretary from Estate The Secretary in possession of an institution as receiver shall be entitled to collect such reasonable fees and commissions as were earned both as to income and as to principal and such reasonable expenses as were incurred by the institution in its capacity as fiduciary prior to the date on which possession was taken by the Secretary He shall also be entitled to reasonable fees and commissions both as to income and as to principal for any services performed and all reasonable expenses incurred by him on behalf of any estate of which the institution was fiduciary The Secretary shall be entitled to such commissions on principal as shall appear reasonable under all the circumstances whether or not the trust has terminated at the time of the filing of the account or of the transfer by the Secretary of the funds property and investments of the estate in accordance with the provisions of the instrument creating the fiduciary relationship All sums received by the Secretary under this section shall become assets of the institution of which he is in possesison as receiver

Except in cases where the Secretary pursuant to the provisions of this act transfers funds property or investments of the estate without filing an account the court in which the Secretary shall file the account for the estate of which the institution was fiduciary shall award to the Secretary the fees commissoins and expenses provided for in this section

ARTICLE IX

SECRETARY IN POSSESSION OF A MORTGAGE OR SECURITY POOL OR OF AN ASSET IN WHICH UNDIVIDED INTERESTS ARE HELD

Section 901 Mortgage and Security Pools and Participations Accounts Whenever the Secretary shall have filed a supplement to the certificate of possession setting forth his determination to liquidate the affairs of an institution of which he is in possession as receiver he shall as it may be convenient file in the court in which the certificate of possession shall have been filed an account as to any mortgages securities or other assets comprising any mortgage or securities pool operated by such institution or as to any mortgage security or other asset in which undivided interests shall have been created by the institution regardless of whether certificates of participation in such mortgage or securities pool or in such mortgage security or other asset shall have been actually issued by the institution and regardless of whether the relation of the institution to the owners of the undivided interests in such mortgage or securities pool or in any such mortgage security or other asset is technically that of a trustee

A mortgage or securities pool shall be regarded as having been operated by the institution regardless of whether any or all of the mortgages securities or other assets in such pool shall be held in the name of the institution or in the name of a nominee of the institution Where undivided interests have been created in any mortgage security or other asset by any corporation or person holding such mortgage security or other asset as nominee of the institution such undivided interests shall be regarded as having been created by the institution

The prothonotary shall not be under any duty to recopy or otherwise record any such account filed by the Secretary He shall make no charge except the regular fee for filing such or similar papers

Section 902 Transfer of Pools and Participations without Filing an Account If all the corporations or persons who are the owners of all the undivided interests in any mortgage or securities pool or in any mortgage security or other asset in which the institution shall have created undivided interests are sui juris and if they shall agree to the amount asserted by the Secretary to be due him as receiver for services rendered by the institution or by him and for expenses incurred by either and if they shall authorize the Secretary to transfer any such mortgage or securities pool or any such mortgage security or other asset to them or to a substituted fiduciary or to any other corporation or person agreed upon by them and if they shall execute proper instruments releasing the Secretary and the institution from any further liability to them the Secretary may transfer to such substituted fiduciary or to such corporation or person without filing an account all the mortgages securities or other assets comprising such mortgage or securities pool or the mortgage security or other asset in which undivided interests have been created In any case where the institution as fiduciary of an state is the owner on behalf of such estate of any undivided interest in any such mortgage or securities pool or in any such mortgage security or other asset and no substituted fiduciary has been appointed for such estate the Secretary shall not transfer such mortgage or securities pool or such mortgage security or other asset in which undivided interests were created by the institution unless he shall also be authorized to make such transfer by all corporations or persons having an interest in the estate of which the institution was fiduciary except that where substituted fiduciaries have not been appointed for unborn beneficiaries of the estate or for other beneficiaries who are not sui juris the Secretary shall not be required to obtain such authority from anyone in behalf of such unborn beneficiaries or other persons who are not sui juris

Setcion 903 Notice of Filing Account A Upon filing an account as to any mortgages securities or other assets comprising any mortgage or securities pool operated by an institution of which he is in possession as receiver or as to any mortgage security or other asset in which the institution shall have created undivided interests the Secretary shall give notice thereof in so far as it may be practicable to all corporations or persons who are the owners of the undivided interests in any such mortgage or securities pool or in any such mortgage security or other asset and in any case where the institution as fiduciary of an estate is the owner on behalf of such estate of any such undivided interest then to all corporations or persons having an interest in such estate except that no such notice need be given to anyone on behalf of unborn beneficiaries of such estate or other beneficiaries who are not sui juris where no substituted fiduciary has been appointed for such beneficiaries Such notice shall be given to the corporations or persons entitled thereto under this section at their addresses as they appear on the books or other records of the institution or if the address of any such corporation or person does not appear thereon then at the last known address of such corporation or person

B Such notice shall state the time and place of the audit of such account and except where an application for a substituted fiduciary shall have been made by any other method authorized by this act it shall also state the intention of the Secretary to apply for a substituted fiduciary for such mortgage or securities pool or for such mortgage security or other asset in which undivided interests was created by the insttitution and the time and place of hearing upon such application which may be fixed by the court

Section 904 Appointment of Substituted Fiduciary Transfer of Pools or Participations upon Order of Court A After the filing by the Secretary of a supplement to the certificate of possession setting forth his determination to liquidate the business and property of an institution but either before or after the filing of an account by him as to any mortgages securities or other assets comprising any mortgage or securities pool operated by such institution or as to any mortgage security or other asset in which the institution shall have created undivided interests the owner of any undivided interest in such mortgage or securities pool or in such mortgage security or other asset may file in the court in which the certificate of possession is filed a petition for the appointment of a substituted fiduciary for such mortgage or securities pool or for such mortgage security or other asset in which undivided interests were created

If such petition shall not have been filed by the owner of any such undivided interest within thirty days after the notice by the Secretary of the filing of an account as to such mortgage or security pool or as to such mortgage security or other assets the Secretary shall file in the court in which the certificate of possession is filed a petition for the appointment of a substituted fiduciary for such mortgage or securities pool or for any such mortgage security or other asset in which undivided interests were created by the institution

Upon the filing of such a petition by the owner of any such undivided interest or by the Secretary for such mortgage or security pool or for such mortgage security or other asset in which undivided interests were created by the institution the court shall upon a day fixed by it conduct a hearing upon such application after which it shall appoint a substituted fiduciary

B The Secretary shall transfer to the substituted fiduciary appointed by the court all such mortgages securities or other assets comprising any such mortgage or securities pool of any such mortgage security or other asset in which undivided interests were created as are in his possession as receiver and as to which he shall have filed an account. The substituted fiduciary shall take such mortgages securities or other assets without liability for the nature or value of the mortgages securities or other assets as investments Such transfer shall be made in accordance with the order of the court and in directing such transfer the court may reserve for future determination any question of surcharge against the institution or the Secretary

The court may after petition filed pursuant to the provisions of this section order the Secretary to make such transfer even prior to filing an account in which case it may also reserve for future determination any question which may arise upon the audit of the account

Section 905 Advances by Secretary to Substituted Fiduciary Whenever the Secretary shall have filed an account as to any such mortgage or securities pool or as to any mortgage security or other asset in which the institution shall have created undivided interests and it shall appear to the court that any sum of cash will be needed by the substituted fiduciary for the protection of the owners of undivided interests in such mortgage or securities pools or in any such mortgage security or other asset as to which such accoun shall have been filed and if it shall appear from the account that the Secretary does not have any cash held by him in connection with such mortgage or securities pool or in connection with any such mortgage security or other asset or if the account discloses that the cash in his hands for that purpose is insufficient for the protection of the owners of the undivided interests in such mortgage or securities pool or any such mortgage or security or other assets or where no account is filed if the Secretary shall demonstrate these facts to the satisfaction of the court the court may upon petition of the Secretary and in the exercise of its discretion order the Secretary to advance to the substituted fiduciary out of the general assets of the institution such cash as may be necessary for the protection of the owners of such undivided interest Such order shall provide that the amount of cash so advanced by the Secretary shall be repaid by the substituted fiduciary out of the first moneys realized by such substituted fiduciary on the mortgages securities and other assets transferred to him

Section 906 Compensation and Expenses The court in its adjudication of any account filed by the Secretary as to any mortgage or securities pool operated by an institution of which the Secretary is in possession as receiver or as to any mortgage or other asset in which the institution shall have created undivided interests shall award to the Secretary such compensation for services rendered and expenses properly incurred by the institution or by the Secretary as the court shall deem reasonable and proper under all the circumstances The order of the court making any such award to the Secretary shall provide for the payment of such compensation or expenses out of any cash included in the account or if there be no cash in the account or if the amount of cash included therein is insufficient to pay the amount awarded to the Secretary the order shall provide for the payment of such compensation or expenses out of the first moneys realized by the substituted fiduciary on the mortgages securities or other assets so transferred to such substituted fiduciary All sums received by the Secretary under this section shall become assets of the institution of which he is in possession as receiver

When the court shall pursuant to the provisons of this act order the Secretary to transfer such mortgages securities or other assets prior to the filing of an account it shall similarly make provision for the payment of the compensation eared or the expenses incurred by the institution or by the Secretary

ARTICLE X

PROOF OF CLAIMS ACCOUNTING AND DISTRIBUTION

Section 1001 Notice to Depositors Shareholders and Other Creditors After filing a supplement to the certificate of possession setting forth his determination to liquidate the affairs of an institution of which he has taken possession as receiver the Secretary shall forthwith give notice of such fact to all corporations or persons who appear upon the books of the institution as or who are otherwise known to the Secretary to be or claim to be depositors or other creditors and in the case of a building and loan association shareholders of such institution He shall likewise give notice to any corporation or person who pursuant to the provisions of this act has given the Secretary notice of his claim to the right of execution or attachment against any assets owned by or legally in the custody or possession of the Secretary as receiver of the institution

The notice to each depositor or in the case of a building and loan association to each shareholder shall state the amount which the books or other records of the institution show to be due to such depositor or shareholder It shall also state that unless such depositor or shareholder shall within a specified time present to the Secretary for settlement his deposit or pass book or other evidence of his account showing a different amount to be due or unless such depositor or shareholder shall within a specified time from the date of such notice prove in the manner provided by this act that a different amount is due the amount shown to be due by the books of the institution will be conclusively presumed to be correct unless the court pursuant to the provisions of this act grants him an extension of time

The notice to each creditor other than a depositor or in the case of a building and loan association other than a shareholder shall inform such creditor that he must present his claim in the manner provided by this act within a specified time from the date of such notice or else be permanently barred from sharing in any distribution of the assets of the institution unless the court pursuant to the provisions of this act grants him an extension of time

The Secretary shall also advertise in a newspaper or newspapers as provided in this act the fact that he has determined to liquidate the affairs of the institution and that he has filed an inventory and appraisement in the office of the prothonotary Such advertisement shall state that all depositors or in the case of building and loan association all shareholders must prove their claims within a specified period or be bound by the amount shown by the books or records of the institution to be due them and that any corporation or person not appearing upon the books of the institution to be a depositor or in the case of a building and loan association a shareholder and not presenting his pass book or other evidence of the state of his account or otherwise presenting his claim will be permanently barred from sharing in any distribution of the assets of the institution unless the court pursuant to the provisions of this act grants him an extension of time It shall also state that all creditors other than depositors or in the case of building and loan associations other than shareholders not providing their claims in the manner provided by this act and within a specified period will likewise be permanently barred from sharing in any distribution of the assets of the institution except where the court pursuant to the provisions of this act grants to a creditor an extension of time

The Secretary shall specify as the last day upon which depositors creditors and in the case of a building and loan association shareholders can present their claims a date not less than one hundred twenty days after the taking of possession of the institution by him as receiver provided that such date shall be at least thirty days after the date of the sending of such notice However claims based upon deficiencies in or surcharges with respect to funds property or investments which such institution held in a fiduciary capacity may be presented at any time within six months after the appointment of a substituted fiduciary of the estate of which such funds property or investments were a part and the adjudication of the account of such estate by the competent court

Section 1002 Proof of Claims of Depositors or in Building and Loan Associations Shareholders Any depositor or in the case of a building and loan association any shareholder who disagrees with the amount shown by the books or other records of the institution to be due to him shall present his claims to the Secretary by presenting his deposit or pass books or other evidence of indebtedness to the Secretary within the time and in the manner designated by the Secretary purusant to the provisions of this act Any such depositor or shareholder who shall not have received or shall have lost his deposit or pass book or other evidence of indebtedness or who shall believe that the amount shown by such deposit or pass

book or other evidence of indebtedness to be due to him is incorrect shall within the time designated by the Secretary present his claim to the Secretary by whatever method he shall designate

Any depositor or in the case of a building and loan association any shareholder who shall not present his claim within the designated time and in the manner provided by this section shall be bound by the amount appearing to be due to him upon the books or records of the institution or where the name of such depositor or shareholder does not appear at all upon the books or records of the institution or appears on such books or records but with no balance appearing to be due to him by the institution shall be permanently barred from sharing in any distribution of the assets of the institution However the court may upon petition and adequate cause shown permit any depositor or in the case of a building and loan association any shareholder to file his claim upon a later date but no claim shall in any event be allowed to be filed after the last day for the filing of exceptions to the first account of the Secretary

This section shall not however be construed to deprive any such depositor or shareholder of any right of action at law or in equity which he may have against an employe or former employe of the institution or upon the bond of such employe or former employe for any act committed by such employe which resulted in such depositor's or shareholder's not appearing upon the books of the institution or appearing upon them but being credited with an amount below that actually due

The Secretary shall prescribe the form for the proof of claim of all depositors or in the case of building and loan associations shareholders and for the affidavit to be included therein Whenever requested by any such depositor or shareholder to prepare such proof of claim or to take the affidavit thereto the Secretary shall do so without any charge to such depositor or shareholder

Section 1003 Proof of Claims of Creditors A Creditors other than depositors or in the case of a building and loan association other than shareholders shall not share in any distribution of the assets of the institution unless the creditor or someone for him shall within the time specified present to the Secretary a statement of his claim together with a copy of any book entries pertaining thereto any note or other instrument received as evidence thereof and a list of any collateral or agreement of pledge received in connection therewith

However the court may upon petition and adequate cause shown permit any creditor to file his claim upon a later date but no claim in any event be allowed to be filed after the last day for the filing of exceptions to the first account of the Secretary

The statement of a creditor's claim required by this section shall be verified by affidavit in substantially the following form

"I (name of claimant) do solemnly swear (or affirm) that the above is a true statement of my claim against (name of institution) that there are no credits or allowances against this claim except as therein set forth that there is no collateral security for this indebtedness or any part thereof held by me or by anyone else other than as above set forth and that I am not the owner or the obligee directly or indirectly of any contract of indemnity or insurance covering this claim except as set forth above

If the creditor shall be a corporation such affidavit shall be made by the treasurer or assistant treasurer thereof and if a partnership by any member thereof In either such case the form of the affdavit shall be modified accordingly

B The provisions of this section shall not apply to the claims of parties interested in the custody possession or control of funds property or investments held by such institution in a fiduciary capacity However except as otherwise provided in this act the provisions of this section shall apply to disputes concerning the identity of such funds property or investments or to claims based upon deficiencies therein or the liability of the institution to surcharge thereon

Section 1004 Allowance of Claims For the purposes of the accounting provided for in this act the Secretary shall allow the claims of depositors or in the case of a building and loan association shareholders for the amounts shown to be due to them upon the books or other records of the institution or for such other amounts as they shall within the time and in the manner provided by this act prove to the satisfaction of the Secretary are due to them He shall likewise allow the claims of all other creditors when presented within the time and in the manner provided by this act if he shall be satisfied that the amounts claimed are rightfully due He shall reject all other claims of depositors other creditors and in the case of building and loan associations shareholders

Section 1005 Advance Payments of Dividends to Depositors After the expiration of the period fixed by the Secretary pursuant to the provisions of this act for the presentation of claims he may without leave of court and without filing an account make an advance payment of a dividend to all depositors the amounts of whose claims as they appear upon the books or other records of the institution are undisputed The dividend shall be calculated as if the claims of all other depositors as they appear upon the books or other records of the institution and the claims of all creditors or other corporations or persons who assert priority over or parity with depositors in the order of distribution of the assets were valid and uncontested

However the Secretary shall not make such an advance payment of a dividend to any depositor until he shall have set aside an amount sufficient to pay in full the claims of all creditors or other corporations or persons asserting or entitled to priority over depositors in the order of distribution and to pay the proportionate dividend on the amounts claimed by the other depositors and by any creditors or other corporations or persons who are entitled to or who claim parity with depositors in the order of distribution provided for by law He shall likewise set aside before making such advance payment such amount as he shall deem necessary for the expenses of administration of the institution by him as receiver

Section 1006 Expenses of Administration Any reasonable expenditure made by the Secretary as receiver of an institution including any expense incurred in the management reorganization consolidation liquidation or distribution of the assets and affairs of the institution and any compensation paid to the deputy receiver or any other person employed to assist the Secretary in such management reorganization consolidation liquidation or distribution and to any deputy attorney general special deputy attorney general assistant deputy attorney general or other attorney who has been assigned by the Department of Justice to the Secretary to handle for him any legal business pertaining to the affairs or property of such institution shall be paid out of the assets of the institution provided it is included in any partial or final account filed by the Secretary pursuant to the provisions of this act and is approved by the court in which such account is filed

Where such expenses are incurred or such compensation is paid for the benefit of the estate of more than one institution in the possession of the Secretary as receiver an equitable portion of such expenses or compensation shall be paid out of the assets of each institution on whose behalf such expenditures were made

Section 1007 Partial or Final Account Objections A At any time after the expiration of the period fixed by the Secretary pursuant to the provisions of this act for the presentation of claims he shall file a partial or final account of his administration of the business and property of the institution duly verified by him under oath or affirmation

If the Secretary shall not file his first account within one year after he takes possession of an institution any depositor other creditor or shareholder of such institution may petition the court to order the Secretary to file an account The court may in it consideration grant or refuse the petition

The account shall present his administration of the estate including a statement of all receipts or expenditures by the Secretary as receiver a list of all claims which have been allowed and a separate list of claims which have been objected to or are disputed showing as to all depositors other creditors and in the case of a building and loan association shareholders their names and addresses the amounts due or claimed to be due to them and any priorities in the order of distribution granted to or claimed by them

B The Secretary shall forthwith give written or printed notice of such filing of an account to all corporations or persons whom he knows to be or to claim to be depositors other creditors and in the case of building and loan associations shareholders of the institution at the addresses which respectively appear for them upon the books of the institution or if none appear there at their last known respective addresses Such notice shall also state that unless an exception to the

account or to any item therein is filed with the court within thirty days from the date of the filing thereof it will be confirmed absolutely

He shall likewise give notice to any corporation or person who pursuant to the provisions of this act has given the Secretary notice of his claim to the right of execution or attachment against any assets owned by or legally in the custody or possession of the Secretary as receiver of the institution

He shall also advertise such notice in a newspaper or newspapers as provided in this act stating the date upon which he has filed his partial or final account and the fact that all exceptions to the account must be filed within thirty days from the date of the filing of such account

The Secretary shall forthwith file with the court under oath or affirmation a statement that he has in the manner provided by this act sent both the notice of his determination to liquidate and the notice of his filing of an account to all corporations or persons entitled thereto whose names appear in the account at the addresses stated therein He shall also file the proofs of publication of the advertisements which he has inserted pursuant to the provisions of this act which respectively set forth his determination to liquidate and his filing of an account

C The prothonotary shall not be under any duty to recopy or otherwise record such account He shall make no charge except the regular fee for filing such or similar papers

Section 1008 Exceptions to Account A Any corporation or persons who is or who claims to be a depositor other creditor or shareholder of an institution or who has given to the Secretary notice of his claim to the right of execution or attachment against any assets owned by or legally in the custody of the Secretary as receiver of an institution or who asserts any other tpye of claim against an institution may within thirty days after the filing of an acocunt by the Secretary file in the court specific exceptions in writing under oath or affirmation to such account or to any item therein

Notice of any exception to an individual item in an account shall forthwith be personally served upon or sent by registered mail to the corporation or person whose claim is thus objected to or his counsel and also the Secretary or the deputy receiver managing the affairs of the particular institution or the counsel of either Affidavit of the serving or sending of such notice shall forthwith be filed with the court

B Whenever an exception is filed to any expenditure made by the Secretary as an expense of administration the Secretary shall keep an accurate record of the salaries and other expenses exclusive of counsel fees properly incurred by him in the contesting of such exception If the exception is overruled and the expenditure is sustained the court may in its discretion assess such expenses and salaries together with the rgeular costs provided by law upon the depositor other creditor or shareholder filing such exception

Section 1009 Adjudication of Rejected Claims and Exceptions to Account A If any claim has been rejected by the Secretary or any exception has been filed to the account or to any item thereof the court shall as soon as expedient after the expiration of the period for the filing of exceptions to the account fix a date for hearing in court arguments on all rejected claims and all exceptions to the account or to any item thereof

The Secretary shall give notice of such hearing to all corporations or persons whose claims have been rejected by the Secretary or objected to in the manner provided by this act He shall likewise give notice to all corporations or persons who have exceptions to the account or to any item thereof Such notice shall set forth in so far as possible the reasons for the rejection of the claim or the nature of the exception to the item of the account and shall state that all parties whose claims are rejected or objected to must appear in court upon the date fixed by the court to prove their claims or they will be bound by the ex parte decision of the court

B The court in which the account is filed shall itself hear arguments upon any rejected claim or upon any exception to an account or to any item thereof upon the date fixed by it for this purpose The court shall itself decide without delay all matters in controversy If any party does not appear in court on the day fixed the court shall conduct the hearing ex parte and shall render its decision upon the merits as they appear after such hearing

Section 1010 Confirmation of Account Distribution of Dividends A If the Secretary has approved all depositors' claims or in the cast of building and loan associations all shareholders' claims as presented by them pursuant to the provisions of this act or if not presented as they appear upon the books or other records of the institution and if no exception has been filed to an account or to any item thereof within thirty days after the filing of such account by the Secretary the court shall confirm the account absolutely If any funds are available for distribution the Secretary shall then declare and pay out of such funds a partial or a final dividend according to the priorities established by law

If the Secretary has rejected any such deposit or claim or if any such exception has been filed the court shall confirm the account as to all other matters and claims The Secretary may then declare and pay out of the funds available for distribution if any a dividend according to the priorities established by law The dividend shall be calculated as if all deposits and other claims were valid and approved The Secretary before paying any such dividend shall set apart the proportion of such dividend which would be properly apportionable to any claim which has been rejected by the Secretary or to which an exception has been filed if the amount and the priority claimed were sustained by the court If any such claim shall be determined by the court to be valid the Secretary shall pay to the corporation or person entitled thereto the dividend which has been set apart in the manner provided by this section If any such claim shall be determined by the court to be invalid the dividend which has been set apart in the manner provided by this section shall be distributed in the order of the priorities established by law to those whose claims have been approved by the court

B The confirmation of any account after the adjudication of all claims therein which have been rejected by the Secretary or to which exceptions have been filed and of all other exceptions to such account shall be conclusive as to all matters therein Except as otherwise provided in this act no claim of any depositor or other creditor or in the case of a building and loan association any shareholder shall be valid if not listed and approved in the first account which has been filed

The confirmation of the final account and distribution thereunder shall discharge the Secretary the deputy receiver any other employe and the legal counsel as well as the surety for any of them from all further civil liability for any act done in his official capacity as receiver deputy receiver employe or legal counsel of the institution

Section 1011 Order of Preference in Distribution A The following shall be the order followed by the Secretary in the distribution pursuant to the provisions of this act of the assets of any institution with the exception of a building and loan association which he as receiver is liquidating

First Any expenditure made by the Secretary as receiver which under the provisions of this act is to be paid out of the assets of the institution

Second Any fee or other debt owing to the Department for examinations or other services rendered or penalties incurred prior to the taking of possession by the Secretary as receiver and deposit or other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Third Any deposit and any interest due thereon which has been or according to the by-laws or rules and regulations of the institution should have been credited to such deposit prior to the date of the taking of possession of the institution by the Secretary as receiver whether subject to withdrawal by check or by any other method not requiring notice or to withdrawal only after notice or after the expiration of a fixed period whether or not such notice has been given or such period has expired at the date of distribution any holder of a certified check drawn on the institution the claim of any holder of a certificate of deposit of moneys in such institution and any interest which may be due thereon whether such certificate of deposit is payable upon demand or is payable only after notice or after the expiration of a fixed period whether or not such notice has been given or such period has expired at the date of distribution the claim of any holder of a check or draft of the institution which has been given in exchange for or in payment of a check or draft drawn upon such institution by a depositor therein or which has otherwise been charged to the account of a depositor therein provided that the amount of such check or draft does not exceed the balance to the credit of such depositor or which has been given in exchange for cash or for any check or draft the proceeds of which have been received by the institution any claim for cash or for any check

or draft the proceeds of which have been received by the institution which was delivered to the commercial department of such institution as fiduciary either for transmission or for any purpose other than as a deposit irrespective of whether all or part of such cash or the funds realized from such check or draft has been mingled with the assets of such institution

Fourth Any claim for the amount of any deficiency in the funds property or investments of an estate of which the institution was fiduciary or any surcharge with respect to such estate which is found to be due by the court in which the account for such estate is filed and any claim of a creditor of the institution not listed under any other category in this section

Fifth Any part of the amounts paid by shareholders after an assessment upon them by the Secretary pursuant to the provisions of this act which has proved unnecessary to pay in full all depositors or other creditors of the institution such payments are to be made pro rata up to the respective amounts paid by each shareholder This clause shall not be construed to refer to payments made by shareholders on account of unpaid subscriptions to shares

Sixth Any moneys of the institution which still remain in the hands of the Secretary shall be paid to shareholders in proportion to the number of shares held by them respectively minus any amounts still owing by them on the assessment made by the Secretary pursuant to the provisions of this act or on unpaid subscriptions to shares

Seventh Any unliqlidated assets to trustees for shareholders appointed pursuant to the provisions of this act

B The following shall be the order and preference followed by the Secretary in the distribution pursuant to the provisions of this act of the assets of any building and loan association the affairs of which he as receiver is liquidating

First Any expenditure made by the Secretary as receiver which under the provisions of this act is to be paid out of the assets of the institution

Second Any fee or other debt owing to the Department for examinations or other services rendered or penalties incurred prior to the taking of possession by the Secretary as receiver any other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Third Any claim of a creditor of the association other than the claim of a shareholder arising from the ownership of shares

Fourth Any claim of a shareholder arising from his ownership of shares whether such shares be installment full-paid prepaid matured or any other type The amount of the claim arising from each share shall be the amount actually paid in on account of such share less any amount lawfully deductible therefrom by the association except in the case of a lawfully and properly matured share in which case the amount of the claim shall be the actual par value of the share less any payment received on account thereof from the association and less any other amount lawfully deductible therefrom by the association

C Every claim enumerated above shall have the same rank and priority as every other claim in the same numbered paragraph regardless of the order in which such claims are enumerated

D All claims provided for in this section shall be construed to refer only to claims presented to the Secretary and approved by the court in accordance with the provisons of this act

Section 1012 Liquidation of Balance by Trustees Except in the case of a building and loan association the Secretary shall dispose in the following manner of any unliquidated assets of an institution of which he was receiver which are still in his possession after the filing and confirmation of his final account the payment in full of the claims of all depositors creditors and other claimants which have been approved by the court the return to shareholders pro rata of any amounts paid by them pursuant to an assessment made by the Secretary under the provisions of this act which have proved unnecessary to pay in full the duly presented and approved claims of depositors and other creditors and the distribution to shareholders of any cash balance remaining thereafter

The Secretary shall call a meeting of all the shareholders of the institution by giving them written notice at least thirty days before the day fixed for the meeting At such meeting the shareholders shall elect by ballot a trustee or trustees who sholl complete the liquidation A majority of the shares present in person or by proxy shall be necessary to elect such trustee or trustees The Secretary shall file one copy of the proceedings of such shareholders' meeting in his office and one in the office of the prothonotary Both copies shall be prepared by him under oath or affirmation

If no trustee is elected in this manner on the day designated the Secretary shall petition the court in which the certificate of possession is filed for the appointment of a trustee or trustees

The trustee or trustees who are thus elected by the shareholders or appointed by the court shall give bond to the Commonwealth in such amount with such surety and under such conditions as the court may direct The Secretary shall then transfer to such trustee or trustees all the assets of the institution which are still in his possession

After such transfer by the Secretary to a trustee or trustees for the benefit of the shareholders the institution shall have no corporate powers or privileges whatsoever The trustee or trustees shall not succeed to any of its powers or privileges except such as shall be necessary to the liquidation of the remaining assets which have been transferred to such trustee or trustees by the Secretary

Section 1013 Unclaimed Dividends Whenever upon the audit or adjudication of the final account of the Secretary in possession of an institution as receiver there shall be and remain in his possession and dividends or and dividends which shall have been awarded to any depositor or other creditor the whereabouts of whom or of whose legal representatives the Secretary has been unable to ascertain or any dividends which otherwise are by law escheatable to the Commonwealth he shall file in the court the sworn statement required by law and shall thereupon pay the dividends into the State Treasury through the Department of Revenue in accordance with the provisions of law such moneys to be subject to refund to any corporation or person entitled thereto pursuant to the provisions of law

Section 1014 Destruction of Records The Secretary is authorized to destroy all records of the institution of which he was in possession as receiver and all records of such receivership at the expiration of six years from the date of the absolute confirmation of his final account except where any provision of this act expressly or impliedly provides a different method for the disposition of the records or a longer period for their preservation

ARTICLE XI
SPECIAL CRIMINAL PROVISIONS

Section 1101 Criminal Prosecutions Upon discovery by report or otherwise of any violation of any criminal law of this Commonwealth which relates to an institution the Department shall institute criminal proceedings in the manner provided by law

Section 1102 Perjury Anyone who shall wilfully and corruptly make a false statement under oath or affirmation provided for in this act or anyone who shall by any means procure or suborn any other person to do so shall be guilty of the crime of perjury and upon conviction thereof shall be subject to the same punishment as is or may be provided by law for perjury

Section 1103 Statute of Limitations for Violations of Act Any prosecution for the commission of any criminal offense under the provisions of this act may be commenced at any time within six years after the date upon which the alleged offense shall have been committed However if the person against whom such prosecution is brought shall not have been an inhabitant of this Commonwealth or a usual resident therein for six years then such indictment may be commenced and prosecuted at any time within six years after he shall have become an inhabitant of or usual resident within this Commonwealth

ARTICLE XII
EFFECTIVE DATE AND REPEALER

Section 1201 Effective Date This act shall become effective on the third day of July one thousand nine hundred thirty-three and shall apply to all corporations and persons described herein whether in existence on such date or coming into existence at any time thereafter and whether taken in possession by the Secretary as receiver prior to such date or at any time thereafter

Secton 1202 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed

Section twenty-eight of the act approved the thirteenth day of May one thousand eight hundred and seventy-six

(Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" in so far as it relates to distribution of assets by the Secretary as receiver

Section one of the act approved the eighth day of May one thousand nine hundred and seven (Pamphlet Laws one hundred ninety-two) entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five eleventh day of June Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment and regulation of trust companies" in so far as it relates to distribution of assets by the Secretary as receiver

Section one of the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand sixty) entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" in so far as it relates to distribution of assets by the Secretary as receiver

The act approved the twenty-first day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred ninety-four) entitled "An act to give the status of a depositor as to preference over other creditors to persons firms or corporations accepting from a bank or trust company its check in payment of a depositor's check" in so far as it relates to distribution of assets by the Secretary as receiver

The act approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred fifty-four) entitled "An act to amend section one of an act entitled 'A supplement to an act of Assembly of the Commonwealth of Pennsylvania entitled "An act to provide for the incorporation and regulation of certain corporations approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five eleventh day of June Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment and regulation of trust companies' approved the eighth day of May Anno Domini one thousand nine hundred and seven by enlarging and extending the preference given to depositors so as to include deposits payable only after specified notice or at the expiration of a fixed period and defining and including as depositors bonna-fide holders for value of certified checks on or of certificates of deposit issued by trust company or of checks or drafts given in exchange for or in payment of checks or drafts of depositors of a trust company drawn thereon" in so as it relates to distribution of assets by the Secretary as receiver

The act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred seventy-eight) entitled "An act authorizing the reorganization of building and loan associations and savings and loan associations with the approval of the Banking Commissioner requiring the interest of all stockholders thereof to remain in the association for a period of two years and providing for the payment at the end of such period of their respective interests to stockholders who failed to approve the plan of reorganization" absolutely

The act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents" absolutely

The act approved the fifth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws one hundred six) entitled "An act to amend section one of an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand sixty) entitled 'An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof' providing for the distribution of the assets of private bankers in case of insolvency" in so far as it relates to distribution of assets by the Secretary as receiver

The act approved the thirteenth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws one hundred eighty-two) entitled "An act to amend section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' requiring building and loan associations to pay the cost of examinations by the Department of Banking' absolutely

The act approved the fifth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws seven hundred sixty-two) entitled "An act to amend sections two three eleven twelve fourteen seventeen twenty-one twenty-three twenty-five twenty-eight twenty-nine thirty thirty-two thirty-four thirty-six thirty-eight forty-two forty-four forty-six forty-seven and forty-eight of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents" absolutely

The act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred sixteen) entitled "An act to amend section nine of the act approved the fifteenth day of June one thousand nine hundred twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisoins and repealing the Banking Department Act of nineteen hundred ad nineteen with table of contents' as amended" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred thirteen) entitled "an act to further amend section one of an act approved the ninteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand sixty) entitled 'An act to provide for licensing and regulating private

banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof' as amended by providing that al moneys or securities deposited with the Secretary of Banking shall pending their approval be tuned into the State Treasury" absolutely

The act approved the twelfth day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred twelve) entitled "An act to further amend section twelve of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' by authorizing the Department of Banking to disclose certain contents of reports of building and loan associations" absolutely

The act approved the twenty-eighth day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred ninety-three) entitled "An act to amend section twenty-eight as amended clause two of section thirty-one clause (b) of section thirty-two as amended section forty-one section forty-two as amended and section forty-five of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' by conferring additional powers on the Secretary of the Department of Banking and changing the procedure to be followed in the liquidation reorganization and rehabilitation of the corporations partnerships and persons over which the department has supervision and control" absolutely

The act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred ninety-six) entitled "An act to further amend paragraph (a) of section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents'" absolutely

The act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred sixty-three) entitled "An act to amend section thirty-six of the act approved the fifteenth day of June one thousand nine hundred twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' as amended by providing that pledges of assets of institutions in the possession of the Secretary of Banking may not forfeit or sell the same except under certain conditions and providing penalties" absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred seventy-six) entitled "An act to amend section three of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' as amended in part providing additional regulations for all advertisements publications and notices required by the said act to be made in newspapers" absolutely

The act approved the twentieth day of July one thousand nine hundred and thirty-two (Pamphlet Laws seven) entitled "An act to further amend section twenty-nine and clauses (b) and (d) of section thirty-two of an act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' by conferring additional powers on the Secretary of Banking with regard to the leasing of real estate the pledge of assets in his possession as security for loans the sale of listed and unlisted securities and the extension of the period for the payment of mortgages" absolutely

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2290 (Senate Bill No. 969), entitled:

An Act providing for the payment of damages caused by the change of grade where the property was improved on the natural surface of the ground without conforming to the established grade regulation where said regulation had been established for more than three years prior to the improvement.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2331 (Senate Bill No. 1207), entitled:

An Act to amend section two of the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws two hundred and ninety-nine) entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax separately from the price of such liquid fuels on liquid fuels price display signs and imposing a penalty" and providing for disposition of fine.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1343, entitled:

An Act to amend section three hundred seventeen of article three of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws" by limiting the obligation of insurance companies in execution of policies.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. BLUMBERG. Mr. Speaker, I move that this bill be placed upon the postponed calendar,

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1030, entitled:

An Act fixing the salaries of certain county officers in counties of the fourth class

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150

Andrews,	Harmuth,	Melchiorre,	Scott,
Baker,	Harris,	Merrell,	Sheffer,
Baldi,	Hart,	Metzler,	Shellenberger,
Barnhardt,	Heffernan,	Mohn,	Shettel,
Bennett,	Hefferon,	Mumford,	Shortz,
Blumberg,	Hermansen,	Myers,	Shugarts,
Boyd,	Hewitt,	Negley,	Simon,
Brancato,	Himes, H. E.,	Nothnagle,	Sinwell,
Brennan,	Himes, L. R.,	O'Connor,	Snyder,
Brown, J. E.,	Hoffman,	O'Keefe,	Sowers,
Brown, W. L.,	Holmes, J. B.,	O'Neill,	Steedle,
Brownfield,	Holmes, J. L.,	O'Rourke,	Stevens,
Cannon,	Hough,	Patterson,	Stiteler,
Caputo,	Hutton,	Peelor,	Stone,
Carson,	Jaffe,	Pennock,	Storb,
Chervenak,	Kane, L. P.,	Perry, D. R.,	Tahl,
Conner,	Kinney,	Perry, J. J.,	Terry,
Cooke,	Labar,	Powell,	Turner,
Cordier,	Lane,	Powers,	Wagner,
Craig,	Laubach,	Price,	Walker, G. E.,
Cramer,	Lewis,	Quinn,	Walker, W. A.,
Dane,	Long,	Raub,	Wall,
Davies,	Lord,	Rectenwald,	Wasserman,
DeFrehn,	Lose,	Reed,	Weidemann,
Downey, G. E.,	Lovett, J. E.,	Reilly,	Westrick,
Downey, J.,	Lynch, J. R.,	Roan,	White,
Duffy,	Lynch, M.,	Root,	Wike,
Dunmire,	Male,	Roth,	Williams, G. W.
Dwyer,	Maloney,	Royle,	Williams, J. J.,
Ederer,	Mason,	Ruby,	Wilson, T. B.,
Emhardt,	McBride,	Sarig,	Witkin,
Evans,	McCandless,	Sautter,	Wood,
Flynn,	McClure,	Schrock,	Wright,
Gartner,	McGinnis,	Schrope,	Yeakel,
Gillette,	McGregor,	Schwab,	Zimmerman,
Green,	McHenry,	Schwartz,	Talbot,
Greenstein,	McKay,	Scorza,	Speaker.
Hamilton,	McKinney,		

NAYS—12

Bechtel,	Hoopes,	Rice,	Wilson, L. M.,
Bernhard,	Howard,	Shreiner,	Woodside,
Habbyshaw,	McCreary,	Welsh,	Yourishin,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1732, entitled:

An Act to amend section one hundred and seventy-one of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" as amended providing for the number and compensation of the members of the board of viewers in counties of the third and fourth classes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158

Andrews,	Harris,	McClure,	Sheffer,
Baker,	Hart,	McElwee,	Shellenberger,
Baldi,	Hartman,	McGinnis,	Shettel,
Bechtel,	Heffernan,	McHenry,	Shortz,
Beech,	Hefferon,	McKay,	Shugarts,
Bennett,	Hermansen,	Melchiorre,	Simon,
Bernhard,	Hester,	Meredith,	Sinwell,
Boyd,	Hewitt,	Metzler,	Snyder,
Brennan,	Himes, H. E.,	Mohn,	Sowers,
Brown, J. E.,	Himes, L. R.,	Mumford,	Steedle,
Brown, W. L.,	Hoffman,	Myers,	Sterling, P.,
Cannon,	Holmes, J. B.,	Negley,	Stevens,
Caputo,	Holmes, J. L.,	Nothnagle,	Stevenson,
Carson,	Hoopes,	O'Connor,	Stone,
Cohen,	Horst,	O'Keefe,	Storb,
Conner,	Hough,	O'Rourke,	Stott,
Cooke,	Howard,	Patterson,	Surface,
Craig,	Hutton,	Pennock,	Turner,
Cramer,	Jaffe,	Perry, J. J.,	Wagner,
Dane,	Jones,	Peters,	Walker, W. A.,
Davies,	Kane, J. J.,	Powell,	Wall,
Denning,	Kane, L. P.,	Powers,	Wasserman,
Downey, J.,	Kinney,	Quinn,	Way,
Duffy,	Labar,	Rectenwald,	Weidemann,
Dwyer,	Lane,	Reed,	Welsh,
Ederer,	Laubach,	Reilly,	Westrick,
Eroe,	Lewis,	Rhodes,	White,
Evans,	Long,	Rice,	Wike,
Fitzgerald,	Lord,	Roan,	Williams, G. W.,
Fleisher,	Lose,	Root,	Williams, J. J.,
Flinchbaugh,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flynn,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Furman,	Lynch, M.,	Ruby,	Witkin,
Gallagher,	Male,	Sarig,	Wood,
Gillette,	Malina,	Sautter,	Wright,
Gorman,	Maloney,	Schrock,	Yeakel,
Green,	Marcks,	Schrope,	Yourishin,
Greenstein,	Mason,	Schwab,	Zimmerman,
Habbyshaw,	McBride,	Schwartz,	Talbot,
Haines,	McCandless,	Scott,	Speaker.
Harmuth,			

NAYS—3

McCreary,	Shreiner,	Woodside,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Mr. SCHWARTZ. Mr. Speaker, I desire to call up at this time House Bill No. 2286, Senate Bill No. 625, Printer's No. 570, on page 20, of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Schwartz,

The House resumed the consideration on third reading of House Bill No. 2286 (Senate Bill No. 625), entitled:

An Act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders attorneys and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers

and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts

On the question,

Will the House agree to the bill on third reading?

Mr. SCHWARTZ. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 4, line 17 by striking out after the word "Officers" and before the word "or' the word: "[Attorneys]" and inserting in lieu thereof the word: "Solicitors."

Amend section 303, page 25, line 3 by placing a parenthesis before the figure "6."

Amend section 303, page 25, line 3 by placing a parenthesis after the figure "6."

Amend section 303, page 25, line 5 by placing a parenthesis before the figure "7."

Amend section 303, page 25, line 5 by placing a parenthesis after the figure "7."

Amend section 303, page 25, line 9 by placing a parenthesis before the figure "8."

Amend section 303, page 25, line 9 by placing a parenthesis after the figure "8."

Amend section 406, page 42, line 17 by striking out at the end of the line after the word "by" the word: "[accountants]."

Amend section 406, page 42, line 18 by inserting after the word "such" and before the word "employed" the word: "accountants."

Amend section 415, page 49, line 23 by striking out after the word "any" and before the word "such" the word: "[of]."

Amend section 609, page 67, line 1 by striking out after the word "receipt" and before the word "or" the following: "[aquittance]" and inserting in lieu thereof the word: "acquittance."

Amend section 901, page 102, line 3 by striking out the bracket at the end of the line after the article "a."

Amend section 902, page 103, line 20 by inserting after the word "than" and before the word "association" the article: "the."

Amend section 1101, page 131, line 16 by striking out after the word "shall" and before the word "its" the word: "[sign]" and inserting in lieu thereof the word: "endorse."

Amend section 1205, page 150, line 5 by striking out after the word "solicit]" and before the word "soliciting" the word: "[or]" and inserting in lieu thereof the word: "of."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

(MR. HUTTON IN THE CHAIR)

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2211 (Senate Bill No. 306), entitled:

An act making an appropriation to the Women's Hospital of Philadelphia Preston and Parrish Streets Philadelphia, Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182

Andrews,	Green,	McClure,	Schwab,
Baker,	Greenstein,	McCreary,	Schwartz,
Baldi,	Griffith,	McElwee,	Scorza,
Barnhardt,	Habbyshaw,	McGrail,	Scott,
Bechtel,	Haines,	McGregor,	Sheffer,
Bennett,	Hamilton	McKay,	Shellenberger,
Bernhard,	Harmuth,	McKinney,	Shenkel,
Blumberg,	Harris,	Meredith,	Shettel,
Boyd,	Hart,	Merrell,	Shortz,
Brancato,	Heffernan,	Metzler,	Shugarts,
Brennan,	Hefferon,	Mohn,	Simon,
Brown, J. E.,	Heffner,	Moore,	Sinwell,
Brown, W. L.,	Hermansen,	Mumford,	Snyder,
Cannon,	Hester,	Myers,	Sowers,
Caputo,	Hewitt,	Negley,	Spann,
Carey,	Himes, H. E.,	Nothnagle,	Steedle,
Carson,	Hoffman,	O'Connor,	Sterling, P.,
Chervenak,	Holmes, J. B.,	O'Keefe,	Stevens,
Cohen,	Holmes, J. L.,	O'Neill,	Stevenson,
Conner,	Hoopes,	O'Rourke,	Stiteler,
Cooke,	Horst,	Patterson,	Storb,
Cordier,	Hough,	Peelor,	Stott,
Craig,	Hutton,	Pennock,	Surface,
Cramer,	Jaffe,	Perry, D. R.,	Tahl,
Dane,	Jones,	Perry, J. J.,	Terry,
Davies,	Kane, J. J.,	Peters,	Turner,
DeFrehn,	Kane, L. P.,	Powell,	Wade,
Denning,	King,	Powers,	Walker, W. A.,
Duffy,	Kinney,	Price,	Wasserman,
Dunmire,	Labar,	Quinn,	Way,
Dwyer,	Lane,	Raub,	Weidemann,
Ederer,	Laubach,	Rectenwald,	White,
Emhardt,	Lewis,	Reed,	Wike,
Eroe,	Long,	Reilly,	Williams, G. W.,
Evans,	Lord,	Rhodes,	Williams, J. J.,
Fitzgerald,	Lose,	Rice,	Wilson, T. B.,
Flanagan,	Lovett, J. E.,	Roan,	Witkin,
Fleisher,	Lovett, W. S.,	Root,	Wood,
Flinchbaugh,	Lynch, J. R.,	Roth,	Woodside,
Flynn,	Male,	Royle,	Wright,
Forrest,	Malina,	Ruby,	Yeakel,
Furman,	Maloney,	Ruth,	Yourishin,
Gallagher,	Marcks,	Sarig,	Zimmerman,
Gartner,	Mason,	Sautter,	Talbot,
Gillette,	McBride,	Schrock,	Speaker.
Gorman,	McCandless,	Schrope,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2289 (Senate Bill No. 897), entitled:

An Act authorizing the issuance of scrip certificates for relief purposes by political subdivisions of this Commonwealth; providing for the printing and issuance of scrip and stamps by the Commonwealth, for the creation of a scrip redemption fund in the State Treasury and for the redemption of scrip therefrom; imposing duties on the State Emergency Relief Board and the State Treasurer; appropriating the moneys in the scrip redemption fund; and imposing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156

Andrews,	Green,	McClure,	Shellenberger,
Baker,	Griffith,	McElwee,	Shenkel,
Baldi,	Haines,	McGinnis,	Shortz,
Barnhardt,	Harmuth,	McGregor,	Shreiner,
Bechtel,	Harris,	McHenry,	Simon,
Beech,	Hart,	McKinney,	Snyder,

Bennett,	Heffernan,	Melchiorre,	Sowers,
Bernhard,	Heffner,	Meredith,	Spann,
Blumberg,	Hermansen,	Metzler,	Steedle,
Boyd,	Hewitt,	Moore,	Sterling, P.,
Brancato,	Himes, H. E.,	Mumford,	Sterling, R. B.,
Brennan,	Himes, L. R.,	Myers,	Stevens,
Brown, W. L.,	Hoffman,	Negley,	Stevenson,
Brownfield,	Holmes, J. B.,	Nothnagle,	Stone,
Caputo,	Holmes, J. L.,	O'Connor,	Storb,
Carey,	Horst,	O'Rourke,	Stott,
Carson,	Hough,	Patterson,	Surface,
Cohen,	Howard,	Pennock,	Turner,
Conner,	Hutton,	Perry, D. R.,	Wagner,
Cooke,	Jaffe,	Perry, J. J.,	Walker, G. E.,
Cordier,	Jones,	Powers,	Wall,
Craig,	Kane, J. J.,	Quinn,	Wasserman,
Dane,	Kane, L. P.,	Raub,	Way,
Davies,	King,	Rectenwald,	Weidemann,
DeFrehn,	Kinney,	Reed,	Welsh,
Denning,	Labar,	Reilly,	Westrick,
Downey, J.,	Laubach,	Rhodes,	White,
Duffy,	Lenahan,	Rice,	Wike,
Dwyer,	Long,	Roan,	Williams, G. W.,
Ederer,	Lord,	Roth,	Wilson, T. B.,
Emhardt,	Lose,	Ruby,	Witkin,
Eroe,	Lovett, J. E.,	Ruth,	Wood,
Evans,	Lynch, J. R.,	Sautter,	Woodside,
Fitzgerald,	Male,	Schrock,	Wright,
Flanagan,	Malina,	Schrope,	Yeakel,
Fleisher,	Maloney,	Schwab,	Yourishin,
Flinchbaugh,	Marcks,	Schwartz,	Zimmerman,
Flynn,	Mason,	Scorza,	Talbot,
Gallagher,	McBride,	Scott,	Speaker.
Gillette,	McCandless,	Sheffer,	

NAYS—2

Hoopes,	Wilson, L. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1235, entitled:

An Act to amend section two hundred and twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by changing the qualification of the first deputy prothonotary in counties of the third class

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160

Andrews,	Gorman,	McBride,	Schwab,
Baker,	Green,	McCandless,	Schwartz,
Baldi,	Greenstein,	McClure,	Scorza,
Barnhardt,	Griffith,	McCreary,	Scott,
Bechtel,	Habbyshaw,	McElwee,	Sheffer,
Beech,	Haines,	McGinnis,	Shellenberger,
Bennett,	Harmuth,	McGrail,	Shortz,
Blumberg,	Harris,	McHenry,	Shreiner,
Boyd,	Hart,	McKay,	Simon,
Brennan,	Hartman,	McKinney,	Snyder,
Brown, J. E.,	Heffernan,	Meredith,	Sowers,
Brown, W. L.,	Heffner,	Merrell,	Stank,
Cannon,	Hermansen,	Metzler,	Steedle,
Caputo,	Hester,	Mohn,	Sterling, P.,
Carey,	Hewitt,	Moore,	Stevens,
Carson,	Himes, L. R.,	Myers,	Stiteler,
Chervenak,	Hoffman,	Negley,	Stone,
Conner,	Holmes, J. L.,	O'Connor,	Stott,
Cooke,	Hoopes,	O'Keefe,	Surface,
Cordier,	Horst,	Patterson,	Terry,
Craig,	Hough,	Peelor,	Turner,
Cramer,	Howard,	Pennock,	Wade,
Davies,	Hutton,	Perry, D. R.,	Walker, G. E.,
DeFrehn,	Jaffe,	Perry, J. J.,	Walker, W. A.,
Denning,	Jones,	Peters,	Wasserman,
Downey, J.,	Kane, J. J.,	Powers,	Way,
Duffy,	King,	Price,	Weidemann,
Dunmire,	Kinney,	Raub,	Welsh,
Dwyer,	Labar,	Rectenwald,	Wike,
Ederer,	Laubach,	Reed,	Williams, G. W.,
Emhardt,	Lenahan,	Reilly,	Williams, J. J.,
Eroe,	Lewis,	Rhodes,	Wilson, T. B.,
Evans,	Long,	Rice,	Witkin,
Fitzgerald,	Lose,	Roan,	Woodside,
Fleisher,	Lovett, W. S.,	Root,	Wright,
Flinchbaugh,	Lynch, J. R.,	Roth,	Yeakel,
Flynn,	Male,	Ruby,	Yourishin,
Forrest,	Malina,	Ruth,	Zimmerman,
Gallagher,	Maloney,	Sautter,	Talbot,
Gartner,	Marcks,	Schrock,	Speaker.
Gillette,	Mason,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2301 (Senate Bill No. 995), entitled:

A Supplement to the act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred forty-eight) entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River" and its amendments authorizing the commission created under said act to borrow money from the Reconstruction Finance Corporation for the purpose of constructing toll bridges to charge tolls thereon and to repay loans from tolls collected.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160

Andrews,	Gillette,	Marcks,	Shenkel,
Baker,	Gorman,	Mason,	Shettel,
Baldi,	Greenstein,	McCandless,	Shortz,
Bechtel,	Griffith,	McClure,	Shreiner,
Beech,	Haines,	McElwee,	Shugarts,
Bennett,	Hamilton,	McGinnis,	Simon,
Bernhard,	Harmuth,	McGregor,	Sinwell,
Blumberg,	Harris,	McHenry,	Sowers,
Boyd,	Hart,	McKinney,	Spann,
Brancato,	Hartman,	Melchiorre,	Stank,
Brennan,	Heffernan,	Metzler,	Steedle,
Brown, W. L.,	Hefferon,	Mohn,	Sterling, P.,
Brownfield,	Heffner,	Moore,	Sterling, R. B.,
Cannon,	Hermansen,	Myers,	Stevenson,
Caputo,	Hester,	Negley,	Stone,
Carson,	Hewitt,	O'Connor,	Stott,
Cohen,	Himes, H. E.,	O'Keefe,	Surface,
Conner,	Himes, L. R.,	O'Neill,	Tahl,
Cooke,	Hoffman,	Patterson,	Turner,
Craig,	Holmes, J. B.,	Peelor,	Wade,
Cramer,	Holmes, J. L.,	Pennock,	Walker, G. E.,
Dane,	Hoopes,	Perry, D. R.,	Walker, W. A.,
Davies,	Horst,	Perry, J. J.,	Wall,
Denning,	Hough,	Peters,	Way,
Downey, G. E.,	Hutton,	Powers,	Welsh,
Downey, J.,	Jaffe,	Price,	Westrick,
Duffy,	Jones,	Rectenwald,	Wike,
Dunmire,	Kane, L. P.,	Reed,	Williams, G. W.,
Dwyer,	King,	Reilly,	Williams, J. J.,

Ederer,	Kinney,	Rhodes,	Wilson, L. M.,
Emhardt,	Lane,	Roan,	Wilson, T. B.,
Eroe,	Laubach,	Roth,	Witkin,
Evans,	Lenahan,	Ruby,	Wood,
Fitzgerald,	Lewis,	Sarig,	Woodside,
Flanagan,	Long,	Schrock,	Wright,
Fleisher,	Lose,	Schrope,	Yeakel,
Flinchbaugh,	Lovett, W. S.,	Schwab,	Yourishin,
Flynn,	Lynch, J. R.,	Schwartz,	Zimmerman,
Forrest,	Male,	Scott,	Talbot,
Furman,	Malina,	Sheffer,	Speaker.
Gallagher,	Maloney,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2117 (Senate Bill No. 691), entitled:

An Act to amend section fifty-seven of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by requiring the county commissioners to furnish office supplies for county officers not located in county buildings or at the county seat

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160

Andrews,	Harris,	Melchiorre,	Shreiner,
Baker,	Hartman,	Meredith,	Shugarts,
Baldi,	Heffernan,	Metzler,	Simon,
Barnhardt,	Heffner,	Mohn,	Sinwell,
Bechtel,	Hermansen,	Moore,	Snyder,
Beech,	Hester,	Mumford,	Sowers,
Bennett,	Hewitt,	Myers,	Spann,
Bernhard,	Himes, H. E.,	Negley,	Stank,
Blumberg,	Hoffman,	O'Connor,	Sterling, P.,
Brancato,	Holmes, J. B.,	O'Keefe,	Sterling, R. B.,
Brennan,	Holmes, J. L.,	O'Neill,	Stevens,
Brown, W. L.,	Hoopes,	Patterson,	Stevenson,
Brownfield,	Horst,	Pennock,	Stiteler,
Caputo,	Hough,	Perry, J. J.,	Stone,
Carey,	Howard,	Powell,	Storb,
Chervenak,	Jaffe,	Powers,	Surface,
Cohen,	Jones,	Price,	Tahl,
Cooke,	Kane, L. P.,	Quinn,	Terry,
Cordier,	King,	Rectenwald,	Wade,
Cramer,	Kinney,	Reed,	Wagner,
Dane,	Lane,	Reilly,	Walker, W. A.,
Davies,	Lenahan,	Rhodes,	Wasserman,
Denning,	Lewis,	Rice,	Way,
Downey, G. E.,	Lord,	Roan,	Weidemann,
Duffy,	Lose,	Root,	Welsh,
Dunmire,	Lovett, J. E.,	Roth,	Westrick,
Dwyer,	Lovett, W. S.,	Royle,	White,
Ederer,	Lynch, J. R.,	Ruby,	Williams, G. W.,
Eroe,	Lynch, M.,	Ruth,	Williams, J. J.,
Evans,	Male,	Sarig,	Wilson, L. M.,
Flanagan,	Malina,	Sautter,	Wilson, T. B.,
Fleisher,	Maloney,	Schrock,	Witkin,
Flynn,	Marcks,	Schrope,	Wood,
Gallagher,	McBride,	Schwab,	Woodside,
Gillette,	McCreary,	Schwartz,	Wright,
Gorman,	McElwee,	Scott,	Yeakel,
Greenstein,	McGinnis,	Sheffer,	Yourishin,
Griffith,	McHenry,	Shellenberger,	Zimmerman,
Habbyshaw,	McKay,	Shettel,	Talbot,
Hamilton,	McKinney,	Shortz,	Speaker.
Harmuth,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2134 (Senate Bill No. 746), entitled:

An Act to amend section two hundred and four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing that the coroner shall act in case the sheriff resigns

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160

Andrews,	Gorman,	Mason,	Schrock,
Baker,	Green,	McBride,	Schwab,
Baldi,	Greenstein,	McCandless,	Schwartz,
Barnhardt,	Griffith,	McClure,	Scott,
Beech,	Habbyshaw,	McElwee,	Sheffer,
Bennett,	Haines,	McGinnis,	Shellenberger,
Bernhard,	Harmuth,	McGrail,	Shettel,
Blumberg,	Harris,	McGregor,	Shreiner,
Brancato,	Hart,	McHenry,	Simon,
Brennan,	Hartman,	McKay,	Sinwell,
Brown, J. E.,	Heffernan,	Melchiorre,	Sowers,
Brown, W. L.,	Hefferon,	Meredith,	Spann,
Cannon,	Hermansen,	Merrell,	Stank,
Caputo,	Hewitt,	Metzler,	Steedle,
Carey,	Himes, H. E.,	Mohn,	Stevens,
Carson,	Hoffman,	Mumford,	Stone,
Chervenak,	Holmes, J. B.,	Myers,	Storb,
Cohen,	Holmes, J. L.,	Negley,	Surface,
Conner,	Hoopes,	Nothnagle,	Tahl,
Cooke,	Horst,	O'Keefe,	Terry,
Cordier,	Howard,	O'Neill,	Wade,
Cramer,	Hutton,	O'Rourke,	Walker, G. E.,
Dane,	Jones,	Patterson,	Walker, W. A.,
Davies,	Kane, J. J.,	Peelor,	Wall,
DeFrehn,	Kane, L. P.,	Pennock,	Wasserman,
Downey, G. E.,	King,	Perry, J. J.,	Weidemann,
Downey, J.,	Kinney,	Peters,	Welsh,
Dunmire,	Lane,	Powers,	Westrick,
Dwyer,	Laubach,	Price,	White,
Ederer,	Lenahan,	Quinn,	Williams, G. W.,
Emhardt,	Lewis,	Rectenwald,	Williams, J. J.,
Eroe,	Long,	Reed,	Wilson, L. M.,
Evans,	Lose,	Reilly,	Wilson, T. B.,
Fitzgerald,	Lovett, J. E.,	Rice,	Wood,
Fleisher,	Lynch, J. R.,	Roan,	Wright,
Flinchbaugh,	Lynch, M.,	Root,	Yeakel,
Flynn,	Male,	Royle,	Yourishin,
Forrest,	Malina,	Ruby,	Zimmerman,
Gallagher,	Maloney,	Sarig,	Talbot,
Gartner,	Marcks,	Sautter,	Speaker.
Gillette,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2170 (Senate Bill No. 820), entitled:

An Act to relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162

Andrews,	Hamilton,	McElwee,	Schrope,
Baker,	Harris,	McGinnis,	Schwab,
Baldi,	Hart,	McGrail,	Schwartz,
Bechtel,	Heffernan,	McHenry,	Scott,
Beech,	Hefferon,	McKay,	Sheffer,
Bennett,	Hermansen,	McKinney,	Shenkel,
Bernhard,	Hewitt,	Meredith,	Shreiner,
Blumberg,	Himes, L. R.,	Metzler,	Simon,
Boyd,	Hoffman,	Mohn,	Sinwell,
Brancato,	Holmes, J. B.,	Moore,	Sowers,
Brown, J. E.,	Holmes, J. L.,	Mumford,	Steedle,
Brown, W. L.,	Hoopes,	Myers,	Sterling, P.,
Brownfield,	Horst,	Negley,	Sterling, R. B.,
Cannon,	Hough,	Nothnagle,	Stevens,
Carey,	Howard,	O'Connor,	Stevenson,
Carson,	Hutton,	O'Keefe,	Stone,
Chervenak,	Jaffe,	O'Neill,	Storb,
Conner,	Jones,	O'Rourke,	Stott,
Cooke,	Kane, J. J.,	Patterson,	Surface,
Cordier,	Kane, L. P.,	Peelor,	Tahl,
Cramer,	King,	Pennock,	Wagner,
Dane,	Kinney,	Perry, D. R.,	Walker, G. E.,
Davies,	Labar,	Perry, J. J.,	Walker, W. A.,
DeFrehn,	Lane,	Peters,	Wasserman,
Denning,	Laubach,	Powell,	Way,
Downey, J.,	Lenahan,	Powers,	Welsh,
Duffy,	Lewis,	Price,	Westrick,
Dunmire,	Long,	Quinn,	White,
Dwyer,	Lose,	Raub,	Wike,
Ederer,	Lovett, J. E.,	Rectenwald,	Williams, G. W.,
Emhardt,	Lovett, W. S.,	Reed,	Williams, J. J.,
Eroe,	Lynch, J. R.,	Reilly,	Wilson, L. M.,
Evans,	Lynch, M.,	Rhodes,	Witkin,
Flinchbaugh,	Male,	Rice,	Wood,
Flynn,	Malina,	Roan,	Wright,
Gallagher,	Maloney,	Root,	Yeakel,
Gillette,	Marcks,	Roth,	Yourishin,
Gorman,	Mason,	Ruby,	Zimmerman,
Greenstein,	McCandless,	Sarig,	Talbot,
Griffith,	McClure,	Sautter,	Speaker.
Haines,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILL ON FINAL PASSAGE

Mr. TURNER. Mr. Speaker, I desire to call up at this time House Bill No. 1447, Senate Bill No. 228, Printer's No. 488, on page 27, of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Turner,

The House resumed the consideration on final passage of House Bill No. 1447 (Senate Bill No. 228), entitled:

An Act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws

On the question recurring,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker and members of the House, this is the bill concerning which the gentleman from Berks, Mr. Hoopes, asked for information yesterday. I have in my hand a letter signed by Mr. Fertig, the head of the Reference Bureau in which he says: "Senate Bill No. 228, House Bill No. 1447, is a codification of the County Tax Assessment Laws. This bill was drawn by the Legislative Reference Bureau in accordance with directions contained in a concurrent resolution passed at the 1931 session of the Legislature.

"The bill as introduced contained no new matter and was certified to the Legislature in a printed report made early in the session as containing a correct statement of the existing law. The amendments inserted in the Senate are purely correctional, except the one providing for annual assessments in counties of the first class, which confirms the practice of that city pursued for many years. All of these amendments were drawn in the Bureau and we are convinced they add to the clarification of the Code.

"The Bureau has no interest in the bill except that it, of course, had to obey the mandate of the General Assembly to present this Code and that if enacted it will constitute one more step in the codification of the laws of the Commonwealth."

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158

Andrews,	Hart,	McGinnis,	Scott,
Baker,	Heffernan,	McGregor,	Sheffer,
Baldi,	Hefferon,	McHenry,	Shellenberger,
Bennett,	Heffner,	McKinney,	Shortz,
Blumberg,	Hermansen,	Melchiorre,	Shreiner,
Boyd,	Hester,	Merrell,	Simon,
Brancato,	Hewitt,	Metzler,	Sinwell,
Brown, W. L.,	Himes, H. E.,	Mohn,	Snyder,
Brownfield,	Himes, L. R.,	Moore,	Sowers,
Caputo,	Hoffman,	Mumford,	Spann,
Carey,	Holmes, J. B.,	Myers,	Steedle,
Carson,	Holmes, J. L.,	Negley,	Sterling, P.,
Chervenak,	Hoopes,	Nothnagle,	Stevens,
Conner,	Horst,	O'Connor,	Stevenson,
Cooke,	Hough,	O'Keefe,	Stiteler,
Craig,	Howard,	O'Neill,	Storb,
Dane,	Hutton,	O'Rourke,	Stott,
Davies,	Jaffe,	Patterson,	Tahl,
DeFrehn,	Jones,	Pennock,	Terry,
Downey, G. E.,	Kane, L. P.,	Perry, D. R.,	Turner,
Downey, J.,	King,	Perry, J. J.,	Wagner,
Duffy,	Kinney,	Peters,	Walker, G. E.,
Dunmire,	Labar,	Powell,	Walker, W. A.,
Dwyer,	Lane,	Powers,	Wasserman,
Emhardt,	Laubach,	Price,	Way,
Eroe,	Lewis,	Quinn,	Welsh,
Evans,	Long,	Raub,	Westrick,
Fitzgerald,	Lord,	Rectenwald,	Wike,
Fleisher,	Lose,	Reed,	Williams, G. W.,
Flynn,	Lovett, J. E.,	Reilly,	Williams, J. J.,
Forrest,	Lynch, J. R.,	Rice,	Wilson, L. M.,
Furman,	Lynch, M.,	Roan,	Wilson, T. B.,
Gartner,	Malina,	Root,	Woodside,
Gorman,	Maloney,	Royle,	Wright,
Greenstein,	Marcks,	Ruby,	Yeakel,
Griffith,	Mason,	Sarig,	Yourishin,
Habbyshaw,	McBride,	Schrock,	Zimmerman,
Hamilton,	McCandless,	Schrope,	Talbot,
Harmuth,	McClure,	Schwab,	Speaker.
Harris,	McCreary,	Schwartz,	

NAYS—1

Brown, J. E.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 1681

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 1681, Printer's No. 858, entitled "An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom restricting ownership and interest in licensed places making appropriations providing penalties and repealing existing acts."

This is a vicious bill.

It has four purposes: It would bring back the saloon; it would put beer back into politics; it would force the courts into the beer business. Any one of these three would justify a veto.

The fourth purpose is to delay any taxation on beer and give the brewers more time to clean up. It works out like this:

This bill is a regulatory measure. It is also a taxing measure. These are two subjects. The constitution provides that there can be only one subject in any bill. Therefore this bill is unconstitutional.

By putting two subjects in this bill its authors made still more certain that the bill, including its beer taxing provisions, would be vetoed. They deliberately played for delay, possibly drawn out through months of litigation. Thus the golden harvest of the brewers would be prolonged.

Every day's delay in passing a beer tax bill means an additional profit of at least $10,000 to Pennsylvania brewers, and a corresponding loss to the State for unemployment relief.

I am told that a part of the conspiracy between certain brewers and their attorney and an influential member of the Legislature is to adjourn quickly and thus prevent the passage of any beer revenue measure at all during the present session.

I am unalterably opposed, and so are the people of Pennsylvania, to the return of the old saloon system. It corrupted the community, and gave special privileges to a few at such high cost that to make a profit they had to violate the law.

I am unalterably opposed, and so are the people of Pennsylvania, to besmirching our judges with the foul atmosphere of the license court, thus forcing beer into the election of judges.

I am unalterably opposed, and so are the people of Pennsylvania, to putting beer back into politics, to become again, as it used to be, a powerful weapon in the hands of unscrupulous politicians.

I am convinced that the vast majority of the people of Pennsylvania, wets and drys alike, are with me in these positions.

The people of Pennsylvania are entitled to decent, clean, open regulation of the sale of beer, free from special privilege and free from politics. This bill is a glaring attempt to prevent it.

The people of Pennsylvania are entitled to reasonable taxation on beer, and entitled to it at once. They are equally entitled to a prompt ending of the present brewers' jubilee. They are selling beer at so high a price that they could not raise it and pass the tax along to the consumer.

The loss of $10,000 a day to the unemployed is squarely on the doorstep of a small group of men who think more of the brewers' profits than they do of the good name of the State and the needs of the unemployed.

There are many othe robjections to this bill, but these are enough. I gave notice long ago that I would veto it.

For these reasons the bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall the bill become a law, the veto of the Governor to the contrary notwithstanding?

Mr. SOWERS. Mr. Speaker, I move that the communication, together with the bill be laid upon the table.

The motion was agreed to.

STATEMENT BY MR. TURNER

Mr. TURNER asked and obtained unanimous consent to make the following statement.

Mr. Speaker and members of the House, I am sure we were all very much touched the other night when the Speaker, after signing the Beer Bill presented a beautiful green fountain pen to our friend 'Pat' Conner. I know that he is going to preserve it in his archives just as I shall a copy of the roll on the Howell Resolution. I am going to have it framed and hung upon the wall of my den, to have kept among my archives. I didn't want my friend 'Clint' Sowers to feel slighted in seeing 'Pat' Conner walk off with the green fountain pen. Therefore, I asked the Secretary to the Governor if I could not have the pen with which the veto was signed, and he offered me this very beautiful pen, done up in black, a little bit late, and he will realize we are not done with Pinchot ideas, but just the same 'Clint' I think you ought to have this to hang on the wall, or put in your archives.

Mr. SOWERS. Mr. Speaker, I am greatly touched by this gift and I shall hang it on the wall as a memento of the continuance of a system that permits highballs to be sold in chain stores to children.

The SPEAKER. The remarks of the gentlemen will be spread upon the Journal.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 188, entitled:

An Act to amend section one hundred and seventy-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eight classes; and revising, amending, and consolidating the laws relating thereto; prescribing the oath to be taken by members of the board of viewers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162

Andrews,	Green,	McCreary,	Shenkel,
Baker,	Greenstein,	McElwee,	Shortz,
Baldi,	Griffith,	McGrail,	Shreiner,
Bechtel,	Habbyshaw,	McGregor,	Simon,
Beech,	Haines,	McHenry,	Sinwell,
Bennett,	Hamilton,	McKay,	Sowers,
Bernhard,	Harris,	McKinney,	Spann,
Blumberg,	Hartman,	Meredith,	Stank,
Boyd,	Heffernan,	Merrell,	Steedle,
Brancato,	Heffner,	Mohn,	Sterling, R. B.,
Brown, J. E.,	Hermansen,	Moore,	Stevenson,
Brown, W. L.,	Hewitt,	Mumford,	Stiteler,
Brownfield,	Himes, H. E.,	Myers,	Storb,
Cannon,	Hoffman,	Negley,	Stott,
Caputo,	Holmes, J. L.,	Nothnagle,	Tahl,
Carey,	Hoopes,	O'Connor,	Terry,
Carson,	Horst,	O'Rourke,	Turner,
Cohen,	Hough,	Peelor,	Wade,
Conner,	Howard,	Pennock,	Wagner,

Cooke,	Hutton,	Perry, D. R.,	Walker, W. A.,
Cordier,	Jaffe,	Peters,	Wall,
Cramer,	Jones,	Powell,	Way,
Dane,	Kane, L. P.,	Powers,	Weidemann,
Davies,	King,	Price,	Welsh,
Denning,	Kinney,	Quinn,	Westrick,
Downey, G. E.,	Labar,	Raub,	White,
Duffy,	Lane,	Reed,	Wike,
Dunmire,	Laubach,	Rhodes,	Williams, G. W.,
Ederer,	Long,	Roan,	Williams, J. J.,
Emhardt,	Lord,	Root,	Wilson, L. M.,
Eroe,	Lose,	Roth,	Wilson, T. B.,
Evans,	Lovett, J. E.,	Royle,	Witkin,
Flanagan,	Lovett, W. S.,	Ruby,	Wood,
Fleisher,	Lynch, J. R.,	Sarig,	Woodside,
Flinchbaugh,	Lynch, M.,	Schrock,	Wright,
Flynn,	Malina,	Schrope,	Yeakel,
Forrest,	Maloney,	Schwab,	Yourishin,
Furman,	Marcks,	Schwartz,	Zimmerman,
Gartner,	Mason,	Scott,	Talbot,
Gillette,	McCandless,	Sheffer,	Speaker.
Gorman,	McClure,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MR. HUTTON IN THE CHAIR

BILL ON FINAL PASSAGE

Mr. TURNER. Mr. Speaker, I desire to call up at this time House Bill No. 1426, Printer's No. 916, on page 25, of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Turner,

The House resumed the consideration on final passage of House Bill No. 1426, entitled:

An Act to amend sections six and seven of the act approved the third day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred sixty-six) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same including the enforcement of the laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance transportation of such police providing for barracks and substations therefor and prescribing penalties" as amended by transferring the State Highway Patrol to the State Police Force fixing the compensation of the present and added personnel of the State Police Force limiting their right to maintenance and providing for their assignment to State Police duties and to State Highway Patrol duties

On the question recurring,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker and members of the House, I desire at this time to offer amendments to this bill which provides for the transfer of the Highway Patrol to the State Police. In these amendments I am taking out the provisions for the reductions in salary which are included in House Bill No. 1426. After the action of the House, I refuse to request anybody to take a cut in salary, and therefore, I am taking the cuts out of the bill.

On the question recurring,

Shall the bill pass finally?

Mr TURNER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

Mr. TURNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, next to last line from bottom of page by inserting after the words " to the" the word "Pennsylvania."

Amend title, page 1, last line of page, by striking out the word "Force."

Amend title, page 1, last line of page, by striking out the word "present" and inserting in lieu thereof, the word "members thereof."

Amend title, page 2, line 1, by striking out the words "added personnel of the State Police Force."

Amend title, page 2, lines 2, 3, and 4, by striking out the words "and providing for" in line 2, and all of the words in lines 3 and 4.

Amend section 1, page 2, line 23, by striking out the words "[three thousand]."

Amend section 1, page 2, lines 24 and 25, by striking out the words "twenty-five hundred and fifty dolars per an-" in line 24, and all of the words in line 25.

Amend section 1, page 3, line 1 to 27, both inclusive, by striking out all of the words in lines 1 to 26, both inclusive, and the words "the sum of seven hundred and fifty dollars" in line 27, and inserting in lieu thereof the following: "three thousand dollars per annum; two lieutenants, each at a salary of twenty-two hundred dollars per annum; one sergeant, at a salary of seventeen hundred dollars per annum; two corporals, each at a salary of fifteen hundred dollars per annum; five troops, each consisting of: A captain, at a salary of three thousand dollars per annum; a lieutenant, at a salary of twenty-two hundred dollars per annum; a first sergeant, at a salary of two thousand dollars, per annum; five sergeants, each at a salary of seventeen hundred dollars per annum; ten corporals, each at a salary of fifteen hundred dollars per annum, one of whom shall be a saddler and one a blachsmith; and sixty-five privates each at a salary of fourteen hundred dollars per annum.

Amend section 2, page 4, lines 16 to 28, both inclusive, by striking out all of the words in said lines.

Amend section 2, page 5, lines 1 to 14, both inclusive, by striking out all of the words in said lines.

Amend section 3, page 5, line 15, by striking out the figure "3" and inserting in lieu thereof the figure "2."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection?

Mr. HOOPES. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

On the question recurring,

Will the House agree to the bill on third reading?

RECONSIDERATION OF VOTE

Mr. TURNER. Mr. Speaker, I move that the vote by which the House ordered to transcribe this bill for third reading be reconsidered.

The motion was agreed to.

Mr. TURNER. Mr. Speaker, I move that the vote by which the House agreed to the bill on second reading be reconsidered.

The motion was agreed to.

Mr. TURNER. Mr. Speaker, I move that the by vote which the House agreed to the title be reconsidered.

The motion was agreed to.

Mr. TURNER. Mr. Speaker, I move that the vote by which the House agreed to sections 3, 2 and 1 be reconsidered.

The motion was agreed.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General

Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the third day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred sixty-six) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same including the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties" as last amended by section one of the act approved the third day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred thirty-nine) is hereby further amended to read as follows

Section 6 The Superintendent of Pennsylvania State Police is authorized to appoint the State Police Force which shall consist of One school troop consisting of One captain at a salary of [three thousand] twenty-five hundred and fifty dollars per annum two lieutenants each at a salary of [twenty-two hundred] nineteen hundred and ten dollars per annum one sergeant at a salary of [seventeen hundred] fifteen hundred and ten dollars per annum two corporals each at a salary of [fifteen hundred] thirteen hundred and fifty dollars per annum five troops each consisting of A captain at a salary of [three thousand] twenty-five hundred and fifty dollars per annum a lieutenant at a salary of [twenty-two hundred] nineteen hundred and ten dollars per annum a first sergeant at a salary of [two thousand] seventeen hundred and fifty dollars per annum five sergeants each at a salary of [seventeen hundred] fifteen hundred and ten dollars per annum ten corporals each at a salary of [fifteen hundred] thirteen hundred and fifty dollars per annum one of whom shall be a saddler and one a blacksmith and sixty-five privates each at a salary of twelve hundred and seventy dollars per annum Provided That in the case of the salaries of non-commissioned officers and privates now receiving by reason of service increments salaries in excess of those herein provided such salaries are hereby reduced by an amount equal to twenty per centum of the difference in amount between such present salary and the sum of seven hundred and fifty dollars The foregoing officers non-commissioned officers and privates shall be assigned to and perform the duties of the Pennsylvania State Police as now or hereafter provided by law

In addition to the foregoing personnel all the officers non-commissioned officers and patrolmen of the State Highway Patrol as they now exist are hereby transferred to the Pennsylvania State Police and shall receive the same compensation as hereinbefore provided for officers non-commissioned officers and privates of similar rank in the State Police Force The persons so attached shall be assigned to and continue to perform the duties of the State Highway Patrol as now or hereafter provided by law and shall in no case be assigned to State police duty

No maintenance shall be allowed to any officer non-commissioned officer private or patrolman except when on special duty away from his home barracks

On the question,

Will the House agree to the section?

Mr. TURNER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 23, by striking out the words "[three thousand]"

Amend Sec. 1, page 2, lines 24 and 25, by striking out the words "twenty-five hundred and fifty dollars per an-", in line 24, and all of the words in line 25.

Amend Sec. 1, page 3, lines 1 to 27, both inclusive, by striking out all of the words in lines 1 to 26, both inclusive, and the words "the sum of seven hundred and fifty dollars", in line 27, and inserting in lieu thereof the following: "three thousand dollars per annum; two lieutenants, each at a salary of twenty-two hundred dollars per annum; one sergeant at a salary of seventeen hundred dollars per annum; two corporals, each at a salary of fifteen hundred dollars per annum; five troops, each consisting of: A captain, at a salary of three thousand dollars per annum; a lieutenant, at a salary of twenty-two hundred dollars per annum; a first sergeant, at a salary of two thousand dollars per annum; five sergeants, each at a salary of seventeen hundred dollars per annum; ten corporals, each at a salary of fifteen hundred dollars per annum, one of whom shall be a saddler and one a blacksmith; and sixty-five privates, each at a salary of fourteen hundred dollars per annum.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 Section seven of said act as last amended by section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws three hundred fourteen) is hereby further amended to read as follows

Section 7 The Superintendent of the Pennsylvania State Police shall be appointed by the Governor for a term of four years from the third Tuesday of January next following the election of a Governor and until his successor shall have been appointed and qualified The members of the State Police Force shall be enlisted for a period of two years [and the officers and enlisted men of the State Police Force shall receive an increase of one hundred and twenty dollars per annum after one year's service and an additional increase of one hundred and twenty dollars per annum during continuous service for each of the following three years and an additional increase of sixty dollars per annum during continuous service for each of the following two years Provided That this section shall not apply to the Superintendent of the Pennsylvania State Police and the deputies chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police who are not members of the State Police Force and whose compensation under existing law is fixed by the Superintendent of the Pennsylvania State Police with the approval of the Governor]

On the question,

Will the House agree to the section?

Mr. TURNER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 4, lines 16 to 28, both inclusive, by striking out all of the words in said lines.

Amend section 2, page 5, line 1 to 14, both inclusive, by striking out all of the words in said lines.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 The provisions of this act shall become effective on the first day of June one thousand nine hundred and thirty-three.

On the question,

Will the House agree to the section?

Mr. TURNER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 5, line 15, by striking out the figure "3" and inserting in lieu thereof the figure "2."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read as follows:

An Act to amend sections six and seven of the act, approved the third day of June, one thousand nine hundred and nineteen (P. L. 366), entitled "An act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; duties of the same, including the enforcement of the laws relating to game, fish, forestry, and water supply, and certain other laws, and including the collection of information useful providing for a State Police Force, and defining the powers and for the detection of crime, and the apprehension of criminals; providing for the equipment, maintenance, and transportation of such police; providing for barracks and substations therefor; and prescribing penalties," as amended, by transferring the State Highway Patrol to the State Police Force; fixing the compensation of the present and added personnel of the State Police Force; limiting their right to maintenance; and providing for their assignment to State Police duties and to State Highway Patrol duties.

On the question,
Will the House agree to the title?
Mr. TURNER. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend title, page 1, next to last line from bottom of page by inserting after the words "to the" the word "Pennsylvania."
Amend title, page 1, last line of page, by striking out the word "Force."
Amend title, page 1, last line of page, by striking out the word "present," and inserting in lieu thereof, the words: "members thereof."
Amend title, page 2, line 1, by striking out the words "added personnel of the State Police Force."
Amend title, page 2, line 2, 3 and 4, by striking out the words "and providing for," in line 2, and all of the words in lines 3 and 4.

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.
And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1767, entitled:

An Act authorizing plaintiffs in actions on written instructions to join as defendants persons severally, jointly and severally liable thereon, and regulating the effect thereof and the procedure in such actions.

And said bill having been read at length the third time, considered and agreed to.
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175

Andrews,	Habbyshaw,	McKinney,	Shreiner,
Baker,	Haines,	Meredith,	Shugarts,
Baldi,	Hamilton,	Merrell,	Simon,
Barnhardt,	Harmuth,	Metzler,	Sinwell,
Bechtel,	Harris,	Moore,	Snyder,
Beech,	Hart,	Mumford,	Sowers,
Bernhard,	Hartman,	Negley,	Spann,
Blumberg,	Heffernan,	Nothnagle,	Stank,
Boyd,	Hefferon,	O'Connor,	Steedle,
Brennan,	Heffner,	O'Keefe,	Sterling, P.,
Brown, J. E.,	Hermansen,	O'Neill,	Sterling, R. B.,
Brown, W. L.,	Hester,	Peelor,	Stevens,
Cannon,	Hewitt,	Pennock,	Stevenson,
Caputo,	Himes, H. E.,	Perry, D. R.,	Stiteler,
Carson,	Himes, L. R.,	Perry, J. J.,	Stone,
Chervenak,	Hoffman,	Powell,	Storb,
Cohen,	Holmes, J. L.,	Powers,	Stott,
Conner,	Holmes, J. B.,	Price,	Surface,
Cooke,	Hoopes,	Quinn,	Terry,
Cordier,	Horst,	Raub,	Turner,
Craig,	Hough,	Rectenwald,	Wade,
Cramer,	Hutton,	Reed,	Walker, G. E.,
Dane,	Jaffe,	Reilly,	Walker, W. A.,
DeFrehn,	Jones,	Rhodes,	Wall,
Denning,	Kane, L. P.,	Rice,	Wasserman,
Downey, G. E.,	Kinney,	Roan,	Way,
Downey, J.,	Labar,	Root,	Weidemann,
Duffy,	Laubach,	Roth,	Welsh,
Dunmire,	Lewis,	Royle,	Westrick,
Dwyer,	Lord,	Ruby,	White,
Ederer,	Lose,	Ruth,	Wike,
Emhardt,	Lovett, W. S.,	Sarig,	Williams, G. W.,
Eroe,	Lynch, J. R.,	Sautter,	Williams, J. J.,
Fitzgerald,	Lynch, M.,	Schrock,	Wilson, L. M.,
Flanagan,	Male,	Schrope,	Wilson, T. B.,
Flinchbaugh,	Malina,	Schwab,	Witkin,
Flynn,	Maloney,	Schwartz,	Wood,
Forrest,	Mason,	Scorza,	Woodside,
Furman,	McBride,	Scott,	Wright,
Gallagher,	McCandless,	Sheffer,	Yeakel,
Gartner,	McCreary,	Shellenberger,	Yourishin,
Gillette,	McElwee,	Shenkel,	Zimmerman,
Gorman,	McGinnis,	Shettel,	Talbot,
Greenstein,	McHenry,	Shortz,	Speaker.
Griffith,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.
Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1925, entitled:

An Act authorizing persons employed under any system of State work relief to work out the per capita school taxes of himself and members of his family; and providing for the payment of such taxes.

And said bill having been read at length the third time, considered and agreed to.
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174

Andrews,	Griffith,	McCreary,	Shortz,
Baker,	Habbyshaw,	McGinnis,	Shreiner,
Baldi,	Haines,	McGregor	Shugarts,
Barnhardt,	Hamilton,	McHenry,	Simon,
Bechtel,	Harmuth,	McKinney,	Sinwell,
Bennett,	Harris,	Meredith,	Snyder,
Bernhard,	Hart,	Merrell,	Sowers,
Blumberg,	Hartman,	Metzler,	Spann,

Boyd,	Hefferon,	Moore,	Stank,
Brennan,	Heffner,	Nothnagle,	Sterling, P.,
Brown, J. E.,	Hermansen,	O'Connor,	Sterling, R. B.,
Brown, W. L.,	Hester,	O'Keefe,	Stevens,
Brownfield,	Hewitt,	O'Neill,	Stevenson,
Caputo,	Himes, H. E.,	Patterson,	Stiteler,
Carey,	Himes, L. R.,	Pennock,	Stone,
Chervenak,	Hoffman,	Perry, J. J.,	Storb,
Cohen,	Holmes, J. B.,	Peters,	Stott,
Conner,	Holmes, J. L.,	Powell,	Surface,
Cooke,	Hoopes,	Powers,	Turner,
Cordier,	Horst,	Quinn,	Wade,
Craig,	Hough,	Rectenwald,	Wagner,
Cramer,	Howard,	Reed,	Walker, G. E.,
Dane,	Hutton,	Reilly,	Walker, W. A.,
Davies,	Jaffe,	Rhodes,	Wall,
DeFrehn,	Jones,	Rice,	Wasserman,
Downey, G. E.,	Kane, J. J.,	Roan,	Way,
Downey, J.,	Kane, L. P.,	Root,	Weidemann,
Duffy,	Kinney,	Roth,	Welsh,
Dunmire,	Labar,	Royle,	Westrick,
Dwyer,	Laubach,	Ruby,	White,
Ederer,	Lenahan,	Ruth,	Williams, G. W.,
Emhardt,	Lewis,	Sarig,	Williams, J. J.,
Eroe,	Long,	Sautter,	Wilson, L. M.,
Evans,	Lose,	Schrock,	Wilson, T. B.,
Fitzgerald,	Lovett, J. E.,	Schrope,	Witkin,
Flanagan,	Lynch, J. R.,	Schwab,	Wood,
Flinchbaugh,	Male,	Schwartz,	Woodside,
Flynn,	Malina,	Scorza,	Wright,
Furman,	Maloney,	Scott,	Yeakel,
Gartner,	Marcks,	Sheffer,	Yourishin,
Gillette,	Mason,	Shellenberger,	Zimmerman,
Gorman,	McBride,	Shenkel,	Talbot,
Green,	McCandless,	Shettel,	Speaker.
Greenstein,	McClure,		

NAYS—1

Gallagher,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2274, entitled:

An Act providing for the election of the members of the board of revision of taxes in counties of the first class, and providing for the filling of vacancies in said office; defining the powers and duties of said board; terminating the terms of office of members of said board now in office; and repealing inconsistent laws.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. LONG. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1766, entitled:

An Act relating to procedure in actions of assumpsit and trespass.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175

Andrews,	Habbyshaw,	McGregor,	Shettel,
Baker,	Haines,	McHenry,	Shortz,
Baldi,	Harmuth,	McKay,	Shreiner,
Barnhardt,	Harris,	McKinney,	Shugarts,
Bechtel,	Hart,	Meredith,	Simon,
Beech,	Hartman,	Merrell,	Sinwell,
Bernhard,	Heffernan,	Metzler,	Snyder,
Blumberg,	Hefferon,	Moore,	Sowers,
Boyd,	Hermansen,	Myers,	Spann,
Brancato,	Hester,	Negley,	Stank,
Brennan,	Hewitt,	Nothnagle,	Steedle,
Brown, J. E.,	Himes, L. R.,	O'Connor,	Sterling, P.,
Brown, W. L.,	Hoffman,	O'Keefe,	Sterling, R. B.,
Brownfield,	Holmes, J. B.,	O'Neill,	Stevens,
Cannon,	Holmes, J. L.,	O'Rourke,	Stevenson,
Caputo,	Hoopes,	Patterson,	Stiteler,
Carey,	Hough,	Peelor,	Stone,
Carson,	Howard,	Pennock,	Storb,
Cohen,	Hutton,	Perry, J. J.,	Stott,
Conner,	Jaffe,	Peters,	Surface,
Cooke,	Jones,	Powell,	Tahl,
Cordier,	Kane, J. J.,	Powers,	Terry,
Craig,	Kane, L. P.,	Price,	Turner,
Cramer,	King,	Quinn,	Wade,
Dane,	Kinney,	Raub,	Wagner,
Davies,	Labar,	Rectenwald,	Walker, G. E.,
Denning,	Lane,	Reed,	Walker, W. A.,
Downey, G. E.,	Laubach,	Reilly,	Wall,
Downey, J.,	Lenahan,	Rhodes,	Wasserman,
Dunmire,	Lewis,	Rice,	Way,
Dwyer,	Long,	Roan,	Weidemann,
Ederer,	Lord,	Root,	Welsh,
Emhardt,	Lose,	Roth,	Westrick,
Eroe,	Lovett, W. S.,	Royle,	White,
Evans,	Lovett, J. E.,	Ruby,	Wike,
Flanagan,	Lynch, J. R.,	Ruth,	Williams, G. W.,
Fleisher,	Lynch, M.,	Sarig,	Williams, J. J.,
Flinchbaugh,	Male,	Sautter,	Wilson, L. M.,
Flynn,	Malina,	Schrock,	Wilson, T. B.,
Furman,	Maloney,	Schrope,	Witkin,
Gallagher,	Marcks,	Schwab,	Wood,
Gartner,	Mason,	Schwartz,	Woodside,
Gillette,	McBride,	Scorza,	Wright,
Gorman,	McClure,	Scott,	Yourishin,
Green,	McCreary,	Sheffer,	Talbot,
Greenstein,	McElwee,	Shellenberger,	Speaker.
Griffith,	McGrail,	Shenkel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1338, entitled:

An Act to amend sections six and eight of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salemsen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," as amended, further regulating the licensing of such real estate brokers and real estate salesmen.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr BECHTEL. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Spann, permit himself to be interrogated?

Mr. SPANN. I will, Mr. Speaker.

Mr. BECHTEL. Mr. Speaker, I desire to ask the sponsor, why is it necessary that a real estate agent take an examination before the Department in real property, conveyancing, mortgages, real estate laws and so forth? Does the gentleman intend that the real estate men shall become lawyers?

Mr. SPANN. Mr. Speaker and members of the House, in answer to the gentleman from Schuylkill, Mr. Bechtel, I desire to say that this bill was introduced at the request of the Department of Public Instruction. It is not an individual matter with me at all. The real estate license division of which Mr. Semenow is the head requested that the bill be introduced after it had been approved by the important real estate boards of Pennsylvania. We have no personal interest in the bill whatsoever, except that I was afraid it would not affect those already licensed and as far as the provisions referring to persons applying for licenses in the future the requirements merely amount to "elementary educational requirements."

Mr. BECHTEL. When you say that it merely requires elementary educational requirements, that would be true if you took out of this bill the provisions that you have to know the laws on real property, conveyancing, mortgages and the real estate laws and so forth.

Mr. SPANN. Mr. Speaker and members of the House, the language of the act as I read it on page 3, and I presume that is the part to which the gentleman from Schuylkill County, Mr. Bechtel, is referring provides "That examination shall include the subjects of reading, writing, spelling and elementary arithmetic."

Mr. Speaker and members of the House, the provisions of this act mean only practically what the average real estate man knows today. It does not require any technical knowledge or any special training at all.

Mr. BECHTEL. Mr. Speaker and members of the House, in my opinion this bill will work an additional hardship on real estate agents. It requires more than a general elementary knowledge of reading, writing and arithmetic. This bill would send these men into a short law course whereby they would have to gain a technical knowledge of conveyancing, real property, agreements, mortgages, and so forth. Further than it sets up each real estate man as a lawyer by reason of the fact that he passed an examination in regard to these subjects, and he would consider himself qualified to practice law in regard to the same. I do not believe the laywers are in a position to be relegated to the scrap heap at this time in Pennsylvania, and that they still are of some use. I think the bill should be voted down.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. SPANN. Mr. Speaker, I move that this bill be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

The motion was agreed to.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2292 (Senate Bill No. 985), entitled:

An Act to amend clause nine of section one and clause two of section eleven of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred fifty-eight) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended opening the system further for original members and preserving the rights of certain retired State employes who re-enter State service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175

Baker,	Greenstein,	McCandless,	Scott,
Baldi,	Griffith,	McClure,	Sheffer,
Barnhardt,	Habbyshaw,	McElwee,	Shellenberger,
Bechtel,	Haines,	McGinnis,	Shenkel,
Beech,	Hamilton,	McGrail,	Shortz,
Bennett,	Harris,	McHenry,	Shreiner,
Bernhard,	Hart,	McKay,	Shugarts,
Blumberg,	Hartman,	McKinney,	Simon,
Boyd,	Heffernan,	Melchiorre,	Sinwell,
Brancato,	Hefferon,	Merrell,	Snyder,
Brennan,	Heffner,	Mohn,	Spann,
Brown, W. L.,	Hermansen,	Moore,	Stank,
Brownfield,	Hester,	Mumford,	Sterling, P.,
Cannon,	Himes, H. E.,	Myers,	Stevens,
Caputo,	Himes, L. R.,	Negley,	Stevenson,
Carey,	Hoffman,	Nothnagle,	Stiteler,
Carson,	Holmes, J. B.,	O'Connor,	Stone,
Chervenak,	Holmes, J. L.,	O'Keefe,	Storb,
Cohen,	Hoopes,	O'Neill,	Stott,
Conner,	Horst,	Patterson,	Tahl,
Cooke,	Hough,	Peelor,	Terry,
Craig,	Howard,	Pennock,	Wade,
Cramer,	Hutton,	Perry, D. R.,	Wagner,
Davies,	Jaffe,	Perry, J. J.,	Walker, G. E.,
DeFrehn,	Jones,	Peters,	Walker, W. A.,
Denning,	Kane, J. J.,	Powell,	Wasserman,
Downey, G. E.,	King,	Price,	Way,
Downey, J.,	Kinney,	Quinn,	Weidemann,
Duffy,	Labar,	Raub,	Welsh,
Dunmire,	Lane,	Rectenwald,	Westrick,
Ederer,	Laubach,	Reed,	White,
Emhardt,	Lenahan,	Rhodes,	Wike,
Eroe,	Long,	Rice,	Williams, G. W.,
Evans,	Lord,	Roan,	Williams, J. J.,
Fitzgerald,	Lose,	Root,	Wilson, L. M.,
Fleisher,	Lovett, J. E.,	Royle,	Witkin,
Flinchbaugh,	Lovett, W. S.,	Ruby,	Wood,
Flynn,	Lynch, M.,	Ruth,	Wright,
Forrest,	Male,	Sarig,	Yeakel,
Gallagher,	Malina,	Sautter,	Yourishin,
Gartner,	Maloney,	Schrope,	Zimmerman,
Gillette,	Marcks,	Schwab,	Talbot,
Gorman,	Mason,	Schwartz,	Speaker.
Green,	McBride,	Scorza,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2304 (Senate Bill No. 1035), entitled:

An Act to amend paragraph seventeen of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight

hundred fifty-eight) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employe serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "final salary".

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175

Baker,	Gorman,	Mason,	Scorza,
Baldi,	Green,	McBride,	Sheffer,
Barnhardt,	Greenstein,	McCandless,	Shellenberger,
Bechtel,	Griffith,	McClure,	Shenkel,
Beech,	Habbyshaw,	McCreary,	Shortz,
Bennett,	Haines,	McElwee,	Shreiner,
Bernhard,	Hamilton,	McGrail,	Simon,
Blumberg,	Harris,	McGregor,	Sinwell,
Boyd,	Hart,	McKay,	Snyder,
Brancato,	Hartman,	McKinney,	Sowers,
Brennan,	Heffernan,	Meredith,	Spann,
Brown, J. E.,	Hefferon,	Merrell,	Steedle,
Brown, W. L.,	Heffner,	Mohn,	Sterling, P.,
Brownfield,	Hermansen,	Moore,	Sterling, R. B.,
Cannon,	Hewitt,	Myers,	Stevens,
Caputo,	Himes, H. E.,	O'Connor,	Stevenson,
Carey,	Himes, L. R.,	O'Keefe,	Stiteler,
Chervenak,	Hoffman,	O'Neill,	Stone,
Cohen,	Holmes, J. B.,	O'Rourke,	Storb,
Conner,	Holmes, J. L.,	Patterson,	Surface,
Cooke,	Hoopes,	Peelor,	Tahl,
Cordier,	Horst,	Pennock,	Terry,
Craig,	Howard,	Perry, D. R.,	Wade,
Cramer,	Hutton,	Perry, J. J.,	Wagner,
Dane,	Jaffe,	Peters,	Walker, G. E.,
Davies,	Jones,	Powell,	Walker, W. A.,
DeFrehn,	Kane, J. J.,	Powers,	Wall,
Denning,	Kane, L. P.,	Price,	Wasserman,
Duffy,	Kinney,	Quinn,	Way,
Dunmire,	Labar,	Raub,	Weidemann,
Dwyer,	Lane,	Rectenwald,	Welsh,
Ederer,	Laubach,	Reed,	Westrick,
Emhardt,	Lenahan,	Reilly,	White,
Eroe,	Lewis,	Rice,	Wike,
Evans,	Long,	Roan,	Williams, G. W.,
Fitzgerald,	Lord,	Root,	Williams, J. J.,
Flanagan,	Lose,	Royle,	Wilson, L. M.,
Fleisher,	Lovett, J. E.,	Ruby,	Wright,
Flinchbaugh,	Lovett, W. S.,	Ruth,	Yeakel,
Flynn,	Lynch, J. R.,	Sautter,	Yourishin,
Forrest,	Lynch, M.,	Schrock,	Zimmerman,
Gallagher,	Malina,	Schrope,	Talbot,
Gartner,	Maloney,	Schwab,	Speaker.
Gillette,	Marcks,	Schwartz,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2011, entitled:

An act for the protection of public health, by regulating the outer wearing apparel and towels of employes in certain stores, shops, plants or restaurants where food and drink for human consumption are handled; providing penalties; and providing for the enforcement of the act by State Departments.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WADE. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Spann, permit himself to be interrogated?

Mr. SPANN, I will, Mr Speaker.

Mr. WADE. Mr. Speaker, I understand this applies to a sale where food is sold for human consumption. On page 2 of this bill it states that the outer garments of any employe must be washed and sterilized daily whether used or not in a steam power laundry. Is that correct?

Mr. SPANN. Mr. Speaker and members of the House, that is correct where it is used in the serving of food.

Mr. WADE. Mr. Speaker, and members of the House, as I take the provisions of the bill, I take it that these outer garments are to be laundered daily whether or not they are used.

Mr. SPANN. Mr. Speaker, I beg the gentleman's pardon, I didn't hear him.

Mr. WADE. Mr. Speaker, as I take it, the outer garments of the employe are to be washed and sterilized daily whether or not they are used.

Mr. SPANN. Mr. Speaker and members of the House, I don't read that in the act.

Mr. WADE. Mr. Speaker and members of the House, possibly that is not the intent, but the law so reads. It also provides that they be washed and sterilized in a steam or power laundry, which would forbid the washing of the garment at home or in any other kind of a laundry.

Mr. SPANN. Mr. Speaker and members of the House, that is the object of the bill, yes sir.

MOTION TO RECOMMIT

Mr. WADE. Mr. Speaker and members of the House, this bill would seem to me to be very revolutionary and place a very drastic penalty on the proprietor of stores and restaurants, and unless the sponsor of the bill has some personal interest in it, I would like to make a motion to recommit the bill for further study to the Committee on public Health and Sanitation.

On the question,

Will the House agree to the motion?

Mr. SPANN. Mr. Speaker, if the gentleman from Cumberland will withdraw his motion, I will agree to place the bill on the postponed calendar and attempt to make such changes in the bill as will be acceptable to him.

The SPEAKER. Will the gentleman from Cumberland, Mr. Wade, withdraw his motion?

Mr. WADE. Mr. Speaker, I will be glad to withdraw the motion.

BILL POSTPONED

Mr. SPANN. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

SENATE MESSAGE

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 1024.

An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the Eighteenth Amendment to the said Constitution and for the prohibition of the transportation, importation, delivery or use of intoxicating liquors in violation of the laws of states, territories or possessions of the United States and to provide for the election of delegates to such convention.

Mr. BLUMBERG. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE .

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 20, 1933.

Resolved (if the House of Representatives concur), That House Bill No. 266, Printer's No. 633, entitled "An act making an appropriation to the Hospital of the Woman's Medical College of Pennsylvania, located at Henry Avenue and Abbotsford Road East Falls Philadelphia, Pennsylvania," be recalled from the House of Representatives for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 20, 1933.

Resolved (if the House of Representatives concur), that House Bill No. 583 Printer's No. 501, entitled "An act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania", be recalled from the House of Representatives for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 20, 1933.

Resolved (if the House of Representatives concur), that House Bill No. 1647, Printer's No. 380

An Act to amend sections eight and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases

be recalled from the House of Representatives for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2324, entitled:

An Act to amend part of section one of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled "An act to fix the number of representatives in the General Assembly of the State, and to apportion the State into representative districts as provided in the Constitution," by changing certain representative districts in Allegheny County and increasing the number of Representatives allowed such county.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. W. L. BROWN. Mr. Speaker, I would like to say a word with reference to this bill. This bill does not in any way affect any legislative district in the State of Pennsylvania, with the exception of the thirteenth legislative district in Allegheny County, which at the present time has a population of one hundred and eighty-seven thousand plus. This bill only provides that the thirteenth legislative district be divided into two districts, making the thirteenth district the eastern part of the present district, into what will be known if this bill is passed as the thirteenth district, and the western part, which is most thickly populated, will be in the fourteenth district, and which will elect two members. Mr. Fertig assured me that this would not affect anything else in the State and would give two hundred and nine members of the Legislature instead of two hundred and eight. So I cannot see where in any manner or form it could affect any member in his district in Pennsylvania. I would be pleased very much to have your support for this bill, as it is a very difficult task to campaign over a district fifty miles long and from fifteen to eighteen miles wide, and which takes in about one third of the area of Allegheny County. I will be pleased with your support.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Haines,	McElwee,	Shortz,
Baker,	Harmuth,	McGinnis,	Shreiner,
Baldi,	Harris,	McGregor,	Shugarts,
Barnhardt,	Hart,	McHenry,	Simon,
Bechtel,	Hartman,	McKay,	Sinwell,
Beech,	Heffernan,	McKinney,	Snyder,
Bennett,	Hefferon,	Melchiorre,	Sowers,
Bernhard,	Heffner,	Merrell,	Spann,
Blumberg,	Hermansen,	Metzler,	Steedle,
Boyd,	Hester,	Mohn,	Sterling, P.,
Brancato,	Hewitt,	Mumford,	Sterling, R. B.,
Brennan,	Himes, H. E.,	Myers,	Stevens,
Brown, J. E.,	Himes, L. R.,	Negley,	Stevenson,
Brown, W. L.,	Hoffman,	Nothnagle,	Stiteler,
Brownfield,	Holmes, J. B.,	O'Connor,	Stone,
Cannon,	Holmes, J. L.,	O'Keefe,	Storb,
Carey,	Hoopes,	O'Neill,	Surface,
Carson,	Hough,	Peelor,	Tahl,
Chervenak,	Howard,	Pennock,	Terry,
Conner,	Hutton,	Perry, D. R.,	Turner,
Cooke,	Jaffe,	Perry, J. J.,	Wade,
Cordier,	Jones,	Peters,	Wagner,
Craig,	Kane, J. J.,	Powell,	Walker, G. E.,
Davies,	Kane, L. P.,	Powers,	Wall,
DeFrehn,	King,	Price,	Wasserman,
Downey, G. E.,	Kinney,	Raub,	Way,
Downey, J.,	Labar,	Rectenwald,	Weidemann,
Duffy,	Lane,	Reed,	Welsh,
Dunmire,	Laubach,	Reilly,	Westrick,
Ederer,	Lenahan,	Rhodes,	White,
Emhardt,	Long,	Rice,	Wike,
Eroe,	Lord,	Roan,	Williams, G. W.,
Evans,	Lose,	Roth,	Williams, J. J.,
Fleisher,	Lovett, J. E.,	Ruby,	Wilson, L. M.,
Flinchbaugh,	Lovett, W. S.,	Ruth,	Wilson, T. B.,
Flynn,	Lynch, J. R.,	Sarig,	Witkin,
Forrest,	Lynch, M.,	Sautter,	Wood,
Furman,	Malina,	Schrock,	Woodside,
Gartner,	Maloney,	Schrope,	Wright,
Gillette,	Marcks,	Schwartz,	Yeakel,
Gorman,	Mason,	Scorza,	Yourishin,
Green,	McBride,	Scott,	Zimmerman,
Greenstein,	McCandless,	Sheffer,	Talbot,
Griffith,	McClure,	Shellenberger,	Speaker.
Habbyshaw,	McCreary,	Shettel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

RECONSIDERATION OF VOTE

Mr. STEEDLE. Mr. Speaker, I move that the vote by which House Bill No. 1462, Senate Bill No. 507, Printer's No. 97, entitled:

An Act fixing the salaries of directors of the poor in counties of the second class.

was defeated on final passage on Wednesday, April 19, 1933, be reconsidered.

Mr. SIMON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Alleghany vote on the final passage of the bill.

Mr. STEEDLE. Mr. Speaker, I voted in the negative.

The SPEAKER. How did the gentleman from Clinton, Mr. Simon, vote on the final passage of the bill.

Mr. SIMON. Mr. Speaker, I voted in the negative.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169

Baker,	Heffner,	Merrell,	Simon,
Beech,	Hermansen,	Metzler,	Sinwell,
Blumberg,	Hester,	Mohn,	Snyder,
Boyd,	Hewitt,	Moore,	Sowers,
Brancato,	Himes, H. E.,	Mumford,	Spann,
Brennan,	Himes, L. R.,	Myers,	Stank,
Brown, J. E.,	Hoffman,	Negley,	Steedle,
Brown, W. L.,	Holmes, J. B.,	Nothnagle,	Sterling, P.,
Brownfield,	Holmes, J. L.,	O'Conner,	Stevens,
Caputo,	Hoopes,	O'Keefe,	Stevenson,
Carey,	Horst,	O'Rourke,	Stone,
Carson,	Hough,	Patterson,	Storb,
Conner,	Hutton,	Peelor,	Stott,
Cooke,	Jaffe,	Pennock,	Surface,
Cordier,	Jones,	Perry, D. R.,	Tahl,
Craig,	Kane, L. P.,	Perry, J. J.,	Terry,
DeFrehn,	King,	Peters,	Turner,
Downey, G. E.,	Kinney,	Powell,	Wade,
Duffy,	Labar,	Powers,	Wagner,
Dunmire,	Lane,	Quinn,	Walker, G. E.,
Dwyer,	Laubach,	Raub,	Walker, W. A.,
Ederer,	Lewis,	Rectenwald,	Wall,
Emhardt,	Long,	Reed,	Wasserman,
Evans,	Lord,	Reilly,	Way,
Fleisher,	Lose,	Rhodes,	Weidemann,
Flinchbaugh,	Lovett, J. E.,	Rice,	Welsh,
Flynn,	Lovett, W. S.,	Roan,	Westrick,
Forrest,	Lynch, J. R.,	Roth,	White,
Furman,	Lynch, M.,	Ruby,	Wike,
Gallagher,	Malina,	Ruth,	Williams, G. W.,
Gartner,	Maloney,	Sarig,	Williams, J. J.,
Gillette,	Marcks,	Sautter,	Wilson, L. M.,
Green,	Mason,	Schrock,	Wilson, T. B.,
Greenstein,	McBride,	Schwab,	Witkin,
Griffith,	McCandless,	Schwartz,	Wood,
Habbyshaw,	McClure,	Scott,	Woodside,
Haines,	McCreary,	Sheffer,	Wright,
Hamilton,	McGinnis,	Shellenberger,	Yeakel,
Harris,	McGregor,	Shenkel,	Yourishin,
Hart,	McHenry,	Shettel,	Zimmerman,
Hartman,	McKay,	Shortz,	Talbot,
Heffernan,	McKinney,	Shreiner,	Speaker.
Hefferon,	Meredith,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

SENATE MESSAGE

AMENDED SENATE BILLS NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 385.

An Act providing for the fixing of salaries or compensation of all appointed officers clerks and other employes paid from the county funds in counties of the sixth seventh and eighth classes and creating salary boards in certain counties

Mr. WOODSIDE. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

RECALLING HOUSE BILL No. 320 FROM THE GOVERNOR

Mr. ROOT asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 20, 1933.

Resolved (if the Senate concur), That House Bill No. 320, entitled "An act to amend clause (b) of section four article two of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred eighty-one) entitled 'An act for the better government of cities of the first class of this Commonwealth' as amended changing the order in which officers of such cities shall act as mayor in case of a vacancy or disability of the mayor to act," be recalled from the Governor for further consideration.

Ordered, That the clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1259, as follows:

An Act relating to criminal procedure imposing upon magistrates conducting preliminary hearings the duty of obtaining two names of persons whom defendants desire notified of time of trial and imposing upon the district attorney the duty of notifying such persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any magistrate after hearing holds any person accused of any violation of any law or laws of the Commonwealth for the action of the grand jury such magistrate shall ask such person for the names and addresses of two persons whom he or she desires to be notified of the time of his or her pending trial and when given such names and addresses shall be noted upon the record and made part of the transcript returned by said magistrate as required by law

Section 2 The district attorney of the county wherein such hearing was held shall before the time fixed for the trial of such person mail United States postal card notices of the time and place fixed for such trial to the persons whose names appear upon such transcript to the address or addresses given thereon

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174

Andrews,	Hester,	Mohn,	Shortz,
Baker,	Hewitt,	Moore,	Shreiner,
Baldi,	Himes, H. E.,	Mumford,	Shugarts,
Barnhardt,	Himes, L. R.,	Myers,	Simon,
Bechtel,	Hoffman,	Negley,	Sinwell,
Beech,	Holmes, J. B.,	Nothnagle,	Snyder,
Bennett,	Holmes, J. L.,	O'Connor,	Sowers,
Bernhard,	Hoopes,	O'Keefe,	Spann,
Blumberg,	Horst,	O'Neill,	Stank,
Brennan,	Hough,	O'Rourke,	Steedle,
Brown, W. L.,	Howard,	Patterson,	Sterling, P.,
Brownfield,	Jaffe,	Peelor,	Sterling, R. B.,
Caputo,	Jones,	Pennock,	Stevens,
Carson,	Kane, J. J.,	Perry, D. R.,	Stevenson,
Chervenak,	Kane, L. P.,	Perry, J. J.,	Stiteler,
Conner,	King,	Peters,	Stone,
Cordier,	Kinney,	Powell,	Storb,
Craig,	Labar,	Powers,	Stott,
Dane,	Lane,	Price,	Surface,
DeFrehn,	Laubach,	Quinn,	Tahl,
Downey, G. E.,	Lenahan,	Raub,	Terry,
Downey, J.,	Lewis,	Rectenwald,	Turner,
Dunmire,	Long,	Reed,	Wade,
Dwyer,	Lord,	Reilly,	Wagner,
Ederer,	Lose,	Rhodes,	Walker, G. E.,
Eroe,	Lovett, J. E.,	Rice,	Walker, W. A.,
Evans,	Lovett, W. S.,	Roan,	Wall,
Fitzgerald,	Lynch, J. R.,	Root,	Wasserman,
Fleisher,	Lynch, M.,	Roth,	Way,
Flynn,	Male,	Royle,	Weidemann,
Furman,	Malina,	Ruby,	Welsh,
Gallagher,	Maloney,	Ruth,	Westrick,
Gillette,	Marcks,	Sarig,	Williams, G. W.,
Gorman,	Mason,	Sautter,	Williams, J. J.,
Greenstein,	McBride,	Schrock,	Wilson, L. M.,
Griffith,	McCandless,	Schrope,	Wilson, T. B.,
Haines,	McCreary,	Schwab,	Witkin,
Hamilton,	McGinnis,	Schwartz,	Wood,
Harris,	McGregor,	Scorza,	Woodside,
Hart,	McHenry,	Scott,	Wright,
Hartman,	McKinney,	Sheffer,	Yeakel,
Heffernan,	Meredith,	Shellenberger,	Zimmerman,
Hefferon,	Merrell,	Shenkel,	Talbot,
Heffner,	Metzler,	Shettel,	Speaker.
Hermansen,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2135 (Sentae 748), as follows:

An Act authorizing and regulating the reorganization of banks and trust companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any plan for the reorganization of a bank or a trust company which the Department of Banking shall deem equitable and to the best interests of all depositors other creditors and shareholders may be adopted subject to any terms or conditions prescribed by the Department of Banking in the manner hereinafter provided in this act

Section 2 The plan of reorganization shall be valid only if approved after such notice as the Department of Banking shall sanction by the holders of at least seventy-five per centum of the outstanding shares of capital stock of the bank or the trust company and by depositors and other creditors of such bank or of such trust company to whom is due at least seventy-five per centum of the total amount of all liabilities of the bank or the trust company to depositors or other creditors However claims of depositors or other creditors which will be satisfied in full under the provisions of the plan of reorganization shall not be included among the total deposits and other liabilities of the bank or the trust company in computing the seventy-five per centum thereof required by this section

Section 3 In the case of a bank or a trust company which has restricted the withdrawal of deposits and which has received or is receiving new deposits in accordance with the provisions of Act Number six approved the eighth day of March one thousand nine hundred thirty-three entitled "An act relating to banks trust companies savings banks and other banking institutions providing for the protection of depositors therein and empowering the Secretary of Banking to permit the withholding of payments to depositors under certain conditions" the plan of reorganization shall provide for the payment of all such new deposits in full and upon demand After a plan of reorganization has become effective every such new deposits shall continue to be segregated until the bank or trust company shall receive from the depositor written authority signed by him to mingle his new deposit with the other funds of the bank or the trust company In the event of the subsequent liquidation of such bank or such trust company by the Secretary of Banking or by liquidating trustees any new deposits which have been mingled with the other funds of the bank or the trust company pursuant to the provisions of this section shall have no preference over any other deposits At any time after the plan of reorganization has become effective the bank or trust company shall have power to repay in full any such new deposit the owner of which shall refuse to authorize the bank or the trust company in the manner provided by this section to mingle his deposit with the other funds of such bank or such trust company

Section 4 Any plan of reorganization which shall have been adopted and approved in the manner provided by this act shall be binding upon all depositors other credi-

tors and shareholders of the bank or the trust company whether or not they have consented to such plan of reorganization

Section 5 This act shall apply to all banks or trust companies within this Commonwealth incorporated under general or special Act of General Assembly whether or not they are operating upon a restricted basis in accordance with the provisions of the aforementioned Act Number six approved the eighth day of March one thousand nine hundred thirty-three but it shall not apply to banks or trust companies in possession of the Secretary of Banking

Section 6 If any part of this act shall be declared unconstitutional by any court the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 7 The power of a bank or a trust company to reorganize in the manner provided by this act shall be in addition to any power to reorganize granted and notwithstanding any limitation imposed by existing law The operation of any act or part of any act inconsistent herewith shall be suspended during the period this act shall continue to be effective

Section 8 This act shall become effective immediately upon its approval by the Governor and shall continue to be effective until the thirty-first day of March one thousand nine hundred thirty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176

Andrews,	Gorman,	Meredith,	Simon,
Baker,	Green,	Metzler,	Sinwell,
Baldi,	Griffith,	Mohn,	Snyder,
Barnhardt,	Habbyshaw,	Moore,	Sowers,
Bechtel,	Haines,	Mumford,	Spann,
Beech,	Harmuth,	Myers,	Stank,
Bennett,	Harris,	Negley,	Steedle,
Bernhard,	Hart,	Nothnagle,	Sterling, P.,
Blumberg,	Hartman,	O'Conner,	Sterling, R. B.,
Boyd,	Heffernan,	O'Keefe,	Stevens,
Brennan,	Heffner,	O'Neill,	Stevenson,
Brown, J. E.,	Hermansen,	O'Rourke,	Stiteler,
Brown, W. L.,	Hewitt,	Pennock,	Stone,
Brownfield,	Himes, H. E.,	Ferry, D. R.,	Storb,
Cannon,	Himes, L. R.,	Perry, J. J.,	Stott,
Caputo,	Hoffman,	Peters,	Surface,
Carey,	Holmes, J. B.,	Powell,	Tahl,
Carson,	Holmes, J. L.,	Powers,	Terry,
Chervenak,	Hoopes,	Price,	Turner,
Cohen,	Horst,	Quinn,	Wade,
Conner,	Howard,	Raub,	Wagner,
Cooke,	Hutton,	Rectenwald,	Walker, G. E.,
Cordier,	Jones,	Reilly,	Walker, W. A.,
Craig,	Kane, J. J.,	Rhodes,	Wall,
Cramer,	Kane, L. P.,	Rice,	Wasserman,
Dane,	Kinney,	Roan,	Way,
Davies,	Labar,	Root,	Weidemann,
Denning,	Laubach,	Roth,	Welsh,
Downey, G. E.,	Lewis,	Ruby,	Westrick,
Downey, J.,	Long,	Ruth,	White,
Duffy,	Lord,	Sarig,	Wike,
Dunmire,	Lose,	Sautter,	Williams, G. W.,
Dwyer,	Lynch, J. R.,	Schrock,	Williams, J. J.,
Ederer,	Lynch, M.,	Schrope,	Wilson, L. M.,
Emhardt,	Malina,	Schwab,	Wilson, T. B.,
Eroe,	Maloney,	Schwartz,	Witkin,
Evans,	Marcks,	Scorza,	Wood,
Fitzgerald,	McBride,	Scott,	Woodside,
Fleisher,	McClure,	Sheffer,	Wright,
Flinchbaugh,	McElwee,	Shellenberger,	Yeakel,
Flynn,	McGinnis,	Shettel,	Yourishin,
Furman,	McGrail,	Shortz,	Zimmerman,
Gallagher,	McHenry,	Shreiner,	Talbot,
Gartner,	McKinney,	Shugarts,	Speaker.
Gillette,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2251 (Senate Bill 874), as follows:

An Act making an appropriation to the Clearfield Hospital Clearfield Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty thousand dollars ($40,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Clearfield Hospital of Clearfield Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Gorman,	McCreary,	Scott,
Baker,	Green,	McElwee,	Sheffer,
Baldi,	Greenstein,	McGregor,	Shellenberger,
Barnhardt,	Griffith,	McKay,	Shenkel,
Bechtel,	Habbyshaw,	McKinney,	Shettel,
Beech,	Haines,	Meredith,	Shortz,
Bennett,	Hamilton,	Merrell,	Shreiner,
Bernhard,	Harris,	Metzler,	Shugarts,
Blumberg,	Hart,	Mohn,	Simon,
Boyd,	Heffernan,	Moore,	Sinwell,
Brancato,	Hefferon,	Mumford,	Snyder,
Brennan,	Heffner,	Myers,	Sowers,
Brown, W. L.,	Hermansen,	Negley,	Spann,
Brownfield,	Hewitt,	Nothnagle,	Stank,
Cannon,	Himes, H. E.,	O'Connor,	Steedle,
Caputo,	Hoffman,	O'Keefe,	Sterling, P.,
Carey,	Holmes, J. B.,	O'Neill,	Stevens,
Carson,	Holmes, J. L.,	O'Rourke,	Stevenson,
Chervenak,	Hoopes,	Patterson,	Stiteler,
Cohen,	Horst,	Peelor,	Storb,
Conner,	Hough,	Pennock,	Stott,
Cooke,	Howard,	Perry, D. R.,	Surface,
Cordier,	Hutton,	Perry, J. J.,	Tahl,
Craig,	Jaffe,	Peters,	Terry,
Dane,	Jones,	Powell,	Turner,
Davies,	Kane, L. P.,	Powers,	Wade,
DeFrehn,	King,	Price,	Wagner,
Denning,	Kinney,	Quinn,	Walker, G. E.,
Downey, G. E.,	Labar,	Raub,	Walker, W. A.,
Downey, J.,	Lane,	Rectenwald,	Wasserman,
Duffy,	Laubach,	Reed,	Way,
Dunmire,	Lewis,	Reilly,	Weidemann,
Dwyer,	Long,	Rhodes,	White,
Ederer,	Lord,	Rice,	Wike,
Emhardt,	Lose,	Roan,	Williams, G. W.,
Eroe,	Lovett, J. E.,	Root,	Williams, J. J.,
Evans,	Lovett, W. S.,	Roth,	Wilson, T. B.,
Fitzgerald,	Lynch, J. R.,	Royle,	Witkin,
Flanagan,	Lynch, M.,	Ruby,	Wood,
Fleisher,	Male,	Ruth,	Woodside,
Flinchbaugh,	Malina,	Sarig,	Wright,
Flynn,	Maloney,	Sautter,	Yeakel,
Forrest,	Marcks,	Schrock,	Yourishin,

Furman,	Mason,	Schrope,	Zimmerman,
Gallagher,	McBride,	Schwab,	Talbot,
Gartner,	McCandless,	Schwartz,	Speaker.
Gillette,	McClure,	Scorza,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILL ON FINAL PASSAGE

Mr. TURNER. Mr. Speaker, I desire to call up at this time House Bill No. 2099, Senate Bill No. 727, Printer's No. 232, on page 26 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Turner.

The House resumed the consideration on final passage of House Bill No. 2099 (Senate Bill No. 727), entitled:

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in and ownership of space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws.

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. TURNER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TURNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 403, page 11, lines 28, and 29, by striking out the words "whether such owner was negligent or not unless the injury was caused in whole or in part by the negligence".

Amend section 403, page 12, lines 1, 2 and 3, by striking out all of said lines, and insert in lieu thereof: "in accordance with the rules of law applicable to torts on land in this Commonwealth."

Amend section 403, page 12, lines 19 to 22, by striking out all of said lines, both inclusive.

The SPEAKER. Will the House give unanimous consent to the inserton of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING

Mr. SCHWARTZ. Mr. Speaker, I desire to call up at this time House Bill No. 959, Printer's No. 868, on page 19, of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Schwartz.

The House resumed the consideration on third reading of House Bill No. 959, entitled:

An Act relating to constables in counties of the first class fixing the amount of their bond and the conditions thereof

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. SCHWARTZ. I move that this bill be recommitted to the Committee on Counties for the purpose of further consideration.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. TURNER. Mr. Speaker, I move that the time on House Bill No.1727, Printer's No. 444, entitled

An Act to amend section five, six, seven, of the act approved the twentieth day of May one thousand nine hundred and twenty-one (P. L. 916) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" further regulating the benefits authorized under said act.

on page 23 of today's calendar, bills on final passage postponed, be extended five days.

The motion was agreed to.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

RECONSIDERATION OF VOTE

Mr. HUTTON. Mr. Speaker, I move that the vote by which House Bill No. 2300, Senate Bill No. 987, Printer's No. 462, entitled

An Act relating to unemployment relief making an appropriation to the State Emergency Relief Board for direct relief and work relief prescribing the powers and duties of the board with reference thereto and conferring powers and imposing duties upon certain State departments

was ordered to be transcribed for third reading be reconsidered.

The motion was agreed to.

Mr. HUTTON. Mr. Speaker, I move that the vote by which the House agreed to the bill on second reading be reconsidered.

The motion was agreed to

Mr. HUTTON. Mr. Speaker, I move that the vote by which the House agreed to the title be reconsidered.

The motion was agreed to.

Mr. HUTTON. Mr. Speaker, I move that the vote by which the House agreed separately to sections 6, 5, 4, 3, and 2 be reconsidered.

The motion was agreed to.

The second section was read as follows:

Section 2 The State Emergency Relief Board shall make allocations from time to time of the moneys appropriated to it among the several counties of this Commonwealth on a ratio that the estimated number of unemployed persons in a county bears to the estimated total number of unemployed persons in the entire Commonwealth as shown by the latest available tables compiled and issued by the Department of Labor and Industry

On the question,

Will the House agree to the section?

Mr. HUTTON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 4 by inserting after the word "time" and before the word "of" the word: "out."

Amend section 2, page 2, line 6 by striking out after the word "on" the following: "[a ratio that the estimated number of unemployed per-]."

Amend section 2, page 2 by striking out lines 7 to 9 inclusive.

Amend section 2, page 2 by striking out line 10 and inserting in lieu thereof the following: "the basis of need."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 The moneys so allocated to a county shall be available for expenditure in that county only either for work relief or direct relief as the State Emergency Relief Board shall determine and any sum set apart in any county for work relief may be expended in the construction and improvement of primary secondary and rural State highways and bridges thereon whether or not such bridges have been taken over by the Commonwealth

Whenever the State Emergency Relief Board has determind to expend any part of a county's allocation for work relief on State highways and bridges thereon it shall pay such part of the county's allocation into the Motor License Fund and it shall thereafter be expended in accordance with existing laws by the Department of Highways in such county in the construction and improvement of such State highways and bridges thereon as shall have been designated by the State Emergency Relief Board and the labor employed by the department (other than that required for supervision engineering and in the operation of road machinery) in such construction work shall be furnished by residents of such county in need of employment to be selected in accordance with the rules and regulations of the State Emergency Relief Board

The Departmnt of Highways may cumulate the respective amounts in the Motor License Fund credited to a county until sufficient funds are available to undertake the construction work authorized by this section

On the question,

Will the House agree to the section?

Mr. HUTTON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 2, line 12 by striking out at the end of the line after the word "county" the words: "[only either]."

Amend section 3, page 2, line 13 by striking out after the word "for" and before the word "relief" the word "[work]."

Amend section 3, page 2, line 13 by striking out after the word "relief" and before the word "as" the words: "[or direct relief]."

Amend section 3, page 2, line 14 by striking out at the end of the line after the word "determine" the following: "[and any sum set apart in]."

Amend section 3, page 2 by striking out lines 15 to 18 inclusive.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 The amount available in any county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure for the purchase of food clothing fuel and shelter for the unemployed in such county through such public and private agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

On the question,

Will the House agree to the section?

Mr. HUTTON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 3, by inserting after line 16 the following new sections:

Section 5 The sum of one hundred thousand dollars ($100,000) or as much thereof as may be necessary is hereby specifically appropriated to the State Emergency Relief Board for printing the payment of the compensation and expenses of clerical and other assistants required for supervising the expenditure of the appropriation made by this act postage traveling expenses and all other incidental and necessary expenses incurred by the board in administering this act

Section 6 Out of the appropriation made by this act the State Emergency Relief Board may from time to time allocate to the State Veterans Commission sums not exceeding an aggregate of three hundred thousand dollars ($300,000) for providing food clothing fuel or shelter for unemployed veterans who are without means of support

Section 7 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for investigation of application for relief the cost of distributing food clothing fuel or shelter and the maintenance of proper records of receipts expenditures and other transactions of local relief distributing agencies

On the question,

Will the House agree to the amendments?

They were agred to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read as follows:

Section 5 The amounts expended under the provisions of this act shall be audited by the Auditor General as provided by law

On the question,
Will the House agree to the section?
Mr. HUTTON. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment wil be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 5, page 3, line 17, by striking out after the word "Section" and before the word "The" the figure "[5]" and inserting in lieu thereof the figure "8."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The sixth section was read as follows:

Section 6 This act shall be in force immediately upon its final enactment

On the question,
Will the House agree to the section?
Mr. HUTTON. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 6, page 3, line 20, by striking out after the word "Section" and before the word "This" the figure: "[6]," and inserting in lieu thereof the figure: "9."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An Act relating to unemployment relief; making an appropriation to the State Emergency Relief Board for direct relief and work relief; prescribing the powers and duties of the board with reference thereto; and conferring powers and imposing duties upon certain State departments.

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 1024

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 1024, entitled:

An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the eighteenth amendment to the said Constitution and for the prohibition of the transportation importation delivery or use of intoxicating liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such convention

And has appointed Messrs. Woodward, Harris and McClure a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 1024

Mr. BLUMBERG. Mr. Speaker, I move that a Committee of Conference be appointed on Senate Bill No. 1024.
The motion was agreed to.
The SPEAKER. The Chair appoints as a Committee of Conference on Senate Bill No. 1024, Messrs. Blumberg, Steedle and Turner.
Ordered, That the Clerk inform the Senate accordingly.

MR. HUTTON IN THE CHAIR

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 420. (HOUSE BILL No. 2334).

An Act concerning elections including general municipal special and primary elections and amending revising consolidating and changing the laws relating thereto.

Referred to the Committee on Elections.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

BILL SIGNED BY THE SPEAKER

Bill numbered and enttiled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 843.

A Supplement to the act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" as amended authorizing any major general in command of the National Guard with the approval of the Governor as Commander-in-Chief thereof to continue to hold such position until he reaches the age of sixty-nine years

Whereupon,
The SPEAKER, in the presence of the House, signed the same.

MR. HUTTON IN THE CHAIR

BILL ON FINAL PASSAGE

Mr. SPANN. Mr. Speaker, I desire to call up at this time House Bill No. 2011, Printer's No. 976, on page 16, of today's calendar, which was recently placed upon the final passage postponed calendar.

Agreeably to order,
The bill having been called up from the postponed calendar by Mr. Spann.
The House resumed the consideration on final passage of House Bill No. 2011, entitled:

An Act for the protection of public health, by regulating the outer wearing apparel and towels of employes in certain stores, shops, plants or restaurants where food and drink for human consumption are handled; providing penalties and providing for the enforcement of the act by State Departments.

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. SPANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. SPANN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 2, page 2, line 12, by striking out the word "daily" and insert in lieu thereof the following: "after each daily use"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL RECOMMITTED

Mr. BLUMBERG. Mr. Speaker, I move that House Bill No. 2311, Senate Bill No. 973, Printer's No. 489, entitled:

A Supplement to the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," to exempt persons furnished work as an emergency unemployment relief measure by welfare or relief officers from the provisions thereof.

appearing on page 7 of today's calendar, be recommitted to the Committee on Judiciary General for further study.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. McELWEE. Mr. Speaker, I move that the time on House Bill No. 1254, Printer's No. 513, entitled:

An Act to amend section one of the act, approved July ninth, one thousand nine hundred nineteen (Pamphlet Laws seven hundred ninety-five), entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants, by striking out the provisions thereof that relate to counties having a population of less than fifty thousand inhabitants and making certain changes in relation to counties having a population of fifty thousand or more, and less than one hundred thousand inhabitants.

on page 23 of today's calendar, bills on final passage postponed, be extended five days.

The motion was agreed to.

TIME EXTENDED ON ALL BILLS ON POSTPONED CALENDAR

The SPEAKER. If there is no objection the time will be extended for a further period of five days on all bills on the third reading postponed calendar. The Chair hears no objection, and the time is extended.

PERMISSION GRANTED COMMITTEE TO SIT DURING SESSION OF HOUSE

Mr. WITKIN asked and obtained permission for the Committee on Ways and Means to sit in the House Caucus Room during the session of the House to consider House Bill No. 2096.

REPORTS FROM COMMITTEES

Mr. McELWEE, from the Committee on Judiciary General, reported as amended, House Bill No. 1738, entitled:

An Act invoking the police power of this Commonwealth staying proceedings to sell real property on foreclosures of first mortgages for the period of eighteen months in certain cases.

Mr. McELWEE, from the Committee on Judiciary General, reported as amended, House Bill No. 2316 (Senate Bill No. 617), entitled:

An Act to amend section twenty-five of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts discharge and removal of executors administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents rents of real estate as assets for payment thereof, the lien thereof; sales and mortgages of real estate for the payment thereof; judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies; including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, general dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents;" as amended, so as to limit the duration of the lien of legacies unless proceedings ar brought to enforce their payment within ten years after the probate of the testator's will, or after said legacies become due and payable.

Mr. PETERS, from the Committee on Highways, re-reported as amended, House Bill No. 2168 (Senate Bill No. 793), entitled:

An Act to amend Section Two of the Act approved the twenty-second day of June, A. D. One thousand nine hundred thirty-one (Pamphlet Laws seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A. and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to

enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes.

STATEMENT BY MR. WITKIN

Mr. WITKIN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I know that you are anxious to get away, but the matter that I am about to place before you is one of great importance, and I trust that you will indulge me for a few moments.

Just today, His Excellency, the Governor of the Commonwealth, has vetoed the bill commonly known as the Conner-Sowers Bill. That veto meant that there would be no revenue coming into the coffers of the Commonwealth during the next biennium. It strikes me, as I daresay it strikes you, that the Legislature of Pennsylvania has been reduced to a body that has no real power because of these unweildy vetoes exorted and told by His Excellency, the Governor, that if we do this or don't do that, he is going to veto that which we do do.

It might be well said we are almost a nullity as a Legislature in Pennsylvania during the administration of Gifford Pinchot, because I dare say you agree with me that there has not been a matter before this Legislature of any great importance upon which you have not been told "Either do as I say or you will get nothing." He has perhaps correctly or incorrectly and certainly in his own opinion he has interpreted himself as the omnipotent and Almighty; He can do no wrong. We the members of this House and the members of the Senate in his opinion are mere numbskulls, we know nothing, we are never right, never during his administration to my knowledge have we ever been right on any subject.

To the hungry and the starving that are being deprived of the revenue of the beer bill, I say, and I say to the members of this House that the getleman to the right of us, that the great God who sits in that office over there, is responsible and not us. If there ever was a case of stubborness, obstinacy, and a firm desire to crack the whip and make us bow our heads and bend our knees to his almighty will, I charge it to Governor Pinchot. I say to the members of this House that when the Governor vetoed the Conner-Sowers Bill, he continued to do that which he has done with this Legislature for several months, to wit: to delay and to obstruct and to endeavor to thwart the interest of the people of this Commonwealth.

What are we to do?

We can be just a stubborn as he. We could sit here in our seats and do nothing. We think we are endowed with some of the qualities that God gives to us all, and we won't let the hungry starve, we will give them revenue. And I say to his Excellency, the Governor of the State, that the members of this Legislature are bigger men that he will ever be, we are stronger in our convictions as to what is right, and are more uninfluenced by politics than the Governor can ever hope to be, and we are not going to let the people who need the money be without revenue during the next two years.

I have refrained from calling a meeting of the Ways and Means Committee to consider this tax bill for the reason that it was my firm judgment that where a tax bill was on its way to the Governor's desk, there was no necessity for bringing forth a duplicate tax measure, but when in his wisdom and in his endeavor to be politically sagacious, he vetoes that bill, and there is no bill before you, I consider it my duty, and it was my duty and your duty, to bring forth, irrespective of the control of beer, a tax raising revenue measure, the bill that in a few moments shall be reported to you. When we do that the Governor may gloat and he may sit back in that little room, and say the cracking of the whip succeeded, the little horses and the little ponies have again bowed to my will. Let me say to him that he is wrong. We are bowing to a will, but we are bowing to the will of our own conscience, we are bowing to the will of the unemployed and starving about whom he talks and does nothing and who must have the revenue from this beer tax ,and when he chuckles, let him chuckle over the fact that he is the one, and that the people will well know that he is the man who has defeated the revenue, that he is the man who has helped the brewers, that he is the man who has helped keep money in the pockets of the brewers, and that he is the man who is delaying help to the people, and that it is not the Legislature of Pennsylvania, but the Governor of this Commonwealth.

In conclusion, members of the Legislature, let me say this: I don't know just what is going to happen with beer. I don't know whether there is going to be a control measure or not, but I do know this: I say when his Excellency, the Governor, says in so many words, that he doesn't want to put beer into politics, I say that he is a political hypocrite, because if ever a man has injected the subject of beer into politics, it is unthat the members of this Legislature are allied with brewery interests, I say that he says that which he knows to be an untruth. I say to you, members of this Legislature that I know of no alignment between the members of this House and the brewery interests, and it is a great thing to be told and to get the publicity that the Governor gets when he says in his veto statement and puts into that communication untruths, such as saying that we are not going to besmirch our courts. Besmirching the courts because you give them a power, because you give them a right to say that only decent people shall sell beer; besmirching the courts because you give them the right to say that gangsters and thieves shall sell beer. Is that besmirching our courts? The Governor uses fine words, he has a fine vocabulary, and he is clever, but he is as untruthful politically as any man who ever sat in that chair or upon the floor of this House.

Mr. Speaker, I desire to report to you and to this House, for two readings in accordance with the agreement of the Ways and Means Committee, House Bill No. 2096, known as a tax raising revenue measure.

REPORTS FROM COMMITTEES

Mr. WITKIN, from the Committee on Ways and Means, reported as amended, House Bill No. 2096, entitled:

An Act imposing a State tax, payable by those herein defined as manufacturers and distributors, on non-intoxicating alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale of non-intoxicating alcoholic beverages at retail or wholesale; and providing penalties.

Mr. BLUMBERG, from the Committee on Elections, reported as amended, House Bill No. 2334 (Senate Bill No. 420), entitled:

An Act concerning elections including general municipal special and primary elections and amending revising consolidating and changing the laws relating thereto.

STATEMENT BY MR. SOWERS

Mr. SOWERS. Mr. Speaker, I desire to put on the records and on the Legislative Journal a copy of the amendments handed to me to insert in the bill so that the people of Pennsylvania can readily learn and know where the truth is, and I ask permission to have the amendments spread upon the Journal. These are the Governor's amendments.

Mr. Speaker, the amendments are the Governor's amendments, and do exactly what he condemns in his veto.

An Act regulating the sale of nonintoxicating alcoholic beverages as herein defined; providing for the licensing of the retail sale and distribution of such beverages; imposing license fees for the use of certain political subdivisions of the Commonwealth; and providing for the collection and distribution thereof; permitting cities, boroughs, incorporated districts and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, county solicitors, legislative bodies of political subdivisions of the State and election officers; restricting ownership and interest in licensed places; providing penalties; and repealing existing acts.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That this act shall be known and may be cited as the "1933 Beverage Law".

Section 2. Definitions and Interpretation.—The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue of this Commonwealth.

(b) "Eating place" means a room having an area of not less than three hundred square feet and equipped with at least ten tables and forty chairs.

(c) "Manufacturer" means a person holding a permit issued by the Alcohol Permit Board of this Commonwealth authorizing him to engage in brewing or manufacturing non-intoxicating alcoholic beverages.

(d) "Nonintoxicating alcoholic beverage" means beer, lager beer, ale, porter, wine, similar fermented malt, or vinous liquor and fruit juice containing one-half of one per centum or more of alcohol and not more than 3.2 per centum or more of alcohol and not more than 3.2 per centum of alcohol by weight by whatever name such liquors or fruit juices may be called the manufacture and sale of which for beverage purposes is not prohibited by the Constitution and laws of the United States.

(e) "Original container" means bottle, cask, keg or other container that has been securely capped or corked by the manufacturer with the name and address of the manufacturer permanently affixed to the bottle, cask, keg or other container or to the cap or cork used in sealing the same.

(f) "Person" means an individual or an unincorporated association including a partnership, a limited partnership or any other form of unincorporated enterprise owned by two or more individuals or a corporation.

(g) "Retail distributor" means a person holding a retail distributor's license issued by the treasurer.

(h) "Retail dispenser" means a person holding a retail dispenser's license issued by the treasurer.

(i) "Treasurer" means the county treasurer of the county in which is located any place specified in an application as the place for which a license is desired.

(j) "Wholesaler" means a person holding a permit issued by the Alcohol Permit Board authorizing him to sell at wholesale nonintoxicating alcoholic beverages.

(k) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and the neuter.

Section 3. Sales for Consumption on the Premises.—It shall be unlawful for any person to sell to another for consumption upon the premises where sold or to permit another to consume upon the premises where sold any nonintoxicating alcoholic beverage unless such person holds a valid retail dispenser's license issued by the treasurer.

Section 4. Sale Not for Consumption on the Premises.—It shall be unlawful for any person to sell to another any nonintoxicating alcoholic beverage not for consumption upon the premises where sold unless such person holds a valid manufacturer's or wholesaler's permit issued by the Alcohol Permit Board or a valid retail distributor's license or retail dispenser's license issued by the treasurer.

Section 5. Sales at Wholesale.—Any wholesaler may lawfully sell nonintoxicating alcoholic beverages in quantities of not less than one hundred forty-four fluid ounces.

Section 6. Sales by Manufacturers.—Any manufacturer may lawfully sell from the place of manufacture nonintoxicating alcoholic beverages but not for consumption on the premises where sold nor in quantities less than two hundred and eighty-eight (288) fluid ounces.

Section 7. Retail Distributors' Licenses.—The treasurer shall issue to any person who applies therefor, pays the license fee hereinafter prescribed, and files the bond hereinafter required a retail distributor's license for each place at which such person desires to sell nonintoxicating alcoholic beverages not for consumption on the premises where sold.

Section 8. Retail Dispensers' Licenses.—Subject to the restrictions hereinafter provided, the treasurer shall issue to a person who conducts a hotel or incorporated club or a reputable bona fide eating place where food is regularly and customarily prepared and sold and who makes application upon a form prescribed by the treasurer, pays the license fee hereinafter prescribed, and files the bond hereinafter required a retail dispenser's license for such place.

Such licenses shall be issued only to reputable individuals who are citizens of the United States and have for one (1) year been residents of the place wherein they reside at the date of their applications or to reputable corporations organized or duly registered under the laws of Pennsylvania.

Such licenses shall not permit nonintoxicating alcoholic beverages to be sold for consumption on the premises in any city, borough, incorporated district or township in which the electors shall, as hereinafter provided, have voted against the licensing therein of places where nonintoxicating alcoholic beverages may be sold for consumption on the premises where sold.

Section 9. Appeal from Refusal of License.—Any person aggrieved by the treasurer's refusal to issue a license on the ground that the applicant is not a reputable person or that the place for which application is made is not a reputable place may appeal to the court of quarter sessions of the county. Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the treasurer. The court shall hold a hearing upon not less than ten day's notice to the treasurer, who shall be represented in the proceeding by the district attorney. If the court shall find that the applicant is a reputable person and that the place for which application is made is a reputable place, it shall order the treasurer to issue the license. There shall be no further appeal.

Section 10. Local Electors May Prohibit Public Drinking Places.—Notwithstanding the other provisions of this act, any city, borough, incorporated district or township of this Commonwealth may by vote of the electors thereof, determine that licenses shall not be granted therein for the sale of nonintoxicating alcoholic beverages for consumption on the premises where sold.

The legislative body of any city, borough, incorporated district or township shall, upon demand in writing of petitioners at least equal to five per centum of the highest vote cast for any office in such city, borough, incorporated district or township at the last preceding municipal or general election cause to be submitted to the electors thereof the following question:

Do you favor the licensing of places where nonintoxicating alcoholic beverages may be sold for consumption on the premises where sold?	NO	
	YES	

Any such petition shall be filed at least ninety days before any general or municipal election with the secretary or clerk

of the legislative body of the city, borough, incorporated district or township. When a petition is so filed such legislative body shall certify such question to the county commissioners of the county for submission to the electors of such city, borough, incorporated district or township at the next general or municipal election at least thirty days before the day of such election.

The said question shall be printed on separate official ballots in bound form by the county commissioners and a sufficient number of ballots shall be furnished to the election officers in each election district of the city, borough, incorporated district or township so that one ballot may be supplied to each voter at such election. In districts where voting machines are used such question shall appear on the face of the machine.

The votes cast on any such question shall be counted by the regular election officers and returns thereof made by them and by election officers where voting machines are used to the prothonotary of the county, who shall lay the same before the return board for compuatation at the same time and in the same manner as other returns. The return board shall compute the said returns and certify the results of the votes cast on the question to the legislative body of the city, borough, incorporated district or township. Such election shall be governed by the election laws of the Commonwealth and all penalties provided by said law shall apply to said elections.

A vote shall not be taken on this question in the same city, borough, incorporated district or township oftener than every third year.

Section 11. License Fees; Bonds.—(a) Before issuing a license to any person under the provisions of this act, the treasurer shall require such person to pay for the use of the cities, boroughs, incorporated districts or townships in which the several licensed places are located a license fee or fees as herein prescribd and to file a bond or bonds as herein required.

(b) Every retail distributor shall pay an annual license fee of one hundred dollars ($100,00) for each place at which he is permitted to sell nonintoxicating alcoholic beverages not for consumption on the premises where sold.

(c) Every retail dispenser shall pay an annual license fee of two hundred dollars ($200.00) for each place at which he is permitted to sell nonintoxicating alcoholic beverages for consumption on the premises where sold.

(d) Every person to whom a license is issued under the provisions of this act shall furnish to the treasurer a bond in the amount of one thousand dollars ($1,000.00) for each place at which he is authorized to sell nonintoxicating alcoholic beverages with a corporate surety satisfactory to the treasurer. Every such bond shall be in favor of the Commonwealth of Pennsylvania, shall contain a warrant of attorney to confess judgment, and shall be conditioned for the faithful observance of all of the laws of this Commonwealth regulating or prohibiting the sale of alcoholic beverages. Every such bond shall be held by the treasurer and shall be turned over to the county solicitor to be sued out if and when the licensee's license shall have been revoked as hereinafter provided.

(e) All licenses issued under the provisions of this act shall be good for the calendar year and new licenses shall be issued from year to year upon application to the treasurer, the payment of the annual license fee prescribed in this section, and the filing of a new bond.

(f) Whenever a license is issued after the beginning of the calendar year, the license fee for that year shall be reduced one-twelfth for each full months such license was not in force during the then calendar year.

Section 12. Special Retail Dispenser's Licenses.—The Department shall issue special retail dispenser's licenses to a railroad, Pullman or steamship company permitting nonintoxicating alcoholic beverages to be sold in dining club or buffet cars or the dining compartments of steamships for consumption on the trains or steamships. A separate license shall be issued for every car and steamship upon application, the payment of an annual fee of ten dollars ($10.00) per car or fifty dollars ($50.00) per steamship and the filing of a bond in an amount ten (10) times the aggregate amount of the fees paid by the company for all cars or steamships licensed.

All fees paid hereunder shall be paid into the General Fund of the State Treasury.

Section 13. Disposition of License Fees.—All license fees received by the treasurer under the provisions of this act shall be paid into the county treasury except in counties co-extensive with cities in which they shall be paid into the city treasury.

Section 14. License to be Publicly Displayed.—Every licensee shall frame his license under a transparent substance and shall display the same in his place of business conspicuously and where it may be easily read. Until this section has been complied with no license shall be effective.

Section 15. Licenses Not Assignable; Transfers.—Licenses issued under this act may not be assigned. They may be transferred upon application to the treasurer and the payment of a fee of ten dollars ($10.00), but no transfer shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally.

Fees received by the treasurer under this section shall be paid into the county treasury or in the case of cities co-extensiv with counties, into the city treasury.

Section 16. Revocation of Licenses.—Upon application of the treasurer, or of the Department or of at least twenty electors of the city, borough, incorporated district or township in which any place licensed under this act is located, the court of quarter sessions of the county may revoke any retail distributor's or retail dispenser's license issued under this act upon being satisfied that the holder thereof has violated any provisions of this act, or of any other law regulating or prohibiting the sale of alcoholic beverages, or has failed to pay any tax imposed upon the licensee by the laws of this Commonwealth for the sale or consumption of nonintoxicating alcoholic beverages.

Before revoking any license the court shall cause ten (10) days' notice in writing of the time and place of a hearing to be given to the licensee, such notice to specify the charges against the licensee which will be heard at such time and place. There shall be no appeal from the action of the court in revoking or refusing to revoke a license.

Section 17. Bars Prohibited; Further Regulations.—No retail dispenser shall maintain any bar at which nonintoxicating alcoholic beverages are served to customers, or sell any such beverages for consumption on the licensed premises except in a room or rooms, or place or places on the licensed premises at all times accessible to the use and accommodation of the general public and the windows, doors, and entrances of such rooms or places shall permit free and unobstructed visibility of the interior thereof; but this section shall not be interpreted to prohibit the sale of nonintoxicating alcoholic beverages at a lunch counter with seats or chairs permanently fastened thereto if such counter is in an eating place as herein defined. A retail dispenser licensed to sell beverages in a hotel or clubhouse may, however, sell and deliver such beverages in any room of such hotel or clubhouse occupied by a bona fide registered guest or member entitled to purchase the same.

Section 18. Sales Only in Original Containers.—No wholesaler, retail distributor, or retail dispenser shall purchase or receive nonintoxicating alcoholic beverages except in original containers and no such beverages shall be sold unless for lawful consumption upon the premises where sold, except in original containers.

Section 19. Transportation Only in Original Containers—It shall be unlawful to transport any nonintoxicating alcoholic beverage except in original containers.

Section 20. Sales Prohibited on Sundays and Election Days.—It shall be unlawful for any person to sell nonintoxicating alcoholic beverages to any person between the hours of twelve (12) o'clock midnight on Saturday and six (6) o'clock ante meridian on Monday, or on any primary, municipal, special, or general election day.

Section 21. Certain Sales Prohibited.—It shall be unlawful for any person to sell nonintoxicating alcoholic beverages to a minor, to any person visibly intoxicated, or to an insane person.

Section 22. Certain Practices Prohibited.—It shall be unlawful for any licensee or other person to fortify, adulterate, contaminate, or in any wise to change the character or purity of any nonintoxicating alcoholic beverage from that as originally marketed by the manufacturer.

Section 23. Interlocking Businesses Prohibited.—(a) No manufacturer of nonintoxicating alcoholic beverages and no officer and director of any such manufacturer shall at the same time be a wholesaler, a retail distributor, a retail dispenser, or an officer, director, stockholder, or creditor (except for the usual customary credits for beverages sold and de-

livered) of any such wholesaler, distributor, or dispenser, nor be the owner, proprietor, or lessor of any place in which any wholesaler, retail distributor, or retail dispenser is licensed to transact business.

(b) No wholesaler, retail distributor, or retail dispenser and no officer or director of any such wholesaler distributor or dispenser shall at the same time be a manufacturer of non-intoxicating alcoholic beverages, or an officer, director, stockholder, or creditor of a manufacturer or an owner, proprietor, or lessor of any place in which a manufacturer holds a permit to transact business

(c) No manufacturer, wholesaler, retail distributor, or retail dispenser shall own any stock or have any financial interest in any other class of business regulated by this act.

(d) No manufacturer or wholesaler shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against any property in which a retail distributor or retail dispenser is licensed to transact business, nor shall a manufacturer or wholesaler either directly or indirectly lend any money or extend any credit, or cause any credit to be extended to any retail dispenser in equipping, fitting out, or maintaining and conducting, either in whole or in part, any establishment in which non-intoxicating alcoholic beverages are sold for consumption upon the premises, excepting only the usual and customary commercial credits for beverages sold and delivered.

(e) The purpose of this section is to require the separation of the financial and business interests between the various classes of business regulated by this act and no person shall by any device whatever, directly or indirectly evade the provisions of this section.

(f) This section shall not prohibit the ownership until January 1, 1936, by a manufacturer of any place occupied by a wholesaler, distributor or dispenser, if the manufacturer has continuously owned such place for a period of at least three years prior to the effective date of this act.

Section 24. Penalty.—Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three hundred dollars ($300.00) for the first offense and for any second or subsequent offense, shall be sentenced upon conviction, to pay a fine not exceeding five hundred dollars ($500.00) and in default of the payment of such fines, to undergo imprisonment for a term not exceeding six (6) months. Any such person, or the members, agents, servants, or employes of any partnership or association, or the officers, directors, agents, servants, or employes of any corporation guilty of any violation of any provision of this act may upon a second or subsequent conviction be sentenced to imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment in the discretion of the court.

Section 25. Constitutionality.—The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional, such decision shall not affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

Section 26. Effective Date.—This act shall become effective fifteen days after final enactment.

Section 27. Repeal.—The following acts are hereby repealed:

The act approved the fifteenth day of July, one thousand eight hundred ninety-seven (Pamphlet Laws, two hundred ninety-seven), entitled "An act authorizing the transfer by the judges, of the several courts of the Commonwealth, of licenses for the wholesale or retail of vinous, spiritous, malt or brewed liquors, from one person to another, and from one place to another," absolutely.

The act approved the thirtieth day of July, one thousand eight hundred ninety-seven (Pamphlet Laws, four hundred sixty-four), entitled "An act to provide revenue and regulate the sale of malt, brewed, vinous and spiritous liquors or any admixture thereof, by requiring and authorizing licenses to be taken out by brewers, distillers, wholesalers, bottlers, rectifiers, compounders, storekeepers and agents, having a store, office or place of business within this Commonwealth, prescribing the amount of license fees to be paid in such cases, and by imposing an additional license fee on retail dealers in intoxicating liquors," and the amendments thereto so far as the same relate to beverages licensed under this act.

All other acts and parts of acts inconsistent with this act are hereby repealed. But nothing contained in this act shall be construed to repeal any law relating to the purity or adulteration of beverages or any law relating to sanitation.

The SPEAKER. The Chair directs that the amendments be spread in the Legislative Journal.

STATEMENT BY MR. RHODES

Mr. RHODES asked and obtained unanimous consent to make the following statement.

Mr. Speaker and members of the House, I have been listening with a great deal of interest to the statements of the gentleman from Philadelphia, Mr. Witkin, and I am not going to either deny or affirm the statements that he has made. His statements are a matter that pertain only to the various factions in the Republican party.

On the other hand I think that we have made a very serious error in not taking up this tax measure at the proper time. In my opinion this delay for taxing beer is inexcusable. Before the seventh day of April, so that a tax measure could have become effective, I think the Democrats had a caucus in the House Caucus Room about one o'clock in the morning, when some of the gentlemen from Philadelphia were present, and it was suggested at that time in view of the controversial questions with relation to regulation that we proceed to levy taxes on beer so as to have it effective before the seventh of April. That was not listened to. We were willing to go along in our entirety on that proposition.

Insofar as the situation is concerned at the present time it is apparent that we have lost a great deal of revenue because of this delay. Unfortunately there is a great deal of controversy about what the regulatory bill should contain and it seems to me that those who have dilly dallied along in connection with this tax matter are the ones that will have to take the responsibility for depriving the people of Pennsylvania of this income. There is a great deal of doubt about the constitutionality of the Conners-Sowers bill. Some lawyers say that it is constitutional while other eminent lawyers in the state say that it is unconstitutional. It contains a tax measure on the one hand and a regulatory feature on the other. Suppose this Conners-Sowers measure should have become a law, and the Legislature would have adjourned and the constitutionality of the bill would have been attacked in the courts, then, if, according to many of the best legal minds in the State it was found to be unconstitutional we would have had no tax whatever upon beer.

The only sensible way to have proceeded would have been to have prepared a bill to levy this tax measure of $1.24 on beer. I do not see why, because of party affiliations there should have been any delay in passing this tax measure before the seventh of April in order that the people might have derived this revenue. Regardless of party affiliations it seems to me that we should have put public welfare above petty political maneuvers and I say that without any reflection on any political faction, I say that as a member of this House regardless of party interest but in the interest of accomplishing something constructive. If we had done that we would have had legislation today and we would have avoided all of the pitfalls that we have been injected into if the Conners-Sowers bill was passed and declared unconstitutional. The sane way was to have separated the tax measure from the regulatory measure and in that way have avoided all these different maneuvers by the different factions in the House.

Mr. SOWERS. I listened with a great deal of interest to my friend, Mr. Rhodes, and I was surprised to hear him say

that the Democratic Party was united. I never found them united in any of our discussions of this beer bill. I have asked them time and time again for their thought, for their program, for what they would stand for, and up to this time I have received nothing from them but objections.

They stood for a commission with salaries and I promised to put it in the bill before it went into the Senate and it was put in the bill, but the Senate with all the Democratic party united voted the commission out and then the bill came back to this House with the commission feature voted out. It was not the fault of the Republicans that it went out. It was the fault of the Democratic Party that it went out, by their united effort in the Senate.

Mr. RHODES. Mr. Speaker, may I have the privilege of replying to the gentleman from Philadelphia, Mr. Sowers?

The SPEAKER. The gentleman from Monroe, Mr. Rhodes will proceed.

Mr. RHODES. Mr. Speaker and members of the House, the Democrats were called into a caucus one morning at about one o'clock, in the House Caucus Room, I think it was on the 7th of April. The gentleman from Philadelphia, Mr. Sowers, was present and it was decided there by the Democrats in their entirety that they would go along immediately with a tax measure and allow the regulatory features to be determined later. The Democrats were unanimous in their position that they wanted a tax measure put on, a State tax of one dollar a barrel on beer at once and that the regulatory provisions of the act could be determined later.

The SPEAKER. The remarks of the gentleman from Philadelphia, Mr. Witkin, the remarks of the gentleman from Philadelphia, Mr. Sowers, and the remarks of the gentleman from Monroe, Mr. Rhodes, will be noted in the Journal and spread at length upon the Legislative Journal.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 421, entitled "An Act validating ratifying and confirming certain assessments by boroughs of sewage taxes against property outside the limits of such boroughs benefited by sewers constructed by such boroughs and all municipal claims filed and entered pursuant to such assessments," be recalled from the Governor for further consideration.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 18, 1933.

Resolved (if the Senate concur), That House Bill No. 265, entitled "An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several boroughs of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments and claims," be recalled from the Governor for further consideration.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 1646, entitled "An Act to amend sections 1 and 2 of act number two hundred seventy-six approved the seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws six hundred seventy-seven) entitled 'An act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and juvenile courts and imposing certain expenses upon counties' by requiring the data and notices required by the act to be filed with the Department of Health instead of the Department of Welfare," he recalled from the Governor for further consideration.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 1789, entitled "An act to further amend paragraph (a) of section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents' by making the moneys in the Banking Department Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 18, 1933.

Resolved (if the Senate concur), That House Bill No. 131, entitled "An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several boroughs of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments and claims," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 18, 1933.

Resolved (if the Senate concur), That House Bill No. 1648, entitled "An Act to amend section four of the act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ten) entitled 'An act providing for the licensure and regulation of certain private

nursing homes and private hospitals conferirng certain powers and duties upon the Department of Welfare and providing penalties' by increasing the lincense fee to be collected by the Department of Welfare," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 1786, entitled "An Act to further amend section eleven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled 'An act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof' by making the moneys in the State Workmen's Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1374

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1374, entitled:

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the Superintendent of Public Instruction to permit as to certain school districts temporary reductions in the salary schedules authorizing Superintendent of Public Instruction to suspend mandatory provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements prohibiting school districts from demanding requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules granting certain options to the members of the School Employes' Retirement System and temporarily superseding any inconsistent acts and parts of acts

And has appointed Messrs. Williamson, Staudenmeier and Ealy a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

STATEMENT BY MR. JONES

Mr. JONES asked and obtained unanimous consent to make the following statement.

Mr. Speaker and members of the House, I listened with a great deal of interest to the gentleman from Philadelphia, Mr. Witkin, make his statement and in his statement he blames the Governor of the Commonwealth with blocking the revenue from beer.

The bill that they introduced out of the Ways and Means Committee today, House Bill No. 2096, introduced by Representative McClure, was introduced March 29th, and this is a tax measure only.

The other night when the gentleman from Philadelphia objected to unanimous consent on my resolution I went to him and tried to get him to recall it. He would not recall his objections. He refused to let me introduce my resolution.

The gentleman from Philadelphia blames this whole thing on the Governor of the Commonwealth. The gentleman from Philadelphia, Mr. Witkin, who is chairman of the Ways and Means Committee, knows that that committee has had this bill in their hands since March 28th, and they could have had action on it but he refused to produce the bill and have action on it, and therefore I feel that he is responsible for this bill not coming out of committee.

Further, in the discussion the other night, in a cross-examination of me by Mr. Witkin, he made the assertion, or the crack, that he was glad that I knew something, and I retorted, heatedly by the way, that I knew as much as him. At this time I want to apologize to the gentleman from Philadelphia, Mr. Witkin, that I recognize the gentleman from Philadelphia, Mr. Witkin, as being the most eminent and the most learned lawyer in this House, even though my friend Mr. Brown made a monkey out of him the other night.

Now, I am recognizing the gentleman from Philadelphia, Mr. Witkin as being a master genius, and he should have known, and I suppose he does know, that the Sowers-Conners bill would be unconstitutional on account of its dealing with two matters, and knowing that I want to leave it up to this House as to who obstructed the getting of the revenue by the State of Pennsylvania so far. Now we are going home; we will be away from here for three days and as the newspapers say we are losing ten thousand dollars a day.

Mr. Fertig who made the resolution, framed it, that I introduced tells me one thing—the gentleman from Philadelphia says it is not so, so probably it is not so—but I just want the members of this House to use their judgment as to who was obstructing the revenue from the beer bill and who is taking it away from the women and children who are starving to death, which he said so heatedly was the duty of the Governor of Pennsylvania.

The SPEAKER. The remarks of the gentlemen will be spread at length upon the Legislative Journal.

Mr. WITKIN. Mr. Speaker, may I ask leave of the House for a minute and a half to answer the gentleman from Luzerne.

The SPEAKER. Is there objections[TheChair hears none and the gentleman will proceed.

Mr. ANDREWS. I object.

Mr. Witkin. Mr. Speaker, may I say to the gentleman from Luzerne that his endeavor to place the responsibility——

Mr. ANDREWS. Mr. Speaker, what is the order of the day? Is the gentleman talking by unanimous consent? If so, I clearly objected.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, is out of order. The Chair heard no objection when he asked for the consent of the House, and the gentleman from Philadelphia will proceed.

Mr. WITKIN. Mr. Speaker and members of the House——

Mr. ANDREWS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. ANDREWS. Mr. Speaker, is the gentleman from Philadelphia, Mr. Witkin, speaking by unanimous consent?

The SPEAKER. The gentleman from Cambria, Mr. Andrews, is informed that that is correct.

Mr. ANDREWS. I objected, Mr. Speaker, very clearly and continue to object.

The SPEAKER. The Chair heard no objections and the gentleman from Philadelphia, Mr. Witkin, will proceed.

Mr. WITKIN. Mr. Speaker and members of the House, now that the gentleman who travels up and down from Cambria has retained his seat, may I say to the gentleman from Luzerne, Mr. Jones, that I accept the responsibility for not calling a meeting of the Ways and Means Committee to consider House Bill No. 2096. I did so because I had a little more confidence in the Governor of Pennsylvania then than I do now. I did not think that the Governor was going to be so bold and so audacious as to carry out his threat to veto a bill that meant so much to the people of this Commonwealth. I thought that probably once again he would turn turtle as he did on the Talbot bill a few years ago. I had great confidence in his despite his breaking of promises in the past, despite his obstructing legislation in this House. I still thought there was some semblance of an endeavor, irrespective of party politics, a willingness on his part to do the right thing.

I saw a revenue bill passing through this House moving with the greatest dispatch that it could have; I saw Mr. Sowers and the members of the House and of the Senate endeavoring to put upon the Governor's desk a bill that would give the people revenue and at the same time stop criminals from selling beer throughout all of the communities of the State. I had watched the Governor daily trying to do everything he could to stop its passage. I saw him helping the brewers, I saw him stopping the collection of a beer tax, but I sincerely thought that this man could not be as bad as he appears to be and when the regulatory measure goes over to him he will sign it and stop obstructing the Legislature from doing its duty and let the Legislature for once during his administration do something that he didn't think was right.

Mr. HOOPES. Mr. Speaker, I submit that the gentleman's minute and a half is up.

The SPEAKER. The gentleman from Philadelphia will proceed.

Mr. WITKIN. Mr. Speaker and members of the House, I saw that, and, as I saw it I felt that I was doing right in not interfering with another bill that was moving through the House and the Senate, but to my amazement and consternation and I must say utter surprise, I found the great supreme being, the dictator, the czar of Pennsylvania, saying "No, you play my way or not at all" and once again the Governor appears in his true role of a czar, of a dictator, of a self-appointed God who wants to rule the destinies, singlehanded, of the Commonwealth of Pennsylvania, and who resents the interference of every man and woman as a member of the Senate and of the House and says: "Let me alone, I am God and alone I shall rule."

Mr. ANDREWS. Mr. Speaker I would like unanimous consent for four minutes to make a statement.

The SPEAKER. Will the House give its unanimous consent? The Chair hears objections, but the Chair rules that any member may arise and make a statement if the majority of the members desire to hear the statement. Are their objections? The Chair hears none and the gentleman may proceed.

Mr. ANDREWS. Mr. Speaker and members of the House, the gentleman from Philadelphia has told the members of the House what he has seen and heard. I want to tell you, members of the House, something of what I have seen and heard. I saw the gentleman from Philadelphia in the midst of a conference of the leaders of the State with the Governor and at the conclusion of that conference I heard the Governor of the Commonwealth say "Let us understand each other before we leave this conference. We agree that a revenue measure shall be framed, reported and passed. We are agreed on a revenue measure, are we not" and the gentlemen in the conference including the gentleman from Philadelphia said "We are agreed on that."

Mr. WITKIN. Mr. Speaker, will the gentleman from Cambria, Mr. Andrews, permit me to inform him that he is very much mistaken, that I was not in that conference.

Mr. ANDREWS. And then the Governor said "Let us understand each other further, we are not in agreement on control," and they agreed that they were not in agreement on control, and the leaders of the party left that conference pledged to enact a revenue measure upon which the leaders of the party were agreed and left that conference understanding that they were to continue to disagree regarding control.

ADJOURNMENT

Mr. WALTER S. LOVETT. Mr. Speaker, I move that this House do now adjourn until Monday evening, April 24, 1933, at 9 o'clock.

The motion was agreed to, and (at 1.28 P. M.) the House adjourned until Monday, April 24, 1933, at 9 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., FRIDAY, APRIL 21, 1933 — No. 53

SENATE

FRIDAY, April 21, 1933.

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Our Heavenly Father, we ask Thee this morning that Thou wouldst be with us all and bless us, and with us bless all those in whose lives we are interested. Grant that in the storm and stress of life we may find a sanctuary within the quietness and peace of our own souls. Therefore let our higher natures always triumph over our lower natures. Guide us and bless us and keep us until we meet here again. We ask in Thy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SCOTT, the further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 21, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss M. E. McCafferty, Pittsburgh.

BLAIR COUNTY

Roy I. Feather, Roaring Springs.

ERIE COUNTY

Frank B. Quinn, Erie.
Harry M. Schuwerk, Erie.

LACKAWANNA COUNTY

George H. Johns, Old Forge.

LUZERNE COUNTY

J. Frank Reinig, Wilkes-Barre.

PHILADELPHIA COUNTY

Louis Davis, Philadelphia.

SULLIVAN COUNTY

J. H. Ballentine, Dushore.

GIFFORD PINCHOT.

Which were referred to the Committee on Executive Nominations.

APPROVAL OF SENATE BILLS No. 37 AND 670

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 37, Printer's No. 145, entitled, "An Act to amend section two of the act approved the twenty-eighth day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred eight) entitled 'A supplement to the twenty-fourth section of an act entitled "An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine" approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth,' as amended providing for additional payments to relief fund associations of fire departments and fire companies of cities boroughs and townships which afford fire protection to adjoining boroughs and townships providing that the burgess of boroughs and secretaries of boards of supervisors shall certify that such fire protection is afforded."

Senate Bill No. 670, Printer's No. 180, entitled, "An Act to amend section one of act number three hundred twenty-nine Approved the fifteenth day of May one thousand nine hundred twenty-nine (Appropriation Acts of One Thousand Nine Hundred Twenty-nine page one hundred sixty-one) entitled 'An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of additional lands for the Commonwealth of Pennsylvania' by extending the scope of the appropriation to the Department of Property and Supplies for the purchase or condemnation of additional lands for the State Military Reservation and ratifying certain expenditures heretofore made by said department."

GIFFORD PINCHOT.

HOUSE MESSAGE

REDUCTION OF SALARIES OF STATE GOVERNMENT OFFICERS AND EMPLOYES

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has non-concurred in resolution from the Senate as follows:

In the Senate, February 21, 1933.

Whereas, The continuance of the economic depression has seriously affected the revenues of all forms of Government and necessitates the greatest economy and reduction in governmental costs possible in order that budgets may be balanced, and our unemployed cared for; and

Whereas, The salaries paid to public officers and employes constitute an appreciable part of the cost of government; and

Whereas, Industry and business has been forced to reduce salaries and wages in order to continue operation and provide employment; therefore be it

Resolved (if the House of Representatives concur), That it is the sense of the General Assembly that the salaries, compensation and emoluments of office of all public officers and employes of the executive, legislative and judicial departments of the State Government, should be reduced, and that those agencies and officers of government charged with the fixing of salaries and compensation of public employes should reduce such salaries and compensation in accordance with the provisions of this resolution;

Resolved, That all public officers of the executive, legislative and judicial departments of the State Government be urged to agree voluntarily to accept reductions in their salaries, compensation and emoluments of office and return the same to the government or permit it to retain, the percentage of such salaries, compensation and emoluments of office as is provided for by this resolution;

[Resolved, That it is the sense of the General Assembly that such reductions in salaries, compensation and emoluments of office should be not less than fifteen per cent. of the annual compensation, provided however, that no salary or compensation now in excess of $1500.00 shall be reduced below such amount.

Be It Further Resolved, That it is the sense of the General Assembly, that if, for the protection of existing retirement rights, the salaries of State officers and employes are continued as at present, and in addition to the deductions made therefrom for payment into the State Employes' Retirement Fund, a further deduction is voluntarily made on pay rolls equal to the above percentage for payment into the General Fund or into any special fund created and appropriated under any Act of Assembly for unemployment relief purposes, the spirit of this resolution shall be deemed to have been complied with:

Resolved, That the Secretary of the Commonwealth be directed to forward a copy of this resolution to each member of the Executive Board of the State Government, to the Auditor General, State Treasurer, the heads of the several departments, and of the several independent administrative boards and commissions and to each of the Judges of the Commonwealth and to the officers and members of the State Legislature.]

Resolved, That it is the sense of the General Assembly that such reductions in salaries, compensation and emoluments of office should be in accordance with the following standards:

(a) Salaries, compensation and emoluments amounting to $750 and less per annum should not be reduced.

(b) All salaries, compensation and emoluments amounting to more than $750 per annum should be reduced by an amount equal to 20% of the difference in amount between the present salary, compensation or emolument and the sum of $750.

(c) In the case of per diem compensation, such compensation amounting to $2 per day and less should not be reduced; and such compensation amounting to more than $2 per day should be reduced by an amount equal to 20% of the difference in amount between the present per diem compensation and the sum of $2.

(d) The whole amount of the compensation of the members of the General Assembly, not already paid over should be reduced by 20%.

Resolved, That it is the sense of the General Assembly that such reductions should become effective as of the first day of June, one thousand nine hundred and thirty-three, with the exception of those effecting the compensation of the members, officers and employes of the General Assembly which should apply to all such compensation, that has not heretofore been paid.

Resolved, That in order that the General Assembly, may ascertain the amount of money which can be saved by the foregoing reductions the Auditor General be directed to forward a copy of this resolution upon its final passage to the Governor, Lieutenant Governor, State Treasurer and Secretary of Internal Affairs, to each member of the Executive Board of the State Government, to the heads of the several departments and of the several administrative boards and commissions, to each of the judges learned in the law of the Commonwealth, and to the officers and members of the General Assembly, with the request that all persons affected thereby notify the Auditor General, in writing, within two weeks of such request of the acceptance of the provisions hereof and that requisitions of salary for such persons be drawn at the reduced rates, after the first day of June, one thousand nine hundred and thirty-three, in the case of members of the executive and judicial branches of the government, and forthwith in the case of members and attaches of the General Assembly.

Resolved, That this resolution is intended to be effective upon final passage.

RULE 21 SUSPENDED FOR THE BALANCE OF THE SESSION

Mr. SCOTT. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be dispensed with for the balance of the session.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

CONSIDERATION OF THE CALENDAR

Mr. SCOTT. Mr. President, I move that the Senate do now proceed to the consideration of the Calendar, and that bills on second reading only be considered at today's session.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and condideration of Senate Bill No. 519, as follows:

A Supplement to the act approved the tenth day of July one thousand nine hundred nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" its amendments and supplements authorizing in certain cases the payment of grants accrued and unpaid at the date of death of a mother

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any case where a grant has heretofore or may hereafter become payable to a mother under the act to which this act is a supplement and the acts appropriating moneys to carry said act into effect and remains unpaid because of her death and the failure to take out letters of administration for her estate the State Supervisor of the Mothers' Assistance Fund shall determine the person who is legally responsible for the maintenance and care of the child or who stands in loco parentis to the child and may authorize and direct the proper Board of Trustees of the Mothers' Assistance Fund to pay such accrued grant to such person

Section 2 This act shall take effect immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case disepensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 522 (House Bill No. 750), entitled:

An Act to amend part of section two of the Appropriation Acts of one thousand nine hundred and thirty-one (Act Number fifteen-A page sixteen) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one" amending the appropriation relating to the Coaldale State Hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 775, as follows:

An Act to amend article eleven of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" as amended by extending the time of temporary loans to meet unusual expenditures and authorizing the directors to make temporary loans payable out of current revenue when the district is out of funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article eleven section two hundred and twenty-five of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" as added by section one of the act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred twenty-four) is hereby amended to read as follows

Section 225 Temporary Loans For the purpose of meeting unusual or unforeseen demands for maintenance or support of the poor of the district and expenditures in the operation of the district arising therefrom the directors may borrow money and give temporary notes therefor Such temporary notes shall not be for a longer period than [six months] one year shall not bear interest at a higher rate than six per centum shall not be negotiated for less than par The amount of such temporary loans shall be included in the requisition of the directors of the poor and payment thereof shall be provided for by the county commissioners in the next annual tax levy

Section 2 Article eleven of said act is hereby further amended by adding thereto the following section

Section 226 Whenever during any fiscal year the funds of a poor district available for immediate expenditure have been exhausted the directors may borrow money on the credit of said district in anticipation of and payable out of the current revenues of the district to be received during such year and may issue certificates of indebtedness therefor payable on a date specified therein which shall not be more than one year from the date of such certificates

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 817 (House Bill No. 1185), entitled:

An Act creating borough and township poor districts in the County of Wyoming, to be administered by overseers of the poor; and abolishing the county poor district.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 875, as follows:

An Act to requiré county commissioners poor boards public officers voluntary relief organizations trustees and others having jurisdiction of funds available for poor or unemployment relief or to tax or borrow for such purposes to furnish information and exhibit their records to the State Emergency Relief Board and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of every board of county commissioners poor board municipal department of welfare and other public officer body and employe every welfare federation and other voluntary relief organization and every private or public trustee who has or shall have in his or its possession or jurisdiction any funds which may be used for the assistance or relief of poor or unemployed persons to furnish to the State Emergency Relief Board such reports under oath concerning the amount of such moneys in their hands the sources from which obtained the taxing and borrowing powers available to obtain further funds and such other information as the said Board may request to assist it in effecting an equitable distribution of Federal and State relief funds

Section 2 For the purpose of obtaining information or verifying reports the State Emergency Relief Board through its duly authorized representatives shall have authority at any time to examine the records of any board corporation officer or other person required to furnish reports under this act

Section 3 Any board corporation officer or person who shall refuse or neglect to furnish any report or information required by the State Emergency Relief Board under this act or who shall deny to any duly authorized representative of the said Board full access to all of the records which the Board is by this act authorized to examine shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty (50) nor more than two hundred (200) dollars or undergo imprisonment for a period of not less than ten (10) nor more than sixty (60) days or both in the discretion of the court

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 913 (House Bill No. 1758), entitled:

An Act to repeal the act approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 770), entitled "An act creating a Division of Township Highways in the State Highway Department; conferring powers, and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session; and providing penalties."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1235 (House Bill No. 1033), entitled:

An Act to amend section seven hundred twenty-two, of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts, and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1257 (House Bill No. 1774), entitled:

An Act establishing portions of certain highways lying partially within the corporate limits of cities, boroughs or incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1258 (House Bill No. 1775), entitled:

An Act authorizing agreements between the Department of Highways and local authorities to provide for the construction and maintenance of streets and highways in cities, counties, boroughs, towns and townships, under certain conditions; providing for assessments on abutting property owners; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1270 (House Bill No. 1780), entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws Five Hundred Ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing certain routes and adding certain new routes

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following routes established by the Act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws Five Hundred Ninety-four) entitled "An Act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" are hereby amended to read as follows

Route 01047 Beginning at a point in [Huntingdon] Huntington Township on the Adams-Cumberland County line about .5 of a mile east of the Tyrone-[Huntingdon] Huntington Township line thence southwestwardly through [Huntingdon] Huntington Township to a point [intersecting] on Route 01006 thence eastwardly through [Huntingdon] Huntington Township by way of Idaville and Gargol [to a point intersecting Route 342 at the York Spring Borough line] intersecting Route 41 at Idaville to a point on the western boundary line of York Springs Borough in Adams County a distance of about 6.4 miles

Route 02002 Beginning at a point on Route 742 in Penn Township [at] near the Penn-Wilkins Township line and extending easterly thence northerly to a point on the Frankstown Road Route [288] 228 about 0.3 of a mile west of Rodi in Allegheny County a distance of about [1.5] 1.43 miles

Route 02017 Beginning at a point in Penn Township on the Saltsburg Road Route 228 and extending in a southerly and southeasterly direction by way of the Stolter Road to an intersection with [Frankstown Road] County Universal Road near the property of Jacob Berg in Allegheny County a distance of about [1.7] 1.69 miles

Route 02018 Beginning on the Coraopolis-Cliff Mine Road near [McClarence] McClaran's Mill thence in a general northeasterly direction to an intersection with Route 02006 thence beginning on Route 02006 and running in a northeasterly direction across the Beaver Grade Road thence in a northerly direction to an intersection with the Coraopolis and Carnot Road about .25 of a mile [east] west of its intersection with the Hassam Road State-aid Application 2386 in Allegheny County a distance of about [2.9] 2.97 miles

Route 02030 Beginning at a point on [Route 02022] the county Oakdale-Thomas Run Road near Beechmont thence in a northwardly and an eastwardly direction to an in-

tersection with the Noblestown Road [about .25 of a mile west of] near Rennerdale in Allegheny County a distance of about [1 mile] 1.38 miles

Route 02032 Beginning at the [Washington County] McDonald Borough line about .25 of a mile [south] southeast of the [borough of McDonald] Noblestown Road thence northeasterly and easterly along the Ridge Road south of the Noblestown Road to an intersection with Route 681 in Allegheny County a distance of about [2.2] 1.78 miles

Route 02034 Beginning at State-aid Application 4624 about .5 of a mile west of the village of Federal thence in a southeasterly direction along the Ridge Road to an intersection with Route 397 [thence in a southwesterly direction to an intersection with Route 545 near Sygan] in Allegheny County a distance of about [3.4] 2.64 miles

Route 02044 Beginning at a point in Penn Township on the Hulton Road [about 300 feet south of] near its intersection with the Old Coal Road and extending in a southwesterly direction on the [Poketa] Puketa Road to a point where it intersects the [Arona] Verona Road [at] near the property of W Hansell in Allegheny County a distance of about 1.1 miles

Route 02046 Beginning at [a point on Route 545 near its intersection with Route 681] an intersection with Route 02049 near a public school about .2 of a mile south of Route 545 in in the village of Traveskyn thence in a southeasterly direction to an intersection with Route 108 about one mile north of the Washington County line thence [a point near Mayview] beginning on Route 108 near the same point and running in a southeasterly direction to Boyce Station thence in a southeasterly direction to an intersection with Route 02057 about .5 of a mile north of the Washington County line beginning on Route 02057 near the same point thence in an easterly direction to an intersection with the county McMurray Road about .25 of a mile north of Jewel in Allegheny County a distance of about [5.6] 5.83 miles

Route 02050 Beginning at a point [on] near the Washington Pike [near] on the Bridgeville Borough line thence in an easterly direction to an intersection with the Clifton-Bridgeville Road thence in a [northerly] northeasterly direction to a point [near] on the county road at the village of Beadling thence beginning on the county road near the Mount Lebanon-Upper Saint Clair Township line with the Bower Hill Road [about .25 of a mile from the Mount Lebanon Township line] in Allegheny County a distance of about [4.2] 3.91 miles

Route 02052 Beginning on the Clifton-Bridgeville Road about .75 of a mile west of [Clinton] Clifton thence in a westerly direction to an intersection with Route 02054 near Morrow farm in Allegheny County a distance of about [1.2] 1.11 miles

Route 02066 Beginning at a point on the Library Road extension near Piney Forks thence in a southeasterly direction along a branch of the Baltimore and Ohio Railroad to a point [in Jefferson Township near the Heath farm] on the Washington County line about 1 mile east of the Snowden-Jefferson Township line thence to an intersection with Route 02087 in Washington County also beginning on Route 02087 about 1 mile northeast of the Washington County line thence in a southeasterly direction to an intersection with the Dravesburg Road about .25 of a mile north of the Washington County line in Allegheny County a distance of about [5.8] 5.51 miles and in Washington County a distance of about .07 mile

Route 02071 Beginning at a point on the Lovedale Road about .25 of a mile [south] southwest of its intersection with the [Portview] Port Vue and Lovedale Road and extending in a general northerly direction to an intersection with [the Portview Road about .5 of a mile north of an] Route 687 near its intersection [of] with the [Portview] Port Vue and Lovedale Road [and Route 687] in Allegheny County a distance of about [2] 1.52 miles

Route 02074 Beginning at the end of the improved section of the New England Road thence [northwesterly along Pine Run] westerly to an intersection with Route 376 near the end of Route 02113 in Allegheny County a distance of about [1] 0.6 of a mile

Route 02078 [Beginning at a point on the Air Port Boulevard near the Union Railroad crossing thence in a general northwesterly direction to a point on the Streets Run Road thence along Street Run to a point on the Pittsburgh City Line in Allegheny County a distance of about 1.6 miles] Beginning at a point on the Duquesne City line near Kennedy Avenue thence in southwesterly disection to a point on the Dravosburg Borough line near Amity Avenue in Allegheny County a distance of aboue 1.6 miles

Route 02082 [Beginning at a point on the Homestead Park extension road near the Pittsburgh-McKeesport Boulevard thence in an easterly direction across the Homestead-Duquesne Road to a point near Thompson Run thence in a northeasterly direction toward Kennywood Park to a point on the Duquesne City Line in Allegheny County a distance of about 4.2 miles] Beginning at a point on the Pittsburgh City line near the end of the West Run Road thence in an easterly direction across the Homestead-Duquesne Road to a point near the Mifflin Township Municipal Building thence in an easterly direction to a point on the Duquesne City line in Allegheny County a distance of about 3.2 miles

Route 02084 [Beginning at the end of Homeville improved road at Route 02185 thence in a southerly direction across Route 02082 near Thompson Run thence in an easterly direction to an intersection with the Homestead and Duquesne Road near the Duquesne City line in Allegheny County a distance of about 2.5 miles] Beginning at a point on the McKeesport Boulevard near Bettis Field thence in an easterly direction to a point on the Homestead-Duquesne Road in Allegheny County a distance of about 1.5 miles

Route 02088 Beginning at a point [near Broadway on Route 392 at] on the East McKeesport Borough line on Broadway thence in a southerly direction], via Delaware Avenue to Washington Avenue thence along Washington Avenue to Fifth Avenue] to an intersection with Route 392 near the Greer property in Allegheny County a distance of about [1.1 miles] .85 of a mile

Route 02093 Beginning at a point on the Brentwood Borough line about .25 of a mile south of the Glass Run Road thence in a southeasterly direction to an intersection with the Streets Run Road]; thence northeasterly along Streets Run to an intersection with Route 02078] in Allegheny County a distance of about [2.2] 1.66 miles

Route 02095 Beginning at a point on [Route 02097 and extending in a southwesterly direction to an intersection with Route 02099 the Provost-Millers Grove Road] the line between Allegheny and Beaver Counties at the end of Route 04067 thence southeasterly southwesterly and southeasterly to an intersection in Findley Township with the county road known as Spring Run Road about .2 of a mile south of the intersection of the said Spring Run Road with the line between Findley and Moon Townships in Allegheny County a distance of about [1] .81 of a mile

Route 02099 Beginning at the Streets Run Road near [Millers Grove] Willock thence in a northwesterly direction to [Route 330] the Brentwood Borough line near the South Hills Country Club in Allegheny County a distance of about [1.4] 1.23 miles

Route 02101 [Beginning at a point on the New England Road about .5 of a mile southeast of New England thence in a north and northwesterly direction to a point on the Lebanon Church Road Route 376 near the County Air Port in Allegheny County a distance of about 2.2 miles] Beginning at a point on the River Road near Camden thence in a northwesterly direction to a point on the Lebanon Church Road near the County Air Port in Allegheny County a distance of about 2.2 miles

Route 02110 Beginning at a point on Route 679 near the Deer Creek Bridge [,] and extending in a general easterly and southeasterly direction across Long Run thence to an intersection with [the Little Deer Creek Road near] Route 02156 about .5 of a mile west of Rural Ridge in Allegheny County a distance of about [3.2] 2.34 miles

Route 02116 Beginning at a point [on] near the Spring Garden Road [near] on the Pittsburgh City line [;] and extending along William Street to a point [near the new East Street Bridge] on the Pittsburgh City line in Allegheny County a distance of about [.5] .18 of a mile

Route 02128 Beginning at a point [on] near the Babcock Boulevard [near] on the southern Boundary of North Park [;] and extending in a [Southeasterly and] southwesterly direction to an intersection with Route 02126 about .25 of a mile northeast of [the Ferguson Road] State-aid Application 3756 in Allegheny County a distance of about [2] 1.05 miles

Route 02145 Beginning at a point in Penn Township on the Coal Hollow Road Route 02172 [about 250 feet south of] near the Verona Road [;] and extending in an easterly direction to a point on [the Hulton Road] Route 228 [at] near Rodi in Allegheny County a distance of about [1.7] 1.55 miles

Route 02150 Beginning at a point on Route 72 near the end of [the Gibsonia Road] State-aid Application 3581 and extending in a general [easterly] southeasterly direction [to the] along the west branch of Deer Creek to a point on the county Middle Road Extension thence beginning on Route 02148 near the same point and running in a northeasterly direction to an intersection [of] with the Bairsford Road in Bairsford in Allegheny County a distance of about [3.5] 3.81 miles

Route 02152 Beginning at a point about .25 of a mile north of Russelton on the [Bull Creek] Little Deer Creek Valley Road thence in a westerly and northerly direction to an intersection with the Dorseyville-Culmerville Road near the end of the Bairsford Road in Allegheny County a distance of about [1.9] 1.97 miles

Route 02154 Beginning at a point on the county Bailey Run Road [near its intersection with Days Run Road] about .5 of a mile north of Creighton thence northwesterly along Days Run [to an intersection with the Tarentum and Culmerville improved road] to a road intersection about .7 of a mile east of the West Deer Township line thence westerly to an intersection with the county Baily Run Road near the Little Deer Creek Road in Allegheny County a distance of about [4.6] 4.50 miles

Route 02181 Beginning at a point [about .25 of a mile north of] near the intersection of the Babcock Boulevard and [Duncan Avenue] State-aid Application 3756 thence in a westerly direction to an intersection with the Perry Highway Route 246 in Allegheny County a distance of about [1.2] 1.09 miles

Route 02194 Beginning on [Penn Avenue at Markle Street] old Route 120 at the east end of the bridge over Turtle Creek thence [southwesterly to Versailles Avenue thence along Versailles Avenue] in a westerly and southerly direction to the East Pittsburgh and McKeesport Boulevard in Allegheny County a distance of about [.6 of a mile] 1.11 mile

Route 02196 Beginning at a point in Penn Township on the [Hunter Road about 250 feet east of] Verona Borough line near Plum Creek [;] and extending easterly and southeasterly over Hunter Road to a point where it intersects Hamil or Ryan Road Route 02165 also from a point on the Hamil or Ryan Road about .3 of a mile east of the first intersection and extending in a southerly direction to intersect the Hulton Road in Allegheny County a distance of about [2.2] 2.46 miles

Route 02199 Beginning at a point, [at] on the Universal Road near Clarksville in Penn Township about .3 of a mile [north] south of the intersection of [Frankstown] Universal Road and the [Clarksville Road] Route 228 and extending northeasterly by way of Main Street to a point on [the Saltsburg Road] Route [288] 228 in Allegheny County a distance of about [.6] .53 of a mile

Route 05018 Beginning at the West Kittanning Borough line [,] : thence [southwest] southwesterly through East Franklin and North Buffalo Townships by way of Foster Dairy farm[, to bridge crossing Glade Run at] and bridge crossing Glade Run to the Pony farm in Armstrong County a distance af about [2.5] 2.60 miles

Route 03028 Beginning at a point on Route 214 at D Aureli's thence in a general northwesterly direction in Brady's Bend Township to a point on the Brady's Bend-Perry Township line and continuing in a general [northerly] northwesterly direction in Perry Township past Criswell [Schoolhouse] schoolhouse to an intersection with the Fredericksburg-Queenstown Road [approximately .75 of a mile northeast of Fredericksburg] at Fredericksburg In Armstrong County a distance of about [4.3] 3.65 miles

Route 03089 Beginning at a point on the Eddyville-Timblin Road at McWilliams and extending in a [northeasterly] northwesterly direction in Red Bank Township to a point on the Armstrong-Clarion Connty line at Oak Ridge Bridge in Armstrong Connty a distance of about [4.6] 4.37 miles

Route 03090 Beginning at a point on the [southwest] southeast borough line of South Bethlehem in a general easterly direction [in Mahoning Township] to a point on the Mahoning-Red Bank Township line and continuing easterly and southeasterly in Red Bank Township to an intersection with the Oak Ridge-McWilliams Road at a point adjacent to Mudlick Church in Armstrong County a distance of about [4.5] 4.08 miles

Route 04021 Beginning at a point on Route [354] 265 about .5 of a mile north of the Darlington Borough line [;] . in Darlington Township and extending in an easterly and northerly direction to a point on the south borough line of New Galilee Borough in Beaver County a distance of about [1.5] 1.65 miles

Route 04024 Beginning at a point near Bellton on Route 04005 and extending in [an easterly] a southeasterly direction to an intersection with the Ellwood City-New Brighton Road [State-aid Application 125] in Beaver County a distance of about [1 mile] 1.11 miles

Route 04072 Beginning at Route 04043 near the Raccoon Creek crossing in Center Township thence in a [northerly] northeasterly and [easterly] southeasterly direction [toward] to the Aliquippa Borough line in Hopewell Township [and] near the County Green Garden Road near Halls Hill in Beaver County a distance of about [2.0] 2.34 miles

Route 04073 Beginning at the [east Rochester] Freedom Borough line about [.5 of a mile west of the Freedom Borough line] . in Rochester Township thence [northerly] northeasterly to an intersection with Route 04065 near the New Sewickley Township line in Beaver County a distance of about [0.5 mile] 1.63 miles

Route 04063 Beginning at a point on Route [04069] 04068 near Hoult in Raccoon Township and extending northerly to an intersection with Route 115 near the Potter farm in Potter Township in Beaver County a distance of about [1.0 mile] 1.33 miles

Route 04085 Beginning at a point on Route 78 about .25 of a mile north of the Rochester Township line in Daugherty Township thence in a southeasterly direction [along] across old Route 78 in Rochester Township to [a road] an intersection with Route 04073 near the New Sewickley Township line thence in a northeasterly direction to an intersection with the Sun Flower improved road about .25 of a mile southeast of Sunflower on Spur Route 78 in Beaver County a distance of about [3.0] 3.49 miles

Route 05018 Beginning at a point on Route 329 approximately 2.75 miles southeast of the borough line of Rainsburg in Southampton Township Bedford County thence northerly through Southampton Township to a point on the Southampton-Monroe Township line thence northeasterly through Monroe Township to [the village of Steckman] an intersection with Route 05023 at Black Valley Church thence [northerly] northeasterly to a point on the Monroe-West Providence Township line thence northeasterly through West Providence Township to a road intersection approximately 0.25 of a mile southeast of the borough of Everett in Bedford County a distance of about [12.9] 12.27 miles

Route 05023 Beginning at a road intersection with Rural Route 05016 approximately 0.50 of a mile west of the village of Clearville in Monroe Township Bedford County thence northwesterly through Monroe Township to [a road intersection approximately 0.50 of a mile north of] the village of Steckman thence northwesterly to a road intersection with Route 05018 at Black Valley Church in Bedford County a distance of about [2.7] 2.79 miles

Route 05025 Beginning at a point on Route 49 in the village of West End in Juniata Township Bedford County thence southeasterly through Juniata Township to [the West End School thence easterly to a point on the Juniata-Londonderry Township line thence easterly through Londonderry Township to a point on the Londonderry-Harrison Township line thence northeasterly] a road intersection at Little Wills Creek approximately .50 of a mile south of West End School thence easterly along Little Wills Creek to the village of Straub thence southeasterly along Little Wills Creek to the village of Rockville thence easterly to a point on the Juniata-Harrison Township to a point on Route 356 in the village of Bard in Bedford County a distance of about [6.1] 6.04 miles

Route 05034 Beginning at [Lincoln Highway at west end of] a point on the southern Everett Borough line West Providence Township Bedford County thence [south] south southerly through West Providence Township to [intersect road between Ashcom and Route 286] a road intersection on Rural Route 05039 approximately .25 of a mile east of Rural Route 05018 in Bedford County a distance of about [0.2] .06 of a mile

Route 05053 Beginning at a road intersection approximately 0.25 of a mile north of the Moore School on the road between Schellsburg and Springhope through Napier Township Bedford County thence northwesterly through Napier Township to a road intersection on Chestnut Ridge thence northerly for a distance of approximately .25 of a mile thence northwesterly to a

point on [the east borough line of New Paris] Route 356 approximately .02 of a mile south of the borough of New Paris in Bedford County a distance of about [2.4] 2.5 miles

Route 05060 Beginning at a point on Route 47 approximately 0.125 of a mile north of the village of Cessna in East Saint Clair Township Bedford County thence northwesterly through East Saint Clair Township to a road intersection approximately 0.75 of a mile northeast of Fishertown Railroad Station thence northwesterly to [a point on] the eastern end of Route 222-A in the village of Reynoldsdale beginning again at a point approximately 40 feet west of the eastern end of Route 222-A in the village of Reynoldsdale thence northeasterly to a point on [Route 47] the East Saint Clair-King Township line thence northerly through King Township to a point on Route 380 in the village of Osterburg in Bedford County a distance of about [6.4] 6.61 miles

Route 05975 Beginning at a point on Route 380 [at] approximately .25 of a mile south of Osterburg Railroad Station in [East Saint Clair] King Township Bedford County thence westerly through [East Saint Clair] King Township to a point on the King-East Saint Clair Township line thence northwesterly through East Saint Clair Township to a road intersection [at] near Union School thence northwesterly to a point on the East Saint Clair-King Township line thence northwesterly through King Township to a point on Route 380 approximately 0.25 of a mile south of the village of Weyant in Bedford County a distance of about [3.4] 3.47 miles

Route 03078 Beginning at a point on Route 222 approximately 1.50 miles west of the borough line of Pleasantville Alum Bank Post Office in West Saint Clair Township Bedford County thence northwesterly through West Saint Clair Township to a point on the West Saint Clair-Lincoln Township line thence northeasterly through Lincoln Township to a road along the West Branch of Georges Creek thence southeasterly along the West Branch of Georges Creek to a road intersection [at a church approximately .0625 of a mile east of Georges Creek] in the village of Lovely in Bedford County a distance of about [5.8] 6.28 miles

Route 06059 Beginning at a point on Route 146 in Amity Township and about [.8 of a mile northeast of Monocacy Station of the Reading Railroad] one mile west of Douglassville thence northerly northwesterly and northerly through Amity Township to a point on State-aid Application 954 [at Weavertown] near Amityville in Berks County a distance of about 2.7 miles

Route 06132 Beginning at a point in Albany Township on Route 285 [near Station 514] near Albany Station thence northeasterly through Albany Township for a distance of about .2 of a mile to a point of road intersection thence southeasterly and easterly through Albany Township to a point on the Lehigh-Berks County line about [7.5] .3 of a mile northwest of the intersection of said county line with the Albany-Greenwich Township line in Berks County a distance of about [5.1] 5.3 miles

Route 06141 Beginning at a point on the eastern boundary line of Kutztown Borough at about .5 of a mile southwest of the northeastern corner of Kutztown Borough thence of the northeastern corner of Kutztown Borough thence easterly [and] southeasterly and southerly through Maxatawny [and Longswamp Township] Township to a point [of road intersection] on Route 06119 about [.3 of a mile] 1.3 miles [southeast of the intersection of Maxatawny Rockland and Longswamp Township lines] northeast of Lyons Borough in Berks County a distance of about [3.3] 3.6 miles

Route 07017 Beginning at the village of South Lakemont on Route 55 thence northeasterly through Logan Township [.2 of a mile] approximately 750 feet to Leslie Street thence southeasterly by way of [Logan Township School .5 of a mile] Leslie Street to Elm Street approximately 300 feet thence northeasterly by way of Elm Street to First Avenue approximately 160 feet thence southeasterly by way of First Avenue to Spruce Street approximately 1550 feet thence southwesterly [.2 of a mile] by way of Logan Township School approximately 1515 feet over Spruce Street to Route 55 in Blair County a distance of about [.9] .81 of a mile

Route 07021 Beginning at a point on [Route 260 approximately one-half mile east of the village of Canoe Creek] the county road in the village of Wallstown in Frankstown Township Blair County thence northerly through Frankstown Township to a point approximately one-quarter of a mile west of the stream named Canoe Creek thence southwesterly to a road intersection 1.5 miles thence south .9 of a mile to intersection Route 260 about one mile northwest of the village of Canoe Creek in Blair County a distance of about [5.4] 5.81 miles

Route 08020 Beginning at a point on [State Highway Route 13 in Asylum Township just west of the Terry Township line thence westerly] Route 08021 about 0.5 of a mile south of Spring Lake thence northwesterly through Terry and Asylum [Township] Townships past Ackley's Pond to the intersection with Route 08019 about 2 miles south of Durell in Bradford County a distance of about [3.5] 3.58 miles

Route 08026 Beginning at a point on State Highway Route 241 in Standing Stone Township about 1.5 miles west of Rummerfield thence northerly intersecting Route 08106 in Standing Stone Township thence northerly through Standing Stone and Wysox Townships intersecting Route 08027 [to] at the village of Mercur [;] in Wysox Township thence easterly through Wysox Standing Stone and Herrick Townships [to the intersection with] crossing Route 08025 at Herrickville thence easterly through Herrick Township to East Herrick thence southeasterly through Herrick and Pike [and Stevens] Townships [to the crossing of State Highway Route 343 about 1.0 miles south of the Pike Township line] to the Pike-Stevens Township line thence southeasterly through Stevens Township about two miles thence southerly through Stevens Township to the intersection [of] with State Highway Route 14 [about 2.0 miles west of the Susquehanna County line] at Stevensville in Bradford County a distance of about [15.2] 14.2 miles

Route 08031 Beginning at a point on State Highway Route 14 at Merryall thence easterly through Wyalusing and Tuscarora Townships to Hurds Corners thence northeasterly to an intersection with Route 08032 at Snyders Corners beginning against on Route 08032 at Spring Hill thence easterly through Tuscarora Township to the intersection with State Highway Route 539 at Silvara in Bradford County a distance of about [6.2] 5.9 miles

Route 08036 Beginning at a point on the western boundary of Canton Borough thence [northerly] northwesterly along Mill Creek through Canton and Armenia Townships to an intersection with Route [08037] 58078 on the Bradford-Tioga County line in Bradford County a distance of about [4.65] 1.56 miles

Route 08045 Beginning [at the intersection with State Highway Route 212] at a point on the eastern boundary of Sylvania Borough thence along the northern bank of Sugar Creek through Columbia and Troy Townships to the [intersection with State Highway Route 20 at the] northern boundary of Troy Borough in Bradford County a distance of about [4.3] 4.06 miles

Route 08048 Beginning at a point on the Tioga-Bradford County line about 3.0 miles [southwest] southeast of Roseville in Tioga County thence southeasterly through Columbia Township to the intersection with Route 08046 at Austinville in Columbia Township Bradford County a distance of about [2.8] 2.63 miles

Route 08062 Beginning at a point on State Highway Route 385 about 1.25 miles north of West Franklin thence northeasterly through Grantville and Franklin Townships to the southern boundary of West Burlington Township thence northerly through West Burlington Township about 2.5 miles thence southwesterly through West Burlington Township to a road intersection about 0.25 of a mile east of Vroman Hill thence [northwesterly] northerly and westerly through West Burlington Township to the intersection with Route 08053 about 0.25 of a mile south of West Burlington in Bradford County a distance of about [7.0] 6.68 miles

Route 08091 Beginning at a point on Route 08090 [at] about 0.75 of a mile west of Orwell thence northeasterly through Orwell and Warren Townships to the intersection with State Highway Route 699 at West Warren in Bradford County a distance of about [4.6] 4.34 miles

Route 09016 Beginning at a point on the northwestern boundary line of Perkasie Borough thence northwesterly through East Rockhill Township to a point on a road known as the Three Mile Run Road about 0.4 of a mile northeast of Route [156] 153 in East Rockhill Township in Bucks County a distance of about [0.6] .45 of a mile

Route 09034 Beginning at Churchville at a point the intersection of the Upper Southampton-Northampton Township line and the county road thence northerly on a road known as line and the county road thence northerly on a road known as Southampton Northampton and Warminster Townships Ivyland Borough Warwick and Warrington Townships and cross-

ing Route 155 at Hartsville to a point the intersection of said Bristol Road with teh Warrington-Warwick Township line thence through Warrington Township crossing Route 151 at Warrington to a point the intersection of the said Bristol Road with the Warrington Doylestown Township line thence along the said line and road northwesterly to a point the intersection of the said Bristol Road and township line with the New Britain Township line thence northwesterly through New Britian Township to the southeastern borough line of Chalfont Borough thence northwesterly along the Chalfont Borough-New Britain Township line to the New Britain Borough line in Bucks County a distance of about [13.3] 12.23 miles

Route 09042 Beginning at a point on the eastern borough line of Ivyland Borough thence northeasterly on a road through Warminster and Northampton [Newtown] Townships [by way of] to Jacksonville [,] : [Richboro] thence southeasterly [crossing] to a point on Route [326] 362 [near Station 400] about .3 of a mile north of Richboro thence easterly crossing Route 326 near Newtown Borough to a point [and] on the western borough line of Newtown Borough in Bucks County a distance of about [8.6] 8.17 miles

Route 09052 Beginning at a point on a road about 1.2 miles southwest of Wrightstown in Wrightstown Township thence northerly and easterly through Wrightstown and Upper Makefield Township crossing Route 152 [near Station 559] at Wrightstown to a point [in] on Route 500 [near Station 40] about .3 of a mile [east] southwest of Taylorsville in Upper Makefield Township in Bucks County a distance of about [7.3] 6.90 miles

Route 09104 Beginning at a point on the Bucks-Montgomery County line about one mile north of the northwestern boundary of West Telford Borough thence northeasterly through [East] West Rockhill Township and crossing the northeast branch of the Perkiomen Creek [at] continuing northeasterly to a point on the southwestern boundary of Sellersville Borough in Bucks County a distance of about [2.6] 2.55 miles

Route 10036 Beginning at a point on [State-aid Application 4544 at West Winfield] Route 10034 at Denny's Mills about .7 of a mile northwest of West Winfield and extending [in a northerly direction] northeasterly and northwesterly in Winfield Township to a point on the Winfield-Clearfield Township line thence northwesterly in Clearfield Township past the forks at Edward Swartzlander's [;] . [thence in a generally northerly direction crossing State Route 71 at Coyleville Crossroads] to a point of intersection with Route 71 at Greene thence [continuing] northerly through the crossroads at Fenelton to a point on the Clearfield-Donegal Township line thence in a generally northerly direction in Donegal Township on what is known as the Fenelton Road to [an] a point of intersection with [the Chicora-Craigsville Road adjacent to] the south borough line of [Chicora] Millerstown Borough in Butler County a distance of about [11.7] 11.64 miles

Route 10077 Beginning at a point on [Route 251 south of] East Main Street at the Petrolia Borough line [easterly to John Jameson's] thence in a general [northeasterly] easterly direction in Fairview Township on the East Brady and old Petrolia-Queenstown [Road] Roads t oa point on the Butler-Armstrong County line in Butler County a distance of about [1.5] 1.34 miles

Route 10078 Beginning at [the intersection at John Jameson's southeasterly] a point on Route 251 approximately 0.2 of a mile south of the Petrolia Borough line thence easterly in Fairview Township to an intersection at John Jameson's thence southeasterly towards Kaylor to a point on the Butler-Armstrong County line in Butler County a distance of about [1.5] 1.77 miles

Route 11003 Beginning at a [road intersection] point on the Cambria-Somerset County line approximately [one-quarter] one-sixteenth of a mile [west] north of the village of Kring [Railroad Station] in Richland Township Cambria County thence [southeasterly in] northerly through Richland Township to a road intersection approximately one-quarter of a mile north of the county line thence southeasterly to the village of Walsall thence easterly to the intersection with Route 11001 approximately one and one-half miles east of Walsall in Cambria County a distance of about [2.4] 2.96 miles

Route 11060 Beginning at a point on Route [276-Spur] 383 approximately one mile west of the village of Blandburg in Reade Township Cambria County thence northerly through Reade Township to the village of Mountaindale thence northerly to a point on Route 276 in the village of Glasgow in Cambria County a distance of about [1.9] 2 miles

Route 11081 Beginning at a point on Route 32067 on the Cambria-Indiana County line approximately [one mile north of the village of Crip] 0.25 of a mile south of Douglass Run in Susquehanna Township thence northeasterly through Susquehanna Township [to a point on Route 62 in] by way of the village of Greenwich Emmons Post Office to a road intersection thence southerly to an intersection with Route 62 at Garman's Mills in Cambria County a distance of about [2.6] 1.5 miles

Route 11065 Beginning at [West Edge of Westmont Borough thence northwesterly through Upper Yoder Township to Lower Yoder Township line] a point on the Westmont Borough-Lower Yoder Township line near Saint Clair Run thence [northerly] northeasterly through Lower Yoder Township along Saint Clairs Run [2.4 miles to Morrellville] to a point on the Lower Yoder Township-Johnstown City line in Cambria County a distance of about [2.9] 2.2 miles

Route 13019 Beginning at a point on State Highway Route 550 near Christmans Penn Forest Township thence northwesterly through Penn Forest Township to a [point where it connects a secondary township road approximately three miles northwest of Christmans] road approximately .85 o fa mile from Christmans thence southwesterly to Unionville in Carbon County a distance of about 3 miles

Route 15035 Beginning at a point of road intersection at the north end of the bridge at Williams Corner in Schuylkill Township thence northwesterly through Schuylkill and East Pikeland Township crossing Route 202 about .4 of a mile [southeast] southwest of the [southeastern] southwestern boundary line of Phoenixville Borough to a point on Route 270 in East Pikeland Township and about .6 of a mile west of the western boundary line of Phoenixville Borough in Chester County a distance of about [2.5] 2.38 miles

Route 15039 Beginning at a point on the Pennsylvania-Delaware State line about 1.75 miles [southeast] southwest of its intersection with Route 134 thence northwesterly through Kennett Township crossing State-aid Application 245 at Clifton Mill to a point of road intersection at Five Points about .3 [to] of a mile south of the Kennett Square Borough line in Chester County a distance of about [3] 2.81 miles

Route 15040 Beginning at a point on the Pennsylvania-Delaware State Line about [.3 of a mile southwest of its intersection with the Pennsbury-Kennett Township Line thence northwesterly about .9 of a mile to a road intersection] .03 of a mile east of its intersection with the Pennsbury-Kennett Township Line and in Pennsbury Township thence in a general northwesterly direction through Pennsbury and Kennett Townships to a road intersection for a distance of approximately 1.13 miles thence northeasterly through Kennett and Pennsbury Township to a point on Route 134 near Station 558 at Fairville in Chester County a distance of about [1.9] 2.34 miles

Route 15110 Beginning at a point on Route 541 at Gum Tree Store in Highland Township thence in a northerly direction by way of the properties of William Coates Albert Reynolds and Joseph Donnelly to a point on township road at Charles Ash farm thence westerly by way of the property of Charles Ash thence [northeasterly] westerly and northwesterly through Highland Township by way of Harmony School [and continuing to Marvin Irwin farm thence northerly to] to a point of intersection on a road known as the Highland Road [at George Scott's property thence northerly through Highland East Fallowfield and Sadsbury Townships along Highland Road by way of Russell's Mill to a point on State-aid Application 3001 in Sadsbury Township in the village] said point being in Highland Township and about 1 mile south of Stottsville in Chester County being a distance of about [3] 3.27 miles

Route 16003 Beginning at the Armstrong-Clarion County line at the county bridge in Lawsonham thence through Lawsonham and thence running in a northerly direction to a point on the dividing line between [Madison and Toby Townships thence northwest by Toby Township to a point on the dividing line between Rimersburg Borough and Toby Township] Madison Township and Rimersburg Borough in Clarion County being a distance of about [3.4] 3.54 miles

Route 16051 Beginning at the intersecting roads in Hueffner and running westerly in Knox Township to a point on the dividing line between Knox and [Elk] Washington Townships

thence [northwest] northwesterly in [Elk] Washington Township to a point on State Route 92 in Clarion County being a distance of about [4.6] 4.32 miles

Route 18001 Beginning at a point on the Karthaus-Keating road about [seven] ten and a half miles northeast of the Clearfield-Clinton County line thence northeast through [West Keating and] East Keating [Townships] Township to intersect Route 105 near Keating in Clinton County a distance of about [7.25] 3.75 miles

Route 18009 Beginning at a point on Route 359 [about one mile] near the northwest [of the] Beech Creek Borough line thence [east] easterly via Quay School House Bitner School House and Laurel Run Church through Beech Creek Bald Eagle and Allison Townships to the Lock Haven City line in Clinton County a distance of about [9.5] 10.5 miles

Route 19004 Beginning at a point on Route 19022 at Kreischer's Store thence northwesterly through Cleveland Township to a point on the dividing line between Cleveland and Franklin Township to its intersection with State Highway Route 283 [2.5] miles southwest of Catawissa] 0.3 of a mile northwest of the Cleveland Township line in Columbia County a distance of about [5.0] 4.4 miles

Route 19012 Beginning at a point on Route 19011 approximately 0.75 of a mile east of the Montour County line thence southeasterly southerly and easterly through Franklin Township to the intersection with State Highway Route 283 and Rural Route 19004 [approximatel 2.5 miles southwest of Catawissa Borough] in Columbia County a distance of about [2.2] 3.8 miles

Route 19014 Beginning at a point on the eastern boundary of Catawissa Borough at the end of Church Street thence northeasterly through Catawissa and Main Townships along Catawissa Creek to the intersection with State Highway Route 415 about 1.5 miles northwest of Mainville in Columbia County a distance of about 4.1 miles

Route 19060 Beginning at a point on State Highway Route 249 approximately 2.5 miles north of Rohrsburg in Greenwood Township thence northerly through Greenwood and Jackson [Township] Townships via Green Creek schoolhouse and along Green Creek to Waller thence northerly through Jackson Township to the intersection with State Highway Route 321 at Divide in Columbia County a distance of about [7.0] 7.5 miles

Route 19063 Beginning at a point on Route 19030 approximately 1.0 mile west of Orangeville Borough thence northerly through Orange and Greenwood Townships to the crossing of State Highway Route 249 about 2.5 miles west of Rohrsburg thence northerly through Greenwood Township to the Jackson Township about 0.75 of a mile thence easterly in Jackson Township to the intersection with Route 19060 about [0.5] 0.25 of a mile north of the Greenwood Township line in Columbia County a distance of about [10.4] 11.16 miles

Route 20002 Beginning at a point on the Pennsylvania-Ohio State line about .5 of a mile north of the southwest corner of West Shenango Township thence east in West Shenango Township .4 of a mile to McLelland Corners thence northeasterly in West Shenango Township [, via] to Route 208 near Turner Station [and Turnersville to a point on the west line of South Shenango Township at the Shenango River bridge] beginning again in South Shenango Township at the northeastern end of the road constructed across the Pymatuning Reservoir dam by the Water and Power Resources Board thence northwesterly and northeasterly in South Shenango Township by way of McLain's Corners to a point on Route 238 at [Ferr's] Kerr's Corners in Crawford County a distance of about 5 miles

Route 20007 Beginning at [a point on the Pennsylvania-Ohio State line one mile west of] the intersection of a township road and the eastern end of the roadway now being constructed across the Pymatuning Reservoir by the Water and Power Resources Board at or near Fenkel's Corners thence east in North Shenango Township by way of [Fenkel's Corners] Espyville and Elliott Corners to a point on the Linesville-Hartstown Road at Stewartsville Corners in Crawford County a distance of about [4.9] 3.9 miles

Route 20020 Beginning at the north line of Geneva Borough (near Geneva Station) thence northerly in Greenwood Township to the south line of Union Township at Outlet Creek thence northeasterly in Union Township to [Scowden Corners] Route 20021 thence easterly [in Union Township to Houser's Corners thence] and northerly by way of Scowden Corners in Union [Township to a point in the south line of Vernon Township near Kebhar's Corners thence northeasterly in] and Vernon [Township] Townships crossing Route 213 to Reamore Corners thence easterly in Vernon Township to the Geneva Road Corners on old State Route 213 in Crawford County a distance of about [4.9] 4.5 miles

Route 20021 Beginning at [Scowden Corners in the western part of Union Township] a point on Route 20020 thence northerly in Union Township to the south line of Vernon Township thence northerly in Vernon Township to Watson Run Station thence westerly in Vernon Township to Collum Corners thence northerly in Union Township to Watson Run Church Corners thence northwesterly and northerly to a point on State Route 82 about .25 of a mile east of Watson Run and known as Brown's Corners in Crawford County a distance of about [3.9] 3.7 miles

Route 21009 Beginning at a point in Dickson Township intersecting Route 21008 at Montsera thence northerly to a point intersecting Route 35 at Mooredale thence easterly following the old York Road through Dickinson and South Middleton Townships by way of Craighead intersecting Route 41 to a point intersecting [Route 507] Route 21008 in the village of Boiling Springs thence northerly to a point intersecting county road about .15 of a mile north of Route 507 in Cumberland County a distance of about [10.4] 10.7 miles

Route 21015 Beginning at a point in East Pennsboro Township [on the northern boundary line] about 0.2 of a mile north of Camp Hill Borough intersecting with Route 708 thence northerly by way of Oysters Mill to a point intersecting Route 569 at Lantz's Schoolhouse in Cumberland County a distance of about [3.7] 3.31 miles

Route 21039 [Beginning at a point in East Pennsboro Township intersecting Route 21015 about one-eighth mile north of the northern borough line of Camp Hill Borough thence easterly through East Pennsboro Township to a point intersecting Route 21021 about one-eighth mile north of the northern boundary line of Camp Hill Borough in Cumberland County a distance of about .6 of a mile] Beginning at a point on Route 21016 at or near Good Hope Mills thence in a northerly direction through Hampden Township to an intersection with Route 469 at or near Mount Zion in Cumberland County a distance of about 1.75 miles

Route 21049 Beginning at a point in Southampton Township on the boundary line between Cumberland and Franklin Counties about [one-quarter] .25 of a mile south of Southampton-Shippensburg Township line thence northerly through Southampton and Shippensburg Townships to a point on the [southern boundary of Shippensburg Borough] boundary line of Cumberland and Franklin Counties about .2 of a mile south of Shippensburg Borough thence from a point on the northern boundary line of Shippensburg Borough through Shippensburg Township to a point (intersecting Route 2148 at the Shippensburg Borough line] on the boundary line of Shippensburg Borough about .03 of a mile west of Route 21048 in Cumberland County a distance of about [1.1 miles] .87 of a mile

Route 22001 Beginning at a point [in Upper Paxton Township] on Route 1 [near the northern boundary line of Millersburg Borough] at the Millersburg Borough-Upper Paxton Township line thence in an easterly direction along the Millersburg Borough-Upper Paxton Township line thence in a northerly and eastwardly direction through Upper Paxton and Mifflin Townships intersecting Route 336 about [one-half] .50 of a mile north of Berrysburg Borough [thence from] beginning again at a point on Route 236 about [one-half] .50 of a mile south of Uniontown Borough thence eastwardly through [Mifflin and] Lykens [Townships] Township to a point on the boundary line between Dauphin and Schuylkill Counties about one mile southeast of the Dauphin-Northumberland County line in Dauphin County a distance of about [17.71] 17.00 miles

Route 22008 Beginning at a point in Susquehanna Township in the east boundary line of Penbrook Borough thence easterly along the Penbrook Borough-Susquehanna Township line thence easterly through Susquehanna and Lower Paxton Townships to a point on Route 22018 about one and one-half miles north of Lower Paxton-Swatara Township line beginning again at a point on Route 22018 about .1 of a mile north of the last named intersection thence easterly through Lower Paxton and South Hanover Townships by way of Union Deposit to a point in South Hanover Township [intersecting] on Route 22007 at Sand Beach in Dauphin County a distance of about [12.07] 11.08 miles.

Route 22015 Beginning at a point in Londonderry Township [intersecting] on Route 407 about two miles south of Royalton Borough thence northeasterly through Londonderry Township t oa point [intersecting] on Route 129 [thence from] beginning again at a point in Londonderry Township [intersecting] on Route 624 about one mile east of the Londonderry Lower Swatara Township line thence northerly through Londonderry and Derry Townships by way of Waltonville to a point on the southern boundary line of Hummelstown Borough thnece along the Hummelstown Borough-Derry Township line t oa point where the route enters the borough [thence from] beginning again at a point on northern boundary line of Hummelstown Borough thence northerly through South Hanover Township to a point intersecting Route 2208 about 1|1 miles east of the Lower Paxton-South Hanover Township line thence northerly through South Hanover and West Hanover Townships to a point in West Hanover Township [interestcing] on Route 140 about one and one-half miles [west] east of the West Hanover-Lower Paxton Township line in Dauphin County a distance of about [14.08] 13.47 miles

Route 22017 Beginning at a point in Lower Swatara Township [intersecting] on Route 22019 about one mile north of Highspire Borough thence easterly and northeasterly through Lower Swatara and Derry Townships intersecting Route 618 to a point on the southern boundary line of Hummelstown Borough thence along the Hummelstown Borough-Derry Township line to a point on the Hummelstown Borough line where the route enters the borough in Dauphin County a distance of about [6.95] 6.53 miles

Route 22043 Beginning at a point in Susquehanna Township intersecting the Harrisburg City line on Herr Street thence eastward along the Harrisburg City-Susquehanna Township line on Herr street thence through Susquehanna Township on Herr Street to a point intersecting the Penbrook Borough line in Dauphin County a distance of about [0.4] .67 of a mile

Route 23073 Beginning at a point on Route 420 about Station 23 in Darby Township and extending in a northerly direction through Darby Township to a point on the boundary line between Darby Township and Sharon Hill Borough beginning again on Route 420 thence over Magazine Lane to an intersection with Tribett Avenue in Delaware County a distance of about [.25] .88 of a mile

Route 23092 Beginning at a point at [the intersection of Fairview and Michigan Avenues in Ridley Township] the intersection of Michigan Avenue with the southeasterly boundary line of Swarthmore Borough and extending in an easterly direction through Ridley Township to a point on Route 751 [about Station 94] near Rutledge Borough in Delaware County a distance of about [.9] .33 of a mile

Route 25010 Beginning at a point on the north line of Crawford County being the Pageville-Crossingville Road thence northwesterly in Elk Creek Township through Pageville to a point on Route 709 [at Murphys Corners] about [one mile] two miles northwest of Pageville in Erie County a distance of about [2.2] 3.3 miles

Route 25054 Beginning at a point on State-aid Application 179 at Johnsons Corners near the north line of the city of Corry thence north in Wayne Township on the Scioto Road to the Bemus Road at Scioto Church thence northeasterly on the Spirit Hill Road to the New York State line thence east along the State line a distance of about .25 of a mile to a point where the road crosses the State line in Erie County a distance of about [4.0] 5.0 miles

Route 26001 Beginning at the end of the county improved road near Rush Run thence in a southwesterly direction along the Monongahela River to the [north] south end of Route 977 [and] ; beginning again at the [improved township road .75 of a mile east of East Millsboro and extending in a northerly direction to the concrete road near LaBelle thence in a northeasterly direction to the end of Route 977] north end of Route 977 and extending in a westerly direction along the Monongahela River to a point about .25 of a mile west of LaBelle thence southerly to a point on Route 26095 about 1.25 miles southeast of East Millsboro in Fayette County a distance of about [4.9] 5.23 miles

Route 26010 Beginning [near Edenborn] at a point of road intersection about .15 of a mile south of the intersection of Route 26062 and Route 26089 and extending in [an easterly] a southerly direction by way of Leckrone[;] and Ross School to a point of road intersection with a county road near High House beginning again at a point on said county road near High House thence in a general southeasterly direction [by way of Ross School High House and Grove Baptist Church] to Route 116 in Fayette County a distance of about [7.1] 8.54 miles

Route 26014 Beginning at the village of Perryopolis and extending in an easterly direction thence in a northwesterly direction along the Youghiogheny River to Whitsett[,] ; thence in the same direction to Route 288 about .5 of a mile south of Wick Haven in Fayette County a distance of about [3.1] 3.31 miles

Route 26015 Beginning at the Fayette-Westmoreland County line near Jacobs Creek [;] and extending in a [southeasterly] southwesterly direction through Banning thence in a southeasterly direction to the intersection with [county road] Application 10 about .75 of a mile northeast of Dawson in Fayette County a distance of about [8.7] 8.97 miles

Route 26018 Beginning [near the end of the county brick road] at Route 26012 at Kenneth thence in a northeasterly direction to [an intersection with State Route 247 near] the south end of an improved county road at the Jefferson-Washington Township line about .5 of a mile southwest of Gillespie in Fayette County a distance of about [2] 1.5 miles

Route 26021 Beginning at a point on Route 26030 near [Searight] Keister and extending in a southeasterly direction by way of Ross School and Jennings Run to Route 113 [at the] about .25 of a mile west of the Fayette County Home in Fayette County a distance of about [4.4] 4.84 miles

Route 26035 Beginning at a point [in Fairchance] of road intersection on the northeastern borough line of Fairchance and extending in a northwesterly direction along said borough line for a distance of about .4 of a mile thence continuing northwesterly through Georges Township to Collier [;] and thence extending in a general northerly direction to [the end of improved road at Continental Number 3] an intersection with Route 26038 near the Walnut Hill Methodist Episcopal Church thence in a westerly direction to the intersection with [county road] a township concrete road about one mile [north] northeast of High House in Fayette County for a distance of about [4.6] 4.72 miles

Route 26037 Beginning at Route 117 about .7 of a mile north of the city line of Connellsville [;] and extending in a [general west] westerly direction by way of Poplar Grove School to road intersection near the Evangelical Church thence in a [and] southwesterly direction to [improved county road at city line Jacobs Creek] intersection with city line of Connellsville at end of Pittsburgh Street near Mounts Creek in Fayette County for a distance of about [1] .99 of a mile

Route 26038 Beginning at Route 26035 [;] about 800 feet northwest of Walnut Hill Methodist Episcopal Church and extending in an easterly direction [by way of Methodist Episcopal Church] to a township concrete road in Fayette County for a distance of about [.3] .78 of a mile

Route 26039 Beginning at [a point on State Road 116 near] southern borough line of [Point Marion] Point Marion [Borough] about .41 of a mile from Route 116 [thence] and extending in a southeasterly direction to a point on the West Virginia State line in Fayette County a distance of about [1.4] 1.17 miles

Route 26044 Beginning at Route 26051 near the village of [White] Buchanan and extending in a northwesterly direction by way of Stauffers School to intersection with Route 26050 near [Haines] Mines School thence in a southerly direction by way of [Hemminger Mills] Pleasant Valley School and Breakneck School to the intersection of Route 117 [at] near the north city line of Connellsville in Fayette County for a distance of about [10.6] 11 miles

Route 26047 Beginning at the old Connellsville Road about two miles northeast of the city limits of Uniontown [:] and extending by way of Lamont Furnace Mount Braddock and Ferguson to the borough of Dunbar thence in a general southeasterly direction by way of Dunbar Creek and [Sandy Flat Schoolhouse] Hughes schoolhouse to the Dunbar-Stewart Township line in Fayette County a distance of about [13.5] 12.68 miles

Route 26050 Beginning at Route 26044 [:] and extending in a [northwesterly] westerly direction by way of Wooddale [to intersection with State-aid route about one mile northeast of Everson] and crossing State-aid Application 4898 to the county road at Prittstown in Fayette County for a distance of about [3.1] 3.37 miles

Route 26054 Beginning at the Westmoreland-Fayette County line [about .7 of a mile north of United Brethren Church and extending] near Bridgeport thence in a southerly direction through the village of Hammondville to forks of road [about .7 of a mile south of] near the United Brethren Church thence in a [southeasterly] easterly direction to intersection with [township road about one-half mile northwest of Haines School] Route 26056 near Mudd School in Fayette County for distance of about [2.5] 2.19 miles

Route 26066 Beginning at the intersection of State Route 113 about .25 of a mile southeast of Brownsville [:] and extending in a northwest direction to the [county road to Albany] Brownsville Borough line in Fayette County a distance of about [1.5 miles] .46 of a mile

Route 26070 Beginning at a point on the [southern] western line of Dunbar Borough thence [in a general southwesterly direction] westerly by way of Pechin Hill farm to an intersection with State Route 117 about one mile [southwest] southeast of Monarch in Fayette County a distance of about [1.8 miles] .89 of a mile

Route 26071 Beginning at [State Route 366 near] the borough line of Ohiopyle [;] about 2000 feet west of Route 366 and extending in a northwesterly direction to cross roads near Kentucky School in Fayette County for a distance of about [1.2] 1.27 miles

Route 26093 Beginning at [an] intersection [with Route 117 at] of West Crawford Avenue with the city line of Connellsville thence in a general westerly and southwesterly direction by way of Trotter to a point about .25 of a mile east of Leisenring thence in a southeasterly direction to an intersection with Route 117 in Fayette County a distance of about [3.2] 3.10 miles

Route 26100 Beginning at the intersection [with county road] of Route 26102 and Route 26034 at [Butte] Bute thence extending in a general northeasterly direction [along the county road] by way of Bute School to a point [about .8 of a mile southwest of Graham's Crossing] of intersection with the western terminus of county road said point being about 1 mile west of Monarch in Fayette County a distance of about [3.7] 2.44 miles

Route 26109 Beginning at a point on Route 113 [one-half] about .8 of a mile northwest of Searight [:] and extending [east one mile] in a general easterly direction to an intersection with [county road one-half] State-aid Application 741 about .4 of a mile north of Searights in Fayette County a distance of [one mile] about 1.22 miles

Route 3007 Beginning at the Washington and Greene County line at Burdetts Bridge thence southeasterly through Richhill Township to [the Graysville Borough line] the Richhill-Gray Township line via Owens Run thence southeasterly through Gray Township to an intersection with Route 30070 at its intersection with Route 256 in Gray Township in Green County a distance of about [3.5] 4.5 miles

Route 30010 Beginning at the line between [New] Freeport [Borough] and Gilmore [Township] Townships thence easterly southeasterly and easterly through Gilmore Township by way of Pleasant Hill Church and Jollytown to a point near Dennis Maighan farm[,] : thence northerly and easterly to Pine Bank[,] : thence southeasterly and easterly to [the line between] meet Route 30045 at the Gilmore- [and] Wayne [Townships] Township line [thence to intersect Route 30045 just east of the Gilmore-Wayne Township line] in Greene County a distance of about [10] 10.91 miles

Route 30019 Beginning at Route 268 near Greene County Country Club thence northwesterly through Morgan and Washington [and Morris] Townships [by the way of] along Ruff's Creek crossing Route 325 near the village of Ruff Creek to the Washington-Greene County line near Dunn's Station in Greene County a distance of about [9.6] 9.99 miles

Route 30053 Beginning on Route 256 near Sayers [Schoolhouse] schoolhouse thence in a southeasterly direction by way of Yonkin farm to an intersection with Route 30003 in [Center] Richhill Township about .35 of a mile west of the Richhill Center Township line in Greene County a distance of about [2.8] 2.14 miles

Route 30037 Beginning at [the Graysville Borough line] a point on Route 30007 at Orndorff's Corners in Gray Township thence northerly through Gray Township to the Gray-Richhill Township line thence northerly via Huffman Grinage Ross and Robert Martin farms to a point near Time on Route 30040 in Greene County a distance of about [2] 2.75 miles

Route 30070 [Beginning at a point on the Graysville Borough-Morris Township line] Beginning at a point in the village of Graysville on Route 256 about one mile east of the Richhill-Gray Township lin ethence northwestwardly through Gray Township to the Gray-Morris Township line thence northerly and northwesterly through Morris Township to the intersection of Route 109 near Buelah Church in Greene County a distance of about [4] 5.75 miles

Route 21029 Beginning at a road intersection approximately two and three-quarter miles south of the village of Cora in Cromwell Township Huntingdon County thence easterly along Old Woman's Run in Cromwell Township to a [point on Route 121 approximately one-half mile north of the borough line of Orbisonia] road intersection approximately one-fifth of a mile east of Augwick Creek thence southerly to the northern line of Rockhill Borough in Huntingdon County a distance of about [2.6] 3.0 miles

Route 31032 Beginning at a road intersection approximately one mile east of the village of Entriken in Lincoln Township Huntingdon County thence northeasterly through Lincoln Township to a point on the Lincoln-Penn Township line thence northeasterly through Penn Township to a point on the Penn-Juniata Township line [at a school] thence northerly through Juniata Township to the village of [Hanns] Hauns Bridge thence northerly along Snyders Run to a point on the Juniata-Smithfield Township line thence northerly through Smithfield Township to a point on State-aid Application [135] 9 approximately one mile southeast of the borough line of Huntingdon in Huntingdon County a distance of about 16.6 miles

Route 31059 Beginning at a point on Route 31032 at a road intersection about three-quarters of a mile east of [Grantville] Grantsville in Penn Township thence in a southerly and southeasterly direction [to a road intersection thence in a southeasterly direction] through Penn Township across the Raystown Branch of the Juniata River to a road intersection [,] with State Forest road approximately one and one-quarter miles west of the Penn-Tod Township line in Huntingdon County a distance of about [1.3] 1.6 miles

Route 32032 Beginning at a point on Route 228 approximately .75 of a mile north of the village of Clarksburg in Young Township Indiana County thence northeasterly through Young Township along Hooper Run to [a road] an intersection with Route 32033 in Young Township approximately [one mile] 1.6 miles north of the village of McIntyre in Indiana County a distance of about 5.6 miles

Route 32033 Beginning at a point on the northern borough line of Jacksonville in Young Township Indiana County thence northwesterly through Young Township to the village of McIntyre thence northwesterly to a point on the Young-Armstrong township line approximately [.75 of a mile] .3 of a mile south of Route 188 thence [northerly through Young and Armstrong Townships to a point on the Young-Armstrong Township line approximately .25 of a mile south of Route 188 thence northerly through Armstrong Township to a point on Route 188 approximately one-eighth of a mile east of the Armstrong-Young Township line in Indiana County] north and northwesterly in Armstrong Township to the Young-Armstrong Township line about .1 of a mile south of Route 188 thence northwesterly in Young Township to a point on Route 188 approximately .10 of a mile west of the Armstrong-Young Township line in Indiana County a distance of about [4.3] 4.5 miles

Route 32052 Beginning at a point on Route 54 about [.2] 1.7 [mile] miles east of Clymer Borough thence southwesterly through Cherryhill Township by way of lands of J. M. Dick Elmer Barnett J. W. Acherson to [Rich Hill-Penn Run Road crossing Penn Run-Diamondville Road by way of lands of David Brown and Nannie Dinwiddie to an intersection with Route 32051 about .8 of a mile northeast] Application 4597 in the village of Penn Run in Cherryhill Township in Indiana County a distance of about [2.4] 3.11 miles

Route 32067 Beginning at a road intersection with Route 32066 approximately .5 of a mile east of the village of Spruce in Green Township Indiana County thence easterly through Green Township to a point on the Indiana-Cambria County line approximately .25 of a mile [north] south of Douglass Run in Indiana County a distance of about 1.6 miles

Route 32096 Beginning at a road intersection approximately .5 of a mile east of the village of Rosemoyne in South Mahoning Township Indiana County on Route 189 approximately 1.125 miles [southeast] southwest of the village of Georgeville in South Mahoning Township thence easterly to a point on

the South Mahoning-East Mahoning Township line thence easterly through East Mahoning Township to a point on Route 63 approximately .5 of a mile north of the village of Hamill in Indiana County a distance of about [3.4] 4.1 miles

Route 33017 Beginning on Route 33010 near where this route crosses Little Sandy Creek into Ringgold Township thence southeast and east through Beaver Township to Northville [then] thence northeasterly and northerly from Werthville through Beaver and Oliver Townships to intersect Route 63 about [one mile due west] 1.75 miles northwest of Cool Spring in Jefferson County a distance of about [3.4] 5 miles

Route 35001 Beginning at a point on [the intersection of Spring Brook-Covington Townships and Moscow Borough lines] Route 35009 thence [south[to a point intersecting Route 168 [439 at Yostville] in Lackawanna County a distance of about 2.5 miles

Route 35002 Beginning at a point on State Highway Route 168 about one mile south of Daleville in Covington Township thence northeasterly through Covington [Township intersecting Route 35003 thence through] and Madison [Township] Townships to Jubilee intersecting Route 35004 thence northeasterly to a point on the dividing line between Wayne County and Lackawanna County in Lackawanna County a distance of about [5.30] 5.01 miles

Route 35007 Beginning at a point on State Highway Route 439 in [Sprinbrook] Spring Brook Township approximately [2.5 miles southwest of Maple Lake intersecting Route 35009 thence easterly through Springbrook Township to] .5 of a mile north of Rockdale thence northeasterly through Spring Brook Township intersecting Route 35009 near Maple Lake thence northeasterly to a point on the dividing line between Moscow Borough and [Springbrook] Spring Brook Township in Lackawanna County a distance of about [4.10] 4.36 miles

Route 35008 Beginning at a point on Isaac's Road Route 35009 in Roaring Brook Township approximately [1.25 miles west of Elmhurst Borough line] one half mile northwest of the line dividing the townships of Springbrook and Roaring Brook thence northeasterly and easterly through Roaring Brook Township to a point on the dividing line of Elmhurst Borough and Roaring Brook Township in Lackawanna County a distance of about [2.42] 2.97 miles

Route 35009 Beginning at a point on Route 35007 in Springbrook Township [at] east of Maple Lake thence northerly and northwesterly to intersect Isaac's Road thence along Isaac's Road through Springbrook and Roaring Brook Township [intersecting Route 35008 thence northwesterly] to a point on the dividing line of Scranton City and Roaring Brook Township at Lake Scranton in Lackawanna County a distance of about [7.53] 6.24 miles

Route 35030 Beginning at a point on the dividing line [of] between La Plume Borough and North Abington Township thence in an easterly direction crossing State Highway Route 365 Spur at Wellsville in [North Abington] Benton Township thence easterly to a point intersecting State Highway Route [648] 322 at East Benton in Lackawanna County a distance of about 5.16 miles

Route 36009 Beginning at a point in Little Britain Township [intersecting] on Route 345 at Fairmount thence northeasterly through Little Britain and Colerain Townships by the way of [Kingsbridge] Kings Bridge intersecting Route 527 about one mile northwest of Kirkwood thence northeasterly through Coreain Bart and Sadsbury Townships by way of Bartville and Nine Points to the the southern boundary line of Christioana Borough thence from a point in [Sadsburg] Sadsbury Township intersecting Route 344 about and and one-half miles west of Christiana Borough northerly through Sadsbury and Salisbury [Township] Townships to a point intersecting Route [215] 698 about one-half mile [south] west of Gap thence from a point in Salisbury Township intersecting Route 215 about one-half mile west of Gap northwesterly through Salisbury and Leacock Townships by way of Buyerstown to a point in Leacock Township intersecting Route 142 at Intercourse thence from a point in Leacock Township again intersecting Route 142 about one-fourth mile west of Intercourse northwesterly through Leacock and Upper Leacock Townships to a point intersecting State-aid Application [145] 390 thence from a point in Upper Leacock Township again intersecting State-aid Application [145] 390 at Monterey westerly through Upper Leacock Township to a point intersecting Route 148 about one and one-half miles south of Mechanicsburg thence from a point in Upper Leacock Township intersecting Route 148 at Mechanicsburg northwesterly through Upper Leacock and Manheim Townships to a point intersecting State-aid Application 50 about one-half mile east of Oregon in Lancaster County a distance of about [31.14] 29.97 miles

Route 36031 Beginning at a point in East Lampeter Township [intersecting] on Route 215 about one-half mile northwest of Soudersburg thence northerly through East Lampeter Leacock and Upper Leacock Townships by way of Ronk and Bird-in-Hand intersecting Route 142 to a point [intersecting] on State-aid Application [145] 390 at Monterey [thence from] beginning again at a point in Upper Leacock Township [intersecting] at the northern limits of State-aid Application 69-145[,] ; thence northerly to a point [intersecting] on Route 244 at Leola in Lancaster County a distance of about [4.92] 4.24 miles

Route 36053 Beginning at a point in Caernarvon Township at Narvon thence northerly through Caernarvon Township intersecting Route 137 near Beartown to a point [intersecting] on Route 244 about one mile west of Churchtown [thence from] beginning again at a point [again intersecting] on Route 244 about one-half mile west of Churchtown[,] ; thence northwesterly through Caernarvon and East Earl Townships intersecting Route 518 to a point on the [western] eastern boundary line of Terre Hill Borough in Lancaster County a distance of about [7.25] 6.95 miles

Route 36060 Beginning at a point in Warwick Township [intersecting] on State-aid Application [183] 83 about [one] .50 of a mile east of Rothville thence northeasterly through Warwick and Ephrata Townships intersecting Route 148 about one mile southwest of Ephrata Borough [thence from] beginning again at a point [again intersecting] on Route 148 about [three-quarters] .75 of a mile southwest of Ephrata Borough [,] ; thence northeasterly through Ephrata Township intersecting Route 137 to a point [intersecting] on Route 36046 about one mile southwest of Stevens in Lancaster County a distance of about [6.55] 6.29 miles

Route 36061 Beginning at a point in Warwick Township intersecting Route 36060 about one-half mile [west] south of Millway thence northerly through Warwick and Ephrata Townships intersecting Route 36046 about two miles west of Lincoln in Lancaster County a distance of about [2.57] 2.46 miles

Route 36062 Beginning at a point in [Elizabeth] Warwick Township intersecting State-aid Application [183] 83 about one mile east of Lititz Borough thence northerly through Warwick Township to a point [intersecting] on Route 36011 at Brunnerville in Lancaster County a distance of about [2.04] 1.94 miles

Route 36076 Beginning at a point in Ephrata Township intersecting Route 36060 approximately 0.60 of a mile northeast of the Warwick-Ephrata Township line thence in a southeasterly direction in Ephrata Township to the northwest boundary line of Akron Borough beginning again at a point Ephrata Township on the eastern boundary line of Akron Borough thence easterly through Ephrata and West Earl Townships to apoint intersecting Route 36030 [about one-fourth mile west of] at Diamond Springs in Lancaster County a distance of about [.57 mile] 1.03 miles

Route 36078 Beginning at a point in Salisbury Township [intersection] on Route 142 [at] near Gap thence southerly to a point intersecting Route 215 near Gap [thence from] beginning again at a point [again intersecting] on Route 215 about [one] .50 of a mile south of Gap[,] ; thence southeasterly through Salisbury and Sadsbury [Township] Townships to a point on the Lancaster-Chester County line about one mile north of Christiana Borough in Lancaster County a distance of about [2.50] 2.32 miles

Route 36083 Beginning at a point in Sadsbury Township at the intersection of Route 215 [near] on the Christiana Borough line thence easterly and northerly [through] on the Sadsbury Township-Christiana Borough line and through Sadsbury Township to the intersection of Route 36078 about one and one-half miles southeast of Gap in Lancaster County a distance of about [1.25] 1.33 miles

Route 37003 Beginning at a point on the Ohio-Pennsylvania State line approximately 2.5 miles south of the Mahoning-North Beaver Township line and extending in North Beaver Township [East] easterly through [Small's Ferry and] Mount Jackson [Crossroads] Crossroad to Route 265 in Lawrence County a distance of about [3.5] 3.51 miles

Route 37019 Beginning at a point on the Lawrence-Beaver County line approximately 2.5 miles west of the Butler County line and extending in a [northerly] northeasterly and northwesterly direction in Perry Township to [the] an intersection with Route 350 [at] near Red Barn Hill approximately [one-quarter] .25 of a mile [east] southwest of Pleasant Hill Grange Hall in Lawrence County a distance of about [2.4] 2.17 miles

Route 37020 Beginning at a point on the Lawrence-Beaver County line approximately 1.1 miles west of the Butler County line extending north in Perry Township [through Brinton's Corners] to Route 37021 thence east to Pyle's Mills and continuing northeasterly to the Butler-Lawrence County line in Lawrence County a distance of about [2] 2.53 miles

Route 37021 Beginning at the intersection of Pleasant Hill Grange Hall on Route 350 thence extending southeasterly in Perry Township to [Brinton's Corners] Route 37020 in Lawrence County a distance of about [1.5] 1.33 miles

Route 37046 Beginning at a point on State Route 614 [immediately east of bridge over Neshannock Creek] at the intersection of the first road north of the stream known as Potter Run extending [northeasterly] easterly in Washington Township to an intersection with Route 246 about one mile south of the Lawrence-Mercer County line in Lawrence County a distance of about [1.1] 2.0 miles

Route 38002 Beginning at a point in Heidelberg Township on the boundary line between Lebanon and Lancaster Counties about two miles southwest of the Heidelberg-Mill Creek Township line thence northerly and westerly through Heidelberg [,] and Jackson[,] Townships to the southern boundary line of Meyerstown Borough by way of Kleinfeltersville Schaefferstown and Reistville thence from a point on Route 38002 about 0.02 of a mile south of the Myerstown Borough line westerly and northerly through Jackson South Lebanon North Lebanon and Bethel Townships by way of "Kleinfeltersville Schaefferstown Reitsville and] Prescott and intersecting Route 149 to a point in Bethel Township intersecting Route 149 to a point in Bethel Township intersecting State-aid Application 3582 about one-half mile north of the Bethel-North Lebanon Township line thence from a point in Bethel Township intersecting State- aid Application 3582 at Mount Zion northerly through Bethel Township by way of Hamlin to a point on the Lebanon-Berks County line about [three] two and one-half miles northwest of the Bethel-Jackson Township line in Lebanon County a distance of about [19.1] 19.65 miles

Route 38006 Beginning at a point in Heidelberg Township [intersecting] on Route 38002 about one mile west of Schaefferstown thence westerly to a point [intersecting] of intersection with the eastern limits of State-aid Application 2212 [thence from] beginning again at a point on the South Lebanon-Heidelberg Township line at the western limits of State-aid Applicatiaon 2212 thence northwesterly and northeasterly through South Lebanon [Township] and Heidelberg Townships by way of Iona to a point on the southern limits of State-aid Application 4047 [thence from] beginning again at a point in South Lebanon Township on the northern limits of State-aid Application 4047[,] : thence northerly to a point [intersecting Route] at the intersection of Routes 38017 and 38002 at Prescott in Lebanon County a distance of about [3.5] 3.40 miles

Route 38007 Beginning at a point in North Lebanon Township on the northern boundary line of Lebanon Independent Borough thence northerly to a point [intersecting] on State-aid Application 1368 at Bustontown [thence from] beginning again at a point on [the North Lebanon-Bethel Township line intersecting State-aid Application 1368] the North Lebanon-Swatara Township line at the northern limits of State-aid Application 1368 thence northerly through Swatara Township to a point on the Swatara-Bethel Township line about .25 of a mile northwest of the North Lebanon-Swatara-Bethel Township line thence northerly along the Swatara-Bethel Township line to a point about .5 of a mile northwest of the North Lebanon-Swatara-Bethel Township line thence northerly and easterly through Bethel and Jackson Townships by way of Mount Zion and intersecting State-aid Application 3582 to a point on Route 423 near the Lebanon-Berks County line about three miles southeast of the Bethel-Jackson Township line in Lebanon County a distance of about [8.0] 8.09 miles

Route 38012 Beginning at a point in Heidelberg Township intersection Route 38002 in Schaefferstown thence northeasterly through Heidelberg and Mill Creek Townships to a point [intersecting] on Route 425 about one-quarter of a mile west of Millbach [thence from] beginning again at a point in Mill Creek Township [intersecting] on State-aid Application 119 about one-fourth mile south of Millbach[,] ; thence southwardly through Mill Creek [Township] and Heidelberg Townships to a point on Route 607 [at] in Heidelberg Township near the [Mill Creek-Heidelberg Township] Lebanon-Lancaster County line in Lebanon County a distance of about [7.5] 7.49 miles

Route 38020 Beginning at a point in Bethel Township [intersecting] on Route [39002] 38002 at Hamlin thence easterly through Bethel Township to a point on the Lebanon-Berks County line about two miles northwest of the Bethel-Jackson Township line in Lebanon County a distance of about [0.8] .66 of a mile

Route 38025 Beginning at a point in North Annville Township intersecting Route 651 about one mile north of the North Annville-Annville Township line thence eastwardly through North Annville Township to a point on the western boundary line of Cleona Borough thence from a point on the northern boundary line of Cleona Borough eastwardly through North Lebanon Township to a point intersecting Route 141-A about one-half mile south of Ebenezer thence southwardly through North Lebanon and West Lebanon Township and eastwardly through West Lebanon Township to a point on the [western boundary line of] Lebanon City-West Lebanon Township line thence southerly along the Lebanon City-East Lebanon Township line to an intersection with Route 132 at the intersection of the Lebanon City-West Lebanon Township-North Cornwall Township lines in Lebanon County a distance of about [4.9] 5.35 miles

Route 38026 Beginning at a point in North Cornwall Township on the southern boundary line of Cleona Borough thence easterly through North Cornwall Township to point on the [western boundary line of] Lebanon City-North Cornwall Township line thence northerly along the Lebanon City-North Cornwall Township line to an intersection with Route 139 at the intersection of the Lebanon City-North Cornwall Township-West Lebanon Township lines in Lebanon County a distance of about [2.5] 2.57 miles

Route 38030 Beginning at a point in South Annville Township intersecting Route 38004 about one-half mile west of the South Annville-North Cornwall Township line thence northeasterly through South Annville and North Cornwall Townships to a point on the [southern] Lebanon City-North Cornwall Township line thence northeasterly along the Lebanon City-North Cornwall Township line to a point on the western boundary line of Lebanon City in Lebanon County a distance of about [4.0] 4.04 miles

Route 38031 Beginning at a point in West Cornwall Township intersecting Routes 501 and 138 at Quentin thence southeasterly through West Cornwall and North Cornwall Townships to a point [intersecting Route 280 about one-fourth mile south of the] on the southern boundary line of Lebanon City [line] in Lebanon County a distance of about [3.7] 3.31 miles

Route 38032 Beginning at a point in South Londonderry Township on the Lebanon-Lancaster County line about three miles southwest of the South Londonderry-West Cornwall Township line thence northerly through South Londonderry Township by way of Colebrook [intersecting Route 995] to a point intersecting Route 280 about [one-half] .5 of a mile north of Colebrook in Lebanon County a distance of about [1.7] 1.82 miles

Route 39007 Beginning at a point on Route 39001 at Vera Cruz in Upper Milford Township thence easterly through Upper Milford and Lower Milford Townships [crossing] intersecting Route 39002 thence easterly through Lower Milford and Upper Saucon Townships intersecting Route 39011 thence easterly through Upper Saucon Township [crossing] intersecting State Highways Routes 153 and 153-Spur thence easterly through Upper Saucon Township to apoint on the division line between Lehigh and Bucks Counties approximately [one mile] 1.75 miles from the Northampton County line in Lehigh County a distance of about [8.9] 8.6 miles

Route 39055 Beginning at a point on Route 39057 in Heidelberg Township approximately 1.75 miles northwest of Newside thence northerly through Heidelberg and Washington Townships crossing Route 39054 thence to a point where it intersects State-aid Application 745 [near Slatedale] at Lehigh Furnace in Lehigh County a distance of about [2.9] 2.75 miles

Route 40017 Beginning at a point on Route 40016 in Nescopeck Township approximately .6 of a mile east of Columbia County line thence northerly through Nescopeck Township

[touching the southerly boundary line of Nescopeck Borough] thence westerly to the Luzerne-Columbia County line in Luzerne County a distance of about [2.7] 2.85 miles

Route 40028 Beginning at a point on the Columbia-Luzerne County line approximately two miles north of Berwick thence northeasterly through Salem Township intersecting Route 40029 thence easterly through Salem Township to a point where it intersects State Highway Route 4 approximately three miles south of Shickshinny in Luzerne County a distance of about [2.6] 6.03 miles

Route 40030 Beginning at [a point on State Highway Route 635 in Conyngham Township approximately .3 of a mile north of Pond Hill Station thence northeasterly] the east end of the bridge across the North Branch of the Susquehanna River at Mocanaqua in Conyngham Township thence southeasterly to the northern end of State Highway Route 655 thence easterly through Conyngham Township along Turtle Run via Lee Station to a point where it connects [county road at the Slocum Township line approximately one mile south of] with Route 40031 on the Conyngham-Newport Township line in Luzerne County a distance of about [2.8] 3.4 miles

Route 40040 Beginning at a point on county road in Dennison Township approximately one mile north of White Haven Boro thence northwesterly through Dennison [Township thence northeasterly through Dennison Township] and Wright townships to a point where it intersects county road [approximately 3.5 miles north of White Haven Borough] near the southeast corner of Wright Township in Luzerne County a distance of about 4.3 miles

Route 40045 Beginning at a point on county road in [Bear Creek] Plains Township [approximately .75 of a mile east of Laurel Run Borough] near the Lehigh Valley Railroad underpass in Plains Township thence [northwesterly] westerly through [Bear Creek] Plains [Townships] Township crossing State Highway Route 515 thence northwesterly through Plains Township to the city line of Wilkes-Barre in Luzerne County a distance of about [2.8] 2.5 miles

Route 40064 Beginning at a point on State Highway Route 361 at Meeker in Lehman Township thence northwesterly through Lehman and Lake Townships intersecting Route 40065 thence northwesterly and westerly through Lake Township to a point where it intersects State Highway Route 177 [at Loyalville] about .3 of a mile north of Route 369 in Lake Township in Luzerne County a distance of about [3.5] 3.34 miles

Route 41003 Beginning at a point on the Union County line [on the Old State Road from Uniontown to Montmogery] at the end of Route 59029 thence northerly [through Brady Township to the end of the Loyalsock Gap Turnpike at the Clinton Township line thence] and northeasterly through Brady and Clinton [Township] Townships to its intersection with Route 41005 about .75 of a mile distant from State-aid Application 1381 at Hulsizer's Garage in Lycoming County a distance of about 2.6 miles

Route 41037 Beginning at the end of Route 41006 in Armstrong Township [at the end of the road called the Loyalsock Gap Turnpike which was formerly a county road] thence southeasterly [over the Loyalsock Gap Turnpike] through Armstrong and Clinton Townships to [the end of the Loyalsock Gap Turnpike and the] an intersection with Route 41003 [at the Brady Township line] in Lycoming County a distance of about 6.3 miles

[Route 43013 Beginning at a point on the dividing line between Lawrence and Mercer Counties and running northeast in Springfield Township to State Route 246 at Leesburg being known as the Volant-Leesburg Road in Mercer County a distance of about 1.4 miles]

Route 43015 Beginning at a [point on] road intersection about 600 feet northwest of the Hilltop School near the Lawrence-Mercer County line [at Number 2 Mine] and running northwest in Springfield Township to point of intersection with the Leesburg-Grove City Road at Schollard's Crossing in Mercer County a distance of about [2.2] 2.16 miles

Route 44001 Beginning at a point in Wayne Township on the eastern boundary line of Newton Hamilton Borough [intersecting Route 33-spur] thence northeasterly through Wayne and Oliver Townships by way of Atkinson Mills intersecting Route 33 to a point [intersecting] on State-aid Application 2764 about [one and one-half] 1.5 miles north of McVeytown Borough thence from a point [intersecting] to the northern limits of State-aid Application 2764 northeasterly through Oliver Oranville and Derry Townships to a point [intersecting Route 29] on the western boundary line of Burnham Borough in Mifflin County a distance of about [27.23] 24.61 miles

Route 44005 Beginning at a point in Union Township about .25 of a mile south of Belleville thence northerly to a point intersecting Route 192 at Belleville [thence from] beginning again at a point intersecting Route 192 about one mile east of Belleville [,] ; thence northerly and northeasterly through Union Brown and Armagh Townships by way of [Barr] Barrville and intersecting Route 29 to an intersection with Route 29 Spur at Thompsons Store in Milroy Mifflin County a distance of about [12.2] 11.42 miles

Route 44018 Beginning at a point in Wayne Township [at] on the road leading to the Juniata River Bridge opposite the Community Hall and Store near Kistler Borough [and] thence leading along the northern line of Kistler Borough in a southeasterly [,] and [then in a] northeasterly direction through Wayne Township to a point on the western boundary line of Newton Hamilton Borough in Mifflin County a distance of about [2.88] 2.33 miles

Route 45017 Beginning at a point on State Highway Route 220 Smithfield Township and Middle Smithfield Townships [intersecting Route 45018 thence] to a point on the division line fo Pike and Monroe Counties approximately .25 o fa mile east of Price Township line in Monroe County a distance of about 7.50 miles

Route 45018 Beginning at a point approximately .25 of a mile northeast of Analomink in Stroud Township thence [northeasterly] northerly through Stroud Price [and , Middle Smithfield and Price Townships to a point where it intersects Route [45017] 45020 approximately [2.75] 2.0 miles [south] west of the Pike County line in Monroe County a distance of about [6.15] 8.3 miles

Route 45022 Beginning at a point on State-aid Application 3760-A Jackson Township approximately .75 of a mile west of Appenzell thence [northeasterly] northwesterly through Jackson Township for a distance of approximately 1.75 miles thence [southeasterly] easterly to a point where it intersects State-aid Application 3759-60 at [approximately .5 of a mile southwest of] Reeders in Monroe County a distance of about [3.9] 4.5 miles

Route 45046 [Beginning at a point on a secondary township road at Dottersville in Polk Township thence northeasterly through Polk Township to a point where it intersects Route Monroe County a distanc eof about .85 of a mile] Beginning 45045 approximately .8' of a mile northeast of Dottersville in at a point on Route 45045 about one mile south of the vilage of Dottersville thence in a northerly direction by the way of Little Creek to the village of Dottersville in Monroe County a distance of about one mile

Route 47012 Beginning at a point on [Route 240 about 1.0 mile north of Mansdale] Route 47011 about .4 of a mile north of its intersection with State Highway Route 240 thence southeasterly through Valley Township to a point on State Highway Route 505 about 1.0 mile north of its intersection with State Highway Route 240 in Montour County a distance of about [1.4] 1.47 miles

[Route 48041 Beginning at a point on the northerly borough line of Stockertown thence northerly through Plainfield Township to a point where it intersects State Highway Route 166 approximately .3 of a mile south of Belfast Junction in Northampton County a distance of about .35 of a mile]

Route 48044 Beginning at a point on [State-aid Application 3908 in East Allen Township approximately .5 of a mile north of Bath Borough line] the northern boundary line of Bath Borough in East Allen Township thence northeasterly through East Allen and Moore Townships intersecting State Highway Route 752 at Moorestown in Moore Township thence beginning at a point on State Highway 752 in Bushkill Township approximately .75 of a mile north of Moorestown in Moore Township thence northeasterly through Moore and Bushkill Townships intercesting Route 48043 thence northeasterly through Katellen in Buskill Township thence easterly through Bushkill Township at a point where it intersects State Highway Route 752 approximately 1.25 miles southwest of Wind Gap Borough line in Northampton County a distance of about 10.45 miles

Route 49001 Beginning at a point on State Highway Route 1 [just] about .2 of a mile north of the Mahantango Creek thence [northeasterly] southeasterly through Lower Mahonoy Township [,] to a point of road intersection about 1.3 miles west of Malta thence in a general easterly direction through

Malta and following the meanderings of Mahantango Creek to [the] an intersection with State Highway Route 336 [just] about .25 of a mile west of Uniontown Pillow Post Office Dauphin County in Northumberland County a distance of about [7.6] 7.7 miles

Route 50001 Beginning at a point in Toboyne Township at a point on a township road along Houston Run about .5 of a mile west of the Jackson-Toboyne Township line thence easterly and northerly through Toboyne and Jackson Townships to a point on the southern boundary line of Blain Borough thence from a point on the northern boundary line of Blain Borough easterly through Jackson Southwest Madison Northeast Madison [,] and Saville Townships by way of Stony Point and Kistler interserting Route 590 to a point in Saville Township intersecting Route 191 at Ickesburg thence from a point in Saville Township intersecting Route 191 about .5 of a mile southeast of Ickesburg easterly and southerly to a point intersecting Route 591 at Eschol thence from a point in Tuscarora Township intersecting Route 591 about .5 of a mile east of the Tuscarora-Saville Township line easterly Through Tuscarora [,] Township to a point intersecting Route 50024 about one mile southeast of Route 191 in Tuscarora Township thence from a point on Route 31 about .25 of a mile south of Millerstown Borough in Greenwood Township in an easterly direction through Greenwood [,] and Liverpool Townships by way of Reward and Berlee to a point on the western boundary line of Liverpool Borough in Perry County a distance of about [40.11] 38.46 miles

Route 50004 Beginning at a point in Penns Township intersecting Route 195 about 20 feet northeast [on] of the northeastern boundary line of Duncannon Borough thence northwesterly and westerly through Penn Wheatfield Miller [,] and Center Township to a point intersecting Route 31 about [two] one [miles] mile northeast of New Bloomfield Borough in Perry County a distance of about [11.59] 10.84 miles

Route 50014 Beginning at a point [in Wheatfield Township intersecting] on [Routes 40 and] Route 30 at Mecks Corner thence southeasterly along the Crroll-Wheatfield Township line to a point about 1.2 miles south of Mecks Corner thence southerly and easterly through Wheatfield and Penn Townships by way of Wellville to a point intersecting Route 30 about one mile northwest of Duncannon Borough in Perry County a distance of about [6.76] miles

Route 50021 Beginning at a point on Route 293 in Greenwood Township about 1.5 miles west of the Greenwood-Liverpool Township line thence northerly by way of Nekoda to a point on the Perry-Juniata County line about 1.5 miles west of the Greenwood-Liverpool Township line in Perry County a distance of about [1.5] 1.40 miles

Route 51001 Beginning at a point on State Highway Route 167 at Bushkill Lehman Township thence northeasterly through Lehman Township intersecting Routes 51002 and 51003 thence northeasterly through Lehman and Delaware Townships intersecting Route 51005 crossing [Route 51006] State-aid Application 5782 crossing county road thence northeasterly through Delaware and Dingman Townships intersecting Route 51007 to a point where it intersects the junction of Route 51008 and State Highway Route 746 approximately three miles southwest of Milford Borough in Pike County a distance of about [17.6] 18.11 miles

Route 51006 Beginning at a point on State Highway Route 220 Porter Township near the outlet of Porter Lake thence easterly through Porter and Delaware Townships to the present northerly end of State-aid Application 5782 [thence] beginning again at the present southerly end of State-aid Application 5782 Delaware Township [crossing Route 51001] thence southeasterly through Delaware Township to a point where it intersects county road approximately one mile northeast of Dingman's Ferry Village in Pike County a distance of about [11.6] 10.62 miles

Route 52035 Beginning at a point on Route 52031 about [a mile east] 1.4 miles northeast of Bingham Center in Bingham Township thence in [an easterly] a northeasterly direction through Bingham [and Harrison Townships] Township to a point on Route 52030 approximately [1.5] 3.8 miles northwest of Mills in Potter County a distance of about [2.75] 1.1 miles

Route 53019 Beginning at a point on Route 754 about [one mile north] 1.3 miles south of the village of West Penn [thence southwesterly through West Penn Township to the intersection with Route 754 about one mile south of West Penn] thence southeasterly through West Penn Township near the eastern boundary of East Brunswick Township to the intersection with Route 53018 about .25 of a mile east of the East Brunswick Township line in Schuylkill County a distance of about [4.3] 2.84 miles.

Route 53032 Beginning at a point on the northern boundary of the city of Pottsville thence northerly through Norwegian and New Castle Townships to Wade thence [northerly] through New Castle Township to [the top of Broad Mountain thence northwesterly through New Castle Cass and Butler Townships to the intersection with Route 718 at Fountain Springs beginning on what was originally [a part of the Center Turnpike from Reading to Sunbury] a point on State Highway Route 161 at Darkwater in Schuylkill County a distance of about [11.7] 4.10 miles

Route 54007 Beginning at a point on State Highway Route 195 [at Summit thence southeasterly through Washington Township] about 1.5 miles south of Middleburg thence southeasterly through Franklin and Washington Townships to the crossnig of State Highway Route 194 about two miles west of Freeburg thence southerly through Washington Township to the Chapman Township line thence southeasterly through Chapman Township to the line between Chapman and Union Townships thence southeasterly along the Chapman-Union Township line to the intersection with State Highway Route 229 about three miles northeast of McKees Half Falls in Snyder County a distance of about [10.4] 11.4 miles

Route 55017 Beginning at [a road] an intersection with Route 55012 in the village of Saint Paul in Elk Lick Township thence [northwesterly] northeasterly through Elk Lick Township to [a road] an intersection with Route 55008 about one mile east of the D Hay School in Somerset County a distance of about [.40 mile] 1.12 miles

Route 55018 Beginning at the northwest borough line of Confluence in Lower Turkeyfoot Township thence northwesterly through Lower Turkeyfoot Township [through Lower Turkeyfoot Township] direction by way of [Huston and] Draketown to a point on Little Glade Run thence northeasterly to an intersection with Route 55021 near the Brushtown [Schoolhouse] schoolhouse [on Route 55021] in Somerset County a distance of about [3] 3.84 miles

Route 55025 Beginning at [farm of Lester Lohr] a point about 1½ miles west of Route 317 on Route 55092 thence northerly through Jenner Township to village of Conner on Route 317 in Somerset County a distance of about [2.5] 3.4 miles

Route 55053 Beginning at [a road] an intersection with Route 55045 about 1.50 miles [north] northeast of the village of Roxbury in Stonycreek Township thence [northeasterly] northwest through Stonycreek Township about 1.1 miles to a road intersection thence northerly to an intersection with Route 55054 thence in the same general direction to a point on the south borough line of Shanksville in Somerset County a distance of about [3.6] 4.27 miles

Route 55059 Beginning at [a point on] the east end of State-aid Application [726] 736 [about at] near Quemahoning Junction in Somerset Township thence southeasterly [through Somerset Township] to a point on the Somerset-Stonycreek Township line thence [southwesterly] easterly through Stonycreek Township crossing Route 55057 to a point near Buck Run thence southeasterly to [a road] an intersection with Route 55058 about [one mile] 1.5 miles west of Shanksville Borough line in Somerset County a distance of about [3.9] 3.92 miles

Route 55086 Beginning at a point on Route [994 in the village of Cairnbrook in Shade Township thence easterly through Shade Township to] 55087 in the village of Crumb thence northerly to a point on the Shade-Ogle Township line thence northerly through Ogle Township to a point at a school on Route 222 in the village of Ogletown Felix Post Office in Somerset County a distance of about [9.4] 4.8 miles

Route 55098 Beginning at a point on Route 52 on the north borough line of Benson Holsopple Post Office in Conemaugh Township thence northeasterly to a point on the Conemaugh-Paint Township line thence easterly through Paint Township to an intersection with Rural Route 55099 in the village of Seanor [thence easterly] beginning at a point 1.85 miles east of Seanor thence extending to a point on State-aid Application 739 about one mile west of the borough line of Windber thence northerly to a point on the south borough line of Paint in Somerset County a distance of about [6.1] 5.5 miles

Route 55108 Beginning at a point on the North Somerfield Borough line thence northeasterly [and], northwesterly and

northeasterly through Addison Township to a road intersection about one-eighth of a mile east of the Youkhiogheny River in Somerset County a distance of about [2.2] 4.72 miles

Route 57044 Beginning at a point on Route 57045 approximately 1.25 miles north of West Clifford in Clifford Township thence [northwesterly] northeasterly through Clifford Gibson and Herrick Townships to a point where it intersects Route 57043 approximately 1.5 miles south of Dimock Corners in Susquehanna County a distance of about [4.4] 4.62 miles

Route 57052 Beginning at a point on Route [296] 450 Ararat Township approximately [one mile north of East Ararat] 0.25 of a mile east of its intersection with Route 296 thence northeasterly through Ararat Township intersecting Route 57051 thence northeasterly through Ararat Township to a point where it intersects the division line between Wayne and Susquehanna Counties approximately .5 of a mile south of Thompson-Ararat Township line in Susquehanna County a distance of about [2.48] 3.18 miles

Route 57092 Beginning at a point on Route 57043 approximately one mile north of the [North] Clifford Township line thence in a northeasterly direction through Herrick Township to a point where it intersects Route 57041 approximately 1.5 miles north of the [North] Clifford Township line in Susquehanna County a distance of about [.8] .83 of a mile

Route 58020 Beginning at a point on State Highway Route 22 in the village of Niles Valley thence northwesterly through Middlebury and Chatham Townships along Norris Brook to the intersection with State Highway Route 292 [at Shortsville] near the Peter Davis farm residence about 1.0 mile east of the village of Little Marsh in Tioga County a distance of about [6.5] 8.18 miles

Route 58031 Beginning at Blackwell's Corner on State Highway Route 106 in Morris Township thence easterly in Morris Township through the village of Three Springs Run to Nauvoo in Liberty Township beginning again at Kruger's Corner on Route 58032 thence southerly in Liberty Township to a road intersection about 1.5 miles south of Kruger's Corner thence [southeasterly] easterly through Liberty Township to the western boundary of Liberty Borough in Tioga County a distance of about [10.1] 9.0 miles

Route 58036 Beginning at a point on State Highway Route [106 at Morris in Morris Township thence northerly through Morris and Duncan Townships to Antrim thence northerly through Duncan Townships to Brownlee thence northerly through Duncan and Charleston Townships to the end of State Highway Route 477 at Round Top in Tioga County a distance of about 8.4 miles] 447 at Round Top thence southerly through Charleston and Duncan Townships by way of the village of Antrim locally known as Sulphur Run to a point about 0.4 of a mile south of it's intersection with Route 58037 in Tioga County a distance of about 6.26 miles

Route 58038 Beginning at a point on State Highway Route 21 near the top of Bloss Mountain in Liberty Township thence northerly through Liberty and Bloss Township [to Arnot] thence northwesterly through Bloss and Charleston Townships over the Maple Hill Road to the intersection with State Highway Route 21 [at the William Bliss Farm] near the residence of Henry Newberry about 0.6 of a mile east of the village of Pitts in Tioga County a distance of about [12.7] 14.64 miles

Route 58048 Beginning at a point on State Highway Route 22 at Holliday thence northwesterly through Middlebury Township to an intersection with Route 58049 near the residence of G. D. Cummings beginning again at the eastern end of Route 58049 near the Ge eSchoolhouse thence northerly through Middlebury and Farmington Townships to Farmington Hill thence northeasterly through Farmington Township to Route 58047 about 1.5 miles south of its intersection with Route 58046 in Tioga County a distance of about [5.8] 6.6 miles

Route 58055 Beginning at a point on Route 58053 in Union Township approximately 2.0 miles east of East Point thence southeasterly about 0.5 of a mile to the first road intersection thence southerly and southeasterly to the intersection with State Highway Route 20 at Roaring Branch in Tioga County a distance of about [5.1] 5.77 miles

Route 59029 Beginning at a point on State Highway Route 176 at Allenwood thence northwesterly through Gregg Township [, over what was originally the old State Road from Uniontown to Muncy] to the southern terminus of Route 41003 on the Lycoming County line [about 2.5 miles south of Montgomery] in Union County a distance of about [2.4] 3.56 miles

Route 59001 Beginning at a point [on] about .6 of a mile east of the Mifflin County line [about 0.25 of a mile south of the corner between Mifflin Centre and Union Counties] thence northeasterly through Hartley Township to Weibert thence northeasterly through Hartley Township to the crossing of State Highway Route 454 at Laurelton thence northeasterly through Hartley Township to the western boundary of Hartleton Borough in Union County a distance of about [10.7] 10.1 miles

Route 59021 Beginning at a point on State Highway Route 176 on the north bank of Buffalo Creek thence westerly through Kelly Township to [the second road leading in a northerly direction] the Federal Yenitentiary grounds in Union County a distance of about [0.6 miles] 1.2 miles

Route 62007 Beginning at the Greene and Washington County line at [Burdett's] Ackley's Bridge thence [northerly] northwesterly through West Finley Township by way of Burnsville to [road intersection on Beham Ridge Road] Route 62118 near the residence of Frank Kennedy in Washington County a distance of about [7.0] 7.15 miles

Route 62020 Beginning at Ackley's Bridge thence northeasterly along Wheeling Creek by way of Simpson's Store to a point on Route 109 a part of said route being in Greene County and a part in Washington County a distance of about 6.29 miles

Route 62027 Beginning at county concrete road 1.3 miles north of Patterson's Mills thence [northerly] northwesterly in Cross Creek and Jefferson Townships to [intersection of township] Route 26006 about two miles northeast of Bethel Church also beginning again on Route 62006 thence easterly through Jefferson Township to Route 62025 two miles southeast of Eldersville in Washington County a distance of about [3.5] 3.45 miles

Route 62038 Beginning at [State] Route [247] 62075 near Mingo [Schoolhouse] schoolhouse thence [easterly] southeasterly through Union Township to State Route 736 at [Houston Run] Courtney in Washington County a distance of about [1.2] 1.91 miles

Route 62042 Beginning at [county brick road] Route 62014 near Anderson and about [one-half] .50 of a mile east of Venetia thence [easterly] southeasterly through Nottingham and Union Townships to State Route 247 [at] near Mingo Church in Washington County a distance of about [2.8] 2.85 miles

Route 62049 Beginning at [road intersection] Route 62030 near [Peters Church Peters Township] Wright's schoolhouse thence northerly and westerly through Peters Township by way of Peters Church to county concrete road [, by way of Wright's Schoolhouse] in Washington County a distance of about [1.0] 1.17 miles

Route 62054 Beginning [in] at [Somerset Township] Route 62075 near United Presbyterian Church [and] thence easterly and southeasterly through Somerset Township by way of Vanceville to the Ellsworth Borough line [near Wherry Schoolhouse] in Washington County a distance of about [7.4] 7.51 miles

Route 62057 Beginning at Route 62014 at Thompsonville thence [northerly] northeasterly through Peters Township to the Allegheny County line about .2 of a mile west of the [by Montour Railroad] Pittsburgh Electric Railways in Washington County a distance of about [1.6] 1.33 miles

Route 62063 Beginning at State Route 181 near Dunningsville thence northerly through Nottingham Township to county road northeast of Munntown [Pa] in Washington County a distance of [4.5] 4.36 miles

Route 62067 Beginning at [end of] Route 62126 thence northerly through South Franklin Township to [road intersection at] Route 62128 about 1.0 mile north of Point Lookout in Washington County a distance of about [0.9] 10.01 miles

Route 62088 Beginning at State Route 181 near Washington City line thence easterly and northeasterly through South Strabane and North Strabane [Township] Townships by way of Vance Station to [road intersection near] Route 62075 about 1.7 miles south of Eighty-four in Washington County a distance of about [5.4] 6.11 miles

Route 62089 Beginning at intersection of [Township] Route 62082 near Bissell [in] thence northerly and northwesterly through West Bethlehem and Amwell [Township] Townships [; thence northerly] to [end of] county road [below] about 1.5 miles southeast of Lone Pine in Washington County a distance of about [4.6] 3.51 miles

Route 62092 Beginning at State Route 108 near Quail farm thence westerly through North Strabane South Strabane and

Chartiers [Township] Townships to county road about one mile [east] northeast of Meadowlands in Washington County a distance of about [1.4] 1.52 miles

Route 62093 Beginning at county road near W A Leems residence thence northerly through West Pike Run Township to a point on the southeast borough line of Bentleyville Borough beginning again on the southeast borough line of Bentleyville Borough thence easterly through West Pike Run Township to [road] an intersection with Route 62016 near [old] White Pigeon [Schoolhouse] school house in Washington County a distance of about [5] 2.81 miles

Route 62101 Beginning [on the Glyde-Lone Pine Road] at Route 62075 about 1.8 miles [south] southwest of Clyde thence in a northwesterly direction to Route 113 about [1.5] 2 miles est of Laboratory through [South Strabane] Amwell Township in Washington County a distance of about [2.7] 2.97 miles

Route 62104 Beginning at Route 62109 at Buffalo Creek in Donegal Township thence easterly along Buffalo Creek to road intersection about one mile south of [Januson Schoolhouse] Jamison schoolhouse thence easterly through Independence and Hopewell Townships to the county brick road along [Buffalo] Brush Run Creek about 1.25 miles southeast of Templeton in Washington County a distance of about [6.9] 7.42 miles

Route 62127 Beginning at [intersection] Route 62126 1.2 miles west of Lagonda thence northerly through [South Franklin] Buffalo [, and Ganton Townships] Township to intersection of [Ridge Road] Route 62107 about [1.5 miles] one mile northeast of Logan's Corners in Washington County a distance of about [3.8] 3.79 miles

Route 63004 Beginning at a point on the division line between Lackawanna and Wayne Counties approximately [two] three miles south of Hollisterville thence easterly through Sterling Township intersecting Route 63006 [,] and crossing county road [and intersecting Route 63005] at Sterling thence southeasterly through Sterling and Dreher Townships to a point where it intersects State Highway Route 171 approximately 1.75 miles northwest of Newfoundland in Wayne County a distance of about [6.87] 6.70 miles

Route 63014 Beginning at a point on Route 63013 Lake Township [near] at the Lake-Salem Township line thence northeasterly through Lake Township to a point where it intersects tne north and south turnpike approximately 1.25 [southeast] southwest of the village of Lake Ariel in Wayne County a distance of about [2.24] 2.22 miles

Route 63035 Beginning at a point on Route 63032 in Oregon Township approximately .5 of a mile west of Upper Wilcox Pond thence [easterly] northeasterly through Oregon Township to a point where it intersects Route 63029 approximately [1.75] 2.25 miles north of Berlin Township line in Wayne County a distance of about 2.2 miles

Route 63052 Beginning at a point on Route 63051 in the village of Lake Como in Preston Township thence northerly through Preston Township touching State Highway Route 450 thence through Preston Township to a point where it intersects State Highway Route 365 approximately .5 of a mile [west] east of Preston Park in Wayne County a distance of about [3] 2.8 miles

Route 64036 Beginning at Route 187 [about one mile west] near the west borough line of Export and extending northerly and [easterly] northeasterly by way of an improved road and Franklin School to [and across] Route [64148 and] 64184 beginning again on Route 64184 near the same point and extending easterly across Route 69 about .5 of a mile north of Montgomery School thence extending in an easterly direction [to] along Thorn Run [; thence northeasterly] crossing Spur Route 348 to Route 288 [about .5 mile west of Stewart's School] near Waukena in Westmoreland County a distance of about [11.8] 11 86 miles

Route 64071 Beginning on Route 302 2.5 miles southwest of Jagonier and extending in a northerly direction by way of Brant School to [and along] Route 119 near [Mill Bank and continuing] Bells beginning again on Route 119 near Millbank thence in a northeasterly direction along Trout Run [to intersection of said road about .5 mile south of Rife's School thence in a northwesterly direction to intersection of township road leading from Derry to Mill Bank thence in a general northerly direction to borough of Derry] to a road intersection about one mile north of the Latrobe Reservoir in Westmoreland County a distance of about [9.3] 5.5 miles

Route 64074 Beginning at the village of Acme on Route 186 and extending in a southeasterly direction along the Fayette-Westmoreland County line crossing Route 578 at the village of Roaring Run and continuing in a southeasterly direction to a point on the Westmoreland County [Somerset] Fayette County line [at top of Laurel Ridge] about 1 mile northwest of the Somerset County line in Westmoreland County a distance of about [12] 10.5 miles

Route 64090 Beginning at Route 120 at Circleville and extending in a southerly direction crossing Long Run continuing in a southerly direction to Crawford Run thence southwesterly by way of the M. M. Turner farm to road intersection [thence in a northerly direction and westerly direction to road intersection with Route 64101] thence southwesterly to [Route 64012 to] Robbins Station in Westmoreland County a distance of about 3.5 miles

Route 64097 Beginning at Route 120 [about 1.25 miles southeast of the Allegheny County line] between the villages of Stewartsville and Circleville and extending in a [northeasterly] northerly direction [and southeasterly direction to join] through Skellingtown to intersect with the Larimer and Trafford concrete road at the southern end of Route 64088 on the north side of the Pennsylvania Railroad main line tracks at a point about .5 miles northwest of Larimer in Westmoreland County a distance of about [1.7 miles] 1 mile

Route 64102 Beginning at the county road in Herminie and extending in a general southwesterly direction to the village of Dick thence in a northwesterly direction to Shaner [, also to the village of Guffey from a point] beginning again on Route 64102 about .5 mile east of Shaner [, and] thence northwesterly through Guffey to Route 64090 [near] northeast of Robbins Station [thence southwesterly to Robbins Station and easterly back to Route 64012 also from] beginning again on Route 64106 [near end] about 1 mile east of county road in Herminie thence in a southerly direction to and across Route 118 to Route 64180 near Bells Mills in Westmoreland County a distance of about 8.9 miles

Route 64124 Beginning at the end of county improved road one mile west of Scottdale Borough and extending northwesterly to Route 64172 thence southwesterly by way of Felgors School to Tyrone Mills to intersect with Route 64167 thence [northwesterly to] westerly to the Jacobs Creek Bridge about .3 of a mile west of Tyrone Mills beginning again at a point about two miles south of Macbeth thence northerly to a point near Macbeth on Route 991 in Westmoreland County a distance of about [6.1] 5.1 miles

Route 64137 Beginning at Route [118] 64144 [at] near the Harmony School Number two in Rostraver Township and extending in a southerly direction to the Westmoreland-Fayette County line in Westmoreland County a distance of about [.8] .89 of a mile

Route 64140 Beginning at a point on the improved county road about 1 mile southeast of Greensburg [;] and extending in a northeasterly direction along Slate Creek to Route 119 [, by way of] also beginning again on Route 64140 about .5 of a mile east of county road and extending to the Greensburg-Pittsburgh Airport in Westmoreland County a distance of about [2.5] 2.66 miles

Route 65039 Beginning at a point on State Highway Route 13 at North Mehoopany in Mehoopany Township thence in a northerly direction through Mehoopany Township crossing the Susquehanna River to the western boundary line of Meshoppen Borough beginning again on the northwestern boundary line of Meshoppen Borough thence in a northwesterly direction through Meshoppen Township to a point on the dividing line between Wyoming and Susquehanna Counties approximately three-quarters of a mile east of Braintrim Township line in Wyoming County a distance of about [6.03] 6.06 miles

Route 65044 Beginning at a point on State Highway Route 13 Windham Township approximately one quarter mile [northeast] northwest of Jenningsville thence northerly through Windham Township intersecting Route 65042 thence northeasterly through Windham Township to a point where it intersects Route 65041 at approximately two miles northwest of Scottsville Windham Township in Wyoming County a distance of about 2.13 miles

Route 65049 Beginning at a point on State Highway Route 365 approximately 0.75 of a mile northwest of Mill City thence in a southwesterly through Falls Township to a point where it intersects a secondary township road in Falls Township in Wyoming County a distance of about 2.00 miles

Route 66004 Beginning at a point in Manheim Township on the Pennsylvania-Maryland State Line about 1.5 miles south of Hokes thence northeasterly through Manheim [Codorus and Shrewsbury Townships by way of Sticks Hildebrand and Seitzland] and Codorus Township intersecting Application 2003 at Sticks thence from a point about .15 of a mile south of Sticks at the end of Application 2003 through Codorus and Shrewsbury Townships by way of Hildebrand and Bonnair to the end of State-aid Application 2338 south of Seitzland beginning again at an intersection with State-aid Application 2338 at Seitzland thence easterly to a point intersecting Route 127 about .5 of a mile north of Shrewsbury Borough thence from a point in Shrewsbury Township intersecting Route 127 about [one-eighth] .125 of a mile north of Shrewsbury Borough easterly and northerly through Shrewsbury Hopewell and North Hopewell Townships to a point on the western boundary line of Winterstown Borough thence from a point on the western boundary line of Winterstown Borough northerly through North Hopewell and York Townships to a point on the southern boundary line of Dallastown Borough thence from a point on the eastern boundary line of Yoe Borough at the end of Application 2796 northeasterly through York Windsor and Lower Windsor Townships to a point intersecting Route 332 [about one-eighth of a mile south of Yorkana Borough] at the southern end of State-aid Application 5150 thence from a point in Lower Windsor Township on the northern boundary line of Yorkana Borough at the northern end of State-aid Application 5150 through Lower Windsor and Hallam Townships to a point intersecting Route 128 [about .5 of a mile west of] near Wrightsville Borough line in York County a distance of about [36.51] 34.51 miles

Route 66007 Beginning at a point in Penn Township [intersecting Route 190 about 1.5 miles north of Hanover] on the eastern boundary line of Hanover Borough thence easterly through Penn and Heidelberg Townships to a point intersecting Route 230 at Jacob's Mills thence from a point intersecting Route 230 about .5 of a mile west of Jacob's Mills southerly through Heidelberg and Manheim Townships to a point intersecting Route 441 about .5 of a mile east of Manheim-Penn Township line thence from a point intersecting Route 441 about one mile northwest of Marburg thence northeasterly through Manheim Heidelberg and North Codorus Townships by way of Porters to a point intersecting Route 644 at Stoverstown thence from a point intersecting Route 644 about .25 of a mile north of Stoverstown northwesterly through North Codorus West Manchester and Jackson Townships by way of Blair's Station to a point intersecting Route 230 about .5 of a mile [south west] southwest of Bair thence from a point in Jackson Township on Route 230 about .75 of a mile southwest of Bair to intersect Route 126 [at] near Thomasville thence northerly through Jackson and Dover Townships intersecting State-aid Application 6518 near Davidsburg to a point intersecting Route 68034 at Harmony Grove in York County a distance of about [27.51] 26.11 miles

Route 66050 Beginning at a point in North Codorus Township [intersecting Route 492 about .25 of a mile north of] on the western boundary line of New Salem Borough thence northeasterly through North Codorus and West Manchester Townships to a point [intersecting] of intersection of Hoke Avenue [about .25 of a mile south of] and the southern boundary line of West York Borough thence from a point in Spring Garden Township intersecting State-aid Application 4952 at the Northern Central Railroad underpass westerly southerly and southeasterly through Spring Garden and York Townships intersecting Route 127 to a point on Route 216 about .5 of a mile south of Spry thence from a point again intersecting Route 216 about one mile south of Spry southerly through York and Springfield Townships to a point intersecting Route 66010 about 1.5 miles southwest of Rye in York County a distance of about [13.12] 12.87 miles

Route 66059 Beginning at a point in Lower Chanceford Township intersecting Route 216 about one mile southeast of Lower Chanceford-Chanceford Township line thence northeasterly via Goram [to a point intersecting Route 332 at Shenks Ferry in York County a distance of about 4.03 miles] past Kohler's Mill to an intersection with Route 332 near Bethel Church in York County

Route 66105 Beginning at a point [on the railroad Borough line near the northwest corner of said borough in Shrewsbury Township] on the Shrewsbury Borough-Shrewsbury Township line leading in a southwesterly direction to the Railroad Borough-Shrewsbury Township line beginning again at a point on the Railroad Borough line near the northwest corner of said borough in Shrewsbury Township and leading in a northwesterly direction along the tracks of the Baltimore Division of the Pennsylvania Railroad toward Glen Rock Borough and intersecting Route 60004 at a point about .75 of a mile south of Seitzland in York County a distance of about 1.7 miles

Route 66107 Beginning at a point on Route 332 in Chanceford Township [half way between St. Johns and Bethel Churches into the village of Lockport in York County a distance of about 1.8 miles] at a point about .4 o f a mile east of Bethel Church on Route 332 to Shenks Ferry York County a distance of about 1.2 miles

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend page 29 by striking out lines 22 to 29, and page 30, lines 1 to 3 inclusive, and inserting in lieu thereof the following: "Route 19063. Beginning at a point on Route 19030 approximately 1.0 mile west of Orangeville Borough; thence northerly through Orange and Greenwood Townships to the crossing of State Highway Route 249 about 2.5 miles west of Rohrsburg; thence northerly approximately 1.5 miles, thence northwesterly approximately 1 mile to the intersection with Route 19064; thence northeasterly through Greenwood Township to the Jackson Township line; thence northerly in Jackson Township about 0.75 of a mile; thence easterly in Jackson Township to the intersection with Route 19060 about [0.5] 0.25 of a mile north of the Greenwood Township line, in Columbia County, a distance of about [10.4] 11.66 miles."

Mr. ELY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second and third sections of the bill were read as follows and agreed to.

Section 2 That said Act is hereby amended by adding thereto the following routes

Route 02201 Beginning at or near the intersection of State Highway Route 397 and Rural Route 02034 in Allegheny County thence in a southerly direction over a dedicated right-of-way or right-of-way purchased by the county commissioners to the Bridgeville Borough South Fayette Township line at the continuation of Villars Avenue in Allegheny County a distance of about .5 of a mile

Route 05091 Beginning at a point on Route 692 approximately .375 of a mile north of Sexton Borough line in Liberty Township Bedford County thence northeasterly through Liberty Township to a point on the Bedford-Huntingdon County line at approximately .25 of a mile south of the Raystown Branch of the Juniata River at an intersection with Route 31019 in Bedford County a distance of about .3 of a mile

Route 18025 Beginning at a point where Route 17068 intersects the Clearfield-Clinton County line thence northeasterly in West Keating Township to Birch Island Run in Clinton County a distance of about 3.5 miles

Route 21061 Beginning at a point on the boundary line of Cumberland and Franklin Counties intersecting Rural Route 28009 thence southeasterly through Shippensburg Township to a point on the boundary line of Shippensburg Borough in Cumberland County a distance of about .31 of a mile

Route 23095 Beginning at a point on Flower Street in Chester Township at the intersection of Conrad Avenue Route 180 and running thence to a point at the line of the City of Chester 243.34 feet north of Ninth Street in Delaware County a total distance of 1440 feet

Route 25030 Beginning at the end of Route 304 Spur on the Northeast-Greenfield Township line in Erie County thence

southeasterly through Greenfield Township to a point on the New York State line in Erie County a distance of about .35 of a mile

Route 26110 Beginning at a point on the Fayette-Westmoreland County line at the eastern terminus of Route 64074 and extending in a southerly southeasterly and northeasterly direction through Elk Lick Township by way of Trout Run Church to intersect Route 55049 on the Fayette-Somerset County line near its intersection with the Fayette-Westmoreland County line in Fayette County a distance of about 1.3 miles

Route 31079 Beginning at a point about .5 of a mile northwest of Grantsville in Penn Township and extending in a northwestwardly direction to the east borough line of Marklesburg Borough a distance of about .23 of a mile in Huntingdon County

Route 32117 Beginning at a point on Route 32021 approximately one-eighth mile south of the village of Rexis in Buffington Township Indiana County thence easterly through Buffington Township to Main Street Vintondale Borough on the Indiana-Cambria County line in Indiana County a distance of about 0.2 of a mile

Route 53072 Beginning at a point on State Highway Route 199 at Llewellyn in Branch Township thence northwesterly and northerly through Branch and Cass Townships by way of Phoenix Park to a point where it intersects Route 53071 at Forestville in Schuylkill County a distance of about 1.80 miles

Route 53075 Beginning at a point of road intersection about .25 of a mile north of the point of intersection of Cass New Castle and Norwegian Township lines in Cass Township thence northeasterly through Cass and New Castle Townships to a point where it intersects Route 53032 at Wade in Schuylkill County a distance of about 1.6 miles

Route 53074 Beginning at a point on State Highway Route 141 in North Manheim Township approximately .7 of a mile west of the western Orwigsburg boundary line thence southerly through North Manheim Township by way of Adamsdale to the northern boundary line of Landingville Borough in Schuylkill County a distance of about 1.3 miles

Route 53075 Beginning at a point on the west borough line of Landingville thence southerly and southwesterly through South Manheim Township to Route 53007 at Brommerstown in Schuylkill County a distance of about 2.9 miles

Route 55109 Beginning at a point on the Windber Borough-Paint Township line in Somerset County about one-eighth mile north of Paint Creek thence paralleling Paint Creek in an easterly direction to the Somerset Cambria County line about 2.00 miles in length

Route 55110 Beginning at a point on Route 456 near the Central City Borough line thence in a northerly direction to an intersection with Application 6448 in Shade Township Somerset County a distance of about 1 mile

Route 55111 Beginning at a point on Route 55043 about one-eighth of a mile south of the borough line of Somerset thence in a northerly direction to the east borough line of Somerset in Somerset County a distance of about 0.6 of a mile

Route 55112 Beginning at a point on Route 52 about 2.10 miles northeast of the Somerset Borough-Somerset Township line near the village of Geiger thence northeasterly through Somerset Township in Somerset County a distance of about 1.36 miles

Route 55113 Beginning at a point at the end of the bridge spanning the Youghiogheny River about 200 feet south of Confluence Borough thence easterly and northerly to the Confluence Borough line at Yough Road in Somerset County a distance of about 0.04 of a mile

Route 58077 Beginning at a point on Route 58042 about 0.70 of a mile east of the village of Charleston in Charleston Township thence in a northeasterly direction to a point known as Benedict's Corner in Tioga County a distance of about 3.14 miles

Route 58078 Beginning at a point on the Bradford-Tioga County line approximately 0.25 of a mile north of the Union Township line thence over the lower mountain road in a westerly direction to its intersection with Route 58057 in Ward Township Tioga County a ditsance of approximately 2.75 miles

Section 3 The highways established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the approval of this act but shall be taken over not later than the fifteenth day of August one thousand nine hundred thirty-three

The title of the bill was read as follows and agreed to:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws five hundred ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing certain routes and adding certain new routes.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. COYNE. Mr. President, I move that Senate Bill No. 1285 (House Bill No. 2010), on second reading, entitled:

An Act establishing a court of record in the County of Allegheny for control care and treatment of delinquent neglected and dependent children under sixteen years of age defining their jurisdiction powers and duties and regulating procedure therein providing for the transfer of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of referees probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities

be recommitted to the Committee on Judiciary General.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1313 (House Bill No. 1753), entitled:

An Act requiring Pennsylvania registration plates on certain vehicles when being operated under a contract for a public improvement; and requiring the operators thereof to have a Pennsylvania operator's license.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1314 (House Bill No. 1754), entitled:

An Act to amend section four hundred fifteen of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled "For the protection of the public safety regulating the use of highways and the operatio nof vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and

garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by providing for the sale of statistics relating to the titling and registration of motor vehicles.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1317 (House Bill No. 1949), entitled:

An Act providing for the designation as State highways of certain existing township roads in townships of the second class by the Secretary and Chief Engineer of the Department of Highways; providing for their construction and maintenance at the expense of the Commonwealth under certain terms and conditions and subject to certain limitations and making an appropriation from the Motor License Fund for the purposes of this act.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1318 (House Bill No. 1833), entitled:

An Act providing for the taking over of certain roads in townships of the first class as State highways and providing for their construction, improvement and maintenance by the Commonwealth, including certain bridges thereon and drainage facilities connected therewith, and conferring powers upon township and county commissioners.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1338, as follows:

An Act fixing the fee for the filing of applicants for pardon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all applicants for pardon filed with the Board of Pardons shall be accompanied by a fee of ten dollars ($10.00) for the use of the Commonwealth which fee shall be in lieu of all other fees now collected by said board

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1340, as follows:

An Act fixing the fee for the analysis of water by the Department of Health

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Health shall hereafter charge and collect a fee of five dollars for the use of the Commonwealth fo reach analysis of water made at the request of any person association copartnership or corporation Said fee shall be paid into the State Treasury through the Department of Revenue

Section 2 This act shall become effective immediately upon final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1347 (House Bill No. 1897), entitled:

An Act to further amend section twenty-four of the act approved the first day of June, Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred twenty, entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by further defining deductions in case of reinsurance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1348 (House Bill No. 1898), as follows:

An Act to further amend section seven hundred fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securties belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fee or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further defining deductions in case of reinsurance

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General

Assembly met and it is hereby enacted by the authority of the same That section seven hundred fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the first day of June one thousand nine hundred thirty-one (Pamphlet Laws three hundred eighteen) is hereby further amended to read as follows

Section 714 Reports by Foreign Insurance Companies Every stock or mutual insurance company association or exchange of another State or foreign government authorized to do business in this Commonwealth shall make report to the Department of Revenue on or before the fifteenth day of March of each year showing the gross premiums of every character and description received from buisness transacted in the Commonwealth during the year ending the thirty-first day of December preceding whether said premiums were received in money or in the form of notes credits or any other substitute for money or whether the same were collected in this Commonwealth or elsewhere In making such report such companies associations and exchanges shall assess the tax provided by law upon the gross amount of such premiums premium deposits and assessments received from business transacted within this Commonwealth during such year but in so doing may deduct from the gross premiums received all premiums returned or policies cancelled or not taken and all premiums actually paid for reinsurances where the same are effected in companies duly licensed to do business in this Commonwealth by contracts or agreements entered into or executed by all parties thereto within this Commonwealth Provided however That such contracts or agreements with respect to marine or transportation insurance need not be made within this Commonwealth If such contract or agreement is not entered into or executed by all parties thereto within this Commonwealth such company association or exchange in reporting for taxation may not deduct such premiums so paid unless the tax thereon is paid when due by the company in which such reinsurance is effected and life insurance companies may deduct dividends declared and actually used by policyholders in payment of renewal premiums and mutual companies associations and exchanges may deduct that proportion of the advance premium or deposit returned to members upon the expiration of their contracts for the purposes of this section "gross premiums" are defined to be the amount of dues fees and premiums stated in the policy contracts

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1350 (House Bill No. 1899), as follows:

An Act to further amend section three hundred twenty-one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further defining deductions in case of reinsurance

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred twenty-one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred four) is hereby further amended to read as follows

Section 321 Additional Annual Reports From Foreign Companies and Associations Every stock or mutual insurance company association or exchange of another State or foreign government authorized to do business in this Commonwealth shall make report to the Insurance Commissioner on or before March first of each year under oath of its president secretary or attorney showing the gross premiums of every character and description received from business transacted in the Commonwealth during the year or fraction of year ending with the thirty-first day of December preceding whether said premiums were received in money or in the form of notes credits or any other substitute for money or whether the same were collected in this Commonwealth or elsewhere and to pay in to the State Treasury the requisite tax upon all such premiums Such companies associations and exchanges in making such report may deduct from the gross premiums received all premium returned on policies canceled or not taken and all premiums actually paid for reinsurances where the same are effected in companies duly licensed to do business in this Commonwealth by contracts or agreements entered into or executed by all parties thereto within this Commonwealth Provided however That such contracts or agreements with respect to marine or transportation insurance need not be made within this Commonwealth If such contract or agreement is not entered into or executed by all parties thereto within this Commonwealth such company association or exchange in reporting for taxation may not deduct such premiums so paid unless the tax thereon is paid when due by the company in which such reinsurance is affected Stock companies with participating features in addition to the aforesaid deductions may deduct that portion of the premiums returned to the policyholders Life insurance companies may deduct dividends declared and actually used by policy-holders in payment or renewal premiums and mutual companies associations and exchanges may deduct that proportion of the advance premium or deposit returned to members upon the expiration or termination of their contracts "Gross premiums" are defined to be the amount of dues fees and premiums stated in the policy contracts

Section 2 In so far as the provisions of this act supply provisions of the Fiscal Code relating to amounts which foreign insurance companies associations and exchanges may deduct from gross premiums received from business transacted in the Commonwealth in making reports with the Department of Revenue the provisions of this act shall supersede such provisions of the Fiscal Code

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1370 (House Bill No. 446), entitled:

An Act making an appropriation to the Department of Property and Supplies to be expended by it in payment to the Harisburg Railways Company of the City of Harrisburg of the unpaid balance of the damages occasioned by the erection by the Commonwealth of the Soldiers and Sailors Memorial Bridge.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1375 (House Bill No. 1009), entitled:

An Act fixing the minimum salaries of county and assistant county superintendents for the first year of their terms which will begin on the first Monday of July one thousand nine hundred thirty-four providing for the payment of such minimum salaries by the Commonwealth and temporarily superseding any inconsistent acts and parts of acts

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1371 (House Bill No. 687), entitled:

An act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims of the Commonwealth not paid before the insolvency of the insurance carrier.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1388, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding a new section providing for the reimbursement of the General Fund by the special operating funds for services rendered by the Department of Property and Supplies and for space occupied in the Capitol buildings by departments boards and commissions supported from the operating funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding at the end of article twenty-four of said act the following new section

Section 2417 Allocation of Certain Costs Incurred by the Department In order to reimburse the General Fund for the costs incurred by the Department of Property and Supplies in purchasing equipment materials and supplies for departments boards and commissions as purchasing agency and for space occupied in the Capitol buildings and water light heat power telephone and other services utilized and consumed by the departments boards and commissions whose expenses are wholly or mainly paid out of funds other than the General Fund of the State Treasury such departments boards or commissions to which special operating funds are appropriated for this purpose shall be billed at least quarterly by the Department of Property and Supplies upon a cost basis at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine Amounts payable hereunder for reimbursing the General Fund for the above costs shall be paid out of such special operating funds in the State Treasury to the Department of Property and Supplies and shall be by it paid into the General Fund of the State Treasury through the Department of Revenue

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1389, as follows:

An Act to amend paragraph (c) of section five and section seven of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred ninety-nine) entitled "An act regulating public bathing places swimming pools public bath houses public and private natatoriums turkish bath houses all places hired for any form of bathing or swimming and all related appurtenances fixing license fees providing in matters of sanitation cleanliness and safety for supervision by the Department of Health and prescribing penalties for violations" by increasing the inspection and license fees chargeable by the Department of Health

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph (c) of section five and section seven of the act approved the twenty-third day of June one thousand

nine hundred and thirty-one (Pamphlet Laws eight hundred ninety-nine) entitled "An act regulating public bathing places swimming pools public bath houses public and private natatoriums turkish bath houses all places hired for any form of bathing or swimming and all related appurtenances fixing license fees providing in matters of sanitation cleanliness and safety for supervision by the Department of Health and prescribing penalties for violations" are hereby amended to read as follows

(c) Each application shall be accompanied by a fee of [ten ($10.00)] fifteen ($15.00) dollars and by maps drawings specifications and descriptions of the bathing place pool or structure its appurtenances and operations descriptions of the source or sources of water supply amount of chemical content and quality of water available and intended to be used method and manner of water purifications treatment disinfection heating regulating and cleaning and measures employed to insure installation of necessary lavatories dressing rooms segregation of sexes and personal cleanliness of bathers method and manner of washing disinfecting drying and storing bathing apparel and towels and all other information and statistics that may be required by the rules and regulations of the department Said fees shall be paid into the State Treasury regardless whether a permit is or is not issued

Section 7 License Fees When operated for profit or public use [in cities and towns of less than fifteen hundred population] the owners managers and operators of such bathing and swimming places for each separate place or pool shall after being granted a permit pay annually a license fee of [five ($5.00) dollars and in all other villages towns boroughs or cities the annual license fee for such permit shall be ten ($10.00)] fifteen ($15.00) dollars Failure to pay promptly such annual license fee shall operate as a revocation of the permit and a new application shall be made therefor in the manner provided for original application before such bathing or swimming place shall be reopened The fee imposed by this section as applied to existing licensed places shall be for the next license year for which such fee is paid

All license fees and all fees accompanying the applications for permits together with any monies received for transcribing any records for appeals or any other purpose shall be paid into the State Treasury through the Department of Revenue

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1390, as follows:

An Act to amend section twenty sections twenty-six twenty-seven twenty-nine thirty and thirty-two as amended and to repeal section twenty-eight of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" changing the fee for killing dogs and disposing of their carcasses and providing that appraisements for damages to live stock and poultry shall be made by an agent of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" is hereby amended to read as follows

Section 20 If after ten days from the giving of such notice such dog has not been claimed such chief of police or his agent constable or high constable shall dispose of such dog by sale or by destruction in some humane manner No dog so caught and detained shall be sold for the purpose of vivisection All moneys derived from the sale of such dog after deducting the expense of its detention shall be paid to the county treasurer and by him paid to the State Treasurer For services under section nineteen and twenty of this act such officers shall be paid the sum of two dollars for detaining a licensed dog and the sum of [two dollars] one dollar for the killing and properly disposing of carcass of each unlicensed dog by cremation burial or other approved sanitary method All expenses incurred under this or the preceding section and not otherwise provided for shall be paid by the State Treasurer from the fund specifically provided for by this act and appropriated for this purpose upon warrant of the Auditor General and approval of the Secretary of Agriculture

Section 2 That sections twenty-six and twenty-seven of said act as amended by the act approved the nineteenth day of March one thousand nine hundred and twenty-three (Pamphlet Laws sixteen) are hereby furthe ramended to read as follows

Section 26 Whenever any person sustains any loss or damage to any live stock or poultry by dogs or any live stock or poultry of any person is necessarily destroyed because of having been bitten by a dog except when such loss destruction or damage shall have been caused by a dog harbored by the owner of such live stock or poultry such person or his agent or attorney may immediately after the damage was done complain to [any township auditor or to any justice of the peace alderman or magistrate of the township town borough or city or of any adjoining township town or borough] the Department of Agriculture at Harrisburg Such complaint shall be in writing shall be signed by the person making such complaint and shall state when where and how such damage was done and by whose dog or dogs if known Claims covering damage due to rabies shall be made immediately following the death of the animal and shall be supported by a certificate from a licensed and duly qualified veterinarian or a report from the laboratory of the Department of Agriculture to the effect that such animal was affected with rabies [Such township auditor justice of the peace alderman or magistrate shall at once notify an auditor of the district in which he or the claimant is resident if there be any and where there is no auditor then the controller of any such district and together they shall at once examine the place where the alleged loss or damage was sustained and the live stock or poultry injured or killed They] The Department of Agriculture shall then [jointly] fix a time for taking testimony relative to such claim and shall give notice of such time to the claimant and to the dog owner if known and shall appoint an agent of the State as an appraiser Such appraiser shall examine under oath or affirmation any witness called before [them] him After making diligent inquiry in relation to such claim such [appraisers] appraiser shall determine whether any damage has been sustained and the amount thereof and if possible who was the owner of the dog or dogs by which such damage was done [If the two appraisers can not agree as to the amount of damage sustained the Secretary of Agriculture

through his officers or agents may appoint a disinterested citizen to assist in determining the amount of damage sustained]

Any owner or keeper of such dog or dogs shall be liable to the owner of such live stock or poultry in a civil action for all damages and costs or to the Commonwealth to the extent of the amount of damages and costs paid by the Commonwealth as hereinafter provided

When the inhabitants of any city borough or township or of any part thereof have suffered an excessive amount of damage by dogs to live stock or poultry a petition may be presented to the Secretary of Agriculture signed by twenty or more of such residents who are owners of live stock or poultry alleging such excessive damage and requesting that a quarantine be placed on all dogs within the limits of such city borough or township or such part thereof Upon receipt of such petition the Secretary of Agriculture may through his authorized agents have an investigation made of the facts alleged and if convinced that conditions in such city borough or township or such designated area demands such stringent measures he may establish a dog control quarantine therein

When such quarantine is established at least ten notices thereof shall be posted throughout the area affected thereby and notice thereof shall also be published in at least one issue of a newspaper of general circulation throughout such city borough or township

It shall be unlawful for any person residing in the area affected by such quarantine to permit a dog owned or harbored by him to run at large in such quarantined area or to have the premises where it is kept unless accompanied by and under the control of himself or a handler

Any police officer may kill any dog running at large in a quarantined area in violation of such quarantine without any liability for damages for such killing

Section 27 Upon making the examination required in section twenty-six of this act the said [appraisers] appraiser shall immediately make a certificate signed and sealed by [them] him that such appraisement was regularly and duly made If by such examination it appears that any damage has been sustained by the complainant the said [appraisers] appraiser shall deliver the report of such examination and all papers relating to the case to the claimant or his agent or attorney upon payment of the costs incurred to that time Such report shall by him be delivered to the Secretary of Agriculture

Section 4 That section twenty-eight of said act as amended be and the same is hereby repealed

Section 5 That sections twenty-nine thirty and thirty-two of said act as amended by the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eleven) are hereby further amended to read as follows

Section 29 Upon the Secretary of Agriculture receiving and approving such report if it appears thereby that a certain amount of damage has been sustained by the claimant he shall immediately draw a requisition in favor of the claimiant for the amount of loss or damage such claimant has sustained according to such report together with necessary and proper costs incurred Such amount shall be paid from any appropriation to the Department of Agriculture available for this purpose If such report is not approved and it is deemed advisable a further investigation may be made by the Secretary of Agriculture through his officers or agents to ascertain the amount of damage sustained No person shall receive payment for any claim until the [township auditor justice of the peace alderman or magistrate] appraiser before whom the claim was made has certified that due diligence was made to ascertain whose dog or dogs did the damage and the claimant has certified that the carcasses of the live stock or poultry killed and for which damages have been assessed were buried within twenty-four hours after the assessment of damages The owners of any live stock or poultry killed by dogs or live stock necessarily destroyed because of having been bitten by a dog other than a dog harbored by such person shall be paid a burial fee as follows For each horse stallion colt gelding mare bull bullock steer heifer cow mule jack jennet or burro [two dollars] one dollar and fifty cents for sheep ram lamb calf goat kid or swine [two dollars] one dollar each for the first three animals and [one dollar] fifty cents for each additional animal for each head of poultry domestic hare or rabbit ten cents each to be included in said report and paid as other damages under this section Where said carcasses are turned over to a scavenger or reduction plant no burial fee shall be allowed

Upon payment by the State of damages of live stock or poultry by dogs the rights of the owner of such live stock or poultry against the owner of a dog to the extent of the amount of damages so paid by the State shall inure to the benefit of the State

Section 30 No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury The fact that no such payment has been made shall be certified by the [township auditor justice of the peace alderman or magistrate] appraiser

When any payment is made by the State for any live stock including poultry injured by a dog such payment shall not exceed one hundred dollars for each horse or mule sixty dollars for each head of unregistered cattle one hundred dollars for each head of registered cattle [twenty] ten dollars for each head of unregistered swine sheep or goats [thirty-five] twenty dollars for each head of registered swine sheep or goats three dollars for each full-grown goose [four] three dollars for each full-grown turkey and [two dollars] one dollar for each head of other poultry or domesticated hare or rabbit All appraisals under this act shall be at the actual value of the live stock including poultry killed or injured

Section 32 If in the report of the [township auditor justice of the peace alderman or magistrate] appraiser the name of the owner of any dog or dogs having caused loss or damage to any live stock or poultry is definitely and conclusively shown or if a written complaint is filed with the Secretary of Agriculture by any owner of live stock or poultry against any dog or dogs stating that such dog or dogs has or have been seen pursuing or worrying live stock or poultry and if such charge is proven by investigation on the part of the Secretary of Agriculture he may notify the owner or keeper of such dog or dogs to immediately kill the same whereupon it shall be unlawful and a violation of this act for such owner or keeper to permit or cause such dog or dogs while alive to leave or be removed from such premises The killing of such dogs does not remove the liability of the owner of such damage done by his dog or dogs

Upon failure however of such owner to comply with such order within a period of ten days any police officer of the township town borough or city in which said dog or dogs are kept upon notice from the Secretary of Agriculture shall kill such dog or dogs wherever found For such service he shall be entitled to a fee of [two dollars] one dollar for each dog so killed to be paid by the State upon a certified statement to the Secretary of Agriculture that such dog or dogs have been killed by him The Secretary of Agriculture shall issue his requisition on the State Treasurer for such amount unless payment has been made by the owner or keeper of the dog or dogs

Section 6 This act shall take effect on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1391, as follows:

An Act to amend section eleven of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred eighteen) entitled "An act regulating the construction equipment maintenance operation and inspection of elevators outside of cities of the first and second and second A classes granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" fixing the fees for the approval of plans of elevators

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of the act approved the second day

of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred eighteen) entitled "An act regulating the construction equipment maintenance operation and inspection of elevators outside of cities of the first and second and second A classes granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" is hereby amended to read as follows

Section 11 Approval of Plans Before any elevator shall be erected and installed or undergo repairs amounting to one-half or more of the original value of the said elevator detailed plans and specifications of the said apparatus in duplicate shall be submitted to the department for approval The application for the approval of plans of elevators shall be accompanied by the following fees Dumbwaiters five dollars freight elevators seven dollars and fifty cents and passenger elevators ten dollars If the said plans are approved a permit for the erection or repair of such elevator shall be issued by the department and a final inspection shall be made of the apparatus when installed or repairs completed before final approval shall be given by the department The elevator shall not be operated until such final inspection and approval be given unless a temporary permit be granted by the department

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1425, as follows:

An Act to further amend part of section one of the act approved the thirteenth day of June one thousand nine hundred thirty-one (Act number eighteen-A Appropriation Acts of one thousand nine hundred thirty-one) entitled "An act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings for the Commonwealth and the erection and construction of new buildings and additions alterations or improvements to and replacement of new or existing buildings of the Commonwealth including fixtures and heating or sewerage systems and service lines for the accommodation of buildings" by extending the scope of the appropriation made to the Department of Property and Supplies for the erection and construction of buildings at the State Industrial Home for Women at Muncy

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That that part of section one of the act approved the thirteenth day of June one thousand nine hundred thirty-one (Act number eighteen-A Appropriation Acts of one thousand nine hundred thirty-one) entitled "An act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings for the Commonwealth and the erection and construction of new buildings and additions alterations or improvements to and replacement of new or existing buildings of the Commonwealth including fixtures and heating or sewage systems and service lines for the accommodation of buildings" as amended by the act approved the fifth day of August one thousand nine hundred thirty-two (Acts of Special Session of one thousand nine hundred thirty-two page thirty-seven) and which makes an appropriation to the Department of Property and Supplies for the erection and construction of buildings at the State Industrial Home for Women at Muncy is hereby amended to read as follows

For the erection and construction of new buildings for the acquiring of a right of way for a sewerage line and for additions and alterations to or replacement of existing buildings for the State Industrial Home for Women at Muncy Pennsylvania the sum of one hundred fifty thousand dollars ($150,000)

Section 2 This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1450, as follows:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing license fees and providing for collections and distribution of revenues therefrom restricting ownership and interest in licensed places making appropriations providing penalties and repealing existing acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That SHORT TITLE This act shall be known and may be cited as the "Beverage License Law"

Section 2 DEFINITIONS The following words and terms as used in this act shall be construed as defined in this section

(a) The word "beverages" means any and all malt brewed or vinous liquids or fruit juices having an alcoholic content of one-half of one per centum or more by volume but not exceeding three and two-tenths per centum of alcohol by weight the manufacture and sale of which and traffic in which for beverage purposes is not prohibited by the laws of the United States

(b) The word "person" means and includes natural persons associations partnerships and corporations

(c) The word "manufacturer" means and includes all persons associations partnerships and corporations licensed to engage in the brewing and manufacture of all malt or brewed beverages or the fermenting and production of vinous or fruit juice beverages for sale

(d) The term "wholesale distributor" means and includes persons associations partnerships and corporations licensed to engage in the purchase and resale of beverages in the original sealed packages as prepared for the market by the manufacturer but not for consumption on the premises where sold

(e) The term "retail distributor" means and includes persons associations partnerships and corporations licensed to engage in the retail sale of beverages where the consumption thereof is upon the premises of such vendor with the privilege of selling in quantities not exceeding seventy-two ounces to be carried from the premises by the purchaser thereof only however in the original containers

(f) The term "original containers" means and includes bottles casks kegs or other containers that have been securely capped or corked by the manufacturer with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing same

(g) The term "license" means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised and includes manufacturers' wholesale distributors' retail distributors' and public service licenses

(h) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and neuter

Section 3 LICENSE TO SELL BEVERAGES REQUIRED It shall be unlawful for any person to produce manufacture sell or offer for sale any beverages unless a license therefor shall have first been previously obtained by such person and for the place where the sale is made as herein provided

Section 4 MANUFACTURERS' LICENSE A manufacturer of good repute upon application as hereinafter provided shall be licensed by the State Treasurer of the Commonwealth to produce and manufacture beverages at one or more places of manufacture and to sell and deliver the same anywhere within the Commonwealth and elsewhere but where a manufacturer operates or conducts more than one place of manufacture he shall obtain a separate manufacturers' license for each place so operated or conducted

The application by a manufacturer for such a license shall contain (a) the name and address of applicant and where applicant is a partnership or association the names of the partners or members and where the applicant is a corporation the names and addresses of all officers and directors of the corporation (b) the name and address of owner of premises and (c) information concerning the size capacity and equipment of all plants to be used for the purpose of such license

All such licenses to manufacture beverages shall be granted for the calendar year and where a license runs for less than the full calendar year the license fee shall be reduced one-twelfth for each full month such license was not in force during the then calendar year

Section 5 SUSPENSION AND REVOCATION APPEALS If the State Treasurer from information in his possession or that may come into his possession by remonstrance or otherwise is of the opinion that any manufacturer is conducting his or its business in an unlawful manner he shall have power to suspend for any time or to revoke the license of such manufacturer after granting a hearing Any manufacturer aggrieved by the decision of the State Treasurer in refusing suspending or revoking a license may within thirty days thereafter appeal to the court of quarter sessions of the county where the manufacturing plant is situate which shall fix a time for hearing of which notice shall be given to the State Treasurer as the court may provide The court shall hear the appeal de novo and shall make such order affirming modifying or reversing the order of the State Treasurer as to it shall appear just The action of the court shall be final

Section 6 PUBLIC SERVICE LICENSES The State Treasurer may issue special retail distributors' licenses to a railroad pullman or steamship company permitting beverages to be sold in dining club or buffet cars or the dining compartments of steamships or vessels for consumption on the trains steamships or vessels Such licenses shall only be granted to reputable persons and for fit places The State Treasurer shall have the power to suspend or revoke any such licenses for cause after granting a hearing thereon to the licensee Any person aggrieved by the decision of the State Treasurer in refusing suspending or revoking any such license may within thirty days thereafter appeal to the Court of Common Pleas of Dauphin County which shall fix a time for hearing of which notice shall be given to the State Treasurer as the court may provide The court shall hear the appeal de novo and shall make such order affirming modifying or reversing the order of the State Treasurer as to it shall appear just The action of the court shall be final

Section 7 DISTRIBUTORS' LICENSES LICENSE YEAR Licenses to wholesale distributors and retail distributors shall be granted by the county treasurer of the proper county wherein beverages are to be sold and shall be for one year The license year in each county shall begin on June first

Section 8 FILING AND PUBLICATION OF APPLICATIONS FOR WHOLESALE AND RETAIL DISTRIBUTORS' LICENSES Every person intending to apply for a wholesale or retail distributor's license as aforesaid in any city of county of this Commonwealth shall file with the county treasurer his or its petition at least one week before the first day of June and shall at the same time pay said county treasurer twenty-five dollars for the use of the county

Section 9 APPLICATION FOR DISTRIBUTORS' LICENSES Application for wholesale and retail distributors' licenses shall contain

(a) The name and residence of the applicant and how long he has resided there and if an individual the residence of such applicant and if an association partnership or corporation the residences of the members officers and directors for the period of two years next preceding the date of such application

(b) The particular place for which the license is desired and a detailed description thereof

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation when and where incorporated with the names and addresses of each officer and director and that such officers and director are citizens of the United States and that all stockholders owning ten per centum or more of the capital stock of such corporation are citizens of the United States

(d) Name of owner of premises and his residence

(e) That the applicant is not or in case of a partnership or association that the members or partners are not and in the case of a corporation that the officers and directors are not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business licensed under this act except as hereinafter temporarily permitted

(f) That applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner peruniarily interested during the continuance of the license except as hereinafter temporarily permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in case of a corporation any officer or director thereof has had a license for sale of said beverage revoked during any time preceding his application and whether applicant or any of said persons during the past three years has ever been convicted for any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of beverages a full history of such business relating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location

There shall be annexed to such petition a certificate signed by at least twelve reputable qualified electors of the ward borough or township in which such beverages are to be sold setting forth that they have been acquainted with the applicant or applicants or the members of the association or partnership or the directors and officers of the corporation where the applicant is a corporation that they have good reason to believe that each and all the statements contained in the petition are true and they therefore pray that the prayer of said petitioner be granted and that the license issue

Petition must be verified by affidavit of applicant and if any false statement is made in any part of the petition the affiant shall be deemed guilty of the crime of perjury A license shall not be granted by the county treasurer unless the application contains the information herein required

Section 10 SUBSTITUTED APPLICATIONS IN CASE OF DEATH Whenever an applicant for a wholesale or retail distributor's license having filed his application in due form and in due time shall die before such application has been acted upon by the county treasurer it shall be lawful for the county treasurer to permit the substitution of another applicant in the form as required for a license to sell such beverages at the same place upon payment to the county treasurer of the sum of twenty-five dollars for the use of the county

Section 11 PROHIBITIONS AGAINST THE GRANT OF LICENSES A wholesale distributor shall not maintain operate or conduct more than one place of business where beverages are sold or where orders are taken

Licenses shall be granted by the county treasurer only to reputable persons or to associations partnerships and corporations whose members or officers and directors are reputable persons

Licenses shall be granted by the county treasurer only to individual citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding or to corporations organized in or duly authorized to transact business in this Commonwealth

No wholesale distributor's license shall be granted by the county treasurer except where the room or rooms to be occupied by such business shall be fully separated by walls or partitions from any other room or space where other business is conducted in the same building No other commodities of any kind shall be stored or sold in the room or rooms occupied for the business of wholesale distributor

Section 12 REVOCATION AND SUSPENSION OF LICENSES BY COURT OF QUARTER SESSIONS After a license has been granted upon petition to the court of quarter sessions and upon sufficient cause being shown or proof being made to the court that the licensee holding a license or any partners members officers or directors of the licensee has or have violated any of the laws of this Commonwealth relating to the sale of beverages it may upon due notice and proper hearing being given to the person so licensed suspend or revoke the said license issued by the county treasurer The action of the court in suspending or revoking a license shall be final

Section 13 TRANSFER OF LICENSES The county treasurer is hereby authorized to transfer wholesale or retail license from one person to another or from one place to another within the same municipality or township as the county treasurer may determine Any such transfer of a license may be made at any time

Section 14 APPLICATIONS FOR TRANSFERS FEE Applications for any such transfer shall be filed in the office of the county treasurer at least one week before the transfer is made

Whenever any license is transferred no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current license year except a fee of twenty-five dollars to be paid to the county treasurer for the use of the county

Section 15 RENEWAL OF LICENSES Renewals of licenses shall be granted annually by the county treasurer upon the filing of an application as hereinbefore provided at least one week before the first day of June and the payment of a fee of twenty-five dollars for the use of the county

Secton 16 DISPLAY OF LICENSE Every licensee shall frame his or its license under a transparent substance and display the same in a conspicuous space so that it may easily be read in his or its place of business and no license shall authorize sales until this section has been complied with

Section 17 ALL LICENSEES TO FURNISH BOND No license shall be issued to any manufacturer wholesale distributor or retail distributor until the licensee shall have first executed a bond to the Commonwealth of Pennsylvania and a warrant of attorney to confess judgment in the penal sum hereinafter prescribed and with sufficient sureties either personal or a surety company authorized to do business in this Commonwealth Such bond shall not be accepted until approved by the State Treasurer as respects manufacturers or approved by the county treasurer as respects wholesale and retail distributors All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to the traffic in and the manufacture and sale of beverages Such bond as respects the manufacturer shall be filed with and retained by the State Treasurer and in the case of wholesale and retailed distributors by the county treasurer The penal sums of such bonds shall be as follows In the case of manufacturers two thousand dollars and in the case of wholesale or retail distributors one thousand dollars

Section 18 LICENSE FEES DISTRIBUTION OF REVENUES No license shall be issued to any manufacturer wholesale distributor or retail distributor until the licensee shall have first paid an annual license fee for such grant as follows

(a) In the case of a manufacturer one thousand dollars for each place of manufacture which shall be paid to the State Treasurer

(b) In the case of a wholesale distributor as follows In counties of the first and second classes five hundred dollars in counties of the third and fourth class four hundred dollars and in all other counties three hundred dollars which shall be paid to the county treasurer

(c) In the case of a retail distributor the license fee shall be graduated according to the population of the municipal unit in which the place of business is located as follows and shall be paid to the county treasurer

I In municipalities or townships having a population of less than one thousand five hundred inhabitants seventy-five dollars

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants one hundred dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants one hundred and fifty dollars

IV In those having a population of fifty thousand and more but less than one hundred thousand inhabitants two hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants two hundred and fifty dollars

VI In those having a population of one hundred fifty thousand and more three hundred dollars

(d) In the case of a license for the sale of beverages in dining club and buffet cars the fee shall be ten dollars for each car on which beverages are sold and shall be paid to the State Treasurer

(e) In the case of a license to sell the beverages in a boat or vessel the fee shall be twenty-five dollars for each such vessel or boat which shall be paid to the State Treasurer

The license fees fixed by this section shall be paid within fifteen days after the license is granted and the license shall not be delivered until the license fee is paid

The fees for wholesale and retail distributors licenses and for manufacturers licenses shall be paid by the county and the State Treasurer to the municipalities and townships in which the licensed places are located for the use of such municipalities and township The fees for dining club and buffet cars and boats and vessels shall be for the use of the Commonwealth

Remittances shall be made by the county treasurer to municipalities and townships within thirty days of the receipt of any license fee and by the State Treasurer to municipalities and townships quarterly Any moneys received by the State Treasurer for manufacturers' licenses and deposited into the State Treasury are hereby appropriated for payment to municipalities and townships as provided by this act

Section 19 SALES BY MANUFACTURERS MINIMUM QUANTITIES No manufacturer shall sell or deliver any of such beverages except in original containers permanently marked with the name of such manufacturer nor in quantities of less than two hundred and eighty-eight (288) fluid ounces when in bottles or in casks or kegs of not less than three and one-half (3½) gallons each in the case of malt and brewed beverages or two (2) gallons in the case of vinous or fruit juice beverages

Section 20 SALES BY WHOLESALE DISTRIBUTORS MINIMUM QUANTITIES No wholesale distributor shall purchase receive or resell such beverages except in the original containers permanently marked as prepared for market by the manufacturer and then shall resell the same ony in the county wherein he is licensed in no less quantities however than one hundred and forty-four (144) fluid ounces when in bottles or in casks or kegs of not less than three and one-half (3½) gallons each in the case of malt and brewed beverages and two (2) gallons in the case of vinous or fruit juice beverages Provided That no such beverage sold or delivered shall be consumed upon the premises of the wholesale distributor or in any place provided for such purpose by such distributor Provided further That such beverages when legally sold by a wholesale distributor in the county where licensed may be delivered anywhere in the county of sale and its adjacent counties

Section 21 SALES BY RETAIL DISTRIBUTORS No retail distributors shall purchase or receive any beverages except in the original containers permanently marked as marketed by the manufacturer and thereafter may break the bulk upon the licensed premises and sell or dispense the same for use and consumption only however in and upon the premises so licensed Provided however That such retail distributor may sell such beverages in quantities not exceeding seventy-two (72) ounces in the original containers to be carried from the premises by the purchaser thereof and may sell and deliver beverages in any room of an hotel occupied by a bona fide registered guest entitled to purchase the same

No retail distributor shall maintain any bar at which beverages are served to customers or sell any beverages for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times visible and accessible to the use and accommodation of the general public A retail distributor may sell and deliver beverages in any room of an hotel occupied by a bona fide registered guest

Section 22 UNLAWFUL SALES It shall be unlawful for any licensee or his or its servants agents or employes

(a) To sell trade or barter in beverages between the hours of twelve o'clock midnight of any Saturday and six o'clock in the forenoon of the following Monday

(b) To sell furnish or give any beverages to any person visibly intoxicated or to any insane person or to any minor

(c) To sell furnish or give any beverages to any person on any day on which a general municipal special or primary election is being held

(d) To sell or offer to sell any beverages to any person on credit excepting the customary credits between the various classes of licensees and credits extended by an hotel to a bona fide registered guest No right of action shall exist to collect any claims for credit extended contrary to the provisions of this clause

(e) To sell offer to sell or furnish any beverage to any person on a pass-book or store order or to receive from any person any gods wares merchandise or other articles in exchange for beverages

(f) To hawk or peddle any beverages in this Commonwealth

Section 23 THINGS OF VALUE NOT TO BE OFFERED FOR THE RETURN OF CERTAIN ARTICLES It shall be unlawful fo rany person licensed to sell beverages to offer or give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing such beverages or to offer or give anything of value as a premium or present to induce the purchase of such beverages or for any other purpose whatsoever in connection with the sale of such beverages Provided however that this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof

Section 24 UNLAWFUL TO FORTIFY ADULTERATE OR CONTAMINATE BEVERAGES It shall be unlawful to fortify adulterate contaminate or in any wise to change the character or purity of the beverages from that as originally marketed by the manufacturer

Section 25 TRANSPORTATION IN ORIGINAL PACKAGES It shall be unlawful to transport any beverages except in the original containers permanently marked as marketed by the manufacturer

Section 26 DELIVERY VEHICLES TO BEAR NAME AND ADDRESS OF LICENSEE It shall be unlawful for a manufacturer or wholsale distributor to deliver any beverages excepting in vehicles bearing the name and address of such license holder on each side of such vehicle in letters no smaller than four inches in height

Section 27 INTERLOCKING BUSINESS PROHIBITED

(a) No manufacturer and no officer or director of any manufacturer shall at the same time be a distributor or an officer director or stockholder or creditor of any wholesale distributor or of any retail distributor nor be the owner proprietor or lessor of any place covered by such wholesale or retail distributor's license

(b) No wholesale distributor and no officer or director of any wholesale distributor shall at the same time be a manufacturer or retail distributor or be an officer director stockholder or creditor of a manufacturer or retail distributor or be the owner proprietor or lessor of any place covered by such retail distributor's license

(c) No manufacturer or wholesale distributor or retail distributor licensed under this act shall own any stock of or have any financial interest in any other class of business licensed under this act

(d) Excepting as hereinafter provided no manufacturer or wholesale distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage lien against the same for which a retail license is granted nor shall a manufacturer or wholesale dealer either directly or indirectly lend any moneys credit or equivalent thereof to any retail dealer in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale and consumption upon the premises excepting only the usual and customary commercial credits for beverages sold and delivered

(e) Excepting as hereinafter provided no manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a wholesale license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or their equivalent to any wholesale dealer in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale at wholesale excepting only the usual and customary commercial credits for beverages sold and delivered

The purpose of this section is to require a separation of the financial and business interests between the various classes of business authorized to be licensed by this act and no person or corporation shall by any device whatsoever directly or indirectly evade the provisions of this section But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest existing at the date this act takes effect which is contrary to this section but to prohibit the establishment of such ownership or conflicting interest after said date Provided That such conflicting ownership or interest shall be eliminated on or before January one one thousand nine hundred and thirty-seven

Section 28 PENALTY Any person copartnership association or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three hundred dollars ($300) for the first offense and for any second or subsequent offense shall be sentenced upon conviction to pay a fine not exceeding five hundred dollars ($500) Any such person or the members agents servants or employes of any partnerships or association or the officers directors agents servants or employes of any corporation responsible for any violation of any of the provisions of this act may upon a second or subsequent conviction be sentenced to imprisonment for a term not exceeding six months or by both such fine and imprisonment in the discretion of the court

Section 29 CONSTITUTIONALITY The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 30 LOCAL OPTION In any municipality or township an election may be held but not oftener than once in four years on the date of any municipal election to determine the will of the electors with respect to the granting of licenses to wholesale and retail distributors of beverages under the provisions of this act Whenever electors equal to at least ten per centum of the highest vote cast for any office in the municipality or township at the last preceding general election shall petition the corporate authorities of the municipality or township for a referendum on the question of granting such licenses the said corporate authorities shall cause a question to be submitted at the municipal election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission of such question on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the granting of wholesale and retail beverage licenses in the of	Yes No	———

If a majority of the persons voting on such question vote "yes" then wholesale and retail distributors' licenses may be granted by the county treasurer in such municipality or township under the provisions of this act but if a majority of the persons voting on such question vote "no" then the county treasurer shall thereafter have no power to grant or to renew upon their expiration any wholesale or retail distributors' licenses in such municipality or township under the provisions of this act

Section 31 EFFECTIVE DATE This act shall become effective immediately upon final enactment except that section three shall not be construed to prevent the production manufacture sale or offer for sale of beverages by a manufacturer now holding a permit for such purposes issued by the State Alcohol Permit Board for a period of fifteen days after the

effective date of this act nor the sale or offer for sale of beverages by distributors prior to June first one thousand nine hundred and thirty-three

Section 32 REPEAL The following acts are hereby repealed as respectively indicated

The act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-seven) entitled "An act authorizing the transfer by the judges of the several courts of the Commonwealth of licenses for the wholesale or retail of vinous spirituous malt or brewed liquors from one person to another and from one place to another" absolutely

The act approved the thirtieth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws four hundred sixty-four) entitled "An act to provide revenue and regulate the sale of malt brewed vinous and spirituous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or plac of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors" and the amendments thereto so far as the same relate to beverages licensed under this act

The act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" and the amendments thereto so far as the same relate to beverages the manufacture sale distribution and transportation of which is regulated and licensed under this act

The act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of Federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of the permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" in so far as the same relates to or requires permits for the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of beverages the manufacture and sale of which is regulated and licensed under this act

All other acts and parts of acts general local and special inconsistent with this act are hereby repealed But nothing contained in this act shall be construed to repeal any law relating to the purity or adulteration of beverages or any law relating to sanitation

Nothing contained in this act shall be construed to repeal or in any manner to impair the provisions of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-three) entitled "An act to permit the growers of grapes in this Commonwealth to manufacture wine from grapes of their own raising that are not first class or marketable and sell such wine to licensed dealers without taking out or paying a license for such manufacture or sale"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TRAINER. Mr. President, I move that Senate Bill No. 1450, the bill just read, be recommitted to the Committee on Law and Order.

Mr. McCLURE. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations reported as committed, Senate Bill No. 1343, entitled:

An Act creating and appropriating a special fund in the State Treasury to be utilized by the Department of Property and Supplies in purchasing fuel, equipment, supplies, and services, for departments, boards, and commissions; providing for the reimbursement of the fund from appropriations to departments, boards, and commissions upon bills rendered by the Department of Property and Supplies; and making an appropriation.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1343, entitled:

An Act creating and appropriating a special fund in the State Treasury to be utilized by the Department of Property and Supplies in purchasing fuel equipment supplies and services for departments boards and commissions providing for the reimbursement of the fund from appropriations to departments boards and commissions upon bills rendered by the Department of Property and Supplies and making an appropriation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.40 A. M. until Monday, April 24, 1933, at 9 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., MONDAY, APRIL 24, 1933 — No. 54

SENATE

MONDAY, April 24, 1933

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Almighty and Everlasting God, we look up to Thee tonight in thanksgiving and blessing for all of Thy goodness and mercy to us. Help us to remember, "He that dwelleth in the secret place of the Most High shall abide under the shadow of the Almighty." And in the storm and stress of life keep us at perfect peace within Thy shadow. We ask in Thy Name. Amen

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. COYNE, the further reading was dispensed with, and the Journal was approved.

PETITIONS

FAVORING SENATE BILLS Nos. 311, 312 and 582

The Chair cleared his table and laid before the Senate petitions from Uhlman-Horne Post 456, of Pittsburgh, favoring Senate Bills Nos. 311, 312 and 582.

Which were referred to the Committee on Judiciary General.

FAVORING REGULATION OF TRUCKS

The Chair cleared his table and laid before the Senate petition from the Southeastern Pennsylvania Feed Merchants' Association, of Norristown, favoring regulation and rates on trucks.

Which was referred to the Committee on Public Roads and Highways.

PROTESTING AGAINST PUBLIC SERVICE COMMISSION'S GENERAL ORDER No. 29

Mr. BATCHELOR presented petition from citizens of Beaver County protesting against Public Service Commission's General Order No. 29.

Which was referred to the Committee on Public Roads and Highways.

Mr. THOMPSON presented petition from citizens of Bolivar, Westmoreland County, protesting against Public Service Commission's General Order No. 29.

Which was referred to the Committee on Public Roads and Highways.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1035

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives.

Resolved (if the Senate concur), That House Bill No. 1035, entitled:

An Act to amend section three hundred and two of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "Game Law" providing for the identification of persons applying for licenses.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL No. 434

He also returned to the Senate, Senate Bill No. 434, entitled:

An Act making an appropriation to the trustees of the Pennsylvania Military College, Chester, Pennsylvania, for the training and education of students.

with the information that the House has passed the same without amendment.

SENATE BILL No. 306 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 306, entitled:

An act making an appropriation to the Women's Hospital of Philadelphia Preston and Parrish Streets Philadelphia, Pennsylvania.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 1, line 4 by striking out after the word "of" the words "one hundred"; also by striking out before the word "thousand" the word "six" and inserting in lieu thereof the word "ninety"; also line 5 by striking out at the end of the line the figures "($106,000)" and inserting in lieu thereof the figures "($90,000)"

On the question,

Will the Senate agree to the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Lanius,	Salus,
Aron,	Einstein,	Mansfield,	Scott,
Batchelor,	Fay,	McClure,	Shapiro,
Baumer,	Frazier,	Miller,	Snyder,
Bell,	Gelder,	Norton,	Sones,
Bennett,	Graff,	Owlett,	Sordoni,
Boyd,	Harris,	Parkinson,	Thompson,
Brandt,	Harvey,	Pethick,	Trainer,
Buckman,	Homsher,	Pierson,	Williamson,
Chapman,	Howell,	Prince,	Woodward,
Clark,	Hunsicker,	Quigley,	Ziesenheim,
Coyne,	Krause,	Rice,	

NAYS—0

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 748 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 748, entitled:

An Act authorizing and regulating the reorganization of banks and trust companies,

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 3, page 2, line 22, by striking out after the word "payment" the words "in full"; also line 23, by inserting after the word "deposits" and before the word "After" the following: "in full and upon demand"; also line 24, by inserting after the word "effective" the word "every"; also by striking out after the word "new" and before the word "be" the following: "deposits need not" and inserting in lieu thereof the following: "deposits shall continue to"; also line 24, by inserting after the word "segregated" and before the word "and" the following: "until the bank or trust company shall receive from the depositor written authority signed by him to mingle his new deposit with the other funds of the bank or the trust company"; also line 25, by striking out the first two words of the line "and in" and inserting in lieu thereof the word "In"; also line 27, by striking out after the word "trustees" the word "such" and inserting in lieu thereof the word "any"; also by inserting after the word "deposits" and before the word "shall" the following: "which shall have been mingled with the other funds of the bank or the trust company pursuant to the provisions of this section"; also by striking out after the word "deposits" in line 28 "but the bank or"; also all of line 29; also page 3, by striking out all of lines 1, 2 and 3 and in line 4, the following: "of the bank or the trust company The" and inserting in lieu thereof the following: "At any time after the plan of reorganization has become effective the"; also line 5, by striking out after the word "shall" the following: "accord to such new depositors a"; also lines 6 to 11 inclusive and inserting in lieu thereof the following: "have power to repay in full any such new deposit the owner of which shall refuse to authorize the bank or the trust company in the manner provided by this section to mingle his deposit with the other funds of such bank or such trust company."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Ealy,	Lanius,	Salus,
Aron,	Einstein,	Mansfield,	Scott,
Batchelor,	Fay,	McClure,	Shapiro,
Baumer,	Frazier,	Miller,	Snyder,
Bell,	Gelder,	Norton,	Sones,
Bennett,	Graff,	Owlett,	Sordoni,
Boyd,	Harris,	Parkinson,	Thompson,
Brandt,	Harvey,	Pethick,	Trainer,
Buckman,	Homsher,	Pierson,	Williamson,
Chapman,	Howell,	Prince,	Woodward,
Clark,	Hunsicker,	Quigley,	Ziesenheim.
Coyne,	Krause,	Rice,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 109 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 109, entitled:

An Act to amend section six hundred and thirty of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing school districts to lay water pipe lines in certain cases, and to condemn a right-of-way therefor,

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 630, page 2, line 27, by inserting after the word "district" and before the word "may" the following: "may acqure such supply or any part thereof deemed necessary and"; also page 3, line 4, by inserting after the word "so" and before the word "occupied" the word "acquired."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Rice,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	McClure,	Scott,
Baumer,	Frazier,	Miller,	Shapiro,
Bell,	Gelder,	Norton,	Snyder,
Bennett,	Graff,	Owlett,	Sones,
Boyd,	Harris,	Parkinson,	Sordoni,
Brandt,	Harvey,	Pethick,	Thompson,
Buckman,	Homsher,	Pierson,	Trainer,
Chapman,	Howell,	Prince,	Williamson,
Clark,	Hunsicker,	Quigley,	Woodward,
Coyne,	Krause,	Reed,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL No. 1128

He also informed the Senate that the House of Representatives has non-concurred in amendments made by the Senate to House Bill No. 1128, entitled:

An Act to amend the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "General Borough Act," as amended by authorizing council to designate a depository for borough funds, and setting forth the effect thereof to secure indemnity bonds and insurance policies and to invest borough funds; permitting the payment of bond premiums for borough officials; redefining requirements for contracts for work or purchase; altering the requirement for the levying of taxes; defining the effect of non-notice of tax levies; increasing the expense allowance of tax collectors; fixing the status of land acquired by the borough, and providing for the disposition thereof under certain circumstances; limiting the requirements of assessment ordinances in sewer construction proceedings; permitting the acquisition of land for park purposes in adjacent boroughs; and authorizing condemnation proceeding to secure land for airports.

Mr. MANSFIELD. Mr. President, I move that the Senate insist upon the amendments made by the Senate to House Bill No. 1128.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

HOUSE INSISTS UPON ITS AMENDMENTS TO SENATE BILL No. 671

He also presented communication from the House of Representatives, informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 671, entitled:

An Act to amend sections three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen, three hundred sixteen, three hundred seventeen, three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred twenty-one, three hundred twenty-two, three hundred twenty-three, three hundred twenty-four, three hundred twenty-five and three hundred twenty-six, and to repeal section three hundred twenty-seven as added of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the amount of contributions to the retirement fund the retirement age, the length of service necessary to entitle members to retirement allowance, upon being totally disabled, and increasing the number of members of the retirement board, and authorizing counties of the second class and the county poor district to make appropriations to an employes retirement fund.

APPOINTMENT OF COMMITTEE OF CONFERENCE

Mr. COYNE. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments to the foregoing bill, and that a committee of conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. ARMSTRONG. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Armstrong, Krause and Roberts be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. OWLETT, from the Committee on Finance, reported as committed, Senate Bill No. 1217 (House Bill No. 1054), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth by adding thereto section sixteen.

Mr. NORTON, from the Committee on Insurance, reported as committed, Senate Bill No. 1398 (House Bill No. 1519), entitled:

An Act to regulate insurance companies chartered under general or special laws of this Commonwealth by providing that no director need be a resident of any particular city or county that the directors shall elect the president or appoint the secretaries that the residence of the president and secretaries need not be in the county wherein the principal office of the company is located and that the annual meeting shall be held and reports shall be published as provided in the by-laws

Also from the Committee on Insurance, reported as committed, Senate Bill No. 1407 (House Bill No. 1351), entitled:

An Act to amend section two hundred and thirteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended by adding thereto provisions granting hearings before reports of examinations of insurance companies by the Insurance Department are filed and providing for authority to the Insurance Commissioner to publish such reports and authorizing the Insurance Commissioner accept the report of examination of insurance companies made by or upon the authority of the supervising official of any other state

Also from the Committee on Insurance, reported as committed, Senate Bill No. 1408 (House Bill No. 1353), entitled:

An Act to amend section six hundred fifty-two of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporations of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing that all premiums and interest charges on account of policies insuring employers against workmen's compensation liability and all judgments recovered for same shall be preferred claims in all insolvency or bankruptcy proceedings and trustees proceedings for administration of estates and receiverships

Also from the Committee on Insurance, reported as comitted, Senate Bill No. 1411 (House Bill No. 1517), entitled:

An Act to amend section two hundred and five of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended

by fixing the minimum par value of the shares of capital stock of all stock insurance companies

Also from the Committee on Insurance, repotred as commiteed, Senate Bill No. 1412 (House Bill No. 1518), entitled:

An Act to amend section six hundred and twenty-nine of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies, associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended exempting additional corporations from the provision of subdivision (b) of Article six of the act

Also from the Committee on Insurance, reported as committed, Senate Bill No. 1414 (House Bill No. 1812), entitled:

An Act relating to policies of indemnity insurance; requiring such policies to contain provisions covering cases of insolvency and bankruptcy of the insured, and to permit injured persons or their personal representatives to maintain suits against the insurer in such cases.

Also from the Committee on Insurance, reported as committed, Senate Bill No. 1416 (House Bill No. 1972), entitled:

An Act to amend section six hundred and three as amended and section six hundred and twenty-two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign companies associations or exchanges providing penalties and repealing existing laws" by defining the right or corporations to be licensed as insurance agents or insurace brokers.

Also from the Committee on Insurance, reported as committed, Senate Bill No. 1415 (House Bill No. 1971), entitled:

An Act to amend section two hundred and twelve of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign companies associations or exchanges providing penalties and repealing existing laws" as amended by bringing public adjusters' solicitors within the retaliatory provisions relating to agents brokers and public adjusters

Mr. BENNETT, from the Committee on Eudcation, reported as committed, Senate Bill No. 1413 (House Bill No. 1704), entitled:

An Act to further amend the first paragraph of section two hundred twelve of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

Mr. KRAUSE, from the Committee on Game and Fisheries, re-reported as committed, Senate Bill No. 846 (House Bill No. 1075), entitled:

An Act to amend section seven hundred and eighteen of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by permitting the training of dogs on Sunday and providing further for field meets

Mr. QUIGLEY, from the Committee on Game and Fisheries, reported as amended, Senate Bill No. 1269 (House Bill No. 1567), entitled:

An Act to amend section 11 sections 20 30 and 40 as amended sections 50 71 72 98 and 202 sections 220 and 224 as amended and sections 226 228 240 255 and 272 of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" defining bait-fish changing closed seasons legal sizes and creel limits regulating minnow traps prohibiting the possession of certain fillets regulating the issuing of resident fishing licenses providing for monthly returns by county treasurers and the revocation of fishing licenses authorizing the Commissioner of Fisheries to accord special fishing privileges to unnaturalized foreign-born persons empowering the board to create nursery waters providing for the payment over of fines and for refunds generally regulating fishing and providing penalties

Mr. WILLIAMSON, from the Committee on Agriculture, re-reported as committed, Senate Bill No. 630, entitled:

An Act declaring milk to be a commodity charged with a public interest, creating a Milk Commission with powers to regulate the price, terms and conditions upon which milk may be sold, and providing penalties for violations thereof.

Also, from the Committee on Agriculture, reported as committed, Senate Bill No. 1382 (House Bill No. 1418), entitled:

An Act declaring and adopting the azalea nudiflora also known as the wild azalea, wild honeysuckle and pinxter bloom, as the Pennsylvania State flower.

Mr. EALY, from the Committee on Education, reported as amended, Senate Bill No. 1446 (House Bill No. 1925), entitled:

An Act authorizing persons employed under any system of State work relief to work out the per capita school taxes of himself and members of his family and providing for the payment of such taxes

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 1281 (House Bill No. 1726), entitled:

An Act creating a commission to study the laws relating to poor districts and to draft such new laws as may be necessary to revise and codify such laws and establish State supervision over poor boards.

Mr. PARKINSON, from the Committee on Education, reported as committed, Senate Bill No. 1439 (House Bill No. 6), entitled:

An Act to further amend paragraph eight of section one thousand two hundred ten, of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania

together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, decreasing the minimum salaries of county superintendents and assistant county superintendents.

Also from the Committee on Executive Nominations, reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 21, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss M. E. McCafferty, Pittsburgh.

BLAIR COUNTY

Roy I. Feather, Roaring Spring.

ERIE COUNTY

Frank B. Quinn, Erie.
Harry M. Schuwerk, Erie.

LACKAWANNA COUNTY

George H. Johns, Old Forge.

LUZERNE COUNTY

J. Frank Reinig, Wilkes-Barre.

PHILADELPHIA COUNTY

Louis Davis, Philadelphia.

SULLIVAN COUNTY

J. H. Ballentine, Dushore.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF THE MOTHERS ASSISTANCE FUND

BEDFORD COUNTY

(Mrs.) Vera Hershberger, Everett, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Helen R. Sammel, Bedford, from August 20, 1932, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Martha S. Heckerman, Bedford, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Blanche H. Zeth, Hopewell, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary Alice Sponsler, New Enterprise, from August 20, 1932, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Mary J. Miller, Fishertown, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Alice F. Derrick, Everett, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS COLLEGE

James F. Forrest, Summit Hill, from August 20, 1932, for the term of four years, and until his successor is qualified.

Dale H. Learn, East Stroudsburg, from August 20, 1932, for the term of four years, and until his successor is qualified.

J. N. Gish, East Stroudsburg, from August 20, 1932, for the term of four years, and until his successor is qualified.

Mark N . Arnold, Stroudsburg, from August 20, 1932, for the term of four years, and until his successor is qualified.

Frank LeBar, Stroudsburg, from August 20, 1932, for the term of four years, and until his successor is qualified.

C. R. Bensinger, East Stroudsburg, from August 20, 1932, for the term of four years, and until his successor is qualified.

(Mrs.) Ann W. Palmer, Stroudsburg, from August 20, 1932, for the term of four years, and until her successor is qualified.

George L. Nyce, Bushkill, from August 20, 1932, for the term of four years, and until his successor is qualified.

GIFFORD PINCHOT.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 6, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of William H. Bonsall, of Brandywine Summit, Delaware County, as Justice of the Peace n the Township of Bethel, Delaware, County, vice Clark Huddle, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., February 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Leo J. Eaton, of Eldred, McKean County, as Justice of the Peace in the Borough of Eldred, McKean County, vice Daniel J. Hodnett, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

MEMBER OF WASHINGTON CROSSING PARK COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Albert W. Preston, of Solebury, Bucks County, as a member of the Washington Crossing Park Commission, vice Colonel Henry D. Paxson, deceased, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

GIFFORD PINCHOT.

MEMBER OF BOARD OF TRUSTEES OF PENNSYLVANIA SOLDIERS' ORPHAN SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 18, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Mrs. Jane A. Beadle, of Shamokin, Northumberland County, as a member of the Board of Trustees of Pennsylvania Soldiers' Orphan School, vice Miss Mary L. Stewart, of Chambersburg, whose term expired, for the term of four years, and until her successor is qualified.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. HOMSHER,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. HOMSHER,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. HOMSHER. Mr. President, I move that the Executive Session do now rise.

Mr. HARRIS. I second the motion.

The motion was agreed to.

SENATE BILL No. 102 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 102, entitled:

An Act authorizing county treasurers to make, execute, acknowledge and deliver deeds of seated lands sold by them for delinquent taxes under the provisions of an act of Assembly of the Commonwealth of Pennsylvania, approved the ninth day of May, one thousand nine hundred and twenty-nine (P. L. 1684), entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assessed on such seated lands by authority of any county, borough, town, township, school district and poor district are delinquent and remain unpaid, and fixing penalties for such delinquency; authorizing county commissioners to purchase such lands under certain circumstances"; prior to its repeal, notwithstanding that said deeds were not made, issued, acknowledged or delivered and surplus bond not given prior to said repeal; and authorizing the making, execution, acknowledgment and delivery of said deeds by said county treasurers after the expiration of term of office or by their successors in office; and confirming the title to lands so sold where the deeds have been made, executed and delivered and the surplus bonds filed since the repeal of said act, and whether the said deeds were made, executed or delivered by the county treasurer who made said sale during the term of his office or after its expiration or by his successor in office.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend preamble page 3, line 8 by striking out after the word "Pennsylvania" the word "has" and insert in lieu thereof the word "had"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS INTRODUCED

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 1452, entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SORDONI read in his place and presented to the Chair Senate Bill No. 1453, entitled:

An Act directing the recorder of deeds of each county of the Commonwealth to refuse for record certain deeds or other transfers of real estate, or interest in real estate unless certificates by registered engineers or surveyors are attached to such instruments setting forth that the descriptions or maps contained in such instruments are true and correct descriptions of the real estate affected.

Which was committed to the Committee on Judiciary General.

Mr. PETHICK read in his place and presented to the Chair Senate Bill No. 1454, entitled:

An Act relating to milk control during the existing emergency; creating a milk control board in the Department of Agriculture; and defining its jurisdiction, powers and duties.

Which was committed to the Committee on Agriculture.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 389

Mr. ROBERTS offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 389, Printer's No. 510, entitled:

"An Act to amend sections six, seventeen and twenty-six of the act approved the fourteenth day of June, one thousand nine hundred and twenty-three (P .L. 710), entitled "An act

allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," as amended, by extending the provisions of said act so as to include bookers, booking agents, representatives of booking agencies for services of wrestlers; modifying license fees in certain cases; exempting amateur boxing or wrestling in schools, colleges and universities"

be recalled from the Governor for amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 388

Mr. SNYDER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 388 entitled "An act providing for the appointment promotion reduction removal and reinstatement of paid officers firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the second and third class defining the powers and duties of civil service commissions for such purposes and fixing penalties" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 345

Mr. PARKINSON offered the following resolution, which was twice read, considered and agreed to:

In the Senate.

Resolved (if the House of Representatives concur), That Senate Bill No. 345, entitled:

An Act prohibiting contractors subcontractors and builders and their agents from paying out using or appropriating moneys and funds received for the erection construction alteration completion and repair of buildings and for additions thereto before first paying in full or pro rata all claims due to architects surveyors engineers and persons furnishing labor and material

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

QUESTION OF PERSONAL PRIVILEGE

Mr. McCLURE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Delaware, Mr. McClure, will state his question of personal privilege.

Mr. McCLURE. Mr. President, and members of the Senate: If Governor Pinchot has read my Bill regulating utilities and understands what he has read, his remarks concerning it are not as frank and accurate as one would expect from a Governor, and particularly from one who poses as the guardian of the people.

He says my Bill does not contain provisions authorizing the Commission to investigate and pass upon proposed contracts between Pennsylvania public service companies and holding companies or affiliated interests.

He is mistaken.

It does.

Beginning on page 18 and running on for several pages, anyone who wants to read it will find that my Bill contains elaborate provisions in this regard, which not only cover proposed contracts, but even existing contracts.

He gives the impression that my Bill does not contain provisions conferring upon the Commission the right to control and regulate increases in rates or putting the burden upon the public service companies to justify proposed increases.

He is mistaken.

It does.

Beginning at the bottom of page 7 and running over to page 8 of my Bill, will be found a provision for this purpose, which is again taken up on page 25 of the Bill.

These provisions confer ample power upon the Commission to suspend any rate pending investigation, to investigate the rate, and, if it disapproves of the rate, to stop it from going into effect.

It also contains ample provisions for protecting the ratepayers from any rate which has gone into effect to the extent to which it may subsequently be disapproved by the Commission.

These latter provisions guarantee to the ratepayer the return of any part of the rate which he may have paid and which is thereafter disapproved by the Commission.

On page 27 will be found a provision that squarely places the burden of proof on the public service company to show that any increase of rate is just and reasonable.

He intimates that my Bill does not contain provisions requiring the Commission to pass upon and approve issues of securities.

He is mistaken.

It does.

Beginning on page 10, my Bill contains elaborate provisions on the subject of securities.

It forbids the issuance of securities until approved by the Commission.

While the Bill anticipates that securities allowed by law shall be approved by the Commission, it particularly provides that such approval can not be given unless the Commission finds that the issuance of the securities is reasonably necessary to carry out the lawful purpose or purposes in question, and, as will be seen at page 17 of the Bill, it gives the Commission full power to make such inquiry and investigation and to hold such hearings as it may think proper in passing upon applications for the issuance of securities.

Securities which are payable in less than twelve months are excepted from some of the provisions of my Bill, but this is true of the utilities bills in most of the States.

The Bill submitted by the Governor does the same thing.

The exception is inserted because such short term issues are usually made in comparatively small amounts to cover emergencies where quick action is required.

My Bill requires all such issues of securities to be reported to the Commisison and forbids their refunding by long term securities without the approval of the Commission.

The Governor says that the provisions of my Bill as to depreciation accounts are "vague and unsatisfactory."

My Bill strengthens the existing law by requiring every public service company to keep such character of accounts as shall be prescribed by the Commission and to carry a proper depreciation account, and to abide by all the regulations and orders of the Commission in that regard.

This is much better than trying to set up any particular formula for depreciation accounts to apply to innumberable different sets of circumstances.

These provisions are certainly not vague and, I am sure, they will not prove unsatisfactory either to the public or to the business world.

I presented this Bill in an endeavor to remedy the ills which have appeared in utility operation in Pennsylvania and elsewhere. A great many of its provisions embrace the suggestions made through a report unanimously adopted by the present Public Service Commission and presented to the Utility Committee of which I am Chairman.

I believe that my Bill is a step in the right direction, further empowering the Public Service Commission to directly apply those regulatory measures to utility operations which will be of real benefit to the public.

The Bill authorizes and empowers the Public Service Commission, and eventually the Courts of the Commonwealth,

1. To regulate the issuance of securities.

2. To suspend proposed changes in rates pending investigation as to their propriety.

3. To grant reparations to consumers in connection with changes of rates to the extent these rates may be disapproved by the Commission.

4. To pass upon and approve or disapprove transactions and contracts between public service companies, holding companies and their affiliated interests.

5. To ascertain definitely the voting capital stock ownership of public service companies.

It also contains provisions for,

6. Requiring such companies to keep proper and reasonable depreciation accounts.

7. Imposing additional penalties for failure to carry out provisions of the Act by the officers of public service companies, and

8. Fixing those fees to be paid to the Commission in connection with the application for the approval of security issues, etc.

In drafting this legislation, my underlying thought constantly has been that public service companies are created, as their name implies, to furnish service to the public; that private capital is required to finance and support such companies to furnish that public service; that the public to which that service is furnished shold pay a just rate or charge for it; and that these co-related factors should be regulated by some properly constituted tribunal eventually and finally supervised by our Courts.

So long as there is a public, it will need service and some company or association will be required to furnish it. The public, will, I feel, gladly pay a fair and just rate for that service, which rate, of course, must support the company or association anl pay a reasonable return upon the capital invested.

Since we have the public and it requires the service, and capital is not only today, but every day, constantly seeking safe investments with a fair return, I can see no reason why utility securities, providently and properly issued, through proper regulation, assured of a just return based upon a fair and just rate which guarantees a full and complete service to the public, all of which is regulated by a conscientious Public Service Commission and eventually supervised by our courts, should not become as sound as a Government bond, with the public service which that security supports as full and complete as the public desires, all founded upon a fair rate.

This is the genuine and harmonious structure which I wish to see reared in Pennsylvania, and this is the plan and endeavor of my legislation.

Now the Governor, at the last moment and when the Legislature is almost ready to adjourn, unfairly and by inaccurate statements and inuendoes attacks by Bill and proposes other legislation on this subject.

He gives as a reason for his delay in presenting his legislation that he has been so busy for the last few months that he had not time to attend to that which he has heretofore termed a robbery of the people—a constant utility monster gnawing at their pursestrings.

With what has he been so busy? Constant trekking to Washington and sleeping soundly there in an endeavor to become Democrat and ascertain whether he would or could be accepted by the new Roosevelt, now in power.

One of the greatest troubles with our Governor is that he has an incurable Roosevelt complex. When Theodore was a Republican, Pinchot was a Republican; when Theodore was a bull-mooser he was a bull-mooser; when Franklin became a successful Democrat he wants to be a Democrat; but as for help and policies for the benefit of the people of Pennsylvania, these he allows to lag and suffer, while with campaign hat atilt and arms akimbo he tries debonairly to squeeze in under the Roosevelt tent.

To us in Pennsylvania, however, it looks as though, while Franklin might be willing, practical Farley has said nay, for apparently it has been concluded in Washington that if he cannot deliver here, he cannot there.

But since we are treating of this utility question, what has the Governor done concerning it?

I'll tell you what he has done. Through the power of his patronage as Governor, in 1931 he killed my proposed utility legislation and deprived the people of the benefit of its remedies for the ensuing period of two years.

In 1931 the Governor had a Bill on utilities introduced and passed by the House of Representatives which was controlled through patronage by him. This Bill was known as the Fair Rate Bill and was supposed to be a perfect piece of legislation. When this Bill reached the Senate, he offered 232 amendments and a former Chief Justice of the highest Court in the State said that this Bill was so fraught with unconstitutionalities that it would not be sustained in the Courts. That was some accomplishment for the benefit of the people of Pennsylvania.

Now, in 1933, a year of devastating depression, when prices of everything are terribly and distressingly reduced, he says that the Public Service Commission appointed by him has reduced rates. I do not know whether this statement is intended for humor or sarcasm, but as a joke it will receive, as it deserves, but a wry smile from the people of our State.

One of the strongest factors favoring and forcing the election of President Roosevelt was that he would have the united support of Party associates in both House of Congress and with that support he would be able to work real accomplishment for the country. This, to the great detriment of the people of Pennsylvania, Governor Pinchot has never striven to have or acquire.

He seems to forget, or if not forgetting, overlook, the fact that the members of the Senate and House are just as deeply interested in the welfare of Pennsylvania and its people as he is, just as loyal to their State, and perhaps of much longer standing in that loyalty than he is, that there is no adoption in their case but it is bred in the bone; that they are charged with, recognize and accept the same responsibilities as he does; that they have their own ideas and opinions just as he has his regarding the State, its affairs and benefits for its people; that "in the multitude of counsellors there is safety" and

that the judgment of some of these counsellors elected by the people may be as good as his. He must not forget he is not always infallible and right, and we, the members of the Senate and House venal and wrong. The people whom we represent, do not consider him their guardian angel, and think of us, their representatives, as arrant tricksters, purely on his statements, when those statements are transparent and recognized as made solely for the purpose of establishing a political organization for his own benefit, with no accompanying accomplishments for the benefit of the people of Pennsylvania.

No Governor since Curtin, in Civil War days, has had the opportunity for real good which Governor Pinchot has had in this State in recent years, and had he cooperated with the members of the Senate and House he could have accomplished much. But what has he done, save criticize and castigate them? If this has been of any benefit to Pennsylvania, I fail to see its effect.

When a man begins to palaver about his voice being the voice of the people and that he does not care what those who are associated with him think of him and his charges, it is a pretty fair sign that he is beginning himself to doubt the power of his voice. He knows that other people recognize the absence of its power, though he will not admit it; that he does care what others think about him and he wants his associates and the world at large to consider him, as they once did, a vital force. I fear Governor Pinchot has gone back—at least he has gone back to an old issue which is being and will be properly solved and remedied by the Legislature—as a ventriloquist he has been unfrocked and discovered; therefore, it must rather clearly appear that he has run out of cant and rant and real issues, and for the want of them is endeavoring to revive an old one, with the thought that it could be used as a vehicle for the further abuse and attack upon members of the Legislature—and in that he has failed, and knows it.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

APPROVAL OF SENATE BILL No. 302

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 21, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 332, Printer's No. 156, entitled "An Act to amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled 'An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes' as amended by excluding interest bearing accounts "in any bank or banking institution savings institution or trust company" from the provisions thereof."

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BEAVER COUNTY

Miss Almira M. Parks, Beaver Falls.

CLEARFIELD COUNTY

Mrs. Violet Butterworth, Chester Hill.

COLUMBIA COUNTY

James Masanotti, Berwick.

DAUPHIN COUNTY

H. S. Berkstresser, Royalton.

DELAWARE COUNTY

W. Roy Garson, Upper Darby.

LAWRENCE COUNTY

P. W. Griffin, Bessemer.

MERCER COUNTY

Donovan H. Henry, Greenville.

MONTGOMERY COUNTY

I. M. Jarrett, Abington.
Francis J. Mullin, Norristown.

NORTHAMPTON COUNTY

Miss Carrie H. Walter, Easton.

PHILADELPHIA COUNTY

C. Clark Hodgson, Philadelphia.

WESTMORELAND COUNTY

Miss Ottilie Walthour, Greensburg.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for re-appointment as a Notary Public, for a term of four years to compute from the date set opposite her name:

PHILADELPHIA COUNTY

Mrs. Elizabeth D. Mollenkof, Philadelphia, April 30, 1933.

GIFFORD PINCHOT.

JUSTICES-OF-THE-PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Malcolm A. Lloyd, of Altoona, Blair County, as Justice-of-the-Peace in the Township of Logan, Blair County, vice Harry H. Figart, resigned, until the first Monday in January, 1934.

Harry R. Quinby, of Carversville, Bucks County, as Justice-of-the-Peace in the Township of Solebury, Bucks County, vice George C. Butler, resigned, until the first Monday in January, 1934.

Chas. D. Cooper, of Harmonsburg, Crawford County, as Justice-of-the-Peace in the Township of Summit, Crawford County, vice Wilbur P. Putnam, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

TRANSMITTING REPORT OF COMMISSION ON COMPENSATION FOR INDUSTRIAL DISEASE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1933.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

I have long been convinced of the need for adequate legislation to provide compensation for occupational diseases in Pennsylvania. That need becomes increasingly urgent as new industrial processes, involving new health hazards, are developed. The problem is one which involves separate rights of employers and employes as well as insurance companies, and requires a careful, impartial, and scientific study.

To this end in September, 1932, I appointed a Commission of ten members. The members were chosen because of their special expert knowledge and fitness to represent the different interests which would be affected by such legislation.

This Commission has made a comprehensive survey of occupational disease hazards. Its report, as herewith presented, deserves detailed and careful study.

From the data presented by this Commission, it is possible to frame legislation that will be fair and equitable to all concerned. It is my earnest hope that the Legislature may act accordingly.

GIFFORD PINCHOT.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 360, as follows:

An Act to validate sheriff's deeds acknowledged previous to the return day of the writ by virtue of which the real estate was sold or acknowledged defectively

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the athority of the same That no sheriff's deed of real estate situate in any county of this Commonwealth made and recorded prior to the passage of this act shall invalid by reason of its having been acknowledged previous to the return day of the writ by virtue of which such real estate was sold nor shall any such deed be invalid because of a defective acknowledgement Provided that the provisions of this act shall not apply in any instance where the validity of any sheriff's deed has been made the subject of litigation in any court of the Commonwealth prior to the effective date of this act nor to any litigation in any court of this Commonwealth instituted prior to the effective dae of this act and still pending and undetermined

Section 2 This act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. McCLURE. Mr. President, I ask unanimous consent that Senate Bill No. 945 (House Bill No. 1788), on final passage, entitled:

An Act to further amend Sections three and four of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" by making the moneys in the Motor License Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments and for the maintenance of the State Highway Patrol

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 975 (House Bill No. 1647), as follows:

An Act to amend sections eight and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" is hereby amended to read as follows

Section 8 Approval of Plans It shall be the duty of the owner architect or contractor of every building or structure as described in this act hereafter erected adapted remodeled or altered to submit to the Department of Labor and Industry for approval architectural drawings specifications or other data

showing compliance with the provisions of this act and the rules and regulations of the said department which may be promulgated for the enforcement of the provisions of this act No such building or structure shall be erected adapted remodeled or altered until such plans have been examined and approval given by the Department of Labor and Industry and a building permit obtained in municipalities where such permit is required by ordinance

For making the necessary examination for approval of architectural drawings specifications or other data the department shall make a charge equal to the actual cost of making such examinations not however to exceed the sum of twenty-five dollars ($25.00) and no such drawings specifications or other data shall be approved until payment is made of the fee charged therefor All fees received by the said department for making such examinations shall be paid into the State Treasury through the Department of Revenue

Any such owner architect or contractor whose drawings or specifications have been submitted to and approved by said department as herein provided may proceed with the erection adapting remodeling or altering of such building or structure without submitting such drawings or specifications to or obtaining the approval of any other department board or agency of the State government

Section 2 That Section fifteen of said act as amended by the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred twenty-three) is hereby further amended to read as follows

Section 15 Enforcement The provisions of this act shall be enforced by the Secretary of Labor and Industry by and through his authorized representatives Provided That nothing in this act shall be construed as affecting building in cities of the first class second class and second class A and that duly appointed chiefs of fire departments shall be equally responsible with the Secretary of Labor and Industry for the enforcement of the provisions of this act and the regulations of the Department of Labor and Industry pertaining to the removal of obstructions to and maintenance of exits aisles passageways and stairways leading to or from exits in all buildings covered by this act and the inspection and maintenance of emergency lighting systems fire alarms and fire extinguishing apparatus

For the purpose of enforcing the provisions of this act all the officers charged with its enforcements shall have the power to enter any of the buildings or structures enumerated in section two of this act and no person shall hinder or delay or interefere with any of the said officers in the performance of his duty nor refuse information necessary to determine whether the provisions of this act and the rules and regulations herein provided for are or will be complied with

Section 3 This act shall become effective upon the date of its final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1044, (House Bill No. 266), as follows:

An Act making an appropriation to the Hospital of the Woman's Medical College of Pennsylvania located at Henry Avenue and Abbotsford Road East Falls Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ninety thousand dollars ($90,000) or so much thereof as may be necessary is hereby specifically appropriated to the Hospital of the Woman's Medical College of Pennsylvania located at Henry Avenue and Abbotsford Road East Falls Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1061 (House Bill No. 583), as follows:

An Act making an appropriation to the several fire companies of the city of Harrisburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated for the several fire companies of the city of Har-

risburg Pennsylvania as compensation for protection from and extinguishment of any fire or fires that may occur in or on the Capitol building or grounds for the two fiscal years beginning June first one thousand nine hundred and thirty-three Said sum to be distributed among said companies in equal amounts

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 1069 (House Bill No. 1791), on final passage, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction and providing for the repayment of such moneys from the General Fund

be recommitted to the Committee on Appropriations.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1274 (House Bill No. 571), as follows:

An Act to amend section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by decreasing and limiting the compensation of the members of the board of viewers in counties of the fourth fifth and sixth classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by section one of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred one) is hereby further amended to read as follows

Section 171 Number of Members Qualifications Compensation There is hereby established in each county a board of viewers The board of viewers in counties of the second class shall consist of not less than six nor more than nine members one-third of whom may be learned in the law and members of the bar of the county In each county of the third fourth fifth sixth seventh and eighth classes said board shall consist of not less than three nor more than nine members one-third of whom may be surveyors or members of the bar of the county The judges of the court of common pleas shall in each case determine within the aforesaid limits the total number of members of which the board shall be composed fixing and determining such number as shall be deemed necessary for the proper performance of the duties imposed upon the board The court may also from time to time change the total number of members within the above limits

In counties of the second class each member of the board of viewers shall receive an annual salary of six thousand five hundred dollars ($6,500)

In counties of the third class each member of the board of viewers shall receive the sum of twelve dollars ($12.00) and in counties of the fourth class each member shall receive ten dollars ($10.00) per day for each day actually and necessarily spent by him in the performances of the duties of his office and ten (10) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office [Provided however That the amount so received by any member of the board of viewers in counties of the third class shall not exceed exclusive of traveling expenses the sum of two thousand dollars ($2,000) for any calendar year]

[In counties of the fifth and sixth classes each member of the board of county viewers shall receive the sum of ten dollars ($10.00) per day for each day actually and necessarily spent by him in the performance of the duties of his office and the sum of five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office]

In counties of the fifth sixth seventh and eighth classes each member of the board of viewers shall receive the sum of seven dollars and fifty cents ($7.50) per day for each day actually and necessarily spent by him in the performance of the duties of his office and five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office

All per diem compensation shall be for a full day's work regardless of the number of properties viewed or the number of proceedings heard on such day Where a number of properties are involved in connection with the same public improvement and they can all be viewed in one day compensation for one day only shall be allowed for such view

The compensation of said viewers shall be paid monthly by the respective counties under such conditions as to the verification of the time of employment as may be prescribed by rules and regulations which shall be made by the courts of the respective counties

And the amendments made therto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 5, entitled:

An Act making an appropriation for the preparation of the Eightieth Division History; and creating a commission for such purposes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. OWLETT. Mr. President, I ask unanimous consent that Senate Bill No. 146, on third reading, entitled:

An Act to amend section one thousand one hundred and twenty-six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" as amended, vesting discretion in the school directors of certain counties with respect to the appointment of an assistant county superintendent and providing for the payment of salaries of such assistant superintendents.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL DROPPED FROM CALENDAR

Mr. THOMPSON. Mr. President, I move that Senate Bill No. 308, on third reading, entitled:

An Act to amend section one of the act approved the twenty-second day of July, one thousand nine hundred and nineteen (P. L. 1089), entitled "An act regulating the advertising of the sales of real estate by the sheriffs in the several counties of this Commonwealth; and repealing all acts and parts of acts general and inconsistent therewith," by stipulating the location of newspapers in which publication shall be made.

be dropped from the calendar.

Mr. MANSFIELD. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 446, as follows:

An Act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholder attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

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ARTICLE I
SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Banking Code"

Section 2 Definitions The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Affiliated corporation or person" means such an affiliated corporation or person as is defined by any Federal law or any regulation issued by any Federal authority pursuant to law to be a corporation or person affiliated with a national banking association or a member of a Federal Reserve Bank

"Articles" includes the original articles of incorporation any or all amendments thereto articles of merger consolidation or conversion and also what have heretofore been designated by law as certificates of incorporation or charters

"Assets" includes all the property and rights of every kind of an institution as herein defined

"Attorney" includes any attorney at law who receives a general retainer as solicitor or as counsel for an institution

"Authorized capital" means the sum of the par value of the shares authorized to be issued in the articles of incorporation or in any amendment thereto

"Bank" includes any bank which does not have the power to act as trustee guardian executor administrator or in other fiduciary capacities incorporated under this act or under the act approved the thirteenth day of May one thousand eight hundred seventy-six (Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements or under any special act of the General Assembly of this Commonwealth

"Bank and trust company" includes any bank and trust company incorporated under this act or any bank incorporated under the act approved the thirteenth day of May one thousand eight hundred seventy-six (Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements which has acquired the power to act as fiduciary under the act approved the seventeenth day of July one thousand nine hundred nineteen (Pamphlet Laws one thousand thirty-two) entitled "An act authorizing banking companies incorporated and organized under the laws of the Commonwealth and having capital stock at least equal to the capital stock which trust companies are required by law to have to act in any fiduciary capacity in which trust companies organized under the laws of the Commonwealth are empowered to act and prescribing the method of acquiring such rights" or any corporation organized "for insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and incumbrances" under the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) its amendments and supplements and which has acquired the power to engage in the business of banking and to act as fiduciary under the supplement to that act approved the ninth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred fifty-nine) or a corporation organized under any special act of the General Assembly of this Commonwealth which has the power to engage in a banking business and to act as fiduciary

"Banking" means discounting and negotiating promissory notes drafts bills of exchange and other evidences of debt receiving money and commercial paper on deposit or for transmission lending money on real or personal security buying and selling gold and silver bullion foreign exchange coin or bills of exchange

"Capital" means the sum of the par value of the common shares issued and outstanding

"Corporation" means a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Department" means the Department of Banking of this Commonwealth

"Director" includes any individual who is a member of a board of directors board of managers or board of Trustees of a bank bank and trust company or trust company

"Incorporator" means a signer of the original articles of incorporation

"Incorporated Institution" includes any bank bank and trust company savings bank or trust company

"Institution" includes any bank bank and trust company savings bank trust company or private bank

"Net worth" means the total of all the assets of every kind employed in the business of a private bank less the total of all the liabilities of every kind of such business

"Person" means an individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals

"Private Bank" means a banking business other than those specifically exempted by this act owned and operated in this Commonwealth by an individual a partnership or any other unincorporated association but this shall not include clubs and hotels which receive money from members and guests for temporary safe-keeping express steamship or telegraph companies which receive money for transmission attorneys at law real estate agents fiscal agents and attorneys in fact who are not engaged in the business of receiving moneys in this Commonwealth for deposit or for transmission but receive and transmit moneys only as an incident to their general business or profession and brokers licensed under the laws of this Commonwealth holding membership in a lawfully constituted brokerage exchange who do and have authority to do only such banking as is incidental to their brokerage business

"Private Banker" means an individual who by himself or as a member of a partnership or other unincorporated association owns or operates a private bank

"Recognized Stock Exchange" means the stock exchange of any city having a population of more than five hundred thousand according to the latest official census

"Savings Bank" includes any savings bank incorporated under this act or under the act approved the twentieth day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred forty-six) entitled "An act to provide for the incorporation and regulation of savings banks and institutions without capital stock established for the encouragement of saving money" or under any special act of the General Assembly of this Commonwealth

"Shares" means the units into which the shareholders' rights to participate in the control of an incorporated institution in its undivided profits or in the distribution of its assets are divided

"Shareholder" means a registered owner of shares in an incorporated institution

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the corporation or person therein named is the registered owner of the shares therein described it also includes the term "certificate of stock" as used in existing laws

"Trust Company" includes any trust company incorporated under this act or any corporation organized for insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and encumbrances under the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) its amendments and supplements and which has acquired the power to engage in the business of banking and acting as fiduciary under the supplement to the act approved the ninth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred fifty-nine) or any other bank and trust company which renounces or has renounced its power to transact a banking business or a corporation organized under any special act of the General Assembly of this Commonwealth which has the power to engage in the banking business and act as a fiduciary but which renounces or has renounced its power to transact a banking business

"Trustee" includes any individual who is a member of the board of managers or board of trustees of a savings bank

"Written" includes printed typewritten engraved lithographed photographed photostated or telephotographed

B The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 3 Applicability of Act Automatic Acceptance A Except as herein otherwise specifically provided this act shall apply to all incorporated institutions whether incorporated before or after the effective date of this act and whether by general or special law

B If the application of the provisions of this act to any incorporated institution organized under a special act of the General Assembly shall be declared unconstitutional an acceptance or exercise by such institution of any benefit right or power conferred or granted by this act including a change of its name or of its place of business an extension of its term of existence an increase or decrease of its capital any other amendment to its articles or a merger or consolidation with another institution or with a national banking association shall constitute an acceptance by such institution of all the provisions of this act which by their terms are made applicable to it

Section 4 Saving Clause A The provisions of this act in so far as they are the same as those of existing acts shall be construed as a continuation of such acts and not as new enactments The repeal by this act of any existing act or of any part thereof shall not be construed to revive any act or part of any act heretofore repealed or superseded

B Except as otherwise specifically provided in this act the provisions of this act shall not affect any act done any liability duty or obligation incurred or any right acmrued prior to the effective date of this act nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any act repealed or superseded by this act

C The repeal of any act by this act shall not affect the corporate existence of any bank bank and trust company or savings bank heretofore created under any law of this Commonwealth or the existence of any private banker heretofore authorized to do a banking business in this Commonwealth

D Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term subject to the conditions attached to such office prior to the passage of this act

E All resolutions regulations and rules made pursuant to any act repealed by this act shall unless inconsistent with any provision of this act continue with the same force as if such act had not been repealed

Section 5 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 6 Construction of References Article and Section Headings A Any reference in this act to any act by title or otherwise shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially re-enacted

B Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act as well as those then in existence

C Article and section headings shall not be construed to affect in any manner the scope or meaning of any article or section of this act

Section 7 Jurisdiction of Courts Except where otherwise specifically provided the provisions of this act shall not be deemed to curtail in any manner whatsoever the equity jurisdiction and powers of the courts of this Commonwealth

Section 8 Notices to Corporations and Persons Unless expressly provided otherwise all written notices required by this act to be given to any corporation or person shall be (1) served in the manner now or hereafter established by law for the service of writs of summons except that such service need not be made by the sheriff or (2) mailed charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation organized under the laws of this Commonwealth to its principal office and (c) in the case of a corporation incorporated under the laws of some other state to its registered office in Pennsylvania or if it has no registered office in Pennsylvania to its home office in the state of incorporation or in any other state

If a notice is sent by mail such notice shall be deemed to have been given to the corporation or person addressed when it is deposited in the United States mail for transmission to such corporation or person

Section 9 Advertisement or Notice in Newspapers (a) Unless expressly provided otherwise any advertisement or notice in a newspaper of general circulation required by this act shall be published in a newspaper of general circulation in the county as defined by the Newspaper Advertising Act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four) its supplements and amendments in which the principal place of business of the institution is or in the case of a proposed institution will be located and which is published in the city borough or township in which such place of business is or will be located

If there is no newspaper of general circulation published in the city borough or township then the advertisement or notice shall be inserted in a newspaper of general circulation in the county published at the county seat If no newspaper of general circulation in the county is published at the county seat then such advertisement or notice shall be inserted in the newspaper of general circulation published nearest to the city borough or township in which the principal place of business of such institution is or will be located and within the county If there is no newspaper of general circulation published within the county then the advertisement or notice shall be inserted in the newspaper of genral circulation publishd nearest to such city borough or township in an adjoining county

B Unless expressly provided otherwise any advertisement or notice in a legal newspaper required by this act shall be published in the legal newspaper published within the county as defined by the Newspaper Advertising Act in which the principal place of business of the institution is or in the case of a proposed institution will be located

C Unless expressly provided otherwise if this act requires advertisement or notice to be made both in a newspaper of general circulation and in a legal newspaper and if there is no legal newspaper published within the county in which the principal place of business of the institution is or in the case of a proposed institution will be located the advertisement shall be made in two newspapers of general circulation in the county except that if two newspaper of general circulation are not published in the county then such advertisement or notice shall be made in only one newspaper of general circulation published in the county or if none is published there then in one newspaper published in an adjoining county as provided by this section in any case in which a newspaper of general circulation is not published in the county

D Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act

E Any notice or advertisement in a newspaper required by this act shall be construed to refer to a newspaper published in the English language

Section 10 Waiver of Notice Any notice required by this act or by the articles or by-laws of any corporation governed by the provisions of this act to be given to any corporation or person may be waived by such corporation or person either before or after the day prescribed for the giving of such notice Such waiver shall be in writing and signed by such corporation or person

B Except in the case of a special meeting neither the buisness to be transacted at nor the purpose of the meeting need be specified in the waiver of notice of such meeting

C Attendance of a director a trustee or a shareholder in person or by proxy or of any other person at any meeting shall constitute a waiver of notice of such meeting except where he attends such meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called

Section 11 Fees Except as otherwise specifically provided any prothonotary or recorder of deeds and any State department board commission or officer shall be entitled to receive for services performed as required by this act such fees as are or may be lawfully charged for such or similar services

Section 12 Powers of Department of State The Department of State shall have the power and authority reasonably necessary to enable it to perform the duties imposed upon it by this act All articles papers and other documents required by this act to be filed with the Department of State shall be in such form as shall be prescribed by the Department of State

Section 13 Certificates and Certified Copies of Certain Documents to be Received in Evidence A All certificates issued by the Department of State in accordance with the provisions of this act and all copies of articles papers and other documents filed with the Department of State in accordance with the provisions of this act when certified by the Secretary of the Commonwealth shall be take and received by all courts public officers and official bodies as prima facie evidence of the facts therein stated A certificate by the Department of State under the seal of the Commonwealth as to the existence or non-existence of fact relating to corporations which would not appear from any of the foregoing documents or certificates shall be taken and received by all courts public offices and official bodies as prima facie evidence of the existence or non-existence of facts therein stated

ARTICLE II

NAMES AND PLACES OF BUSINESS OF INSTITUTIONS

Section 201 Institution Name Change of Name A The name of an institution may be in any language but it shall be expressed in English letters or characters In the case of a bank it shall contain in English the word "bank" in the case of a bank and trust company the words "bank and trust company" in the case of a trust company the words "trust company" in the case of a savings bank the words mutual savings bank" and in the case of a private bank the words "private bank" or "unincorporated bank" The name of a bank or private bank shall not contain the words "trust" or "savings" and the name of a savings bank shall not contain the word "trust" The name of an institution shall not contain any word which may deceptively lead to the conclusion that it is authorized to perform any act or conduct any business which is forbidden to it by law by its charter or otherwise The name of an institution shall not contain the words "Government" "Official" "Federal" "National' "United States" or abbreviations thereof

The name of an institution shall not be the same as or deceptively similar to that of any other corporation authorized to transact business in this Commonwealth or the name of any unincorporated body whatsoever voluntarily registered with the Department of State under any act unless such other corporation or unincorporated body is about to change its name or to cease doing business or is being wound up or in the case of a foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the Department of State and with the Department of Banking

B The provisions of this section shall not apply to any name which is in existence upon the effective date of this act The name of any institution existing upon the effective date of this act may be used by such institution and by any successor corporation formed by the consolidation or merger of such existing institution with another institution as provided in this act The name of an institution existing upon the effective date of this act may also be used by a new institution incorporated under this act if such new incorporated institution is formed in pursuance of a plan of segregating the banking business and the trust business of an existing institution However if an existing institution shall desire to change its name in any manner whatsoever pursuant to the provisions of this act the new name shall comply in every detail with the requirements of this section A change in name shall be effected in the case of an incorporated institution in the regular manner provided by this act for amending its articles and in the case of a private bank in the manner provided by law for a change in the registered name of an individual trading alone or of an unincorporated association except that the assent of the Department Banking shall be required

C This section shall not be construed to abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principles of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

D The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the Court of Common Pleas of Dauphin County may upon the application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth or the court of common pleas of the county in which the incorporated institution has its place of business may upon the application of any corporation or person adversely affected enjoin the corporation from using or continuing to use a name assumed in violation of this section

Section 202 Reservation of Institution Name The exclusive right to the use of a name may be reserved (1) by any person intending to organize an institution or (2) any institution intending to change its name Such reservation shall be made by filing with the Department of State an application to reserve a specified name executed by the applicant If the Department of State shall find that such name is available it shall send a copy of such application to the Department of Banking If the Department of Banking advises that such name is satisfactory to it it shall forthwith give its written assent to the Department of State The Department of State shall then reserve the name for the exclusive use of such applicant for a period of sixty days The right to the exclusive use of a specified name so reserved may be transferred to any corporation or person who except for such prior reservation would be entitled under the provisions of this act to reserve such name Such transfer may be made by filing with the Department of State duplicate originals of a notice of such transfer which notice shall be executed by the applicant for whom such name was reserved and shall specify the name and address of the transferee The Department of State shall send a copy of such notice to the Department of Banking

Section 203 Place of Business Change of Place of Business A An institution shall not transact any banking or trust business except in the case of an incorporated institution at the place or places designated in its articles and in the case of a private bank at the place or places the address or addresses of which are filed with the Department of Banking

B An incorporated institution may change its place of business within the limitations imposed by this act in the regular manner provided by this act for an amendment to its articles Any private bank may likewise remove its place of business within the limitations of this act if it shall first obtain the written approval of the Department Such removal by an institution shall not in any case be to a place where such institution would not be entitled under the provisions of this act to establish a branch at the time it applies for authority to make such change

Section 204 Branch Offices and Sub-agencies (a) An institution shall not establish maintain or operate either directly or indirectly any branch bank branch office agency sub-office sub-agency or branch place of business within this Commonwealth except as may be permitted by this act

B Any institution may in the manner provided by this act for an amendment to its articles establish and thereafter maintain and operate a branch bank branch office agency sub-office sub-agency or branch place of business at any place within the county in which its principal office is located or in any contiguous county if it shall appear that the community in which such institution proposes to establish such branch bank branch office agency sub-office sub-agency or branch place of business is without adequate banking facilities

C Any institution may in the manner provided by this act for an amendment to its articles establish and thereafter maintain and operate any branch bank branch office agency sub-office sub-agency or branch place of business at any place within the county in which its principal office is located or in any contiguous county where the establishment of such branch bank branch office agency sub-office sub-agency or branch place of business is effected by the merger or consolidation in the manner provided in this act of two or more institutions and where the community in which such branch bank branch office agency sub-office sub-agency or branch place of business is to be established is without adequate banking facilities other than an institution which is a party to such merger or consolidation

D Any institution may continue to maintain and operate any branch bank branch office agency sub-office sub-agency or branch place of business lawfully established by such institution

E Any institution may in the manner provided by this act for an amendment to its articles establish a branch bank

branch office agency sub-office sub-agency or branch place of business at any place within this Commonwealth where at the time such institution proposes to establish such branch bank branch office agency sub-office sub-agency or branch place of business any national banking association having its principal office in the same county as that in which the principal office of the institution proposing to take such action is located would have the power under the laws of the United States now or hereafter enacted to establish a branch bank branch office agency sub-office sub-agency or branch place of business of such national banking association

ARTICLE III

FORMATION ORGANIZATION AND GENERAL CORPORATE POWERS OF INCORPORATED INSTITUTIONS

Section 301 Incorporators A A bank a bank and trust company or a trust company may be formed pursuant to the provisions of this act by three or more incorporators and a savings bank by fifteen or more incorporators

B Such incorporators shall be natural persons of full age and of either sex married or single At least two-thirds of them shall be citizens of the United States or of its territories or possessions and at least two-thirds shall be residents of this Commonwealth

C In the case of a bank a bank and trust company or a trust company each incorporator shall subscribe to common shares of a par value of at least one thousand dollars

Section 302 Prohibition upon Payment of or Contract for Promoters' Fees A It shall be unlawful (1) for any fee commission or compensation to be paid to any corporation or person for the promotion or organization of an incorporated institution or (2) for any part of the money collected or to be collected from subscribers or shareholders to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such incorporated institution whether such fee commission or compensation is provided for by the contract with the proposed incorporated institution with the promoters with the subscribers or otherwise

B This section shall not apply to the payment of legal fees and other usual and ordinary expenses necessary for the organization of the incorporated institution

C At least a majority of the incorporators shall execute and file with the Department of State at the time of the filing of the articles of incorporation as provided in this act an affidavit containing a statement of all expenses connected with the organization of the corporation and procuring subscriptions including a declaration that no fee commission or compensation of any kind has been or is to be paid to any corporation or person for the promotion or organization of the incorporated institution or for the procuring of subscriptions for the sale of its shares

D In any case in which there has been a violation of this section the Department shall have the power to disapprove the articles upon this ground

Section 303 Articles of Incorporation Articles of incorporation shall be signed by each of the incorporators and acknowledged by at least two of them before any officer within this Commonwealth authorized to take acknowledgments except in the case of a savings bank in which case they shall be signed and acknowledged by at least five of the incorporators

The articles shall set forth in the English language

(1) The name of the proposed incorporated institution

(2) The exact location of its place or places of business

(3) A precise and accurate statement of the purpose or purposes for which it is organized as well as a statement that it is organized under the provisions of this act

(4) The term for which it is to exist which may be perpetual

(5) In the case of a bank a bank and trust company or a trust company the aggregate number of shares which it shall have authority to issue the par value of each of the shares and the amount of the capital as well as the amount of the surplus and expense fund with which the bank bank and trust company or trust company will commence business If the shares are to be divided into classes the number of shares of each class shall be given together with a description of each class and a statement of the preferences qualifications limitations restrictions and the special or relative rights granted to or imposed upon the shares of each class

(6) In the case of a savings bank the amount of the expense fund which will be paid-in accordance with this act

(7) The name occupation citizenship place of residence and post office address of each incorporator and except in the case of a savings bank the number of shares to which he has subscribed

(8) The name occupation citizenship place of residence post office address and term of office of each of the first directors and in the case of a savings bank each of the first trustees In the case of each director the articles shall state the number of shares to which he has subscribed

(9) The name place of residence and post office address of each of the first officers

(10) In the case of a bank a bank and trust company or trust company any provision which the incorporators may choose to insert denying to common shareholders or granting to preferred shareholders preemptive rights to subscribe to any or all issues of additional shares of the corporation

(11) Any provision not inconsistent with law which the incorporators may choose to insert for the regulation of the business and the internal affairs of the incorporated institution

Section 304 Advertisement of Articles The incorporators shall advertise their intention to file articles with the Department of State one time in a newspaper of general circulation and one time in a legal newspaper Advertisements shall appear at least three days prior to the day the articles are to be filed with the Department of State and shall set forth briefly

(1) The name of the proposed incorporated institution

(2) A statement that the proposed incorporated institution is to be organized under the provisions of this act

(3) The purpose or purposes of the proposed incorporated institution and

(4) The time when the articles will be filed with the Department of State

Section 305 Filing of Articles Payment of Bonus and Fees or Charges A The incorporators shall deliver or cause to be delivered to the Department of State proof of publication of the advertisement of their intention to file articles of incorporation the affidavit required by this act stating that no fee commission or compensation has been paid for the promotion or organization of the proposed incorporated institution and the articles required by this act

B The Department of State shall examine the proof of publication the affidavit and the articles to determine whether they contain all the information and are in the form required by this act and whether the name of the proposed incorporated institution is the same as one already adopted or reserved by any other corporation or person or is so similar thereto that it is likely to mislead the public

C After all the bonus fees and charges established by law have been paid the Department of State shall if the proof of publication the affidavit and the articles contain the information and are in the form required by this act and if the name of the proposed institution does not violate any provision of this act forthwith but not prior to the day specified in the advertisement of the intention of the incorporators to file the articles endorse its approval thereon and transmit them to the Department of Banking

D If the Department of State shall disapprove the articles pursuant to the provisions of this act it shall forthwith give notice thereof to the proposed incorporators stating in detail its reasons for doing so and indicating how the incorporators can remedy their nonconformance with the provisions of this act Upon remedying the defect the incorporators may in the same manner file the same or amended articles whichever the particular case may require

Section 306 Approval of Articles by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles from the Department of State conduct such investigation as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the proposed incorporated institution is likely to mislead the pubic as to its character or purpose

(2) Whether the convenience and advantage of the public will be served by the proposed incorporation and whether the density of the population in the neighborhood designated for the place of business of such proposed incorporated institution and in the surrounding country affords reasonable promise of adequate support for the enterprise

(3) Whether the responsibility character and general fitness for the business of the incorporators directors and officers named in the articles are such as to command the confidence of the community and to warrant the belief that the business of the proposed incorporated institution will be honestly and efficiently conducted in accordance with the intent and purpose of this act

(4) Whether any fee commission or compensation has been paid to any corporation or person for the promotion or organization of such incorporated institution or whether any part of the money collected or to be collected from subscribers or shareholders has been or is to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such incorporated institution whether such fee commission or compensation is provided for by contract with the proposed incorporated institution or by contract with the subscribers to the shares

B Within thirty days after the receipt of the articles from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove the articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles it shall endorse its approval thereon and shall return them to the Department of State

C If the Department of Banking disapproves the articles it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the proposed incorporators of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The decision of the Department of Banking shall be conclusive and not subject to any review

Section 307 Issuance of Certificate of Incorporation Immediately upon receipt of the approved articles of a proposed institution from the Department of Banking the Department of State shall file the articles and shall issue to the incorporators or their representative a certificate of incorporation to which shall be attached a copy of the approved articles A copy of the approved articles shall be sent by the Department of State to the Department of Banking The articles upon being approved by the Department of State and the Department of Banking and filed by the Department of State shall constitute the charter of the corporation

Section 308 Effect of Issuance of Certificate of Incorporation Upon the issuance of the certificate of incorporation of any institution by the Department of State the corporate existence shall begin The certificate of incorporation shall be conclusive evidence of the fact that the institution has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate an institution which should have been formed under some other act or which has been formed without a substantial compliance with the conditions prescribed by this act

Section 309 Fees for Investigation by Department of Banking In addititon to any bonus fee and charge provided by law in the case of any corporation the incorporators of an incorporated institution shall pay to the Department of State at the time they file their articles such reasonable fees as shall be established by rule and regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act to determine whether the articles should be approved Such fees shall be paid by the Department of State through the Department of Revenue into the Banking Department Fund

Section 310 Conditions Precedent to Beginning Business Certificate of Authorization Penalty for Violation A An incorporated institution formed under this act shall not accept any deposits incur any indebtedness or begin the transaction of any business except such as shall be incident to its organization or to the obtaining of subscriptions to or payment for its shares until it shall receive from the Department of State a certificate of authorization which shall not however be issued until

(1) In the case of a bank a bank and trust company or a trust company its capital its surplus and its expense fund to the amount stated in the articles have been fully paid in such capital surplus and expense fund being equal at least to the minimum required by this act for such an institution

(2) In the case of a savings bank the amount of the expense fund as stated in the articles has been fully paid in provided that such amount equals at least the minimum expense fund required by this act or by the Department

(3) At least a majority of the directors or trustees have taken the oath or affirmation required of directors or trustees by this act

(4) The incorporated institution is organized and ready to begin busIness

(5) The by-laws of the incorporated institution have been filed with the Department of Banking

When all the acts set forth in this section have been completed an affidavit to that effect signed by either the cashier or the treasurer of the incorporated institution and by at least a majoriy of the board of directors in the case of a bank a bank and trust company or a trust company or a majority of the trustees in the case of a savings bank shall be prepared and filed with the Department of State If it shall appear to the Department of State that the affidavit is in proper form and contains all the information required by this act the Department of State shall endorse its approval thereon and forthwith transmit it to the Department of Banking If it shall appear to the Department of Banking that the provisions of this section have been complied with it shall endorse its approval thereon and shall then return it to the Department of State Immediately upon receipt of the approved affidavit from the Department of Banking the Department of State shall file the affidavit and shall issue to the incorporated institution a certificate of authorization A copy of the approved affidavit shall be sent by the Department of State to the Department of Banking Upon the issuance of the certificate of authorization the incorporated institution shall be authorized to commence and transact its business

B If an incorporated institution shall transact any business in violation of this section the officers who participated therein and the directors or in the case of a savings bank the trustees except those directors or trustees who dissented therefrom and caused their dissent to be filed at the time in the Department of Banking or who being absent so filed with their dissent upon learning of the action shall be severally liable for the debts and liabilities of the incorporated institution incurred prior to the receipt of the certificate of authorization

Section 311 Organization Meetings (a) After the issuance of the certificate of incorporation of a bank a bank and trust company or a trust company the first meeting of the shareholders shall be held within this Commonwealth at the call of the shareholders who were the incorporators or a majority of them for the purpose of adopting such by-laws as this act or the articles of incorporation provide shall be adopted by the shareholders and for such other purposes as shall be stated in the notice of the meeting The persons calling the meeting shall give at least five days' written notice thereof to each shareholder which notice shall state the time place and purpose or purposes of the meeting

B After the issuance of the certificate of incorporation of an incorporated institution an organization meeting of the board of directors or the board of trustees named in the articles shall be held within this Commonwealth at the call of a majority of the directors or trustees for the purpose of adopting such by-laws if any as the articles authorize the directors or trustees to adopt for the purpose of electing officers and for the transaction of such other business as may come before the meeting The directors or trustees calling the meeting shall give at least five days' written notice of the time and place of the meeting to each director or trustee named in the articles

Section 312 Power of Legislature to Alter or Revoke Charters The General Assembly may alter revoke or annul the charter of any incorporated institution formed under this act as provided by Articles XVI Section 10 of the Constitution

Section 313 General Powers Subject to the limitations and restrictions contained in this act or in its articles every incorporated institution shall have power

(1) To continue as an incorporated institution for the time specified in its articles subject to the power of the General Assembly under the Constitution of this Commonwealth

(2) To sue and be sued complain and defend in its corporate name

(3) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile of it to be impressed or affixed or in any manner reproduced

(4) To make alter amend and repeal by-laws not inconsistent with its articles or with law for the administration and regulation of the affairs of the incorporated institution

(5) To elect or appoint and remove officers and agents of the incorporated institution and to define their duties and fix their compensation

(6) To have and exercise all of the powers and means necessary to effect the purpose or purposes for which the incorporated institution is organized

The powers herein enumerated shall not be construed as limiting or enlarging any grant of authority specifically granted elsewhere in this act or as limiting the purposes for which an incorporated institution may be organized as set forth in its articles It shall not be necessary to set forth in the articles of an incorportaed institution any of the powers enumerated in this section Except as otherwise provided in this act in its articles or in the by-laws of a particular incorporated institution the powers herein enumerated shall be exercised by the board of directors or the board of trustees of the incorporated institution as the case may be

Section 314 By-Laws Adoption Amendment or Repeal A Except as herein otherwise provided the shareholders shall have the power to make alter amend and repeal the by-laws of a bank a bank and trust company or a trust company The authority to make by-laws may be expressly vested by the articles in the board of directors subject to the power of the shareholders to change or repeal such by-laws but the board of directors shall not make or alter any by-laws fixing their qualifications classification or term of office Unless the articles or by-laws otherwise provide the by-laws shall be adopted altered amended and repealed by a majority vote of the board of directors or of the shareholders as the case may be at any regular or special meeting duly convened after notice to the shareholders or directors of that purpose

B Except as otherwise provided in this act or in the articles or by-laws of a savings bank the trustees shall have the power to make alter amend and repeal the by-laws of a savings bank Unless the articles or by-laws otherwise provide the by-laws may be adopted altered amended and repealed by a majority vote of the trustees at any regular or special meeting of the trustees duly convened after notice of that purpose has been given to them

This provision shall not affect any other plan for the making of by-laws contained in any special act of the General Assembly creating a savings bank its amendments and supplements

C The by-laws of an incorporated institution may contain any provision for the regulation and management of the affairs of such incorporated institution not inconsistent with law or the articles and may povide penalties for the breach thereof

D Immediately upon the adoption of the by-laws or of any additions thereto or any alteration amendment or repeal thereof notice of such fact and a copy of such by-law or such alteration amendment or repeal shall forthwith be sent to the Department of Banking

Section 315 Parties Bound by By-laws Execution of Instruments A The by-laws of an incorporated instittution shall operate merely as regulations among the shareholders of the incorporated institution and shall not affect contracts or other dealings with other corporations or persons unless such corporations or persons have actual knowledge of such by-laws or unless the incorporated institution has given to such corporations or persons a copy of such by-laws

B Any form of execution provided in the by-laws to the contrary notwithstanding any note mortgage evidence of indebtedness contract or other instrument of writing or any assignment or endorsement thereof executed or entered into between an incorporated institution and any other corporation or person when signed by the president or vice-president and by the cashier or treasurer of such incorporated institution shall be held to have been properly executed for and in behalf of the incorporated institution

ARTICLE IV

CAPITAL SURPLUS AND EXPENSE FUND OF BANKS OR BANK AND TRUST COMPANIES

Section 401 Minimum Capital of Banks Bank and Trust Companies and Trust Companies Incorporated under This Act A A bank shall not be incorporated under this act unless it has a minimum capital as follows

(1) Fifty thousand dollars if its place of business is to be in a borough or a township the population of which does not exceed seven thousand

(2) One hundred thousand dollars if its place of business is to be in a city borough or township the population of which exceeds seven thousand but does not exceed fifty thousand

(3) Two hundred thousand dollars if its place of business is to be in a city borough or township the population of which exceeds fifty thousand

B Neither a bank and trust company nor a trust company shall be incorporated under this act and a bank shall not become a bank and trust company under this act unless it has a minimum capital as follows

(1) One hundred fifty thousand dollars if its place of business is or is to be in a borough or township the population of which does not exceed seven thousand

(2) Two hundred thousand dollars if its place of business is or is to be in a city borough or township the population of which exceeds seven thousand but does not exceed fifty thousand

(3) Three hundred thousand dollars if its place of business is or is to be in a city borough or township the population of which exceeds fifty thousand

C For the purposes of this section the population of a city borough or township shall be taken to be that stated in the United States census last preceding the date of the filing of the articles of incorporation or in the case of a bank which is about to become a bank and trust company that stated in the United States Census last preceding the date when its articles of amendment are filed

Section 402 Minimum Capital for Existing Banks Bank and Trust Companies or Trust Companies Required Method of Increase A The capital of a bank a bank and trust company or a trust company incorporated prior to the effective date of this act shall not be less than the minimum capital required in the case of any bank bank and trust company or trust company as the case may be incorporated under this act except that no bank bank and trust company or trust company incorporated prior to the effective date of this act shall be required to maintain a capital of or to increase its capital to more than one hundred per centum above the minimum which was required by law for such bank bank and trust company or trust company prior to the effective date of this act

A bank a bank and trust company or a trust company which upon the effective date of this act has a capital below that required by this section but not below that required by law prior to the effective date of this act may continue to do business with such capital as it has but it shall forthwith proceed to increase such capital by one of the following methods

(1) It may increase its capital out of surplus or otherwise provided that after such increase out of surplus the bank bank and trust company or trust company has a capital equal at least to the minimum required by this act and a surplus equal to at least fifty per centum of such capital

(2) It may increase its capital by the sale of additional common shares at a price equal at least to the part value of such shares plus fifty per centum thereof provided that the assent of the directors and of the shareholders to such increases is procured in the manner prescribed by this act for any increase in capital

(3) If such increase is not made by either of these methods within six months after the effective date of this act the bank bank and trust company or trust company shall increase its capital to the minimum required by this act in the following manner It shall at the close of each dividend period or at least annually if no dividend is paid credit to its surplus an amount equal to not less than one-half of its net earnings for such period until the capital and the surplus together equal an amount not less than fifty per centum above the minimum capital required by this act at which time a sufficient portion of the surplus shall be credited to capital to make the capital at least equal to the minimum required by this act and to leave a surplus of at least fifty per centum thereof However any bank bank and trust company or trust company may increase its capital after six months from the effective date of this act by the other methods provided in this section

B Unless such increase is made by an actual sale of shares a bank a bank and trust company or a trust company may increase its capital to the minimum required by this act without action of its shareholders The cashier or treasurer as the case may be or any other officer to whom such duties are delegated by the by-laws shall at the time such increase has actually been made pursuant to the provisions of this section file articles of amendment with the Department of State and

procure a certificate of amendment in the manner provided by this act except that such articles need not unless the increase is made by an actual sale of shares state that advertisement has been made or notice given or action taken by the shareholders

Section 403 Consideration for Shares A Except as otherwise provided in this act the shares of a bank a bank and trust company or a trust company shall not be issued for any consideration other than cash actually received or the assets of another institution or a national banking association Common shares shall not be issued for an amount less than the par value of such shares plus fifty per centum thereof Preferred shares shall not be issued for less than the par value thereof Shares of a bank bank and trust company or trust company issued and thereafter acquired by it in the manner authorized by law may be disposed of by such bank bank and trust company or trust company for such consideration as may be fixed from time to time by its board of directors

B The consideration for the issuance of shares by a bank a bank and trust company or trust company as a share dividend shall be that part of the surplus or undivided profits of such bank bank and trust company or trust company which is by this act required to be transferred to capital upon the issuance of such shares

Section 404 Payment of Subscriptions A Unless otherwise provided in the subscription agreement subscriptions for shares whether made before or after the organization of a bank a bank and trust company or a trust company shall be paid in full at such time or in such installments and at such times as shall be determined by the board of directors Any call made by the board of directors for the payment of subscriptions shall be uniform as to all subscribers for shares of the same class The board of directors shall cause notice of the amount of any call and of the time and place of payment to be given at least thirty days before the call is due

B A share of a bank a bank and trust company or a trust company shall not be issued until paid in full Until such time a subscriber shall not by virtue of his subscription or of a partial payment thereon become a shareholder exercise any voting or other rights of a shareholder or participate in any dividend of the incorporated institution

C In the case of shares issued prier to the effective date of this act any installments which are due shall be collected in the manner and the incidents of such subscription or shares shall be as provided by law prior to the effective date of this act

D This section shall not be construed to affect in any way whatsoever the requirement of this act that the authorized capital of a bank a bank and trust company or a trust company incorporated under this act shall be paid in full before it can commence business

Section 405 Defaults in Payment of Subscriptions When any subscriber shall fail to pay any call upon his subscription properly made by the directors at the time when such payment is due the directors may proceed to collect the amount due in the same manner as any debt to the bank the bank and trust company or the trust company or they may sell at public sale the right of such subscriber to have a share or shares issued in his favor upon the payment of the balance due but such right shall not be sold below the balance due plus the expenses of the sale or if such right of more than one subscriber shall be put up at such sale the proportionate expense thereof The purchase of such right shall upon payment in full in cash of the amount bid if in accordance with the provisions of this section be entitled to the issuance of a share to him according to the terms of the contract between the original subscriber and the bank the bank and trust company or the trust company Notice of the time and place of such sale and of the sum due on each subscription shall be given by a single advertisement in a newspaper of general circulation and a single advertisement in a legal newspaper if any not less than one week prior to the day fixed for the sale Notice shall also be given by the secretary of the bank the bank and trust company or the trust company as the case may be to the delinquent subscriber at least twenty days prior to the day fixed for such sale If no one shall bid at least the amount due plus the expense or the proportionate expense of the sale as the case may be or if the amount due together with costs is not collected from the subscriber by an action at law the amount previously paid in by the delinquent subscriber shall be forfeited to the bank the bank and trust company or the trust company and shall be credited to undivided profits If an amount in excess of the balance due and of the expense or proportionate expense as the case may be is obtained such excess amount up to the amount he has paid on his subscription shall be paid to the subscriber

Section 406 Share Certificate A The shares of a bank a bank and trust company or a trust company shall be represented by share certificates which shall state

(1) That the bank the bank and trust company or the trust company is incorporated under the laws of this Commonwealth

(2) The name of the registered holder of the shares represented thereby

(3) The number and class of shares which the certificate represents

(4) The par value of each share represented

(5) If the bank the bank and trust company or the trust company shall issue shares of more than one class the designations preferences qualifications privileges limitations options conversion rights and other special rights of the shares of each class to be issued shall be stated in full or in the form of a summary either upon the face or the back of the certificates

This section shall not be interpreted to require any institution incorporated prior to the effective date of this act to change its outstanding certificates

B Every share certificate shall be signed by the president and secretary or by such officers as the by-laws may provide and sealed with the corporate seal which may be a facsimile engraved or printed In case any officer who has signed any share certificate shall have ceased to be such officer because of death resignation or otherwise before the certificate is issued it may be issued by the bank the bank and trust company or the trust company with the same effect as if the officer had not ceased to be such at the date of its issue

C Every shareholder of record shall be entitled to a share certificate representing the shares owned by him

Section 407 Issuance of Shares Shares to be Identical Shares as Personal Property A Except in the case of its original capital which as provided in this act shall be created issued and paid in full before a bank a bank and trust company or a trust company shall commence business and except as otherwise provided in its articles or by-laws the board of directors of a bank a bank and trust company or a trust company shall have the power by resolution duly adopted to issue from time to time in whole or in part the shares authorized in the articles provided that no share shall be issued until paid for in full

B Every bank bank and trust company or trust company shall have power to issue one or more classes of shares but each class so issued shall consist of shares having a par value as required by this act Every share shall have equal voting rights but in all other respects preferred shares may be issued with such designations preferences qualifications privileges limitations options conversion rights and other special rights as shall be stated or authorized in the articles

C Shares of a bank a bank and trust company or a trust company shall be deemed personal property

Section 408 Par Value of Shares Change of Par Value (a) The authorized capital of a bank a bank and trust company or a trust company shall be divided into shares of a par value of not less than ten dollars each nor more than one hundred dollars each but every share shall have the same par value as every other share Any bank bank and trust company or trust company may by amending its articles in the manner prescribed by this act change the par value of ts shares but such change shall not be to an amount less than ten dollars nor more than one hundred dollars each Such change of the par value of the shares shall not increase or diminish the total par value of the outstanding shares of such bank bank and trust company or trust company

B Whenever such change in par value is made such bank bank and trust company or trust company shall upon the surrender and cancellation of its outstanding shares issue to each shareholder the proper number of shares at the new par value The bank the bank and trust company or the trust company may withhold any cash or share dividends due on a share certificate which has not been exchanged within six months after the date upon which the change in par value was effected but upon the shareholder's thereafter exchanging such certificate the bank the bank and trust company or the trust company shall pay to him any dividends which were thus withheld

Section 409 Issuance of Fractional Shares or Scrip A bank a bank and trust company or a trust company may in paying a dividend or in pursuance of a plan of merger or consolidation issue a certificate for a fractional share and by action of its board of directors may issue in lieu thereof scrip or other evidence of ownership which shall entitle the holder to receive a certificate for a full share upon the surrender of such scrip or other evidence of ownership aggregating a full share but which shall not entitle the holder to exercise any voting right or to receive any dividend However any such holder shall be entitled to participate proportionately in any of the assets of the bank bank and trust company or trust company in the event of liquidation The board of directors may cause such scrip or evidence of ownership to be issued subject to the condition that it shall become void if not exchanged for share certificates before a specified date or subject to the condition that the shares for which such scrip or evidence of ownership is exchangeable may be sold by the bank the bank and trust company or the trust company and the proceeds thereof distributed to the holders of such scrip or other evidence of ownership or subject to any other conditions not prohibited by this act which the board of directors may deem advisable

Section 410 Transfer of Share Certificates and Shares The transfer of share certificates and the shares represented thereby may be regulated by the by-laws provided such by-laws are not inconsistent with the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) its amendments and supplements

Section 411 Increase of Authorize Capital A A bank a bank and trust company or a trust company may amend its articles to increase its authorized capital in the same manner and with the same approval as is required by this act for any amendment to the articles of a bank a bank and trust company or a trust company except that written notice of a proposed amendment for increasing the authorized capital of the institution shall be given to each shareholder entitled to vote thereon at least sixty days prior to such meeting

Such increase of authorized capital shall however become invalid and inoperative unless the actual increase of capital or of preferred shares which is authorized shall be made within one year from the date of the issuance of the certificate of amendment If any portion of such authorized capital shall be created and issued within such one-year period only such portion as remains unissued within such period shall become invalid and inoperative In the case of a bank a bank and trust company or a trust company which upon the effective date of this act has an authorized capital which exceeds the par value of its outstanding shares such one-year period shall date from the effective date of this act Such actual increase may be made from time to time within such period of one year but no such increase shall be made until the shares be paid for in full pursuant to the provisions of this act as to the creation or issuance of any share Such increase may however be made by the declaration of a share dividend in accordance with the provisions of this act concerning share dividends

B Except as otherwise specifically provided in this act a common share shall not be issued pursuant to such increase for a consideration of less than the par value of such share plus fifty per centum thereof unless a share can be issued for a consideration less than such amount without reducing the seurplus of the bank the bank and trust company or the trust company below one hundred per centum of the capital as increased but in no case shall such share be created or issued for a consideration which is less than the par value thereof

C The bank the bank and trust company or the trust company may withhold any cash or share dividend due on a share certificate which has not been exchanged within six months after the date upon which the shares were issued pursuant to such increase but upon the shareholder's thereafter exchanging such certificate the bank the bank and trust company or the trust company shall pay to him any dividends which were thus withheld

Section 412 Decrease Authorized Capital A A bank a bank and trust company of a trust company may amend its articles to decrease its authorized capital either by reducing the number of its shares or by reducing the par value of each share or by both such methods in the same manner and with the same approval as is required by this act for any amendment to the articles of a bank a bank and trust company or a trust company but the capital of a bank a bank and trust company shall not be decreased to an amount below the minimum prescribed by this act for such bank bank and trust company or trust company

B The responsibility for the contracts debts or engagements of the bank bank and trust company or trust company to which its shareholders are subject upon the date when the certificate of amendment is issued shall continue for one year thereafter

C Any capital gains resulting from such decrease of the authorized capital of a bank a bank and trust company or a trust company shall forthwith be transferred to the surplus of such bank bank and trust company or trust company or it may with the approval of the Department be returned to the shareholders in the form of a cash dividend provided that the surplus of the institution after the payment of such cash dividend equals at least one hundred per centum of the resulting capital

D Upon effecting a decrease in its authorized capital a bank a bank and trust company or a trust company shall issue to its shareholders new share certificates setting forth any changes in the par value of each share issued in exchange for the outstanding shares of such shareholders which shall then be cancelled The bank the bank and trust company or the trust company may withhold any cash or share dividend due on a share certificate which has not been exchanged within six months after the date upon which the certificate of amendment authorizing the decrease is authorized capital was issued but upon the shareholder's thereafter exchanging such certificate the bank the bank and trust company or the trust company shall pay to him any dividends which were thus withheld

Section 413 Surplus for Banks Bank and Trust Companies or Trust Companies Incorporated Under This Act Impairments Thereof A bank a bank and trust company or a trust company incorporated under this act shall maintain a surplus of at least one hundred per centum of its capital Before it shall be granted a certificate of authorization to commence business such bank bank and trust company or trust company shall have a surplus equal to at least fifty per centum of its capital such surplus to be created out of payments for shares in exces of the par value thereof If the surplus of such bank bank and trust company or trust company is not equal to at least one hundred per centum of its capital upon the date upon which it commences business or if at any subsequent time its surplus becomes impaired below such one hundred per centum minimum it shall at the close of each dividend period or at least annually if no dividend is paid credit to its surplus an amount which shall be not less than one-half of its net earnings for such period until its surplus shall equal at least one hundred per centum of its capital

Section 414 Surplus for Existing Banks Bank and Trust Companies or Trust Companies A bank a bank and trust company or a trust company incorporated prior to the effective date of this act shall maintain a surplus of at least one hundred per centum of its capital If upon the effective date of this act the capital of such bank bank and trust company or trust company is equal to the minimum requirement established by this act for such bank bank and trust company or trust company or if its capital upon such date does not meet such minimum requirement then when it has accumulated such capital in the manner provided by this act such bank bank and trust company or trust company shall if its surplus is not equal to at least one hundred per centum of its capital increase its surplus as follows It shall at the close of each dividend period or at least annually if no dividend is paid credit to its surplus an amount which shall be not less than one-half of its net earnings for such period until its surplus shall equal at least one hundred per centum of its capital If at any subsequent time the surplus of such bank bank and trust company or trust company shall become impaired to less than one hundred per centum of its capital it shall forthwith proceed to accumulate surplus in the same manner

Section 415 Expense Fund A Bank a bank and trust company or a trust company incorporated under this act shall not be granted a certificate of authorization to commence business until it shall have as a reserve for expenses a fund of at least five per centum of its capital Such expense fund shall be created out of payments for common shares in excess of their par value plus at least fifty per centum thereof

Such expense fund may be charged for the expenses incurred by a bank a bank and trust company or a trust company in its organization and operation Any balance remaining in such expense fund may at the expiration of not less than one year

from the date of the issuance of such certificate of authorization be credited to undivided profits

ARTICLE V

OFFICERS AND EMPLOYES OF INSTITUTIONS DIRECTORS AND TRUSTEES OF INCORPORATED INSTITUTIONS

Section 501 Number and Election of Directors and Trustees Executive Committee Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors of a bank or a bank and trust com pany may be prescribed from ti to time by the by-laws

Subject to the provisions of this act the number qualification manner of election time and place of meeting compensation and powers and duties of the trustees of a savings bank may be prescribed from time to time by the by-laws

Except as otherwise provided in the articles or by-laws or in the case of a savings bank in the special act creating such savings bank its amendments and supplements

(1) A director shall be elected for a term of one year a trustee until be becomes disqualified or resigns

(2) The number of directors or trustees shall be the same as that stated in the articles but not less than the minimum prescribed by this act

(3) Vacancies in the board of directors or in the board of trustees caused by death resignation disqualification or otherwise shall be filled by the remaining members of the board though less than a quorum and each person so elected shall in the case of a bank a bank and trust company or a trust company be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto and in the case a savings bank created by special act by the persons specified in such act In the case of any other savings bank he shall serve until he shall be come disqualified or shall resign

(4) The meetings of the board of directors or of the board of trustees shall be held at such place within this Commonwealth as a majority of the directors or of the trustees may from time to time designate or as may be designated in the notice calling the meeting

(5) A majority of all the directors or trustees in office shall be necessary to constitute a quorum for the transaction of business and except as otherwise provided in this act or in the articles or by-laws of a particular incorporated institution the acts of a majority of the directors or trustees who are present at a meeting at which a quorum is present shall be the acts of the board of directors or the board of trustees but if the directors or trustees shall severally or collectively consent in writing to any action to be taken by the incorporated institution such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors or the board of trustees

(6) The board of directors or the board of trustees may by resolution adopted by a majority of the whole board delegate three or more of its number in the case of a bank a bank and trust company and five or more of its number in the case of a savings bank to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority of the board over the ordinary operations of the business of the incorporated institution between the dates of the regular meetings of the board Every such committee shall keep full minutes of all business transacted by it and shall present detailed reports of all such minutes to the board at each regular meeting

Section 502 Term of Office and Qualification of Directors and Trustees A The business and affairs of every incorporated institution shall be managed in the case of a bank a bank and trust company or a trust company by a board of at least five directors and in the case of a savings bank by a board of at least fifteen trustees Except as otherwise provided by this act or by the articles of by-laws of the incorporated institution such board of directors or board of trustees shall exercise all the powers and fulfill all the duties granted to or imposed upon the incorporated institution by this act

B Each director shall hold office for the term for which he is elected and until his successor shall have been duly elected and qualified The names and terms of office of the first directors shall be stated in the articles Except as otherwise provided in this act for the filling of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders

C Except as otherwise specifically provided in any special act of the General Assembly creating a savings bank or in any amendment or supplement thereto each trustee shall hold office until he resigns or becomes disqualified The names of the first trustees shall be stated in the articles

D Every director or trustee shall during his term of office be a citizen of the United States at least two-thirds of the directors or trustees shall during their terms of service be bona fide residents in this Commonwealth

E Every director shall own in his own right and free of any lien or encumbrance common shares of the bank the bank and trust company or the trust company to the aggregate par value of at least three hundred dollars but the number or par value of the common shares required to be owned by any person who is a director of a bank a bank and trust company or a trust company upon the effective date of this act shall not be greater than was required prior to the effective date of this act so long as such director shall serve continuously The share certificates for the minimum number or par value of common shares which each director must own shall be filed unendorsed unpleadged and unassigned by him with the cashier or treasurer of the bank the bank and trust company or the trust company Such shares shall remain in the custody of the cashier or treasurer during the term of service of such director

Any director who during his term of service pledges assigns or in any other manner ceases to be the owner in his own right of the shares required by this section shall forthwith cease to be a director of the bank the bank and trust company or the trust company and his office shall be vacant He shall not be eligible for reelection as a director of such bank such bank and trust company or such trust company for the remainder of the term for which he was elected and for a further period of one year from the expiration of his term Any vacancy thus occurring shall be filled in the regular manner for filling vacancies in the bord

F The following shall not be eligible to be directors or trustees in any incorporated institution

(1) A judge of any court of record in this Commonwealth but this provision shall not operate to disqualify any judge who shall be a director or trustee of an institution upon the effective date of this act as long as such judge continusuoly remains a director or trustee of such institution

(2) Any person holding office under this Commonwealth in the Department of Banking the Treasury Department the Auditor General's Department or the Department of Revenue

(3) Any person authorized to receive and account for the public moneys of this Commonwealth

(4) The treasurer of any county city township borough or other political subdivision of this Commonwealth This provision shall not apply in cases where the funds of the particular county city township borough or other political subdivision of this Commonwealth are not on deposit with the institution of which such treasurer is a director or trustee

G A trustee of a savings bank shall not at the same time be a trustee officer or employe of any other savings bank

Section 503 Classification of Directors If the articles or by-laws of a bank a bank and trust company or a trust company so provide the directors may be classified in respect to the time for which they shall severally hold office In such case each class shall be as nearly equal in number as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for a shorter period than one year or for a longer period than four years

Section 504 Oaths of Directors A Each director of a bank a bank and trust company or a trust company and each trustee of a savings bank shall before assuming the duties of his office take an oath or affirmation that he will so far as the duty devolves upon him diligently and honestly administer the affairs of the incorporated institution and will not knowingly or willingly permit to be violated any of the provisions of law applicable to the incorporated institution of which he is a director or a trustee that he meets the requirements of this act and of the articles and by-laws of the incorporated institution for directors or trustees and in the case of a director of a bank a bank and trust company or a trust company that he has met the requirements of this act and of the articles and by-laws with respect to his ownership of shares and filing them with the cashier or treasurer of the institution

B Such oath or affirmation shall be signed by the director or trustee making it and shall be immediately transmitted to the Department where it shall be filed

C A director or trustee named in the original articles of incorporation shall not assume the duties of his office until he has taken the oath or affirmation required by this section and has transmitted the same to the Department of Banking

Section 505 Meetings of Board of Directors or of Trustees Notice Thereof A The board of directors or the board of trustees of every incorporated institution shall hold a regular meeting at least once in each month Meetings of the board of directors or the board of trustees shall be held upon such notice as the by-laws may prescribe Unless the by-laws provide otherwise notice of every special meeting of the board of directors or of the board of trustees shall be given to each director or trustee When any regular or special meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

B The board of directors or the board of trustees shall keep complete records of their proceedings in a minute book kept for that purpose alone When a director or a trustee shall request it the vote of each director or trustee upon a particular question shall be recorded in the minutes

Section 506 Compensation of Directors or Trustees A The directors or trustees of an incorporated institution shall be entitled to such compensation for their services as directors or trustees as may be established in the manner provided in its articles or by-laws

B Except as otherwise specifically provided in this act a director or a trustee may also be a salaried officer of the incorporated institution

Section 507 Examination and Report by Board of Directors or Trustees A The board of directors or the board of trustees of every incorporated institution shall once in each year make or cause to be made by at least three of the members of the board or by accountants employed for the purpose a complete examination of the books papers and affairs of the incorporated institution and the loans and discounts thereof and into such other matters as the Department may require The board of directors or the board of trustees shall have the power to use such assistants as they may deem necessary to mak such examinations.

B As soon as such examination is completed a complete written report thereof signed and certified to by the directors or trustees or by the accountants making such examination shall be sent to the Department A copy thereof shall be placed on file in the incorporated institution and propery noted on the minutes

C A certificate by an auditor or comptroller of an institution employing a continuous audit control or similar system approved by the Department may be accepted by the Department in lieu of the examination required by this section

Section 508 Communications from Department of Banking Every official communication directed by the Department to an incorporated insttution or to any officer thereof shall be transmitted by the officer receiving it to the board of dif required by the Department be transmitted by the officer receiving it to the board of directors or the board of trustees at the next meeting of such board and shall be duly noted in the minutes of such meeting

Section 509 Disqualification of Directors or Trustees A If a director or trustee shall for six successive months fail to attend any of the regular meetings of an incorporated institution without having been during such period excused by the board for such failure to attend his office shall forthwith become vacant but he shall be eligible for re-election

B If a trustee of a savings bank shall become trustee officer clerk or employe in any other savings bank or if he shall accept directly or indirectly either as a loan or otherwise any of the funds of the savings bank of which he is trustee or if he shall become surety or guarantor for any money borrowed from such savings bank his office shall forthwith become vacant

Section 510 Removal of Directors or Trustees A The entire board of directors of a bank a bank and trust company or a trust company or any individual director may be removed from office by a majority vote of the holders of the outstanding shares entitled to vote at an election of directors In case the board or any one or more directors be so removed new directors may be elected at the same meeting Unless the entire board be removed an individual director shall not be removed in case the votes of a sufficient number of shares are cast against the resolution for his removal which if cumulatively voted at an election of the full board would be sufficient to elect one or more directors

B The board of directors or the board of trustees of an incorporated institution may declare vacant the office of a director or a trustee if he be declared of unsound mind by an order of court or convicted of felony or if within sixty days or such other time as the by-laws may specify after notice of his election he does not accept such office either in writing or by attending a meeting of the board of directors or the board of trustees and fulfill such other requirements or qualifications as the by-laws may specify

C The court of common pleas of the county where the place of business of a bank a bank and trust company or a trust company is located may at the suit of any shareholder or shareholders holding at least ten per centum of the outstanding shares remove from office any director or directors in case of fraudulent or dishonest acts or gross abuse of authority or discretion with reference to such institution and may bar from re-election any director so removed for a period prescribed by the court The bank the bank and trust company or the trust company shall be made a party to such action

Section 511 Officers of Institutions Removal Compensation A Every institution shall have a president a vice-president a secretary and a cashier or treasurer and may have such other officers as the institution may require but in the case of an incorporated intsitution such additional officers shall not be elected unless provided for in the by-laws Any two or more offices may be held by the same person except the offices of president and cashier or treasurer but in the case of an incorporated institution two offices shall not be held by one person unless specfically authorized by the by-laws

B The officers of an institution shall be selected at least annually In the case of an incorporated institution they shall be elected by the board of directors or the board of trustees unless the by-laws provide a different method The president shall be required to be a member of the board of directors or the board of trustees of the incorporated institution Unless the by-laws specifically provide otherwise the cashier or treasurer or any other officer may however be a member of the board of directors or of the board of trustees

C Unless specifically provided otherwise in the by-laws the board of directors or the board of trustees shall fix the compensation of all officers

D An officer elected or appointed by the board of directors or the board of trustees may be removed by such board whenever in its judgment the best interests of the incorporated institution will be served thereby but such removal shall be without prejudice to the contract rights if any of the person so removed

E Unless specifically provided otherwise in the by-laws the board of directors or the board of trustees shall have the power to fill any vacancies created by the death removal resignation or otherwise of any officer

F The officers shall have such authority and perform such duties as shall in the case of a private bank be given to them by the private banker or private bankers and in the case of an incorporated institution be specified in the articles or by-laws or by resolution of the board of directors or trustees

Section 512 Eligibility for Cashier or Treasurer Restrictions upon Office A The following persons shall not be eligible to be cashiers or treasurers of any institution

(1) A judge of any court of record in this Commonwealth

(2) Any person holding office under this Commonwealth in the Department of Banking the Treasury Department the Auditor General's Department or the Department of Revenue

(3) Any person authorized to receive and account for the public moneys of this Commonwealth

(4) The treasurer of any county city township borough or other political subdivision of this Commonwealth This provision shall not apply in any case where the funds of the particular county city township borough or other political subdivision of this Commonwealth are not on deposit with the institution of which such treasurer of any county city township borough or other political subdivision is treasurer or cashier

B A cashier or treasurer of an institution shall not engage in any other gainful profession business occupation or calling either directly or indirectly but this shall not be construed to affect the right to be at the same time a member of the board of directors or the board of trustees of the incorporated institution in which he is cashier or treasurer

Section 513 Bonds of Officers and Employes A The officers and employes of every institution as well as any director or trustee of an incorporated institution who is authorized to receive payments of moneys or to handle negotiable securities on behalf of such incorporated institution shall before entering upon the performance of their duties furnish to it bonds in such amount as is specified with such surety as is approved in the case of an incorporated institution by the directors or trustees and in the case of a private bank by the private banker or bankers Such bond shall be condiioned upon the faithful performance of the duties of such officers directors trustees or employes The cost of such bonds may be paid by the institution

B The Department shall have the power to require any such officer director trustee or employe at any time during his term of office or employment to furnish a bond in an amount greater than that required by the board of directors or trustees of the incorporated instituion or by the private banker or bankers as the case may be or it may require new or additional surety

Section 514 Women May Be Directors or Officers Women married or single may serve as officers of an institution or as directors or trustees of an incorporated institution

Section 515 Relation of Directors Trustees and Officers to Incorporated Institution Officers directors and trustees shall discharge the duties of their respective positions in good faith and with that diligence care and skill which ordinarily prudent men would exercise under similar circumstances in like positions

Section 516 Power of Attorney to Make Entries of Record A Every institution shall by power of attorney filed of record in the office of the recorder of deeds in any county in which it may have occasion or which it may be required to enter acknowledgment of payments assignment extension postponement release or satisfaction of or to take any other action affecting the lien of any mortgage which appears upon the records in such office designate a person or persons who shall be authorized in the name of such institution to make such entries

B Such recorder of deeds shall not permit any person other than the person or persons so designated to act in any such manner for such institution

C Any entry on any record in an office of a recorder of deeds if made in violation of this act shall be of no effect

Section 517 Acceptance of Fee or Commission by Officer Attorney or Employe A Neither an officer attorney or employe of an institution nor an officer attorney or employe of an institution nor an officer attorney or employe of an affiliated institution or an affiliated national banking association as defined in this act shall stipulate for or agree or assent to receive or receive any fee commission gift or other property of value from any corporation or person for procuring or for endeavoring to procure for such corporation or person or for any other corporation or person any loan from or any investment by r any purchase or discount of any paper note draft check bill of exchange or other commercial paper by such institution

B Any officer attorney or employe of an institution or any officer attorney or employe of an affiliated institution or an affiliated national banking association as defined in this act who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to an imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount or the value of the property which he receives as such fee commission or gift

Section 518 Preferential Rate of Interest to Directors Trustees Officers Attorneys or Employes An institution shall not pay to any of its officers attorneys or employes or in the case of an incorporated institution any of its directors or trustees nor shall it pay to the officers attorneys or employes of an affiliated institution or an affiliated national banking association as defined in this act or in the case of an affiliated incorporated institution or affiliated national banking association as defined in this act to any of the directors or trustees thereof a greater rate of interest on the deposits of such director trustee officer attorney or employe than that paid to any other depositor on similar deposits with such institution nor shall a lower rate of interest be charged to any such director trustee officer agent or employe on any loan or discount granted than that charged other borrowers under similar circumstances on the same types of loans or discounts

Section 519 Overdrafts by Directors Trustees Officers Attorneys or Employes A An institution shall not permit any of its officers attorneys employes and in the case of an incorporated institution any of its directors or trustees nor any of the officers attorneys or employes of an affiliated institution or affiliated national banking association as defined in this act or in the case of an affiliated incorporated institution or affiliated national banking association as defined in this act any of the directors or trustees to overdraw his deposit account

B Any officer attorney or employe of an institution and in the case of an incorporated institution any director or trustee thereof who knowingly overdraws his deposit account with such institution or any officer attorney or employe of an affiliated institution or an affiliated national banking association as defined in this act and in the case of an affiliated incorporated institution or affiliated national banking association as defined in this act any director or trustee thereof who knowingly overdraws his deposit account with such institution and fails to repay to such institution the amount of such overdraft within ten days shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount to which his account is ovedrawn

Section 520 Purchases from and Sales to Directors Trustees Officers Attorneys or Employes (a) An institution shall not contract for or purchase from any of its officers attorneys or employes and in the case of an incorporated institution from any of its directors or trustees nor from any of the officers attorneys or employes of an affiliated institution or affiliated national banking association as defined in this act and in the case of an affiliated incorporated institution or an affiliated national banking association as defined in this act from any of the directors or trustees any securities or other property unless such purchase is made in the regular course of business upon terms not less favorable to the institution than those offered to any other corporation or person or in the case of an incorporated institution unless such purchase is authorized by the vote of a majority of all the members of the board of directors or of the board of trustees of such incorporated institution who are not interested in such transaction except in their capacity as directors or trustees of the incorporated institution

B An institution shall not sell securities or other property owned or held by it to any of its officers attorneys or employes and in the case of incorporated institutions to any of its directors or trustees nor to any of the officers attorneys or employes of an affiliated institution or affiliated national banking association as defined in this act and in the case of an affiliated incorporated institution or an affiliated national banking association as defined in this act to any of the directors or trustees unless such sale is made in the regular course of business upon terms not less favorable to the institution than those offered to any other corporation or person or unless in the case of an incorporated institution such sale is authorized by the vote of a majority of all the members of the board of directors or the board of trustees of such incorporated institution who are not interested in such transaction except in their capacities as directors or trustees of the incorporated institution

C Any officer attorney or employe of an institution any director or trustee thereof or any officer attorney or employe of an affiliated institution or an affiliated national banking association as defined in this act and in the case of an affiliated incorporated institution or an affiliated national banking association as defined in this act any director or trustee thereof who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to an imprisonment not exceeding

one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine equal to any profit which he shall have made upon the transaction

Section 521 Purchases of Evidence of Debt Below Race Value by Directors Trustees Officers Attorneys or Employes

A Neither an officer attorney or employe of an institution or in the case of an incorporated institution a director or trustee nor an officer attorney or employe of an affiliated institution or an affiliated national banking association as defined in this act or in the case of an affiliated incorporated institution or national banking association as defined in this act or in the case of an affiliated incorporated institution or an affiliated national banking association as defined in this act a director or trustee shall purchase or directly or indirectly be interested in the purchase from such institution of any promissory note or other evidence of indebtedness issued by such institution for less than its face value

B Any such director trustee officer attorney or employe who knowingly purchases such evidence of debt below its face value in violation of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to a fine not exceeding one thousand dollars or to an imprisonment not exceeding one year or both he shall also be subject to a further fine equal to the face value of the evidence of debt

ARTICLE VI

MEETINGS RIGHTS AND LIABILITIES OF SHAREHOLDERS OF BANKS BANK AND TRUST COMPANIES

Section 601 Meetings of Shareholders

A Meetings of the shareholders of a bank a bank and trust company or a trust company shall be held within this Commonwealth at such place as may be provided in the by-laws of the bank the bank and trust company or the trust company Unless the by-laws provide otherwise all meetings of the shareholders shall be held at the principal place of business of the bank the bank and trust company or the trust company

B The by-laws may provide for the number and the time of meetings of shareholders but at least one meeting of the shareholders shall be held in each calendar year for the election of directors at such time as shall be provided in the by-laws If the annual meeting shall not be called and held within one month after the designated time any shareholder shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting

C Special meetings of shareholders may be called at any time by the president or the board of directors the holders of not less than one-fifth of all the shares outstanding and entitled to vote at the particular meeting and by such other officers or persons as may be provided in the articles or by-laws At any time upon written request of any person entitled to call a special meeting it shall be the duty of the secretary of the bank the bank and trust company or the trust company to call a special meeting of the shareholders to be held at such time as the notice shall specify but in no event shall such notice specify a time more than sixty days after the receipt of the request If the secretary shall neglect or refuse to issue such call the person or persons making the request shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting

D Any annual or special meeting may be adjourned for any period of time but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected

Section 602 Notice of Meetings of Shareholders Written notice of every meeting of the shareholders of a bank a bank and trust company or a trust company shall be given by or at the direction of the person authorized to call the meeting to each shareholder of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act The notice shall specify the place day and hour of the meeting and in the case of a special meeting the general nature of the business to be transacted When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

Section 603 Quorum of Shareholders A shareholders' meeting duly called shall not be organized for the transaction of business unless a quorum is present Unless otherwise specifically provided in this act in the articles or in the by-laws

(1) The presence in person or by proxy of the holders of a majority of the outstanding shares entitled to vote shall constitute a quorum

(2) The acts of the holders of a majority of the shares represented at any meeting at which a quorum is present shall be the acts of the shareholders

(3) The shareholders present at a duly organized meeting can continue to do business until adjournment notwithstanding the withdrawal of enough shareholders to leave less than a quorum

(4) If a meeting cannot be organized because a quorum has not attended those present may adjourn the meeting to such time and place as they may determine but in the case of any meeting called for the election of directors those who attend the second of such adjourned meetings although less than a quorum as fixed in this section or in the articles shall nevertheless constitute a quorum for the purpose of electing directors.

Section 604 Shareholders May Vote in Person or by Proxy Every shareholder of record of a bank a bank and trust company or a trust company shall have the right at every shareholders' meeting to one vote for every share standing in his name on the books of the bank the bank and trust company or the trust company Every shareholder may vote either in person or by proxy Every proxy shall be executed in writing by the shareholder or by his duly authorized attorney in fact and filed with the secretary of the bank the bank and trust company or the trust company A proxy unless coupled with an interest shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary but the revocation of a proxy shall not be effective until notice thereof has been given to the secretary of the bank the bank and trust company or the trust company No unrevoked proxy shall be valid after eleven months from the date of its execution unless a longer time is expressly provided therein but in no event shall a proxy unless coupled with an interest be voted on after three years from the date of its execution A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised written notice of such death or incapacity is given to the secretary of the bank the bank and trust company or the trust company A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value.

Section 605 Election of Directors Cumulative Voting Unless otherwise provided in the by-laws elections for directors need not be by ballot except upon demand made by a shareholder at the election and before the voting begins In all elections for directors every shareholder entitled to vote shall have the right in person or by proxy to multiply the number of votes to which he may be entitled by the number of directors to be elected and he may cast his whole number of such votes for one candidate or he may distribute them among any two or more candidates The candidates receiving the highest number of votes up to the number of directors to be chosen shall be elected

Section 606 Voting by Trustees and Pledgees Shares of a bank a bank and trust company or a trust company held in a fiduciary capacity by a fiduciary appointed by last will and testament or by decree of the orphans' court shall be voted by such fiduciary either in person or by proxy in the manner and under the circumstances provided by law Shares standing in the name of a fiduciary other than one appointed by last will and testament or by decree of the orphans' court or shares held by an assignee for the benefit of creditors or by a receiver may be voted by such fiduciary assignee or receiver either in person or by proxy A shareholder whose shares are pledged shall be entitled to vote thereon in person or by proxy until the shares have been transferred on the books of the bank the bank and trust company or the trust company to the pledgee or nominee and thereafter the pledgee shall be entitled to vote the shares in person or by proxy

Section 607 Voting by Joint Holders of Shares Where shares of a bank a bank and trust company or a trust Company are held jointly or as tenants in common by more than one corporation or person. such shares shall be voted and any proxy shall be given by the person or persons designated for that purpose in the agreement under which such shares are

held jointly or by tenancy in common If the agreement does not determine the question of which person or persons shall vote such shares or give any proxy in regard thereto the will of the majority of such holders shall control the manner of voting or the giving of a proxy If the shares are held jointly or as tenants in common by two corporations or persons and they are equally divided upon the manner of voting the shares held by them the vote of such shares shall be divided equally among such persons If only one or more of such holders are present in person or by proxy he or they shall have the right to vote all such shares and all of the shares standing in the names of such corporations or persons shall be deemed to be represented for the purpose of determining a quorum Except as hereinafter provided the same shall be true in the case of fiduciaries other than those appointed by last will and testatment or by decree of the orphans' court unless such fiduciaries have been appointed under an instrument or a decree of court which directs otherwise Where in any case such fiduciaries are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court of common pleas upon petition filed by any of the fiduciaries or by any beneficiary to direct the voting of such shares in the manner which in the opinion of the court will be for the best interests of the parties beneficially interested in the shares

Where shares of a bank a bank and trust company or a trust company are held jointly in a fiduciary capacity by two or more fiduciaries appointed by last will and testament or by decree of the orphan's court they shall be voted in the manner and under the circumstances provided by law

Section 608 Voting Shares Held by an Incorporated Institution An incorporated institution or any other corporation owning shares in a bank a bank and trust company or a trust company or an incorporated institution owning shares in any other corporation may vote them by its president or by proxy appointed by him unless some other person by resolution of its board of directors or board of trustees shall be appointed to vote such shares in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution Shares of its own capital belonging to a bank a bank and trust company or a trust company shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares for voting purposes at any given time but where a bank and trust company or a trust company holds its own shares in a fiduciary capacity such shares may be voted and shall be counted in determining the total number of outstanding shares at any given time

Section 609 Determination of Shareholders of Record Unless the by-laws otherwise provide the board of directors of a bank a bank and trust company or a trust company may fix a time not less than ten or more than forty days prior to the date of any meeting of shareholders or the date fixed for the payment of any dividend or distribution or the date for the allotment of rights or the date when any change or conversion or exchange of shares will be made or will go into effect as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting or entitled to receive payment of any such dividend or distribution or to receive any such allotment of rights or to exercise the rights in respect to any such change conversion or exchange of shares In such case only such shareholders as shall be shareholders of record on the date so fixed shall be entitled to notice of and to vote at such meeting or to receive payment of such dividend or to receive such allotment of rights or to exercise such rights as the case may be notwithstanding any transfer of any shares on the books of the corporation after any record date fixed as aforesaid The board of directors may close the books of the bank the bank and trust company or the trust company against transfers of shares during the whole or any part of such period and in such case written or printed notice thereof shall be given at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the bank the bank and trust company or the trust company or supplied by him to such bank such bank and trust company or such trust company for the giving of notice While the stock transfer books of such corporation are closed no transfer of shares shall be made thereon Unless a record date is fixed by the by laws or the board of directors for the determination of shareholders entitled to receive notice of or to vote at a shareholders' meeting transferees of shares which are transferred on the books of the bank the bank and trust company or the trust company within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting

Section 610 Voting Lists The officer or agent having charge of the transfer books for shares of a bank a bank and trust company or a trust company shall make at least five days before each meeting of shareholders a complete list of the shareholders entitled to vote at the meeting arranged in alphabetical order with the address of and the number of shares held by each which list shall be kept on file at the principal place of business of such bank such bank and trust company or such trust company and shall be subject to inspection by any shareholders for any proper purpose at any time during usual business hours Such list shall also be produced and kept open at the time and place of the meeting and shall be subject to the inspection of any shareholder for any proper purpose during the whole time of the meeting The original share ledger or transfer book or a duplicate thereof kept in this Commonwealth shall be prima facie evidence as to who are the shareholders entitled to examine such list or share ledger or transfer book or to vote in person or by proxy at any meeting of shareholders An officer or agent having charge of the transfer books who shall fail to prepare the list of shareholders or keep the same on file for a period of five days or produce and keep the same open for inspection at any meeting as provided in this section shall be liable to any shareholder suffering damages on account of such failure to the extent of such damages

Section 611 Voting Trusts

A Two or more shareholders of a bank a bank and trust company or a trust company may by agreement in writing transfer their shares to any corporation or person but in no case to the bank and trust company or the trust company in which such shares are held for the purpose of vesting in the transferee or transferees all voting of other rights pertaining to such shares for a period not exceeding ten years and upon the terms and conditions stated in the agreement

B The share certificates of shares so transferred shall be surrendered and cancelled and new certificates therefor shall be issued to the transferee or transferees as voting trustee or trustees in which new certificates it shall appear that they are issued pursuant to the agreement In the registration of the transfer of the shares on the books of the bank or the bank and trust company it shall be noted that the transfer is made pursuant to the agreement The trustee or trustees may execute and deliver to the transferors voting trust certificates which shall be transferable in the same manner and with the same effect as share certificates under the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) and its amendments and supplements upon the transfer and registration of the shares The trustee or trustees shall possess all voting and other rights pertaining to the shares so transferred and registered subject to the terms and conditions of and for the period specified in the agreement but the shareholders transferring such shares under such conditions shall be subject to any liability in the payment of the debts of the bank or bank and trust company which attach to such shares under this act

C Unless otherwise provided in the agreement

(1) The trustees may vote in person or by proxy

(2) If there are two or more trustees the manner of voting shall be determined as heretofore provided in this act for the voting of shares by joint holders

(3) Vacancies among the trustees shall be filled by the remaining trustees

(4) A trustee shall incur no responsibility as trustee except for his own individual neglect or malfeasance

Section 612 Judges of Election

A In advance of any meeting of shareholders of a bank a bank or trust company or a trust company the board of directors shall appoint a judge judges of election who need not be shareholders to act at such meeting or any adjournment thereof If a judge or judges of election be not so appointed the chairman of any such meeting shall make such appointment at the meeting The number of judges shall be one or three If appointed at a meeting the majority of shares present and entitled to vote shall determine whether one or three judges are to be appointed No person who is a candidate for office shall act as a judge

B In case any person appointed as judge fails to appear or fails or refuses to act the vacancy may be filled by appointment made by the board of directors in advance of the convening of the meeting or at the meeting by the person acting as chairman

C The judge or judges of election shall determine the number of shares outstanding the voting power of each the shares represented at the meeting the existence of a quorum the authenticity validity and effect of proxies receive votes or ballots hear and determine all challenges and questions in any way arising in connection with the right to vote count and tabulate all votes determine the result and do such acts as may be proper to conduct the election or vote with fairness to all shareholders The judges of election shall perform their duties impartially in good faith to the best of their ability and as expeditiously as is practical If there be three judges of election the decision act or certificate of a majority shall be effective in all respects as the decision act or certificate of all

D On request of the chairman of the meeting or of any shareholder or his proxy the judge or judges shall make a report in writing of any challenge or question or matter determined by him or them and execute a certificate of any fact found by them Any report or certificate made by the judge or judges shall be prima facie evidence of the facts stated therein

Section 613 Informal Action by Shareholders Except for the action required by this act for increasing or decreasing the authorized capital of a bank a bank and trust company or a trust company any action required by this act to be taken at a meeting of the shareholders may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the bank the bank or trust company or the trust company

Section 614 Liability of Shareholders As to deposits in and claims outstanding against banks bank and trust companies or trust companies upon the effective date of this act the liability of shareholders shall be as heretofore provided by law until terminated in accordance with the provisions of this section As to any deposit made or claim arising after the effective date of this act shareholders now subject to statutory liability shall be liable to the extent of the percentage of the par value of their stock by which the surplus of the bank the bank and trust company or the trust company falls short of one hundred per centum of its capital If at the effective date of this act the surplus of any such bank bank and trust company or trust company is or at any time thereafter becomes equal to the aggregate par value of its capital the liability of shareholders for deposits and other claims against such bank bank and trust company or trust company shall cease and determine shareholders of banks bank and trust companies or trust companies incorporated under this act shall not be subject to any liability to the depositors or other creditors thereof

Section 615 Preemptive Rights of Shareholders A Unless otherwise provided in its articles a bank a bank and trust company or a trust company may not issue additional shares of any class without first offering such shares pro rata to its common shareholders

B Unless otherwise provided in its articles a bank a bank and trust company or a trust company may issue additional shares of any class without first offering such shares to its preferred shareholders

C The right to shares to be issued which has been offered to shareholders having a preemptive right thereto at a price or upon terms duly fixed and which has not been subscribed for by them within the time duly fixed by the articles or the board of directors may be thereafter offered for subscription to any other corporation or person at a price and upon terms not more favorable than that which it was offered to shareholders

ARTICLE VII

DIVIDENDS BY BANKS BANK AND TRUST COMPANIES AND TRUST COMPANIES

Section 701 Declaration and Payment of Cash and Share Dividends A Except as otherwise provided in this act and subject to any restrictions contained in the articles of incorporation any bank any bank and trust company or any trust company by its board of directors may declare and pay dividends upon its outstanding shares out of its undivided profits as hereinafter provided from time to time and to such extent as the board of directors may deem advisable A dividend shall not be declared or paid unless at the opening of business upon the day such dividend is declared the capital the surplus and the reserve fund required by this act would despite such dividend be unimpaired

B Such dividends may be paid to the shareholders in cash or if such increase of capital has been authorized in the manner provided by this act it may be paid in shares of the bank the bank and trust company or the trust company If the dividend is in the form of shares of the bank the bank and trust company or the trust company it may if properly authorized be paid out of unimpaired surplus provided that such surplus is not thereby reduced to an amount less than one hundred per centum of its capital as increased by virtue of such share dividend but this provision shall not be construed to affect the power conferred by this act upon a bank a bank and trust company or a trust company incorporated prior to the effective date of this act to credit to capital a sufficient portion of surplus to make the capital equal to the minimum required by this act and to leave a surplus of at least fifty per centum thereof

Section 702 Determination of Net Earnings Disposition Thereof A The net earnings of a bank a bank and trust company or a trust company shall be determined as follows

(1) The gross earnings for any period may include

(a) All earnings actually received during such period less accrued interest included in the last previous calculation of earnings

(b) Interest accrued and unpaid upon debts owing to it secured by collateral upon which no default of more than one year exists and upon bonds or other interest bearing obligations owned by it upon which no interest default exists less unearned discount collected

(c) Any profits actually received during such period from the sale of its securities its other personal property and its real property

(d) Sums recovered on items previously charged off

(2) The following items shall be deducted from the gross earnings

(a) Expenses paid or incurred both ordinary and extraordinary in the transaction of its business in the collection of debts owing to it and in the management of its affairs less expenses incurred included in the last previous calculation of earnings

(b) Interest paid or accrued and unpaid upon deposits and debts owing by its less interest accrued included in the last previous calculation of earnings

(c) Losses sustained by it In the computation of such losses assests which have been disallowed by the Department or by the board of directors of the bank bank and trust company or trust company shall be included Debts due such bank such bank and trust company or such trust company upon which principal or interest is due and unpaid for six months shall likewise be included in the computation of losses to the extent of the estimated loss thereon unless such debt is adequately secured but no losses under this paragraph shall be deducted from the gross earnings if such losses shall be charged against accumulated reserves set up on the books to provide for such contingencies

(d) Deferred assets in proportion to their use and prepaid expenses in proportion to the use of the service represented thereby

(3) The excess of the gross earnings over the deductions required by this section if any shall constitute the net earnings of the bank the bank and trust company or the trust company for such period

B Such portion of the net earnings of a bank a bank and trust company or a trust company as is not required by this act to be credited to surplus may be credited to undivided profits

C If the deduction required by this section exceeds the gross earnings for the period the amount of such excess shall be charged against undivided profits

D This section shall not be construed to limit the right of a bank a bank and trust company or a trust company to declare and pay any dividend otherwise permitted by this act out of accumulated undivided profits even if there shall be no net earnings for the current period

Section 703 Statement to Directors by Cashier or Treasurer Prior to Declaring Dividend Prior to the declaration of a dividend by a bank a bank and trust company or a trust com-

pany the cashier treasurer comptroller or auditor thereof shall furnish to the board of directors a complete written statement of the condition of the bank the bank and trust company or the trust company as of a date not earlier than thirty days before the date the dividend is to be declared Such statement shall set forth in detail all the items required by this act to be considered by the board of directors in determining whether to declare a dividend

Section 704 Lien on Dividends A shareholder who is liable to the bank the bank and trust company or the trust company either as the principal debtor surety or otherwise for any obligation which is overdue and unpaid shall not be entitled as a matter of right to receive any dividend on such shares as long as such obligation to the bank the bank and trust company or the trust company remains overdue and unpaid but all such dividends may be retained by the bank the bank and trust company or the trust company and applied to discharge such obligation

This section shall not be construed to affect the right of a shareholder who is indebted to the bank the bank and trust company or the trust company to transfer his share or shares

Section 705 Report to Department After Declaration of Dividend Penalty A Every bank every bank and trust company and every trust company shall within ten days after the declaration of any dividend make a written report to the Department of the amount of the dividend declared and the amount of its gross and net earnings determined in the manner provided by this act The report shall be made in the form prescribed by the Department and shall be attested by oath or affirmation of the president or the cashier treasurer comptroller or auditor of the bank the bank and trust company or the trust company

B Any bank bank and trust company or trust company which fails to make the report required by this section shall pay to the Department a penalty of fifty dollars for each day that it delays making such report but the Department may in its discretion relieve any bank bank and trust company or trust company from the payment of such penalty in whole or in part if good cause be shown to it for the failure of such institution to make such report If a bank a bank and trust company or a trust company fails to pay a penalty from which it has not been relieved by the Department the Department may through the Department of Justice maintain an action at law to recover it

Section 706 Liability for Unlawful Dividends and Distributions The directors of a bank a bank and trust company or a trust company shall not declare or pay dividends or authorize or ratify the withdrawal or distribution of any part of its assets to shareholders except as authorized by this act If any dividend shall be paid or if any withdrawal or distribution of the assets shall be made except as provided in this act the directors under whose administration the same were made except those who shall have caused their dissent therefrom to be entered on the minutes of the meeting at which such action was authorized or who being absent at the time shall have promptly filed their written objection thereto with the secretary of the bank the bank and trust company or the trust company upon learning of such action shall be jointly and severally liable to the bank the bank and trust company or the trust company in an amount equal to the amount of the unlawful dividend or the unlawful withdrawal or distribution of assets Any director against whom a claim shall be asserted under or pursuant to this section and who shall be held liable thereon shall be entitled to a contribution from the other directors who are likewise liable thereon pro rata according to the number of such directors Any two or more directors may be sued in the same action.

ARTICLE VIII
AMENDMENT OF ARTICLES OF INCORPORATED INSTITUTIONS

Section 801 Amendment of Articles Authorized Except as otherwise specifically provided in this act an incorporated institution may by the method hereinafter established adopt any amendment whatsoever to its articles of incorporation provided that the articles as so amended would be authorized by this act as original articles of incorporation

Section 802 Proposal of Amendments to Articles of Incorporated Institution

A Except as otherwise specifically providede in this act every amendment to the articles of a bank a bank and trust company or a trust company shall first be proposed by the board of directors by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to a vote of the shareholders entitled to vote thereon at a designated meeting which may be either an annual or a special meeting of the shareholders entitled to vote on the amendment

B Except as otherwise specifically provided in this act every amendment to the articles of a savings bank shall first be proposed by a vote of two-thirds of the trustees present at any meeting of the board if a quorum is present directing that it be submitted to a vote of the board at a designated regular or special meeting at least ten days thereafter

C The resolution of the board of directors or of the board of trustees respectively shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

Section 803 Adoption of Amendments A Except as otherwise specifically provided in this act every proposal of an amendment to the articles of a bank a bank and trust company made by its board of directors shall be adopted at the shareholders' meeting designated for that purpose pursuant to the provisions of this act by the holders of at least a majority of the outstanding shares entitled to vote at such meeting unless the articles require a greater number

B Except as otherwise specifically provided in this act every proposal of an amendment to the articles of a savings bank made by a two-thirds vote of its board of trustees shall be adopted at the meeting of the board of trustees designated for that purpose pursuant to the provisions of this act by at least two-thirds of all the trustees of the savings bank unless the articles require a greater number

C Any number of amendments may be voted upon by the shareholders or the trustees respectively at one meeting

Section 804 Notice of Meetings to Adopt Amendments to Articles of Incorporated Institutions A Except as otherwise specifically provided in this act written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering any proposed amendment to the articles of a bank a bank and trust company or a trust company be given to each shareholder of record

B Except as otherwise specifically provided in this act written notice shall not less than ten days before the meeting of the board of trustees scheduled by such board for the purpose of considering any proposed amendment to the articles of a savings bank be given to each trustee who was not present at the meeting at which the amendment was proposed and the meeting scheduled

C Such notice to the shareholders or the trustees respectively shall state the place the day and the hour of the meeting and shall set forth the proposed amendment or a summary of the changes to be effected thereby

Section 805 Articles of Amendment A After an amendment to the articles of an incorporated institution has been adopted in the manner provided by this act the articles of amendment shall be executed under the seal of the institution and verified by two duly authorized officers of the institution and shall set forth

(1) The name and location of the principal place of business of the institution

(2) The Act of Assembly under which the institution was formed and the date when and the place where the original articles were recorded or filed

(3) The time and place of the meeting of the shareholders or of the trustees of the bank the bank and trust company or the trust company or of the savings bank respectively at which the amendment was adopted and the kind and period of notice given to such shareholders or trustees

(4) In the case of a bank a bank and trust company or a trust company the number of shares outstanding and the number of shares entitled to vote on the amendment

(5) In the case of a bank a bank and trust company or a trust company the number of shares voted for and against such amendment respectively and in the case of a savings bank the number of trustees voting for or against it

(6) The amendment adopted which shall be set forth in full

Section 806 Advertisement The incorporated institution shall advertise its intention to file articles of amendment with the Department of State in a manner similar to that hereto-

fore prescribed in this act in the case of the formation of the particular type of incorporated institution Advertisement shall appear at least three days prior to the day upon which the articles of amendment are to be presented to the Department of State and shall set forth briefly

(1) The name and location of the principal place of business of the incorporated institution

(2) A statement that the articles of amendment are to be filed under the provisions of this act

(3) The nature and character of the proposed amendment will be filed with the Department of State will be filed with the Department of State

(4) The time when the articles of amendment

Section 807 Filing of Articles of Amendment Payment of Fees Approval by Department of State A The articles of amendment and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B The Department of State shall examine such articles of amendment and such proof of publication to determine whether they contain all the information and are in the form required by this act After all the bonus fees taxes and other charges have been paid as required by law except for the costs of any examination made by the Department of Banking pursuant to the provisions of this act to determine whether to approve the amendment or any other charges made by the Department of Banking the Department of State shall if the articles of amendment and the proof of publication contain the information and are in the form required by this act forthwith but not prior to the day specified in the advertisement of the articles of amendment required by this act endorse its approval thereon and shall forthwith transmit them to the Department of Banking

C If the Department of State shall disapprove the articles of amendment pursuant to the provisions of this act it shall forthwith give notice thereof to the incorporated institution stating in detail its reasons for doing so and stating how such incorporated institution can remedy the nonconformance with the provisions of this act Upon remedying the defect such incorporated institution may in the same manner file the same or amended articles whichever the particular case may require

Section 808 Approval of Articles of Amendment by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles of amendment from the Department of State conduct such examination as it may deem necessary to ascertain from the best sources of information at its command whether such amendment or amendments will be lawful not injurious to the community and in accordance with the purposes of the articles of incorporation The costs of such examination and any other charges of the Department of Banking bearing upon the filing of articles of amendment shall be assessed upon the incorporated institution in the manner provided by law for assessments by the Department of Banking of costs of examination or other charges

B Within thirty days after the receipt of the articles of amendment from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of amendment it shall endorse its approval thereon and shall return them to the Department of State If the purpose of the amendment is to establish a branch bank branch office agency sub-office sub-agency or branch place of business and if the Department of Banking shall approve such amendment any person aggrieved by the action of the Department of Banking in approving the articles of amendment may appeal to the court of common pleas of the county in which it is proposed to establish such branch bank branch office agency sub-office sub-agency or branch place of business The court shall hear such appeal promptly and shall decide the matter upon its merits The court shall send to the Department of Banking a certified copy of its order

C If the Department of Banking disapproves the articles of amendment it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the incorporated institution of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The decision of the Department of Banking in disapproving any articles of amendment shall be conclusive and not subject to any review

Section 809 Issuance of Certificate of Amendment Immediately upon receipt of the signed articles of amendment of an incorporated institution from the Department of Banking the Department of State shall file the articles and shall issue to the institution or its representative a certificate of amendment to which shall be attached a copy of the approved articles A copy of the approved articles amendment shall be sent by the Department of State to the Department of Banking

Section 810 Effective Date of Amendment Upon the issuance of the certificate of amendment by the Department of State the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any existing cause of action in favor of or against the incorporated institution or any pending suit in which such incorporated institution shall be a party or the existing rights of persons other than shareholders in the case of a bank a bank and trust company or a trust company and in the event the corporate name shall be changed by the amendment no suit brought by or against the incorporated institution under its former name shall be abated for that reason

ARTICLE IX

DEPOSITS IN INSTITUTIONS AND RESERVES THEREFOR MONEYS DELIVERED TO INSTITUTIONS FOR TRANSMISSION

Section 901 Records of Deposits Receipts Therefor Inclusion of Rules Therein A Every institution shall keep complete records of all deposits made in it Such deposits shall constitute liabilities of the institution and shall be so carried upon its books or other records

B Every institution shall furnish to each depositor a receipt in full by pass book or otherwise for all deposits made by him

Section 902 Deposits in the Name of Minors Any institution may receive deposits by or in the name of a minor and shall pay such deposits and any interest thereon to such minor upon his proper check order or receipt as the case may be without the assent of his parent or guardian The parent or guardian of such minor shall not in his capacity as parent or guardian have the power to attach or in any manner interefere with such deposit

Section 903 Joint Deposits Death of One of the Parties A Whenever a deposit shall be made in an institution in the names of two or more persons the institution shall not pay out such deeposit any part thereof or interest thereon except upon the proper check order or receipt as the case may be of both or all of such persons unless at the time of making the deposit a different arrangement shall have been specifically provided for or unless at a subsequent time all the parties agree to a different arrangement

B Whenever a deposit shall be made in an institution in the names of two or more persons and such deposit shall have been made under an arrangement with the institution whereby such deposit and any interest thereon may be paid upon the check order or receipt of either or any of such persons the institution may pay such deposit any part thereof or any interest thereon upon such check order or receipt of either or any of such persons pursuant to the arrangement provided for in this section notwithstanding the fact that one or more of the other persons may be dead and the institution has notice thereof

C This section shall not be construed to affect deposits made in the names of a husband and his wife

Section 904 Death of One Making Deposit as Trustee Whenever a deposit shall be made in an institution by any person describing himself in making such deposit as trustee for another and no other notice of the existence and terms of a valid trust than such description shall have been given in writing to the institution such deposit or any part thereof together with interest thereon may upon sotisfactory proof of the death of the person so described as trustee be paid to the person for whose benefit the deposit was thus stated to be made upon his proper check order or receipt as the case may be

Section 905 Adverse Claims to Deposits A Notice to an institution of an adverse claim to a deposit standing on its books to the credit of any corporation or person shall not be effectual to cause such institution to recognize such adverse claimant unless such adverse claimant shall also procure either an attachment or a proper restraining order against the institution from a court of competent jurisdiction in a cause of action therein instituted by him wherein the corporation or person to whose credit the deposit stands or his administrator is made a party in the manner provided by law or unless he shall execute to the institution in form and with sureties acceptable to it a bond indemnifying the institution from any liability loss damage costs and expenses on account of the payment of such adverse claim or the dishonor of the check or other order of the corporation or person to whose credit the deposit stands on the books of the institution

B This section shall not apply in any instance where the person to whose credit the deposit stands is a fiduciary for such adverse claimant and the facts constituting such relationship as well as the facts showing reasonable cause of belief on the part of the claimant that such fiduciary is about to misappropriate the deposit are made to appear by the affidavit of such claimant

Section 906 Deposits with Other Corporations or Persons Authorized to Receive Deposits Reserve Agents A Except as otherwise specifically provided in this act any institution may deposit any of its funds in any other institution national banking association or any corporation or person doing business in another state authorized by the laws of such other state to receive deposits and subject to the supervision of the banking authorities of such other state but an incorporated institution shall not deposit any of its funds in such other institution national banking association or corporation or person unless it has been designated as a depository by a majority of all the members of the board of directors or of the board of trustees as the case may be of the depositing incorporated institution

B An institution shall not have on deposit at any one time with any other institution national banking association or other corporation or person doing business in another state authorized by the laws of such other state to receive deposits and subject to the supervision of the banking authorities of such other state an amount in excess of ten per centum of the unimpaired capital plus ten per centum of the unimpaired surplus of the depositing institution if a bank and trust company or an amount in excess of ten per centum of its unimpaired surplus if a savings bank or an amount in excess of ten per centum of its net worth if a private bank unless such other institution national banking association or other corporation or person has been duly approved for this purpose by the Department

C A director of a bank a bank and trust company or a trust company or a trustee of a savings bank shall not have a vote in designating as a depository any institution national banking association or other corporation or person of which he is an officer or director or if the proposed depository is a private bank of which he is one of the owners or if it is an incorporated institution a national banking association or any other corporation of which he owns five per centum or more of the shares of its capital

D A reserve agent of an institution for the purposes of this act shall be any institution national banking association or corporation or person designated as a depository of such institution in the manner provided by this act and approved by the Department as a depository for any moneys of such institution which are part of the reserve fund against deposits and demand liabilities as defined herein which is required by this act to be established and maintained by such institution

Section 907 Money Delivered for Transmission Receipt and Time Limit Burden of Proof of Delivery A Every institution shall give to every corporation or person delivering to it money for transmission a receipt stating the date when such money is received the amount thereof in terms of dollars and cents and if the money is to be transmitted to a foreign country in currency of such foreign country the amount thereof in terms of the money standard of the country to which such money is to be transmitted All moneys received by an institution for transmission shall be forwarded to the corporation or person designated to receive it

B In an action by a corporation or person against an institution to recover money delivered by such corporation or person to such institution for transmission the burden of proving the transmission to and the receipt of the money by the corporation or person to whom such money was directed to be paid shall be upon the institution but a statement under oath or affirmation of the duly authorized agent or correspondent of the institution that such agent or correspondent has paid the money to the corporation or person to whom payment was directed to be made and a receipt for such money signed in the name of such corporation or person shall be prima facie evidence of the delivery of such money to the corporation or person to whom payment was directed to be made

Section 908 Reserve Fund against Deposits and Demand Liabilities A Every bank bank and trust company or private bank shall establish and maintain a reserve fund in an amount equal to at least fifteen per centum of the total of its net demand deposits and net demand liabilities plus seven and one-half per centum of its total net time deposits as herein defined

B Except in the case of a savings bank the term "demand deposits" shall be construed to refer to all deposits payment of which can legally be required on demand or within any period less than thirty days after demand

The term "demand liabilities" shall be construed to refer to all obligations of the institution other than deposits payment of which can legally be required on demand

Except in the case of a savings bank the term "time deposits" shall be construed to refer to all deposits payment of which cannot legally be required within thirty days

C. Except in the case of a savings bank the total of such reserve fund may and at least one-third thereof shall consist of gold bullion gold coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of currency of the United States and be kept on hand at the place of business of the institution unpledged unassigned and unhypothecated

One-third of such reserve fund may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivision thereof Such bonds while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

The balance of such reserve fund or any part thereof but not exceeding two-thirds of the total reserve fund may consist of an actual net balance of menys on deposit subject to call without notice in any reserve agent as hereinbefore defined

D Every savings bank shall establish and maintain a reserve fund in an amount equal to at least seven and one-half per centum of the total of its net deposits

E In the case of savings banks the total of such reserve fund may and at least two-thirds thereof shall consist of gold bullion gold coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of curency of the United States kept on hand at the place of business of the institution unpledged unassigned and unhypothecated or an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined

The balance of such reserve fund may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivision thereof Such bonds while being carried in the reserve fund shall be computed at their current market value They shall They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

Section 909 Deficiency in Reserve Fund Notice to Department Penalty A Except as otherwise specifically provided in this act if the reserve fund of an institution shall be less than the amount required by this article such institution shall not grant any new loan or declare or pay any dividends until the reserve fund required by this act shall have been restored in full

B Every institution shall give immediate written notice to the Department in the manner prescribed by the Department for such notice whenever its total reserve fund has been deficient for five consecutive business days or for a total of ten business days during any thirty-day period

C Any institution which fails to give the notice required by this section shall pay to the Department a penalty of fifty dollars for each day that it does not do so after the time fixed by this section for the giving of such notice but

the Department may in its discretion relieve any institution from the payment of such penalty in whole or in part if good cause be shown to it for the failure of such institution to give such notice If an institution fails to pay a penalty from which it has not been thus relieved the Department may through the Department of Justice maintain an action at law to recover it

Section 910 Maintenance of Reserve Fund by Federal Reserve Members An institution which upon the effective date of this act is a member of a Federal Reserve Bank or an institution which after the effective date of this act shall become a member of a Federal Reserve Bank in the manner provided by this act shall comply with the requirements of the Federal Reserve Act its amendments and supplements for the establishment and maintenance of a reserve fund Compliance therewith and with the regulations of the Federal Reserve Board by such institution shall relieve such institution from compliance with the requirements established by this act for the creation and maintenance of a reserve fund but it shall in accordance with the provisions of this act concerning notice after a deficiency in reserves give written notice to the Department whenever its total reserve fund has for a period of five consecutive business days or for a total of ten business days during any thirty-day period been below the minimum required by the Federal Reserve Act its amendments and supplements and shall be subject to the penalty for failure to give such notice provided by this act

ARTICLE X

POWERS AND LIMITATION UPON POWERS OF BANKS BANK AND TRUST COMPANIES OR TRUST COMPANIES

Section 1001 Powers of Banks Bank and Trust Companies or Trust Companies A In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a bank or a bank and trust company elsewhere in this act a bank or a bank and trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and to pay interest thereon

(2) To receive money for transmission either to a foreign country or otherwise

(3) To rediscount and borrow money bonds or other securities and to pledge collateral therefor

(4) To lend money either upon the security of real or personal property or otherwise to charge or to receive in advance interest therefor

(5) To discount buy sell negotiate or assign promissory notes drafts bills of exchange trade and bank acceptances stocks bonds or other evidences of debt

(6) To buy and sell exchange coin and bullion

(7) To purchase hold or convey real property

(8) To improve or to lease real property for its accommodation

(9) To accept for payment at a future date drafts or bills of exchange drawn upon it

(10) To issue letters of credit authorizing the holders thereof to draw drafts or bills of exchange upon it or its correspondents

(11) To become a member of a Federal Reserve Bank

(12) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(13) To invest in the shares of an institution engaged in a foreign banking business

(14) To become a member of a clearing house association

(15) To establish branch banks branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

B In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a trust company elsewhere in this act a trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To purchase hold or convey real property

(2) To improce or to lease real property for its accommodation

(3) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities an dother valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(4) To establish branch trust companies branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(5) To make any investments subject to the same limitations as in the case of savings banks incorporated hereunder including such investments as are specifically authorized by its articles

Section 1002 Power to Receive Deposits Conditions and Notice of Withdrawal A bank or a bank and trust company shall have the power to receive money on deposit It shall repay such deposits upon due demand in such manner and upon such notice as may be agreed upon or in accordance with such regulations as it shall from time to time establish

Section 1003 Interest of Deposits A A bank or a bank and trust company shall have the power to credit and pay on all deposits such interest as may be established from time to time by agreement or regulation Such interest shall be paid to the respective depositors or creditors to their accounts at least annually and in the case of certificates of deposit interest shall be paid or accrued at least annually

B A bank or a bank and trust company shall not credit or pay any interest on any deposit for a longer period than it has been deposited with the bank except that deposits made not later than the fifth business day of the month or deposits withdrawn upon one of the last three business days of the month ending any annual semi-annual or quarterly interest period may have interest declared upon them for the whole of the period or month in which they were so deposited or withdrawn It shall also be lawful for deposit accounts closed between interest periods to be credited with interest computed from the last interest period to the date when closed

Section 1004 Pledge of Assets for Deposits A bank or a bank and trust company shall not have the power to pledge or hypothecate any of its assets as security for deposits made with it except for the following

(1) Federal State municipal school district or other public funds

(2) Funds deposited by the Secretary of Banking as receiver of an institution of which he has pursuant to the provisions of law taken possession

(3) Funds deposited by a bank and trust company in its own commercial department which funds are being held by such bank and trust company in a fiduciary capacity and are being deposited by it pending investment or distribution

Section 1005 Borrowing Money and Pledging Assets Thereor Limitations on Total Indebtedness A A bank or a bank and trust company may borrow money and may pledge or hypothecate any of its assets as security therefor but whenever it shall appear to the Department that a bank or a bank and trust company is borrowing habitually for the purpose of relending it may require such bank or bank and trust company to cease such practice

B A bank or a bank and trust company shall not at any time be indebted or in any way obligated whether upon such borrowings or otherwise to a total amount exceeding the amount of its unimpaired capital but the following debts or obligations shall not be included in this limitation

(1) Moneys deposited with the bank or bank and trust company or collected by it for its customers

(2) Bills of exchange or drafts drawn against money actually on deposit to its credit or due it

(3) Liabilities created by the endorsement by the bank or bank and trust company of accepted bills of exchange actually owned and discounted by it

(4) Liabilities to the shareholders of the bank or bank and trust company for dividends which have been declared

(5) Liabilities to the holders of undivided interests in any pool of bonds secured by mortgages or any pool of other securities created by the bank or bank and trust company or to the holders of undivided interests created by the bank or bank and trust company in any particular bond secured by a mortgage or in any other security or asset regardless of whether certificates of participation in such mortgage or securities pool or in such mortgage security or other asset have been actually issued

(6) The amount of the surplus expense fund or other reserves and the undivided profits of the bank or bank and trust company

(7) If the bank or bank and trust company is a member of a Federal Reserve Bank liabilities incurred by it to or redis-

counts of commercial paper made by it with the Federal Reserve Bank as a member thereof

(8) Rediscounts of commercial paper or borrowing of money by such bank or bank and trust company during any continuous period not exceeding three months unless a longer period is approved by the Department

(9) Liabilities to any Federal or State agencies

Section 1006 Limitations upon Loans to One Corporation or Person A A bank or a bank and trust company shall not directly or indirectly lend to any corporation or person an amount which including any extension of credit to such corporation or person by means of letters of credit or by acceptance of drafts for or the discount or purchase of the notes bills of exchange or other commercial paper of such corporation or person shall exceed twenty-five per centum of the unimpaired capital and twenty-five per centum of the unimpaired surplus of the bank or bank and trust company However this restriction shall have no application whatsoever to the following

(1) Loans to the United States or loans secured by not less than the face amount of bonds or other interest-bearing obligations of the United States or bonds or other interest-bearing obligations for the payment of the principal and interest on which the faith and credit of the United States is pledged

(2) Loans to the Commonwealth of Pennsylvania or any county or city thereof or loans secured by bonds or other interest-bearing obligations of the Commonwealth or any county or city thereof or bonds or other interest-bearing obligations for the payment of the principal and interest on which the faith and credit of the Commonwealth or any county or city thereof is pledged

B However a bank or a bank and trust company may in addition to the twenty-five per centum authorized by this section lend to any corporation or person an additional fifteen per centum of the unimpaired capital and fifteen per centum of the unimpaired surplus of the bank or the bank secured by collateral having an ascertained market value of at least twenty per centum more than the amount of the liability so secured

C In computing the total liabilities of any individual to a bank or a bank and trust company there shall be included all liabilities to the bank or bank and trust company of any partnership or any unincorporated association of which he is a member and any loans made for his benefit or for the benefit of such partnership or unincorporated association

In computing the total liabilities of any partnership or unincorporated association to a bank or a bank and trust company there shall be included all liabilities of its individual members to such bank or bank and trust company or loans made for the benefit of such partnership or unincorporated association or any member thereof

In computing the total liabilities of any corporation to a bank or a bank and trust company there shall be included all loans made for the benefit of the corporation

A loan shall be deemed to be made for the benefit of a corporation or a person to the extent that the proceeds of such loan are transferred to such corporation or person

Section 1007 Loans to Directors Officers or Employes of a Bank or Bank and Trust Company Penalty A A bank or a bank and trust company shall not grant any loan to a director thereof either directly or indirectly in an amount which including therein any extension of credit by means of letters of credit or by acceptance of drafts for or the discount or purchase of notes bills of exchange or other obligations of such director will exceed ten per centum of the unimpaired capital plus ten per centum of the unimpaired surplus of such bank or bank and trust company, unless any such loan in excess of such ten per centum of the unimpaired capital and the unimpaired surplus shall be secured by not less than a like amount of bonds or other of the interest-bearing obligations of the United States or of the Commonwealth of Pennsylvania

B A bank or a bank and trust company shall not unless such loan shall be secured by collateral having an ascertained market value of at least twenty per centum more than the amount of the loan so secured grant to any director officer or employe thereof any loan or line of credit without (1) the prior affirmative vote or the prior written assent filed in the place of business of the institution of a majority of all the directors of the bank or bank and trust company granting the loan except that if it is a director who is directly or indirectly interested in obtaining the loan he shall not have a vote or (2) the prior vote of a majority of the executive committee of the board of directors subsequently ratified by an affirmative vote of a majority of the members of the board of directors present at the meeting at which such action of the executive committee shall be ratified

C. A bank or a bank and trust company shall not grant a loan in excess of one thousand dollars to a salaried officer or employe thereof or to a salaried officer or employe of an affiliated bank bank and trust company or trust company or an affiliated national banking association as defined in this act unless the amount of the loan in excess of one thousand dollars be secured by readily marketable collateral the market value of which shall at no time be less than one hundred and twenty per centum of the amount of the loan in excess of one thousand dollars This section shall not apply to loans to any such salaried officer or employe upon the security of a mortgage upon the home of such salaried officer or employe

D Any director officer or employe of a bank or a bank and trust company who on behalf of such bank or bank and trust company knowingly grants a loan in violation of this section and any director officer or employe of such bank bank and trust company trust company or national banking association who wilfully accepts such a loan with knowledge that it was granted in violation of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount of the loan he shall furthermore be forever disqualified from acting as a director officer or employe of any institution in this Commonwealth.

Section 1008 Limitation on Loans or Discounts Secured by Shares or Obligations of a Corporation A A bank or a bank and trust company shall not take or hold as collateral security for loans or discounts the shares or other obligations of any national banking association or of any bank bank and trust company trust company or other corporation whether such bank bank and trust company trust company or other corporation was incorporated under the laws of this Commonwealth or of any other state which together with the amount of loans to and investments in the obligations of such national banking association bank bank and trust company trust company or other corporation will in the aggregate at any one time exceed twenty-five per centum of the unimpaired capital plus twenty-five per centum of the unimpaired surplus of the bank or bank and trust company granting the loan or discount unless such securities are dealt in on any recognized stock exchange

B A bank or a bank and trust company shall not take or hold at any one time as collateral security for loans or discounts more than ten per centum of the authorized capital of a national banking association or of another bank bank and trust company or trust company whether incorporated under the laws of this Commonwealth or of any other state

Section 1009 Limitation upon Investing in Shares A Except as otherwise specifically authorized by this act a bank or a bank and trust company shall not purchase or invest in the shares of capital of any corporation whatsoever

B Any bank or bank and trust company may purchase or invest in the shares of a Federal Reserve Bank national banking association or any bank bank and trust company or trust company incorporated under the laws of this Commonwealth or of any corporation organized for the purpose of conducting a safe deposit business and also to an amount which shall not exceed twenty-five per centum of the unimpaired capital and twenty-five per centum of the unimpaired surplus of such bank or bank and trust company in the shares of any corporation

C This section shall not be construed to affect the power of a bank or a bank and trust company to take or hold shares of capital of a corporation in accordance with the provisions of this act as security for loans granted by such bank or bank and trust company

Section 1010 Power to Invest in Shares of Banks Engaged in Foreign Business A bank or a bank and trust company the unimpaired capital and the unimpaired surplus of which total at least one million dollars may invest not more than ten per centum of its unimpaired capital plus ten per centum of its unimpaired surplus in the shares of capital of one or more corporations or associations chartered or organized under the laws of the United States or of any state thereof and principally engaged in international or foreign banking or in bank-

ing in a dependency or insular possession of the United States either directly or through the agency ownership or control of local institutions in foreign countries or in such dependencies or insular possessions but a bank or a bank and trust company may make such investment only with the previous written approval of and under such terms and conditions as shall be prescribed by the Department

Section 1011 Limitation as to Dealings by Bank or Bank and Trust Company in Own Shares Except as otherwise specifically provided in this act a bank or a bank and trust company shall not grant any loan or discount on the security of shares of its own capital nor be the purchaser or holder of any such shares for its own account unless such security or purchase shall be necessary to prevent loss upon a debt previously contracted in good faith Shares so purchased or acquired shall be disposed of within two years from the time of their purchase or acquisition but the Department may upon application of a bank or a bank and trust company grant to it in writing the power to hold such shares for a longer period

Section 1012 Loans on and Investments in Bonds and Mortgages and Judgments of Record A A bank or a bank and trust company shall have the power to lend on the security of or invest in bonds secured by mortgages upon real property but it shall lend upon or invest in only such bonds and mortgages as (1) are first liens on unencumbered improved real property including improved farm land situated within the Commonwealth and (2) do not exceed two thirds of the actual value of such real property and (3) become due within ten years after the making of such loan or investment unless amortized in equal annual installments over a period not exceeding fifteen years after the making of such loans or investment Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of such bank or bank and trust company by the borrower or mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the bank or bank and trust company making the investment It shall be lawful for a bank or bank and trust company to renew such policies at the expenses of the borrower or mortgagor from year to year or for a longer or a shorter period not however exceeding the term of the obligation in case he shall fail to do so All necessary charges and expenses paid by such bank or bank and trust company for such renewals shall be paid by such borrower or mortgagor In case such borrower or mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of the payment of such charges and expenses constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor or borrower The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of directors They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the bank or bank and trust company The restrictions imposed by this section shall not apply to public utility railroad or industrial bonds or other securities commonly known as investment securities although such bonds may be secured in whole or in part by a mortgage upon real property

B A bank or bank and trust company shall have the power to lend on the security of or invest in judgments of record which are first liens on unencumbered real property situated within the Commonwealth to the amount of fifty per centum of the actual value of such property under the same circumstances and subject to the same conditions as are established by this section in the case of loans on the security of or investments in bonds secured by mortgages upon real property

C The aggregate amount of all loans and investments made by virtue of this section shall not at any time exceed twenty-five per centum of the unimpaired capital and twenty-five per centum of its unimpaired surplus or fifty per centum of the total time deposits of such bank or bank and trust company at the option of the bank or bank and trust company

Section 1013 Power to Create Mortgage Pools for Public Participations Limitations A A bank or except as otherwise specifically provided in this act a bank and trust company shall not have the power to establish a pool or fund of any bonds secured by mortgages or of any securities and to sell to any particular corporations or persons or to the general public fractional undivided interests therein

B This section shall not be construed to affect a pool or fund of bonds secured by mortgages or of securities created by bank or a bank and trust company prior to the effective date of this act

Section 1014 Restriction on Ownership or Holding of Real Property by a Bank a Bank and Trust Company or a Trust Company A Except as otherwise provided in this act a bank a bank and trust company or a trust company shall not purchase own or hold any real property except as follows

(1) Such real property as it occupies or intends to occupy pursuant to the provisions of this act for its accommodation in the transaction of its business or such real property which it partly so occupies and partly leases pursuant to the provisions of this act

(2) Such as it shall purchase at sales under judgments decrees or mortgages held by it or as it shall otherwise acquire in good faith in satisfaction of debts previously contracted to it or in order to protect an interest it may otherwise have lawfully acquired in such property

B A bank a bank and trust company or a trust company shall not own or hold any real property other than such real property as it occupies or intends to occupy for its accommodation in the transaction of its business or such real property as it partly so occupies and partly leases to others pursuant to the provisions of this act for a period longer than five years after the acquisition of such real property or five years after the effective date of this act but the Department may upon application of a bank a bank and trust company or a trust company grant to it in writing the power to hold such real property for a longer period This section shall not be construed to prevent any bank bank and trust company or trust company from making improvements to properties owned but not occupied by the bank the bank and trust company or the trust company for the purposes of sale or lease

Section 1015 Limitation on Bank Buildings Owned or Leased and Furniture and Fixtures Therein A The cost of the real property including the building or buildings thereon which a bank a bank and trust company or a trust company occupies or intends to occupy for the transaction of its business or partly so occupies and partly leases to others together with the cost of furniture and fixtures therein which are owned by such institution shall not at any time exceed in the aggregate twenty-five per centum of its unimpaired capital plus twenty-five per centum of its unimpaired surplus except with the written approval of the Department Before the erection of a building or buildings is commenced the estimate of the costs thereof shall be submitted to the Department for its approval

B A bank a bank and trust company or a trust company shall not expend for the alteration or improvement of premises occupied but not owned by it an amount which together with the cost of any real property building or buildings and furniture and fixtures which it owns exceeds twenty-five per centum of its unimpaired capital plus twenty-five per centum of its unimpaired surplus except with the written approval of the Department The cost of such alterations or improvements shall be amortized during the term of such lease or occupancy and before such alterations or improvements are made an estimate of the cost thereof shall be submitted to the Department for its approval

C The foregoing provisions of this section shall not affect any real property and building or buildings occupied or the furniture and fixtures owned and used by a bank a bank and trust company or a trust company upon the effective date of this act for the transaction of its business but such bank bank and trust company or trust company shall not except with the approval of the Department add to such real property building or buildings furniture and fixtures and shall not alter or improve such premises if the cost of such additions alterations or improvements shall together with any other real property and building or buildings occupied or furniture and fixtures owned and used by the incorporated institution aggrepate twenty-five per centum of its unimpaired capital plus twenty-five per centum of its unimpaired surplus

D This section shall not be construed to prohibit a bank and trust company or a trust company from making ordinary repairs to any such real property

E Except as otherwise provided in this act a bank a bank and trust company or a trust company may lease to any other corporation or person for offices or for any other legitimate purposes any part of the premises which it owns or occupies

for the transaction of its business but which is not necessary for the transaction of such business

Section 1016 Power to Accept Drafts and Bills of Exchange Limitations A A bank or a bank and trust company shall have the power to accept for payment drafts or bills of exchange having not more than six months' sight to run which grow out of transactions involving the importation or exportation of goods or which grow out of transactions involving the domestic shipment of goods in which case the shipping documents conveying or securing title shall be attached at the time of acceptance or which are secured at the time of acceptance by a warehouse receipt or other such document conveying or securing title to readily marketable staples

A bank or a bank and trust company shall not accept drafts or bills of exchange to an amount totaling at any one time more than fifty per centum of its unimpaired capital plus fifty per centum of its unimpaired surplus but the Department may at any time by general rule applicable to all banks or bank and trust companies and under such limitations as it shall impose authorize all banks and all bank and trust companies to accept drafts or bills of exchange to an amount totaling at one time one hundred per centum of their unimpaired capital plus one hundred per centum of their unimpaired surplus

Section 1017 Protection against Loss on Previous Loan or Investment The restrictions imposed by this act shall not be construed to prevent a bank or a bank and trust company in order to protect itself from loss upon a loan or investment previously made lawfully and in good faith from acquiring ownership of or otherwise taking and holding any kind of property or security whether real or personal Except as otherwise provided by this act any property so acquired unless of the character and nature by this act authorized to be purchased or held by such bank shall be sold by it within five years but the Department may upon application of a bank or bank and trust company grant to it in writing the power to hold such property for a longer period

Section 1018 Property Acquired Prior to Effective Date of Act This act shall not be construed to render unlawful the continued ownership or holding by a bank or a bank and trust company of any loans investments or other real or personal property lawfully acquired prior to the effective date of this act However such loans or such real property shall be computed in determining the power under this act of a bank or a bank and trust company to grant any additional loans or make any additional investments in real estate

Section 1019 Power of Bank to Become Member of Federal Reserve Bank A bank or a bank and trust company may purchase and hold for the purpose of becoming a member of a Federal Reserve Bank so much of the capital of such Federal Reserve Bank as will qualify it for membership therein It may require and exercise all powers not in conflict with the laws of this Commonwealth which are conferred upon any such member bank by the Federal Reserve Act its amendments and supplements Such bank or bank and trust company may be examined by Federal authorities in accordance with the provisions of the Federal Reserve Act but unless the Department shall in its discretion accept the examinations or reports made under the Federal Reserve Act in lieu of those required by the laws of this Commonwealth it shall be examined by and make reports to the Department in the manner provided by law for all banks or bank and trust companies Except as otherwise specifically provided in this act such bank or bank and trust company and its officers directors employes and shareholders shall continue to be subject to all the liabilities and duties imposed upon them by this act or by any other law of this Commonwealth

Section 1020 Power to Engage in Safe Deposit Business A A bank a bank and trust company or a trust company may receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers It may also rent out receptacles or safe deposit boxes for the deposit of papers or of such personal property

B The bank the bank and trust company or the trust company shall receive such papers or other personal property and rent out such receptacles or safe deposit boxes upon the terms or conditions prescribed by in but such terms and conditions shall not be binding upon the corporations or persons availing themselves of such services unless they receive notice thereof

Section 1021 Prohibition upon Guaranteeing Mortgages A bank a bank and trust company or a trust company shall not in any manner whatsoever guarantee the payment of the principal or the interest of bonds or other obligations secured by mortgages upon real property

This section shall not however be construed to affect contracts and policies guaranteeing the payment of the principal or the interest of bonds or other obligations secured by mortgages upon real property when such contracts and policies have been lawfully executed by a bank a bank and trust company or a trust company and are valid and outstanding upon the effective date of this act or any continuation extension or renewal thereof

Section 1022 Limitation upon Power to Act as Surety A A bank a bank and trust company or a trust company shall not act as surety for the faithful performance of any trust office duty action or engagement or upon any writ of error or appeal or upon any other type of bond in any manner whatsoever but a bank a bank and trust company or a trust company shall have the power in the manner and under the circumstances provided by law to give its own bond upon any writ of error or appeal or in any proceeding instituted in any court of this Commonwealth if such bank bank and trust company or trust company is one of the parties to such proceeding or such writ of error or appeal and a bank and trust company or a trust company shall have the power whenever necessary to give its own bond for the faithful performance by it of its duties as trustee guardian executor administrator or other fiduciary and as surety for the faithful performance by any person who may be a co-fiduciary acting with such bank and trust company or such trust company

B This section shall not be construed to affect in any manner a bond given as surety or an obligation to act as surety legally entered into by a bank a bank and trust company or a trust company prior to the effective date of this act

ARTICLE XI

POWER OF BANKS TO BECOME BANK AND TRUST COMPANIES ADDITIONAL POWERS AND LIMITATIONS UPON POWERS OF BANK AND TRUST COMPANIES

Section 1101 Power of Bank to become Bank and Trust Company Acquisition of Fiduciary Powers A bank which has an unimpaired capital and an unimpaired surplus at least equal to the capital and surplus required by this act for the incorporation of a bank and trust company may by amending its articles of incorporation in the manner provided by this act acquire the additional power of and thereby become a bank and trust company Such bank upon becoming a bank and trust company shall include in or add to its corporate name the words "and trust company" in accordance with the provisions of this act but the amendment to the articles of incorporation of a bank by virtue of which such bank is to become a bank and trust company shall be approved by two-thirds of all the shareholders of such bank

Section 1102 Powers of Bank and Trust Companies or Trust Companies In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a bank and trust company or a trust company elsewhere in this act a bank and trust company or a trust company shall have the following powers subject to the limitations and restricts imposed by this act

(1) To act as fiduciary and pursuant thereto to receive and dispose of real or personal property

(2) To act as agent or attorney in fact

(3) To act as transfer or fiscal agent and registrar of shares bonds or other obligations

(4) Pool mortgages or securities for the investment of funds held by it as fiduciary

(5) In the case of certain existent bank and trust companies or trust companies to insure owners mortgages and others interested in real property from loss by reason of defective titles liens and encumbrances

Section 1103 Power to Act as Fiduciary A bank and trust company or a trust company may act as trustee guardian receiver assignee committee executor administrator or in any other fiduciary capacity not inconsistent with the laws of this Commonwealth or of the United States It may in pursuance of such fiduciary relationship receive any real or personal property including securities of every kind government or

otherwise belonging to or otherwise a part of the estate of which such bank and trust company or such trust company is fiduciary It may pursuant to any instrument producing such fiduciary relationship or any agreement controlling such relationship or any rule of law governing such relationship hold or invest sell or otherwise dispose of such real or personal property It may pursuant to and in accordance with the same authority recover any property which the estate owns or of which it has the right to possession or in any other way protect the interests of such estate

Any agreement of such bank and trust company or such trust company as fiduciary shall be in the manner provided by law for the agreement of such fiduciaries and any acts performed by the bank and trust company or the trust company as such fiduciary shall be in accordance with any provisions of law which govern such relationships Except as specifically otherwise provided in this act or by the instrument creating the fiduciary relationship or by any other agreement by the parties such bank and trust company or such trust company shall have the same powers and shall be subject to the same duties as are granted to or imposed upon any such fiduciaries by the laws of this Commonwealth

Section 1104 Power to Act as Agent or Attorney in Fact A bank and trust company or a trust company may act as agent or attorney in fact in the purchase and sale of real property in the collection of rents for the care custody and management of any real or personal property and in the making of investments in shares bonds or other securities the collection and disbursement of the principal thereof and the income therefrom and the sale transfer or other disposal thereof

Section 1105 Power to Act as Registrar of Shares and Bonds Fiscal Agent A bank and trust company or a trust company may act as the fiscal agent or transfer agent of the United States of any state of the United States of any county city borough township school district or other political subdivision of any state or of any corporation or individual and may act as treasurer of any political subdivision of this Commonwealth In such capacity it may receive and disburse money manage any sinking fund and transfer register and countersign share certificates bonds or other evidences of indebtedness in accordance with the terms of the instrument creating the relationship or of any other agreement express or implied between the parties

Section 1106 Capital of Bank and Trust Company or Trust Company in Lieu of Bond A bank and trust company or a trust company acting as a fiduciary shall not be required to execute the bond or put up the security required by law of fiduciaries but its capital shall be considered as the security required by law for the faithful performance of its duties The capital of such bank and trust company shall be absolutely liable in case of any default whatsoever

Section 1107 Any Officer Authorized to Take Oath In any case in which the laws of this Commonwealth require that a fiduciary shall take an oath or affirmation or execute an affidavit any officer of a bank and trust company or a trust company which is acting in such fiduciary capacity shall be authorized to take such oath or affirmation or execute such affidavit on behalf of such bank and trust company or trust company

Section 1108 Segregation and Designation of Trust Funds Deposit of Uninvested Funds A bank and trust company or a trust company shall keep all funds property or investments held by it in a fiduciary capacity separate and apart from the assets of such bank and trust company or trust company All investments made by a bank and trust company or a trust company as fiduciary shall be so designated that the estate to which such investments belong shall be apparent at all times but such bank and trust company or such trust company may clear receipts and payments of such funds in the regular course of business in the same manner as other funds held by it Funds held by a bank and trust company or a trust company as fiduciary awaiting investment or distribution may be deposited in any other institution in any national banking association or with any corporation or person in any other state which is authorized to receive deposits and is subject to the full supervision of the banking authorities of such other state or in the case of a bank and trust company may be used by it in the conduct of its business If such funds held by a bank and trust company as fiduciary are used by such bank and trust company in the conduct of its business there shall be pledged or hypothecated by such bank and trust company with the trust department of the bank and trust company acting as fiduciary interest-bearing bonds or other obligations of the United States or of the Commonwealth of Pennsylvania or such other securities as may be approved by the Department The par value of the bonds other obligations or securities so pledged or hypothecated to secure such funds or the market value if such market value is less than the par value shall at all times be equal to an amount not less than the funds so used or deposited If the bank and trust company which has put up such collateral should fail or be taken in possession by the Department the estate from which the funds were taken shall have a lien for the amount of such funds on the bonds other obligations or securities so pledged or hypothecated in addition to their claim against the estate of such bank and trust company

Section 1109 Mortgage or Securities Pools for Investment of Fiduciary Funds A A trust company or a bank and trust company in its trust department may establish a pool or fund of bonds secured by mortgages or of other securities purchased solely with funds of estates held by it as fiduciary All the bonds secured by mortgages and all the securities which comprise such pool or fund shall be of the class authorized as legal investments for funds held by fiduciaries The bank and trust company or the trust company shall apportion fractional undivided interests in such pool or fund to estates of which it is fiduciary in the proportions in which their funds were used to purchase the bonds secured by mortgages or the securities which comprise such pool or fund Interests in such pool or fund shall not be sold to any corporation or person but shall be held solely by the bank and trust company or the trust company as fiduciary and the equitable interest owned solely by the estates of which such bank and trust company or such trust company is fiduciary Interests in such pool or fund may be transferred in distribution to any beneficiary and in order to make distribution may be sold by such bank and trust company or trust company to another trust estate or estates of which it is fiduciary or by a bank and trust company to its commercial department which may in turn resell the same to another trust estate or estates of which it is fiduciary but not to any other corporation or person

B Such bank and trust company or such trust company shall designate clearly upon its records the names of the estates on behalf of which such bank and trust company or trust company as fiduciary owns a fractional undivided interest in such pool or fund and the extent of the interest of the estate therein No such estate shall be deemed to have individual ownership of any bond or other security in such pool or fund but shall be deemed to have an undivided interest in the entire pool or fund

The bank and trust company or the trust company may issue a certificate of participation for every estate on behalf of which such bank and trust company or trust company as fiduciary owns a fractional undivided interest in such pool or fund Such certificate shall state on its face that it is issued without guarantee by the issuing bank and trust company or trust company of the payment of either principal or interest that it will be paid only when funds become available out of the bonds secured by mortgages or out of the securities comprising the pool or fund It shall also state any other important condition covering such situation

C The bank and trust company or the trust company shall have the right at any time to substitute for any bond or other obligation secured by mortgage or for any securities in a pool or fund other bonds or obligations secured by mortgages or securities which meet all the requirements of this section and which have a value at least equal to the bond and mortgage or other security for which they were substituted

D A bank and trust company or a trust company shall likewise have the power to create undivided interests in any single bond secured by a mortgage or in any single security to be apportioned among estates of which it is fiduciary in the proportion to which their funds were used to purchase such asset The bank and trust company or the trust company shall create and assign such interest and shall designate upon its records the names of the estates to which any such undivided interest shall have been apportioned and may issue participation certificates therefor in the same manner under the same conditions and subject to the same limitations as

are authorized or imposed by this section in the case of a pool of more than one bond secured by mortgages or of more than one security

E This section shall not be construed to affect a pool or fund of bonds secured by mortgages or of securities created by a bank and trust company or a trust company prior to the effective date of this act

Section 1110 Prohibition upon Lending Fiduciary Funds to Officers Directors or Employes A bank and trust company or a trust company shall not lend either directly or indirectly to any director officer or employe of such bank and trust company or trust company or to any director officer or employe of any affiliated institution or affiliated national banking association as defined in this act any funds which it holds as fiduciary except such funds as it holds as fiduciary for such director officer or employe and except for loans made upon the security of a mortgage upon the home of such director officer or employe

For the purpose of this section a loan shall be considered to be granted to a director officer or employe when such loan is made for the benefit of such director officer or employe or to or for the benefit of a partnership or other unincorporated association of which such director officer or employe is a partner or a member A loan shall be deemed to be granted for the benefit of a person partnership or other unincorporated association or corporation to the extent that the proceeds of such loan are credited to or transferred to such person partnership other unincorporated association or corporation Every director officer or employe granting such loan on behalf of the bank and trust company or the trust company and every director officer or employe wilfully accepting such loan with knowledge that it was granted in violation of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount of loan so granted or received and shall forever thereafter be disqualified from acting as a director officer or employe of any institution in this Commonwealth

Section 1111 Limitation upon Purchase or Exchange of Assets of Commercial Department A bank and trust company shall not directly or indirectly purchase with funds held by it as fiduciary or exchange for any real or personal property held by it as fiduciary any asset of its commercial department but this prohibition shall not apply in the case of bonds or other interest-bearing obligations of the United States of this Commonwealth or of any county city borough township school district or poor district of this Commonwealth nor in the case of assets of its commercical department ear-marked for future trust investment at the time of acquisition by the commercial department and purchased or exchanged within one year after acquisition with funds or for property held by it as fiduciary A report shall be made monthly to the board of directors and to the Department of all transactions including earmarked acquisitions within the exception to the foregoing prohibition

Section 1112 Power to Insure Titles Prohibition A Every bank and trust company or trust company which upon the effective date of this act lawfully possesses and which has within one year prior to such date exercised the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances shall continue to possess such power but no other bank and trust company or trust company shall hereafter have or exercise such power

B Any bank and trust company or trust company which after the effective date of this act has the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances but which does not exercise such power for any consecutive period of one year shall be forever barred from the exercise of such power

ARTICLE XII

EXPENSE FUND SURPLUS POWERS AND LIMITATIONS UPON POWERS OF SAVINGS BANKS

Section 1201 Expense Fund Repayment of Fund A The expense fund required by this act to be established by the incorporators of a savings bank before such savings bank shall be authorized to commence business shall be to the amount of ten thousand dollars or such larger amount as the Department shall require It shall be used solely to pay any organization and operating expenses which the income of such savings bank is not sufficient to meet

B As soon as the income shall become sufficient to meet current expenses reimbursement shall be made to the original expense fund out of earnings When the expense fund has been reimbursed in full for any charges made against it, pursuant to the provisions of this section and when in addition the surplus of the savings bank is equal to at least the amount of the expense fund which was required by this act to be created the contributions to such expense fund shall be returned to the persons who contributed it but the amounts originally contributed to the expense fund shall not constitute a liability of the savings bank until such time as the expense fund has been reimbursed in full and the unimpaired surplus of the savings bank equals the amount of such expense fund

Section 1202 Powers of Savings Banks In addition to the general corporate powers granted by this act in addition to any powers specifically granted to a savings bank elsewhere in this act a savings bank shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and pay interest thereon

(2) To receive money for transmission to a foreign country or otherwise and to forward such money through any bank bank and trust company private bank national banking association or any other corporation or person authorized by the laws of any state to receive deposits and subject to the supervision of the banking authorities of such State

(3) To borrow money to repay the demands of depositors and to pledge its assets therefor

(4) To make investments

(5) To lend money upon the security of real or personal property and to charge or to receive in advance interest therefor

(6) To purchase hold or convey real property

(7) To improve or to lease real property for its accommodation

(8) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(9) To establish branch savings banks branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(10) To become a member of a Federal Reserve Bank and for such purpose to purchase and hold so much of the capital of such Federal Reserve Bank as will under any Federal law qualify it for membership therein

Section 1203 Power to Receive Deposits Notice of Withdrawal Power to Limit Amount A A savings bank shall have the power to receive money on deposit It shall repay such deposits in such manner upon such notice and under such other regulations as shall be prescribed in its articles or by-laws but if no mention is made in its articles or by-laws of notice or of any special conditions or if the notice of such articles or by-laws required by this act to be given to the depositors is not given such deposits shall be repaid upon demand after sixty days' notice However a savings bank shall not accept any deposits payment of which can legally be required by the depositor within a period of less than fourteen days

B A savings bank may in its articles or by-laws limit the aggregate amount which any one corporation or person may deposit with it It may by action of its board of trustees refuse any deposit or return all or part of any deposit when it deems such action to be to the best interests of such savings bank

Section 1204 Interest on Deposits A Anything in its articles to the contrary notwithstanding a savings bank shall have the power to credit and pay on all deposits such interest not however exceeding five per centum per annum as may be established from time to time by agreement or regulation Such intrest shall be paid to the respective depositors or credited to their accounts at least annually and in the case of certificates of deposit interest shall be paid or accrued at least annually

The trustees shall not declare or allow interest on any deposit for a longer period than it has been deposited with the savings bank except that deposits made not later than the fifth business day of the month or deposits withdrawn upon one of

the last three business days of the month ending any annual semi-annual or quarterly interest period may have interest declared upon them for the whole of the period or month in which they were so deposited or withdrawn It shall also be lawful for deposit accounts classed between interest periods to be credited with interest computed from the last interest period to the date when closed

Section 1205 Requisite Surplus A Every savings bank is hereby authorized to accumulate and retain a surplus not exceeding twenty-five per centum of its total deposits Whenever at the end of any calendar year the unimpaired surplus of a savings bank shall exceed twenty-five per centum of total deposits it shall be the duty of the board of trustees of such savings bank to divide pro rata among the depositors whose accounts shall have been open on the thirty-first day of December of such year the amount of such excess so ascertained at the end of such year

B Nothing herein contained shall be construed to prohibit any savings bank which has been created under any special act of the General Assembly from paying to any corporation or person such dividends as are provided in its articles voting for the same shall be jointly and severally liable to the savings bank in an amount equal to the amount of the unlawful interest or the unlawful withdrawal or distribution of assets Any trustee againt whom a claim shall be asserted under or pursuant to this section and who shall be held liable thereon shall be entitled to a contribution from the other trustees who are likewise liable thereon pro rata according to the number of trustees Any two or more trustees may be sued in the same action

Section 1207 Borrowing Money and Pledging Assets Therefor A savings bank may borrow money and may pledge or hypothecate any of its assets as security therefor solely for the purpose of repaying deposits Such borrowings shall not be made except after the approval of a majority of the members present at a legally constituted meeting of the board of trustees

Section 1203 Authorized Investments of Savings Banks not under Special Charter A Except as otherwise specifically provided in this act a savings bank other than a savings bank organized under a special act of the General Assembly shall not make any investments except as follows

(1) Bonds or other interest-bearing obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged including the bonds or other interest-bearing obligations of the District of Columbia

(2) Farm loan bonds issued by Federal land banks operating under the provisions of the Federal Farm Loan Act approved the seventeenth day of July one thousand nine hundred sixteen its amendments and supplements

(3) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania or of any state of the United States or those for the payment of the principal and interest on which the faith and credit of this Commonwealth or of such state is pledged provided that it has not at any time within the ten years immediately preceding the date of the purchase of such bonds or other obligations by the savings bank defaulted in the payment of any part of any principal or interest due by it

(4) Bonds or other interest-bearing obligations of any county city borough township school district or other political subdivision of the Commonwealth of Pennsylvania or of any city borough township school district or other political subdivision of any State of the United States or those for the payment of the principal and interest on which the faith and credit of such political subdivision is pledged provided that it has not within the ten years immediately preceding the date of the purchase of such bonds or other obligations by the savings bank defaulted in the payment of any part of any principal or interest due by it

(5) Obligations issued assumed or guaranteed as to principal and interest by or equipment bonds of any railroad corporation whether incorporated under the laws of this Commonwealth of any other state or of the Dominion of Canada provided that such railroad corporation has not at any time within the five years immediately preceding the date of the investment in such obligations or bonds by the savings bank failed punctually to pay the matured principal and interest on all of its indebtedness

(6) The bonds of any corporation whether incorporated under the laws of the United States of any other state or of the District of Columbia which transacts the business of supplying electrical energy artificial gas or natural gas purchased from another corporation and supplied in substitution for or in mixture with artificial gas for light heat power and other purposes or which transacts any two or all of such businesses but at least seventy-five per centum of the gross operating revenues of such corporation shall be derived from such business and not more than fifteen per centum of the gross operating revenues shall be derived from any one kind of business other than supplying electricity and gas and such corporation shall be subject to regulation by a public service commission a public utility commission or any other similar regulatory body duly established by the laws of the United States or of any state in which such corporation operates subject to the following conditions

(a) Such corporation shall have all the franchises necessary to operate in territory in which at least seventy-five per centum of its gross income is earned which franchises shall either be indeterminate permits of or agreements with or subject to the jurisdiction of a public service commission or other duly constituted regulatory body or shall extend at least five years beyond the maturity of such bonds and such corporation shall file with the Department and make public in each year a statement and a report giving the income account covering the previous fiscal year and a balance sheet showing in reasonable detail the assets and liabilities at the end of the year

(b) The outstanding full-paid capital stock of such corporation shall at the time of such investment be equal to at least two-thirds of the total debt secured by mortgage liens on any part or all of its property but in the case of a corporation having non-par value shares the amount of capital which such shares represent shall be the capital as shown by the books of the corporation

(c) Such corporation shall have been in existence for a period of not less than eight fiscal years and at no time within such period of eight fiscal years immediately preceding the date of such investment shall such corporation have failed to pay promptly and regularly the matured principal and interest of all its indebtedness direct assumed or guaranteed but the period of life of the corporation together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining such required period

(d) For a period of five fiscal years immediately preceeding such investment the net earnings of such corporation shall have averaged per year not less than twice the average annual interest charges on its total funded debt applicable to that period and for the last fiscal year preceding such investment such net earnings shall have been not less than twice the interest charges for a full year on its total funded debt outstanding at the time of such investment and for such period the gross operating revenues of any such corporation shall have averaged per year not less than one million dollars and such corporation shall have for each such year either earned an amount available for dividends or paid an amount in dividends equal to four per centum upon a sum equivalent to two-thirds of its funded debt

(e) In determining the qualifications of any bond under this clause where a corporation shall have acquired its property or any substantial part thereof within the five years immediately preceding the date of such investment by consolidation or by merger or by the purchase of all or a substantial portion of the property of any other corporation or corporations the gross operating revenues net earnings and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of the paragraph immediately preceding this one as to net and gross earnings and as to dividends have been complied with

(f) The gross operating revenues and expenses of a corporation for the purpose of this clause shall be respectively the total amount earned from the operation of and the total expense of maintaining and operating all property owned and operated by or leased and operated by such corporation as determined by the system of accounts prescribed by the public service commission or public utility commission or other similar regulatory body having jurisdiction in the matter The gross operating revenues and expenses as defined above of subsidiary companies may be included provided that all the mortgage bonds and a controlling interest in shares of such subsidiary companies are pledged as part of the security for the mortgage debt of the principal company

The net earnings of any corporation for the purpose of this clause shall be the balance obtained by deducting from its gross operating revenues its operating and maintenance expenses taxes other than Federal and State income taxes rentals and provisions for renewals and retirements of the physical assets of the corporation and by adding to such balance its income from securities and miscellaneous sources but not however exceeding fifteen per centum of such balance

(g) Such bonds must be part of an issue of not less than one million dollars and must be mortgage bonds secured by a first or refunding mortgage secured by property owned and operated by the corporation issuing or assuming them or must be underlying mortgage bonds secured by property owned and operated by the corporations issuing or assuming them but such bonds shall be refunded by a junior mortgage providing for their retirement the bonds under such junior mortgage shall comply with the requirements of this section and such underlying mortgage shall be either a closed mortgage or shall remain open solely for the issue of additional bonds which are to be pledged under such junior mortgage The aggregate principal amount of bonds secured by such first or refunding mortgage plus the principal amount of all the underlying outstanding bonds shall not exceed sixty per centum of the value of the physical property owned as shown by the books of the corporation and subject to the lien of such mortgage or mortgages securing the total mortgage debt However if such mortgage is a refunding mortgage it must provide for the retirement on or before the date of their maturity of all bonds secured by prior liens on the property

(h) The term funded debt shall be construed to mean all interest-bearing debts maturing more than one year from date of issue

(7) The bonds of any corporation whether incorporated under the laws of the United States of any other state or of the District of Columbia which engages and is authorized to engage in the business of furnishing telephone service in the United States provided that such corporation is subject to regulation by the interstate commerce commission a public service commission a public utility commission or any other similar Federal or State regulatory body duly established by the laws of the United States or by the laws of any state in which such corporation operates subject to the following conditions

(a) Such corporation shall have been in existence for a period of not less than eight fiscal years and at no time within such period of eight fiscal years immediately preceding the date of such investment shall such corporation have failed to pay promptly and regularly the matured principal and interest of all its indebtedness direct assumed or guaranteed but the period of life of the corporation together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining the required period and such corporation shall file with the Department and make public in each year a statement and a report giving the income account covering the previous fiscal year and a balance sheet showing in reasonable detail the assets and liabilities at the end of the year

(b) The outstanding full-paid capital stock of such corporation shall at the time of such investment be equal to at least two-thirds of the total debt secured by mortgage liens on any part or all of its property

(c) For a period of five fiscal years immediately preceding such investment the net earning of such corporation shall have averaged per year not less than twice the average annual interest charges on its total funded debt applicable to that period and for the last fiscal year preceding such investment such net earnings shall have been not less than twice the interest charges for a full year on its total funded debt outstanding at the time of such investment and for such period the gross operating revenues of any such corporation shall have averaged per year not less than five million dollars and such corporation shall have for each such year either earned an amount available for dividends or paid an amount in dividends equal to four per centum upon all its outstanding capital stock

(d) Such bonds must be part of an issue of not less than five million dollars and must be secured by a first or refunding mortgage and the aggregate principal amount of bonds secured thereby plus the principal amount of all underlying outstanding bonds shall not exceed sixty per centum of the value of the property real and personal owned absolutely and subject to the lien of such mortgage However if such mortgage is a refunding mortgage it must provide for the retirement of all bonds secured by prior liens on the property Not more than thirty-three and one-third per centum of the property constituting the specific security for such bonds may consist of shares or unsecured obligations of affiliated or other telephone companies or both

(e) In determining the qualifications of any bond under this clause where a corporation shall have acquired its property or any substantial part thereof within five years immediately preceding the date of such investment by consolidation by merger or by the purchase of all or a substantial portion of the property of any other corporation or corporations the gross operating revenues net earnings and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of this clause as to earnings and dividends have been complied with

(f) The gross operating revenues and expenses of a corporation for the purpose of this clause shall be respectively the total amount earned from the operation of and the total expense of maintaining and operating all property owned and operated by or leased and operated by such corporation as determined by the system of accounts prescribed by the interstate commerce commission or the public service commission or the public utility commission or any other similar Federal or State regulatory body having jurisdiction in the matter

(g) The net earnings of any corporation for the purpose of this clause shall be the balance obtained by deducting from its gross operating revenues its operating and maintenance expenses provision for depreciation of the physical assets of the corporation taxes other than Federal and State income taxes rentals and miscellaneous charges and by adding to such balance its income from securities and miscellaneous sources but not however to exceed fifteen per centum of such balance

(h) The term funded debt shall be construed to mean all interest-bearing debts maturing more than one year from date of issue

(8) Bonds secured by mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years unless amortized in equal annual installments over a period not exceeding fifteen years Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of the savings bank by the mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the savings bank making the investment It shall be lawful for a savings bank to renew such policies at the expense of such mortgagor from year to year or for a longer or shorter period not however exceeding the term of the bond in case the mortgagor shall fail to do so All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their udgment is as stated Such report shall be filed and preserved among the records of the savings bank

B A savings bank other than a savings bank organized under a special act of the General Assembly may make such additional investments as are authorized by its articles but it shall not purchase or invest in bonds secured by mortgage

upon real property other than such as are expressly authorized by this act nor shall it invest in the shares of capital of any corporation whatsoever except a Federal Reserve Bank

Section 1209 Authorized Investments of Special Charter Savings Banks A savings bank organized under a special act of the General Assembly may make such investments as may be authorized by its articles of incorporation but no such savings bank shall purchase or invest in the shares of capital of any corporation whatsoever except a Federal Reserve Bank or purchase or invest in bonds secured by mortgage upon real property unless such bonds and mortgages are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth and do not exceed two-thirds of the actual value of such real property and become due within ten years after the making of such purchase or investment unless amortized in equal annual installments over a period not exceeding fifteen years after the making of such purchase or investment Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of the savings bank by the mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the savings bank making the purchase or investment It shall be lawful for a savings bank to renew such policies at the expense of such mortgagor from year to year or for a longer or shorter period not however exceeding the term of the bond in case the mortgagor shall fail to do so All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shal be paid by such mortgagor The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the savings bank The restrictions contained in this section with reference to real estate bonds shall not apply to public utility railroad or industrial bonds or other securities commonly known as investment securities although such bonds may be secured in whole or in part by a mortgage upon real property

Section 1210 Limitation upon Loans and Discounts A A savings bank shall not grant any loan except for a period not exceeding ninety days and except on the collateral of such securities as are by this act authorized as investments for savings banks The amount of such loan shall not exceed ninety per centum of the cash market value of such collateral If any of the securities so held as collateral depreciate in value before the payment of such loan the savings bank shall forthwith require the immediate repayment of such loan or of part thereof or the immediate furnishing of additional security so that the amount of the loan shall at no time exceed ninety per centum of the cash market value of the securities held as collateral for it

B A savings bank shall not discount any note bill of exchange draft or other commercial paper except in the case of any note payable within ninety days and secured in accordance with the provisions of this section provided that the maker of such note is the borrower and the payee is the savings bank

Section 1211 Deposit of Excess Funds A A savings bank may deposit in any depository selected pursuant to the provisions of this act the excess of current daily receipts over investments loans or other lawful expenditures until such time as such moneys can be judiciously invested in the investments authorized for savings banks by this act

B Whenever it shall appear to the Department that such savings bank is violating the spirit and intent of this section by keeping permanently uninvested all or an undue proportion of the money received by it the Department may proceed in the manner authorized by law to compel such savings bank to cease such practice

Section 1212 Restriction on Ownership or Holding of Real Property by a Savings Bank A Except otherwise provided in this act a savings bank shall not purchase own or hold any real property except as follows

(1) Such real property as it occupies or intends to occupy pursuant to the provisions of this act for its accommodation in the transaction of its business of such real property which it partly so occupies and partly leases pursuant to the provisions of this act

(2) Such as it shall purchase at sales under judgments decrees or mortgages held by it or as it shall otherwise acquire in good faith and satisfaction of debts previously contracted to it or in order to protect an interest it may othewise have lawfully acquired in such property

B A savings bank shall not own or hold any real property other than such real property as it occupies or intends to occupy for its accommodation in the transaction of its business or such real property as it partly so occupies and partly leases to others pursuant to the provisons of this act for a period longer than five years after the acquisition of such real property or five years after the effective date of this act but the Department may upon application of a savings bank grant to it in writing the power to hold such real property for a longer period This section shall not be construed to prevent any savings bank from making improvements to properties owned but not occupied by the savings bank for the purposes of sale or lease

Section 1213 Limitation on Bank Buildings Owned or Leased and Furniture and Fixtures Therein A The cost of the real property including the building or buildings thereon which a savings bank occupies or intends to occupy for the transaction of its business or partly so occupies and partly leases to others together with the cost of furniture and fixtures therein which belong to the savings bank shall not at any time exceed in the aggregate twenty-five per centum of its unimpaired surplus except with the written approval of the Department Before the erection of a building or buildings is commenced the estimate of the costs thereof shall be submitted to the Department for its approval

B A savings bank shall not expend for the alteration or improvement of premises occupied but not owned by it an amount which together with the cost of any real property building or buildings and furniture and fixtures which it owns exceeds twenty-five per centum of its unimpaired surplus except with the written approval of the Department The cost of such alterations or improvements shall be amortized during the term of such lease or occupancy and before such alterations or improvements are made an estimate of the cost thereof shall be submitted to the Department for its approval

C The foregoing provisions of this section shall not affect any real property and building or buildings occupied or the furniture and fixtures owned and used by a savings bank upon the effective date of this act for the transaction of its business but such savings bank shall not except with the approval of the Department add to such real property building or buildings furniture and fixtures and shall not alter or improve such premises if the cost of such additions alterations or improvements shall together with any other real property and building or buildings occupied or furniture and fixtures owned and used by the savings bank aggregate more than twenty-five per centum of its unimpaired surplus

D In the case of a savings bank to be incorporated under this act the costs of the real property building or buildings furniture and fixtures to be owned and the costs of additions alterations or improvements of presimes to be leased by such savings bank to be occupied or used by it in the transaction of its business shall be such as shall be approved by the Department

E This section shall not be construed to prohibit a savings bank from making ordinary repairs to any such real property

F Except as otherwise provided in this act a savings bank may lease to any other corporation or person for offices or for any other legitimate purposes any part of the premises which it owns or occupies for the transaction of its business but which is not necessary for the transaction of such business

Section 1214 Protection against Loss on Previous Loan or Investment The restrictions imposed by this act shall not be construed to prevent a savings bank in order to protect itself from loss upon a loan or investment previously made lawfully and in good faith from acquiring ownership of or otherwise taking and holding any kind of property or security whether

real or personal Except as otherwise provided by this act any property so acquired unless of the character and nature by this act authorized to be purchased or held by such savings bank shall be sold by it within five years but the Department may upon application of a savings bank grant to it in writing the power to hold such property for a longer period

Section 1215 Property Acquired Before Effective Date of Act This act shall not be construed to render unlawful the continued ownership or holding by a savings bank of any loans investments or other real or personal property lawfully acquired prior to the effective date of this act However such loans and investments or such other real or personal property shall be computed in determining the power under this act of a savings bank to grant any additional loans or make any additional investments of the same or different kinds

ARTICLE XIII

LICENSING OF PRIVATE BANKS POWERS AND LIMITATIONS UPON POWERS OF PRIVATE BANKS VOLUNTARY DISSOLUTIONS

Section 1301 Existent Private Banks Continued Future Private Banks Prohibited Death of Private Banker Change in Partnerships A Any individual partnership or unincorporated association lawfully engaged upon the effective date of this act in conducting the business of a private bank may continue to do so at the place of business which it occupies upon such date under the circumstances prescribed and subject to the conditions imposed by this act but except as otherwise specifically provided in this section no new private bank shall be established after the effective date of this act

B An individual private banker may in the manner provided by law and with the prior written approval of the Department form a partnership or other unincorporated association for conducting the private bank with one or more other individuals regardless of whether such individuals are prior to the date of the formation of such association authorized to engage in the business of private banking but such partnership or other unincorporated association shall procure a new certificate of authorization from the Department in the manner provided by this act

C In case of the death of a private banker who individually and not in partnership or association with another private banker or other private bankers conducts a private bank his executor or administrator shall forthwith proceed to liquidate the business of the private bank following the order of distribution established by this act unless the Department shall take possession of the business and property of the private bank and the Secretary of Banking shall take over possession as receiver and liquidate such private bank pursuant to the provisions of law If the executor or administrator shall not begin or continue such liquidation with promptness and in a reasonable manner the Secretary of Banking may in the manner provided by law take over possession from the executor or administrator and liquidate the business and property

D A partnership or any other unincorporated association which owns and operates a private bank may in the manner provided by law and with the prior written approval of the Department admit a new partner or member into such business but such changed partnership or other unincorporated association shall procure a new certificate of authorization from the Department in the manner provided by this act

Neither the death nor withdrawal of a partner or a member of a partnership or other unincorporated association which owns and operates a private bank nor the admission of a new partner or member shall change the status of an existing private bank as a partnership or other unincorporated association or work a dissolution thereof if two or more of the remaining members elect to continue the same and assume all its obligations nor shall the private bank be forced to dissolve if a single remaining partner or member elects to continue but in either event the changed partnership or other unincorporated association or the remaining private banker shall procure a new certificate of authorization from the Department in the manner provided by this act

Section 1302 Application to be Filed with Department Contents On or before the thirtieth day of December one thousand nine hundred thirty-three every private bank which plans to continue in business shall file with the Department a written application for a certificate of authorization Such application shall be signed in duplicate originals and verified in the case of a private bank owned and operated by an individual by the oath or affirmation of such individual and in the case of a private bank owned and operated by a partnership or any other unincorporated association by the oath or affirmation of all the partners or members of the unincorporated association the application shall be in such form as is prescribed by the Department and shall be filed upon blanks supplied by the Department It shall set forth

(1) The full name residence post office adress and citizenship of such individual or of each member of such partnership or other unincorporated association as well as the names and post office addresses of the officers or agents in active charge of the business of the private bank

(2) The statement that in the case of a private bank owned by an individual such individual is a resident of Pennsylvania and in the case of a private bank owned by a partnership or other unincorporated association at least two of the partners or members are residents of Pennsylvania

(3) The name of the private bank

(4) The exact location of the place or places of business of the private bank

(5) In the case of a partnership or other unincorporated association the partnership or other agreement under which the business of the bank is being conducted

(6) A detailed statement of the resources liabilities and net worth of the private bank as well as any other information bearing upon its financial condition which the Department shall prescribe

Section 1303 Issuance or Rejection of Application by Department Certificate of Authorization A The Department shall immediately upon receipt of the application of a private bank conduct such investigation as it may deem necessary to ascertain the financial condition and responsibility of the private bank If it shall find that the provisions of this act have been complied with and that the financial condition and responsibility of the private bank is such as to warrant a continuance of the business it shall retain and file one of the duplicate originals of the application and shall issue a certificate of authorization empowering such private bank to continue in business The remaining duplicate original and the certificate of authorization shall be sent by the Department to the private bank which shall then have the certificate of authorization recorded in the office of the recorder of deeds of the county in which the place of business of the private bank is situated The certificate of authorization upon being recorded by the recorder of deeds shall be returned to the private bank which shall at all times be conspicuously posted in the place of business of the private bank in view of its customers Upon proper cause shown or upon any important change in the ownership of such private bank or in any other fact which is contained in the certificate of authorization the Department shall issue a new one

B If the Department shall reject the application it shall forthwith return it to the private bank stating in detail its reasons for doing so The private bank may within thirty days after the Department gives it notice of the rejection of its application appeal from such rejection to the Court of Common Pleas of Dauphin County Such private bank shall file in said court a petition against the Department officially as defendant alleging therein in brief detail the facts set forth in the application and the rejection of the application by the Department A copy of such petition shall be served upon the Department which shall within ten days from the date of such service file an answer in which it shall allege by way of defense its grounds for rejecting the application Upon the filing of such answer the case before the Court of Common Pleas of Dauphin County shall be at issue and the court shall proceed to take testimony and to hear and determine the case From the decision of the Court of Common Pleas of Dauphin County an appeal may be taken by either party to the Supreme Court of Pennsylvania as in other cases The Department shall act in accordance with the final determination of such appellate proceedings

C A private bank lawfully in existence and operation upon the effective date of this act shall if it files the application for a certificate of authorization within the time and in the manner prescribed by this act be permitted to remain in existence even if such application has been rejected until it has had full opportunity to appeal to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania and if it does so appeal until the final determination of such appellate proceedings

D If a private bank does not file an application for a certificate of authorization in accordance with the provisions of this act or if it does so and its application is rejected by the Department and if upon appeal such rejection is affirmed such private bank shall forthwith cease transacting any banking business and shall proceed at once to liquidate its assets following the order of distribution established by this act If such private bank does not begin or continue such liquidation with promptness and in a reasonable manner the Department shall take possession and the Secretary of Banking shall take over possession and liquidate as receiver in the manner provided by law

Section 1304 Bonds or Securities Furnished by Private Banks Depreciations or Substitutions A Except as otherwise specifically provided in this act every private bank shall furnish to the Department a bond to the Commonwealth executed in the case of a private bank owned by an individual by such individual owner and in the case of a private bank owned by a partnership or other unincorporated association by all the partners or members thereof and by a surety or sureties authorized to give surety bonds in this Commonwealth and approved by the Department Such bond shall be conditioned upon the faithful holding and repayment by the private bank in accordance with the provisions of this act of all moneys deposited with it or the payment of all claims by this act given a priority over or placed on a parity with deposits in the order of distribution in the event of liquidation of the business and property of such private bank and in the event of the bankruptcy of the private bank or of a formal determination by the Secretary of Banking after taking possession of such private bank as receiver to liquidate its business and property upon the payment of the full amount of the bond to the assignee receiver or trustee in bankruptcy of the private bank or the Secretary of Banking as receiver thereof as the case may be to be used to pay in full in the manner provided by law all depositors and all claimants by this act given priority over or placed on a parity with depositors in the order of distribution in the event of liquidation

B In lieu of the bond of a surety or sureties required by this section the Department may accept a collateral bond of the private bank secured by an actual deposit with the Department of money to the full amount of the bond or of securities to such amount which shall consist of interest-bearing obligations of the United States government of this Commonwealth or of any political subdivision of this Commonwealth or which shall consist of any other securities approved by the Department Such collateral bond shall be conditioned upon the same terms and in the same manner as is provided by this section in the case of a bond given by a surety or sureties and the securities deposited therewith shall constitute a trust fund for the depositors and for all claimants by law given a priority over or placed on a parity with depositors in the order of distribution in the event of liquidation of the business and property of such private bank

Any moneys or securities deposited with the Department by a private bank in accordance with the provisions of this article shall constitute a trust fund for the benefit of the depositors and of the claimants by this act given a priority over or placed on a parity with depositors in the order of distribution upon liquidation Other creditors shall not have any rights whatsoever against such moneys and securities However if the business and property of the private bank is being liquidated by the Secretary as receiver or by the private banker or private bankers owning such private bank such other creditors may be paid out of such moneys and securities after the claimants on whose behalf such moneys and securities constitute a trust fund have been paid in full

C Whenever it shall appear to the Department that the bond or the securities of a private bank given to the Department under the provisions of this section have depreciated in value so that their present value is below the amount required by this section to be filed with it by such private bank the Department may in the manner provided by law require such private bank to make good the deficiency

D All surety bonds and all collateral bonds together with the moneys or securities given as collateral therefor received by the Department from private banks shall be transmitted by the Department to the State Treasurer for safe-keeping subject to withdrawal in whole or in part at any time by the Department

E The amount of the bond or of the securities required by this section shall be equal to seventy-five per centum of the total deposits of the private bank plus seventy-five per centum of the total claims by law given priority over or placed on a parity with deposits in the order of distribution in the event of liquidation but the amount of such bond or securities shall not in any case be less than ten thousand dollars nor more than fifty thousand dollars A private bank which maintains more than one place of business in accordance with the provisions of this act shall furnish an additional bond or additional security to an amount of ten thousand dollars for each such additional place of business which it operates

F The Department may accept in lieu of the bonds or securities required by this act any bond or collateral bond secured by money or other securities which a private bank has filed with the Department of Banking or with any other State department in accordance with the provisions of an act approved the nineteenth day of June one thousand nine hundred eleven (Pamphlet Laws one thousand sixty) entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for violation thereof" its amendments and supplements provided that such bond or securities are to an amount equal to that required by this act or will in addition to any other bond or securities filed by the private bank equal such amount

G The Department may likewise grant to any private bank the authority to substitute for any bond or any collateral deposited with it another bond or other collateral provided that such other bond or collateral meets all the requirements of this act

H The Department may grant a reduction of the bond or collateral of any private bank deposited with it if after an examination it shall appear to the Department that as a result of withdrawals or of partial or total liquidation or otherwise a decrease in the deposits of such private bank or in the claims by law given priority over or placed on a parity with such deposits in the order of distribution in the event of liquidation warrants such reduction but a bond or collateral shall not be reduced to less than ten thousand dollars in any case until it shall appear to the Department after careful examination that all depositors and all claimants who by law are given priority over or are placed on a parity with depositors in the order of distribution upon liquidation have been paid in full and that such private bank has ceased to engage in a banking business

Section 1305 Exemption from Publishing of Reports Additional Bond or Securities A private bank may be exempted from the requirement of law that it publish in a newspaper or newspapers in the manner provided by law abstract summaries of two of its reports designated for that purpose by the Department if it shall furnish to the Department in addition to any other bond required by this act a surety bond or a collateral bond secured by money or securities Such surety bond or collateral bond secured by money or securities to the amount of twenty-five thousand dollars which shall meet all the requirements established by this act for the original bond to be furnished by private banks

Section 1306 Interest upon Securities Deposited with Department The private bank shall be entitled to all moneys received by the State Treasurer as interest or dividends upon any securities deposited by such private bank with the Department and by it transmitted to the State Treasurer for safe-keeping in accordance with the provisions of this article

Section 1307 Exemption from Filing of Bond or Securities A A private bank which shall appear upon careful examination by the Department to have an unimpaired net worth of at least one hundred thousand dollars shall so long as such net worth of one hundred thousand dollars shall remain unimpaired be exempted from the duty of furnishing to the Department the surety bond or the collateral bond secured by money or securities required by this article but this shall not be construed to exempt such private bank from furnishing the surety bond or the collateral bond secured by money or securities to the amount of twenty-five thousand dollars required by this article to be furnished by any private bank desiring to be exempted from the requirement of law that it

publish during each year in a newspaper or newspapers in the manner provided by law abstract summaries of any two of its reports designated for this purpose by the Department

B Whenever it shall appear to the Department that such net worth of such private banker has become impaired below one hundred thousand dollars and has remained so impaired for a period of fourteen days or such longer period as the Department shall allow but not exceeding ninety days it shall forthwith require such private bank to furnish the surety bond or the collateral bond secured by moneys or securities required by this article

Section 1308 Accumulation of Reserve against Deposits The certificate of authorization provided for in this article shall not be granted to any private bank until it shall have a reserve fund for deposits and other demand liabilities to an amount equal to fifty per centum of that required by this act for all institutions Within sixty days after the date of the issuance of the certificate of authorization such private bank shall have added at least twenty-five per centum to such reserve fund and by the first day of June one thousand nine hundred thirty-four it shall have the full reserve fund required by this act Thereafter the entire amount of such reserve fund shall be at all times maintained and kept on hand in the manner provided by this act for all institutions

Section 1309 Segregation of Assets Title to be Carried in Name of Private Bank Loans to Owners or Members of Private Bank A All real or personal property and all evidence of title thereto which constitute the assets of a private bank shall be segregated and kept apart from the property and assets belonging to the owner or owners thereof in their individual capacities All such real or personal property owned by a private bank shall be carried in the name of such private bank If such name is the same as that of the individual owner or in the case of a partnership or other unincorporated association any of the owners thereof all property of the private bank shall be carried in such name with the addition of the descriptive words "private bank" In such case all deeds mortgages assignments contracts and agreements received taken or entered into by any such private bank shall be received taken or entered into in the name of such private bank with the addition of the descriptive words "private bank"

B A private banker shall not appropriate to his own use any part of the deposits or moneys received for transmission by a private bank or in the case of a private bank which maintains a net worth of an established amount in lieu of furnishing a bond or securities to the Department any moneys or assets which would reduce such net worth below the minimum required by this act Loans which have prior to the effective date of this act been granted by a private bank directly or indirectly to the owner or owners thereof shall not be included as assets upon the books or other records or in any statement of the financial condition of such private bank

For the purposes of this section a loan to a partnership or other unincorporated association of which the owner or owners of a private bank is a member or to a corporation of which such owner or owners individually or together own twenty-five per centum of the capital shall be construed to be a loan to such owner or owners

C A private bank shall not lend to any person with whom the owner or any of the owners of such private bank are associated as copartners or as co-members of any other unincorporated association nor make any investment in any business conducted by a partnership or other unincorporated assocaition of which the owner or any of the owners of such private bank are partners or members nor grant any loan directly or indirectly to any corporation of which the owner or all the owners combined of such private bank are the legal or equitable owners to the amount of twenty-five per centum or more of the capital of such corporation

Section 1310 Powers of Private Banks Loans and Investments Restrictions A Except as otherwise specifically provided in this article and except for the general corporate powers which are given by this act to a bank a private bank shall have all the powers which are by this act granted to a bank subject to the same restrictions and limitations as are imposed upon a bank by this act in so far as such restrictions and limitations are applicable A private bank shall have the power to make the same types of loans discounts and investments as are permitted to banks by this act subject to the same limitations and it shall not have power to make any other loans discounts and investments Where any restriction or limitation is imposed upon the aggregate loans or investments which may be made by a bank or upon the amount of such loans or investments which may be made to or in the obligations of a single corporation or person or upon the cost of the real property and buildings occupied and the furniture and fixtures used for the transaction of business or where any other restriction or limitation is made based upon a percentage of the capital and surplus of a bank such percentage shall be computed in the case of a private bank upon its net worth

B This section shall not be construed to render unlawful the continued ownership or holding by a private bank of any investments loans or other real or personal property lawfully acquired prior to the effective date of this act However such loans and investments or such other real or personal property shall be computed in determining the power under this act of a private bank to grant any additional loans or make any additional investments of the same or different kinds

Section 1311 Conversion of Private Bank into Incorporated Bank or Bank and Trust Company Rights of Depositors and Other Creditors Release of Bond or Securities A A private bank lawfully doing business in this Commonwealth may with the consent of the Department be converted into a bank or bank and trust company by complying with all the provisions of this act including advertisement in a newspaper which govern the incorporation of banks and of bank and trust companies However such assets of the private bank shall be approved for the purpose by the Department may be accepted in payment of the capital or of any portion thereof of the bank or bank and trust company to be formed Assets which the Department shall thus approve for transfer shall be carried at their true value such value to be determined by an appraisement made under the supervision of the Department by any person or persons selected by the Department

B Upon the incorporation of a private bank pursuant to the provisions of this section its assets of every kind including its real and personal property and its choses in action shall be deemed to be transferred to and vested in such incorporated bank or bank and trust company without the execution of any deed transfer or assignment and the bank or the bank and trust company shall hold them in the same manner and to the same extent as did the private bank

C The rights of the depositors and other creditors of such private bank shall not be impaired in any manner by such incorporation nor shall any liabilities or obligations of any kind due or to become due or any claim or demand existing against such private bank be in any manner released or impaired thereby The bank or the bank and trust company into which such private bank has been incorporated shall succeed to and be responsible to pay and discharge all obligations and liabilities in the same manner as though such bank or bank and trust company had itself incurred the obligation or liability Law suits or other proceedings pending upon the date of such conversion before any court in which such private bank is a party shall not be deemed to have abated or to be discontinued by reason of such incorporation but they may be prosecuted to final judgment in the same manner as if such private bank had not been so converted and the bank or the bank and trust company may be substituted in place of the private bank by order of the court in which such proceedings may be pending Such bank or bank and trust company shall likewise be subject to suit in any court having jurisdiction upon any cause of action against such converted private bank in the same manner as if such cause of action had originated against such bank or bank and trust company

D The surety bond or the collateral bond and the money or securities securing it if any shall have been filed by such private bank in accordance with the provisions of this act may be released by the Department upon receipt of a certified copy of a resolution of the board of directors of the bank or the bank and trust company assuming on behalf of the bank or the bank and trust company all liabilities of the private bank

Section 1312 Voluntary Dissolution Distribution of Assets A In the case of a private bank owned by an individual such individual or in the case of a private bank owned by a partnership or other unincorporated association all the partners or other members of such association or as many of such partners or members as may under the partnership or other agreement make such decision may elect voluntarily to liquidate its business and property in the following manner

Such private banker or bankers as the case may be shall notify the Department of their intention to dissolve and liquidate If it shall appear to the Department that the bond or securities if any of the private bank which are deposited with the Department together with the other assets of such private bank will probably be insufficient to pay in full its depositors and other creditors the Department may take possession of the business and property of the private bank and the Secretary may take over possession and liquidate as receiver in the manner provided by law

If the Department shall authorize the private banker or private bankers to liquidate the business and property of the private bank such private banker or bankers shall publish a notice of such liquidation in one newspaper of general circulation and one legal newspaper once a week for three successive weeks

B The following shall be the order followed by a private vate bank in pursuance of a voluntary plan of liquidation

First Any reasonable expenditure actually made by such private banker or bankers as a necessary incident to the liqbanker or private bankers in distributing the assets of a priuidation of the business or property of the private bank any fee or other debt owing to the Department for examinations or other services rendered or penalties incurred prior to the taking of possession by the Secretary as receiver any deposit or other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Second Any deposit and any interest due thereon which has been or should have been credited to such deposit prior to the date of the authorization to liquidate by the Department whether subject to withdrawal by check or by any other method not requiring notice or to withdrawal only after notice or after the expiration of a fixed period whether or not such notice has been given or such period has expired at the date of distribution any holder of a certified check drawn on the private bank any holder of a certificate of deposit of the private bank which evidences an actual deposit of moneys in such private bank and any interest which may be due thereon whether such certificate of deposit is payable upon demand or is payable only after notice or after the expiration of a fixed period whether or not such notice has been given or such period has expired at the date of distribution any holder of a check or draft of the private bank which has been given in exchange for or in payment of a check or draft drawn on the private bank by a depositor therein or which has otherwise been charged to the account of a depositor therein provided that the amount of such check or draft does not exceed the balance to the credit of such depositor any amount of money delivered to the private bank for transmission which has not yet been delivered to the payee

Third Any claim of a creditor of the private bank not listed in any other category under this section

Fourth Any money or other assets of the private bank still remaining in the hands of the private banker or private bankers which belong to him or to them as the case may be

Every claim enumerated in this subsection shall have the same rank and priority as every other claim in the same numbered paragraph regardless of the order in which such claims are enumerated

C After the assets have been completely liquidated or the depositors and other creditors have been paid in full the certificate of authorization shall be forever forfeited and such private bank shall not be authorized under any circumstances ever to commence business again in this Commonwealth Notice of such completion of liquidation or of such payment in full of the depositors and other creditors of a private bank shall be filed in duplicate originals by the private banker or private bankers as the case may be with the Department The Department shall send one of the duplicate originals to the recorder of deeds in the county in which the place of business of the private bank had been located who shall record such notice without fee therefor

D Besides any other criminal or civil penalty or liability which may be provided by law any private banker or private bankers as the case may be who shall not comply with the provisions of this section shall be deemed guilty of a misdemeanor and shall upon conviction thereof each be subject to a fine not exceeding five thousand dollars they shall also be subject to a further fine of a sum equal to any amount of money to the extent of which they have directly or indirectly benefitted by such violation

Section 1313 Exemptions of Certain Private Banks Anything contained in this act to the contrary notwithstanding none of the provisions of this act shall apply to any individual partnership or unincorporated association engaged in business as a private banker or private bankers if such individual partnership or unincorporated association and his or their predecessor or predecessors or one or more of the members thereof have continuously and in the same locality conducted the business since a date not less than seven years prior to the nineteenth day of June one thousand nine hundred and eleven provided however that any private bank hereby exempted may on application to the Department and on acceptance of all the terms of this act become subject to all of its provisions

Section 1314 Statement of Exempted Private Banks on or before December thirty-one one thousand nine hundred and thirty-three every private bank exempted by this act or claiming to be so exempt shall file with the Department a verified statement in duplicate setting forth in detail the facts upon which such exemption is based or claimed specifying the name of the bank the full name residence and post office address of each member of the partnership and the exact location of the place of business or places of business of such private bank

In case of a change in the constitution of the partnership of any such exempted private bank or the location of the place of business thereof such private bank shall file with the Department a supplemental verified statement specifying the name residence and post office address of each new member the name of each retiring member and the new location of the place of business which shall be within the city township or borough where the original place of business was located

Section 1315 Certificate of Exemption Upon receipt by the Department of the statement required by this act if the private bank filing such statement is entiteld to exemption under this act it shall issue its certificate so stating

Section 1316 Certificate to be Posted Every such exempted private bank shall at all times keep posted in the room in which it transacts its business and in plain view of its customers the certificate of exemption issued by the Department in pursuance of this act

ARTICLE XIV

MERGER CONSOLIDATION OR CONVERSION INCORPORATED INSTITUTIONS NATIONAL BANKING ASSOCIATIONS

Section 1401 Merger or Consolidation Incorporated Institutions National Banking Association A Any two or more incorporated institutions other than savings banks may in the manner hereinafter provided in this act be merged into one of such incorporated institutions hereinafter designated as the surviving incorporated institution or consolidated into a new incorporated institution to be formed under this act

B Any two or more savings banks the places of business of which are located in the same city borough or township may in the manner hereinafter provided in this act be merged into one of such savings banks hereinafter designated as the surviving savings bank or consolidated into a new savings banks to be formed under this act

C One or more banks or bank and trust companies and one or more national banking associations incorporated under the laws of the United States may in the manner hereinafter provided in this act be merged into one of such banks or bank and trust companies or consolidated into a new bank or bank and trust company to be formed under this act Such merger or consolidation shall not become effective until the national banking association shall have complied with the laws of the United States relating to such merger or consolidation of national banking associations with banks or bank and trust companies

D Two or more trust companies may in the manner hereinafter provided in this act be merged into one of such trust companies or consolidated into a new trust company to be formed under this act

E Any merger or consolidation authorized by this section shall not be effective if the effect thereof is to establish any branch office agency consolidation shall not become effective until the nationl bank tion of the provisions of this act

Section 1402 Approval of Joint Plan of Merger or Consolidation A In the case of a proposed merger or consolidation of two or more incorporated institutions or of one or more banks or bank and trust companies and one or more national banking associations or of two or more trust companies the board of directors or trustees as the case may be of each of the incorporated institutions and national banking associations shall by resolution adopted by vote of at least a majority of all the members of each board of directors or by a two-thirds vote of those present at a meeting of each board of trustees approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and the mode of carrying the same into effect and such other details and provisions as are deemed necessary In the case of banks or bank and trust companies or Trust companies or national banking association it shall also set forth the manner and basis of converting the shares of each institution into shares of the surviving or new institution as the case may be

B The board of directors of each bank bank and trust company trust company or national banking association upon approving such plan of merger or plan of consolidation in accordance with the provisions of this act shall by resolution direct that the plan be submitted to a vote of the shareholders of such bank bank and trust company or trust company or national banking association entitled to vote thereon at an annual or special meeting of the shareholders

The board of trustees of each savings bank upon approving such plan of merger or plan of consolidation in accordance with the provisions of this act shall by resolution direct that the plan be submitted to a vote of the board at a designated regular or special meeting at least fifteen days thereafter

Written notice shall not less than ten days before such meeting be given respectively to each shareholder of record or to each trustee who was not present at the meeting at which the resolution providing for the meeting was adopted unless in the case of a bank a bank and trust company a trust company or a national banking association the plan of merger or consolidation contemplates an increase in the authorized capital of the constituent corporations in which event sixty days notice of such meeting shall be given to each shareholder The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice

C In the case of banks bank and trust companies trust companies or national banking associations the plan of merger or consolidation shall be ratified upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating corporations and in the case of savings banks by the affirmative vote of two-thirds of all the trustees in each savings bank

Section 1403 Articles of Merger or Consolidation Upon the approval pursuant to the provisions of this act of the plan of merger or the plan of consolidation by the shareholders of each of the banks bank and trust companies trust companies or national banking associations or by the trustees of each of the savings banks desiring to merge or consolidate articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corporation and verified by two duly authorized officers of each corporation and shall set forth

(1) The name of the surviving or new incorporated institution

(2) The exact location of the place or places of business of the surviving or new incorporated institution

(3) The time and place of the meeting of the directors or trustees at which the plan of merger or consolidation was proposed and the time and place of the meeting of the shareholders or of the trustees of each corporation at which the plan of merger or consolidation as the case may be was ratified the kind and period of notice given to the shareholders or to the trustees who had not attended the meeting at which the merger or consolidation plan was by resolution proposed and the total vote by which the plan was adopted

(4) In the case of a merger any changes desired to be made in the articles of the surviving incorporated institution or in the case of a consolidation all of the statements required by this act to be set forth in the original articles in the case of the formation of such an incorporated institution

(5) The number names and adresses of the persons to be the first directors or trustees of the surviving or new incorporated institution

(6) The plan of merger or consolidation

Section 1404 Advertisement The incorporated institution or the national banking association shall advertise its intention to file articles of merger or articles of consolidation as the case may be with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of the particular type of surviving or new incorporated institution Advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are to be presented to the Department of State and shall set forth briefly

(1) The name and the location of the principal place of business of each of the constitutent corporations intending to merge or consolidate

(2) The name and the location of the principal place of business of the surviving or new incorporated institution

(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(4) The purpose or purposes of the surviving or new incorporated institution

(5) The time when the articles of merger or consolidation will be delivered to the Department of State

Section 1405 Filing of Articles of Merger or Consolidation Payment of Fees Approval by Department of State A The articles of merger or articles of consolidation as the case may be and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B In addition to any bonus fees taxes and charges provided by law in the case of any corporation an incorporated institution shall pay to the Department of State such reasonable fees as shall be established by rule and regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act to determine whether the articles of merger or articles of consolidation as the case may be should be approved Such fee for the investigation by the Department of Banking shall be paid to the Department of State at the time of the filing with it of the articles of merger or articles of consolidation and shall be paid by the Department of State through the Department of Revenue into the Banking Department Fund

C The Department of State shall examine such articles of merger or articles of consolidation and such proof of publication to determine whether they contain all the information and are in the form required by this act and also whether the name of the surviving or new incorporated institution as the case may be conforms with the requirements of law for the name of such an incorporated institution or if the name is not the same as either or any of the merging or consolidating institutions whether it is the same as one already adopted or reserved by another corporation or person or is so similar thereto that it is likely to mislead the public

After all the bonus fees taxes and other charges have been paid as required by law if the articles of merger or articles of consolidation and the proof of publication contain the information and are in the form required by this act the Department of State shall forthwith but not prior to the day specified in the advertisement of the articles of merger or consolidation required by this act endorse its approval upon the articles of merger or articles of consolidation and shall forthwith transmit them to the Department of Banking

D If the Department of State shall disapprove the articles of merger or the articles of consolidation pursuant to this act it shall forthwith give notice thereof to the incorporated institution stating in detail its reasons for doing so and stating how such institution can remedy the nonconformance with the provisions of this act Upon remedying the defect such incorporated institution may in the same manner file the same or amended articles whichever the particular case may require

Section 1406 Approval of Articles of Merger or Consolidation by Department of Banking A The Department of Banking shall immediately upon the receipt from the Department of State of the articles of merger or articles of consolidation conduct such examination as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the surviving or new incorporated institution is likely to mislead the public as to its character or purpose

(2) Whether the consolidation or merger is made for legitimate purposes

(3) Whether the interests of the depositors or other creditors and in the case of a bank a bank and trust company or trust company the shareholders are adequately protected

(4) Whether the surviving or new incorporated institution meets all the requirements of this act and violates none of its prohibitions applicable to a bank bank and trust company trust company or a savings bank as the case may be incorporated under this act

(5) Whether where a national banking association is one of the parties of the merger or consolidation it has complied with the requirements of the laws of the United States

B Within thirty days after the receipt of the articles of merger or articles of consolidation from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of merger or articles of consolidation it shall sign its approval thereon and shall return them to the Department of State

C If the Department of Banking disapproves the articles of merger or the articles of consolidation it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the corporations desiring to merge or consolidate of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The decision of the Department of Banking shall be conclusive and not subject to review

Section 1407 Issuance of Certificate of Merger or Certificate of Consolidation Immediately upon receipt of the signed articles of merger or the articles of consolidation of an incorporated institution from the Department of Banking the Department of State shall file the articles and shall issue to the incorporaed institution or its representative a certificate of merger or a certificate of consolidation A copy of the approved articles of merger or articles of consolidation shall be sent by the Department of State to the Department of Banking

Section 1408 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single incorporated institution which in the case of a merger shall be that incorporated institution designated in the plan of merger as the surviving incorporated institution and in the case of a consolidation shall be the new incorporated institution provided for in the plan of consolidation The separate existence of all corporations parties to the plan of merger or consolidation shall cease except in the case of a merger that of the surviving incorporated institution and their articles and certificates of incorporation shall be considered forfeited Such corporations shall be continued bodies corporate for a period of three years after the time of such forfeiture for the purpose of actions at law or in equity authorized by this section to be continued against them or for the purpose of winding up their affairs but they shall not continue the business for which they were incorporated in any manner whatsoever The surviving or new institution as the case may be shall not thereby acquire authority to engage in any business or exercise any right which is forbidden to a bank a bank and trust company a trust company or a savings bank as the case may be when originally incorporated under this act The surviving or new incorporated institution shall be subject to all the restrictions limitations or duties imposed upon such incorporated institutions when originally incorporated under this act All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts or obligations due to any of them including subscriptions to share and other choses in action belonging to either or any of them shall be taken and deemed to be transferred to and vested in the surviving or new incorporated institution as the case may be without further act or deed The surviving or new incorporated institution shall thenceforth be responsible for all the liabilities and obligations of each of the corporations so merged or consolidated but the liabilities of the merging or consolidating corporations or of their shareholders directors trustees or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new incorporated institution may be proceeded against or substituted in its place In the case of a merger the articles of incorporation of the surviving incorporated institution shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporated institutions formed under this act shall be deemed to be the articles of incorporation of the new incorporated institution The aggregate amount of the net assets of merging or consolidating banks banks and trust companies trust companies or national banking associations which was available for the payment of dividends immediately prior to such merger or consolidation shall continue to be available for the payment of dividends by such surviving or new incorporated institution except for any portion thereof which has been transferred to capital by the issuance of shares or otherwise or to surplus or reserve

The aggregate amount of the net assets of merging or consolidating savings banks which was available for the payment of interest or dividends immediately prior to such merger or consolidation shall continue to be available for the payment of interest or dividends by the surviving or new savings bank except for any portion thereof which has been transferred to surplus reserve or the expense fund

Section 1409 Rights of Dissenting Shareholders A If any shareholder of a bank bank and trust company trust company or national banking association which becomes a party to a plan of merger or consolidation shall file with such corporation prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholders within twenty days after the merger or consolidation was effected shall make written demand on the surviving or new incorporated institution for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new incorporated institution shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or certificates representing his shares The demand of the shareholder shall state the number of the shares owned by him and the amount of the fair value thereof Any shareholder failing to file such written objection or make demand within the twenty-day period shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon by the dissenting shareholder and the surviving or new incorporated institution payment thereof shall be made in cash within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or certificates representing his shares Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the incorporated institution Such shares may be held and disposed of by the surviving or new incorporated institution as it may see fit

B If within such period of thirty days the shareholder and the surviving or new incorporated institution do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the principal office of the surviving or new incorporated institution is situated for the appointment by the court of three disinterested persons to appraise the fair market value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive The costs of such appraisal including a reasonable fee to the appraisers

shall be fixed by the court and shall be borne by the surviving or new incorporated institution unless in the opinion of the court the action of any shareholder in refusing the offer of the incorporated institution has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new incorporated institution of the share certificate or certificates representing the shares of the dissenting shareholders If the award shall not be paid by the surviving or new incorporated institution within thirty days after the order of the court thereon the amount of the award shall be a judgment against the surviving or new incorporated institution as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new incorporated institution Such shares may be held and disposed of by the surviving or new incorporated institution as it may see fit Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof

Section 1410 Effect of Merger or Consolidation on Estates Held or to Be Held in Fiduciary Capacity A Whenever one or more of the bank and trust companies or trust companies national banking associations which have participated in a merger or a consolidation were authorized under the laws of this Commonwealth or of the United States to act in a fiduciary capacity all the funds property or investments held by such corporation or corporations as trustee guardian executor administrator or other fiduciary shall be taken and deemed to be transferred to and vested in the surviving or new incorporated institution without any further act or deed or any order or decree of any court or other tribunal whether or not the original fiduciary was appointed by parol by deed by order of court or by the issuance of letters testamentary or letters of administration The surviving or new incorporated institution shall become fiduciary to the same extent and with the same rights powers duties and liabilities in its capacity as fiduciary as the corporation which was originally fiduciary and from which by operation of the provisions of this section the surviving or new incorporated institution has taken over the relationship of fiduciary

However as soon as the articles of merger or articles of consolidation as the case may be are filed in the Department of State the surviving or new incorporated institution shall forthwith give written notice in so far as the giving of such notice is practicable to all corporations or persons who appear upon the available books or other records as or who are otherwise known to be parties interested in any funds property or investments held by such incorporated institution in a fiduciary capacity under the provisions of this act Such corporations or persons may within thirty days after the giving of such notice apply for the appointment of a substituted fiduciary Such application shall be made to the appropriate court register of wills or other tribunal as the case may be or if the instrument under which the fiduciary relation was established prescribes a different authority or method then to such authority or by such method If such application is made notice thereof shall forthwith be given to the surviving or new incorporated institution Except in cases where the instrument creating the fiduciary relationship designates a different method the court register of wills or other tribunal to whom such application is made pursuant to the provisions of this section shall have the power to appoint a substituted fiduciary and to order the surviving or new incorporated institution to file an account of such estate and to transfer and pay over to the substituted fiduciary the funds property or investments of the estate

If the parties to whom the notice required by this section has been given do not within the thirty-day period make such application or pursue whatever method is prescribed by the instrument under which the fiduciary relationship was established for the appointment of a substituted fiduciary and give the surviving or new incorporated institution notice thereof or if it is impracticable to give notice as where there are unborn beneficiaries the surviving or new incorporated institution shall continue to be fiduciary subject to removal only at such time under such circumstances and by such authority as could have effected the removal of the original corporation as fiduciary if the merger or consolidation had never come into existence

B Whenever a bank and trust company a trust company or a national banking association authorized to act as a fiduciary in this Commonwealth has heretofore been or shall hereafter be named or appointed trustee guardian executor administrator or other fiduciary such nomination or appointment shall not be deemed to have lapsed by reason of the merger or consolidation of such bank and trust company trust company or national banking association with one or more corporations pursuant to the provisions of this act but such surviving or new incorporated institution shall be entitled to act in the same fiduciary capacity under such nomination or appointment as the original bank and trust company trust company or national banking association could have acted if such merger or consolidation had not been effected

Section 1411 Effective Date of Merger or Consolidation Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving incorporated institution except as against the Commonwealth

Section 1412 Merger Consolidation or Conversion of Banks or Bank and Trust Companies into National Banks One or more banks or bank and trust companies and one or more national banking associations operating under the laws of the United States may pursuant to the laws of the United States be merged into one of such national banking associations or consolidated into a new national banking association operating under the laws of the United States and a bank or bank and trust company may pursuant to the laws of the United States be converted into a national banking association provided that the banks or bank and trust companies participating in such a merger or consolidation and the bank or bank and trust company being converted into a national banking association shall comply with the following requirements established by this section

(1) The plan of merger or consolidation or of conversion has been approved in the manner and after the advertising and notice required by this act in the case of mergers or consolidations of incorporated institutions by at least a majority of all the directors of any bank or bank and trust company participating in such plan and by the holders of two-thirds of its outstanding shares entitled to vote thereon

(2) In the case of any bank and trust company participating in such plan of merger or plan of consolidation or plan of conversion all corporations or persons who appear upon the available books or other records as or who are otherwise known to be parties interested in any funds property or investments held by such bank and trust company as trustee guardian executor administrator or other fiduciary under the provisions of this act shall be entitled to the same notice and shall thereupon have the same rights and duties as are provided by this act for corporations or persons in a similar position in the case of a merger or consolidation of incorporated institutions

(3) All taxes or fees due this Commonwealth or any of the departments or officials of the State government of this Commonwealth shall be paid in full For the purposes of this clause the taxes imposed by the laws of this Commonwealth on such bank or bank and trust company which have not yet become due that is the amount properly apportionable to the part of the tax period which has already elapsed shall be construed to become due upon the date of such merger consolidation or conversion

(4) The articles of merger or articles of consolidation or articles of conversion corresponding to the articles of merger or articles of consolidation required by this act in the case of the merger or consolidation of incorporated institutions shall be prepared by any bank or bank and trust company participating in the plan of merger consolidation or conversion and filed with the Department of State which shall transmit a copy to the Department of Banking The bank or bank and trust company shall also file with the Department of State the certificate of approval of the merger consolidation or conversion as the case may be by such officer of the United States

as may be empowered by law to approve the same The Department of State shall send a copy of such certificate to the Department of Banking

Section 1413 Authority for Conversion of National Bank into Bank or Bank and Trust Company Any national banking association operating under the laws of the United States may when authorized by the laws of the United States and upon full compliance therewith become converted in the manner provided by this act into a bank or a bank and trust company

Section 1414 Approval of Plan of Conversion of National Bank into Bank or Bank and Trust Company In the case of a proposed plan for the conversion of a national banking association into a bank or a bank and trust company the board of directors shall by resolution approved by at least a majority of all the members of the board of directors adopt such plan It shall then be ratified by the affirmative vote of the holders of at least two-thirds of the outstanding shares entitled to vote thereon in the manner and after the advertising required by his act in the case of any merger or consolidation

Section 1415 Articles of Conversion of National Bank into Bank or Bank and Trust Company Upon the approval pursuant to the provsions of this act and in accordance with the requirements of Federal law of the plan of conversion by the directors and the shareholders of the national banking association which proposes to become converted into a bank or a bank and trust company articles of conversion shall be executed under the seal of such corporation by two of its duly authorized officers and shall set forth

(1) The proposed name of the bank or bank and trust company

(2) The exact location of the place or places of business of the bank or bank and trust company into which the national banking association plans to become converted

(3) The time and place of the meeting of the directors at which the plan of conversion was proposed and the time and place of the meeting of the shareholders at which the plan was ratified the kind and period of notice given to the shareholders and the vote of the directors and the vote of the shareholders by which the plan was adopted

(4) All of the statements required by ths act to be set forth in original articles of incorporation in the case of the formation of a bank or a bank and trust company as the case may be in so far as such information is applicable to the case of a national banking association proposing to become converted into a bank or a bank and trust company respectively

(5) The number names and addresses of the persons to be the first directors of the bank or bank and trust company

(6) A statement of the approval of such officer of the United State as may be empowered by law to approve the same

(7) The plan of conversion

Section 1416 Filing of Articles of Conversion of National Bank into Bank or Bank and Trust Company Payment of Fees Approval by Department of State A The articles of conversion of the national banking association into a bank or a bank and trust company and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B In addition to any bonus fees taxes and charges provided by law in the case of any corporation the national banking association shall pay to the Department of State such reasonable fees as shall be established by the rule or regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act to determine whether the articles of conversion should be approved Such fee for the investigation by the Department of Banking shall be paid to the Department of State at the time of the filing with it of the articles of conversion and shall be paid by the Department of State through the Department of Revenue to the Banking Department Fund

C The Department of State shall examine such articles of conversion and such proof of publication to determine whether they contain all the information and are in the form required by this act and also whether the name of the proposed bank or bank and trust company as the case may be conforms with the requirments of law for the name of such a... incorporated institution or whether it is the same as one already adopted or reserved by another corporation or person or is so similar thereto that it is likely to mislead the public

After all the bonus fees taxes and other charges have been paid as required by law if the articles of conversion and the proof of publication contain the information and are in the form required by this act the Department of State shall endorse its approval upon the articles of conversion and shall forthwith transmit them to the Department of Banking

D If the Department of State shall disapprove the articles of conversion pursuant to this act it shall forthwith give notice thereof to the national banking association stating in detail its reasons for doing so and stating how such national banking association can remedy the nonconformance with the provisions of this act Upon remedying the defect such national banking association may in the same manner file the same or amended articles whichever the particular case may require

Section 1417 Approval by Department of Banking of Articles of Conversion of National Bank into Bank or Bank and Trust Company A The Department of Banking shall immediately upon the receipt from the Department of State of the articles of conversion of a national banking association into a bank or a bank and trust company conduct such examination as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the proposed bank or bank and trust company is likely to mislead the public as to its character or purpose

(2) Whether the conversion is made for legitimate purposes

(3) Whether the interests of the depositors other creditors and shareholders are adequately protected

(4) Whether the proposed bank or bank and trust company meets all the requirements of this act and violates none of its prohibitions applicable to a bank or a bank and trust company as the case may be incorporated under this act

(5) Whether the national banking association has complied with the requirements of the laws of the United States and has been approved by such officer of the United States as may be empowered by law to approve the same

B Within thirty days after the receipt of the articles of conversion from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of conversion it shall sign its approval upon the triplicate originals It shall then retain one and send the remaining two of them to the Department of State

C If the Department of Banking disapproves the articles of conversion it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the national banking association desiring to become converted into a bank or a bank and trust company of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The decision of the Department of Banking shall be conclusive and not subject to review

Section 1418 Issuance of Certificate of Conversion of National Bank into Bank or Bank and Trust Company Immediately upon receipt of the articles of conversion of a national banking association into a bank or bank and trust company from the Department of Banking the Department of State shall file the articles and shall issue to the incorporated institution or its representative a certificate of conversion A copy of the approved articles of conversion shall be sent by the Department of State to the Department of Banking

Section 1419 Effect of Conversion of National Bank into Bank or Bank and Trust Company Upon the conversion becoming effective the bank or bank and trust company as the case may be shall have all the rights privileges immunities and franchises of the national banking association except that it shall not thereby acquire authority to engage in any business or exercise any right which is forbidden to a bank or bank and trust company as the case may be when originally incorporated under this act The bank or bank and trust company shall be subject to all the restrictions limitations or duties imposed upon such institutions when incorporated under this act All the property real personal and mixed of the national banking association and all debts or obligations due to it including subscriptions to shares or other choses in action belonging to it shall be taken and deemed to be transferred to and vested in the bank or bank and trust company as the case may be without further act or deed The

bank or bank and trust company shall thenceforth be responsible for all the liabilities and obligations of the national banking association in the same manner as if the bank or bank and trust company had itself incurred such liabilities or obligations but the liabilities of the national banking assoication or of its shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or any persons dealing with such national banking association or any liens upon the property of such association be impaired by such conversion and any claim existing or action or proceeding pending by or against such national banking association may be prosecuted to judgment as if such conversion had not taken place or the bank or bank and trust company into which it is converted may be proceeded against or substituted in its place

The net assets of the national banking association which were available for the payment of dividends immediately prior to such conversion shall in so far as they would have been available for such payment under the laws of this Commonwealth continue to be available for the payment of dividends by the bank or bank and trust company into which the national banking association is converted except for any portion thereof which has been transferred to capital by the issuance of shares or otherwise or to surplus or reserve

Section 1420 Rights of Dissenting Shareholders of National Bank Converted into Bank or Bank and Trust Company The bank or bank and trust company into which the national banking association has been converted shall be liable to any shareholder of the national banking assocation who has objected to the plan of conversion according to the method provided by the laws of the United States or if no method is there provided then according to the method provided by this act in the case of a merger or a consolidation for any amount due him as a dissenting shareholder under the laws of the United States or if no provisions is there made under the provisions of this act which relate to the dissenting shareholders of a bank or a bank and trust company which merges or consolidates

Section 1421 Effect of Conversion of National Bank into Bank and Trust Company upon Assets Held or to Be held in Fiduciary Capacity A If the national banking association has been converted into a bank and trust company and if it was authorized under the laws of the United States to act in a fiduciary capacity all the funds property or investments held by such national banking association as trustee guardian executor administration or other fiduciary shall be taken and deemed to be transferred to and vested in the bank and trust company into which it has been converted without any further act or deed or any order or decree of court or other tribunal whether or not the national banking association was appointed fiduciary by parol by deed by order of court of by the issuance of leters testamentary or letters of administration The bank and trust company shall become fiduciary to the same extent and with the same rights powers duties and liabilities in its capacity as fiduciary as the national banking association

However all corporations or persons who appear upon the available books or other records as or who are otherwise known to be parties interested in any funds property or investments held by such national banking association as trustee guardian executor administrator or other fiduciary shall be entitled to the notice required by the laws of the United States and shall thereupon have the rights and duties provided by the laws of the United States or if the laws of the United States make no provisions on these subjects then such corporations or persons shall be entitled to the same notice and shall thereupon have the same rights and duties as are provided by this act for corporations or persons in a similar position in the case of a merger or consolidation

B Whenever a national banking association authorized to act as a fiduciary in this Commonwealth has heretofore been or shall hereafter be named or appointed trustee gurdian executor administrator or other fiduciary such nomination or appointment shall not be deemed to have lapsed by reason of the conversion of such national banking association into a bank and trust company pursuant to the provisions of the laws of the United States and of this act but such bank and trust company shall be entitled to act in the same fiduciary capacity under such nomination or appointment as the national banking association could have acted if such conversion had not been effected

Section 1422 Effective Date of Conversion of National Bank into Bank or Bank and Trust Company Upon the issuance of the certificate of conversion by the Department of State pursuant to the provisions of this act the conversion of the national bank into a bank or bank and trust company shall be effective The certificate of conversion shall be conclusive evidence of the performance of all conditions precedent to such conversion and the creation or existence of a bank or bank and trust company except as against the United States or this Commonwealth

ARTICLE XV

FORFEITURE OF CHARTER OR CERTIFICATE OF AUTHORIZATION GENERAL CRIMINAL PROVISIONS

Section 1501 Books Records and Accounts of Institutions Reports Prohibitions Penalties A The total liabilities of each institution to depositors shall be set out in full upon the books or other records of the institution and in all reports required by law It shall be unlawful for any institution to reduce such liabilities for the purpose of concealing unadjusted losses overdrafts expense charges or loans All such losses overdrafts expense charges or loans shall be set up in separate accounts on the books or other records of the institution until adjusted or charged off They shall not be charged in any manner whatsoever against deposits or other credits for which the institution may be liable

B Whenever an institution shall rediscount or borrow money bonds or other securities the amount of such borrowings or such rediscounts together with any assets pledged or assigned therefor shall be set out in full on the books or other records of the institution and in all reports to the Department

C An institution shall enter upon its books or other records an accurate and complete account of all its assets whether the assets be in the name of the institution or in the name of any other corporation or person

D An institution shall not except with the written approval of the Department enter or at any time carry on its books any real or personal property owned by it at a valuation exceeding its actual cost to such institution

E Any officer or employe of an institution and in the case of an incorporated institution any director or trustee who knowingly violates any provision of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment not exceeding one year or a fine not exceeding one thousand dollars or both

Section 1502 Repledging of Collateral A An institution shall not repledge any property held by it in pledge or as collateral which belongs to any other corporation or person unless such property is accompanied by the obligation of the original borrower from the institution and unless the obligation for which such property is repledged is not for an amount exceeding the amount of the original obligation due at the time of such repledging

B Any officer or employe of an institution and in the case of an incorporated institution any director or trustee who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both

Section 1503 Relationship of Institution with Employes of Department A An institution shall not grant or give any sum of money or other property whether as a gift credit loan or otherwise either directly or indirectly to the Secretary of Banking or to any deputy examiner clerk or other employe of the Department However any institution may grant a loan to the Secretary of Banking or any deputy examiner clerk or other employe of the Department if such loan is secured by a mortgage upon his own home which meets all the terms and conditions provided by this act for loans secured by mortgages and which in addition meets any additional conditions imposed and followed by such institution in making such loan

This section shall not be construed to prohibit the Secretary of Banking or any deputy examiner clerk or other employe of the Department from becoming a depositor in any institution

B Any officer or employe of an institution and in the case of an incorporated institution any director or trustee who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be

subject to a further fine of a sum equal to the amount of the gift credit loan or other sum of money or the value of any other property given in violation of this section

Section 1504 Forfeiture of Articles of Incorporation or Certificate of Authorization A The articles of incorporation in the case of an incorporated institution and the certificate of authorization in the case of a private bank shall be automatically forfeited by operation of law when

(1) In the case of a bank a bank and trust company or a trust company the capital surplus and expense fund required by law and in the case of a savings bank the expense fund required by law have not been paid in within two years after the issuance of its certificate of incorporation

(2) In the case of an incorporated institution it has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation and in the case of a private bank by its certificate of authorization within two years after the issuance thereof

(3) In the case of an incorporated institution it has formerly exercised any of the powers conferred upon it by its articles of incorporation or in the case of a private bank by its certificate of authorization but for a period of two years it has not exercised at least one of such powers

(4) The Secretary after having taken possession of the business and property of an institution as receiver has completely liquidated its assets

(5) In case of a bank a bank and trust company or a trust company the Secretary after having taken possession of the business and property of the bank or bank and trust company as receiver has paid the depositors and other creditors in full and has surrendered the assets remaining to liquidating trustees for the benefit of the shareholders

(6) The Secretary after having taken possession of the business and property of an institution as receiver has surrendered possession to the institution itself because he was without funds to liquidate the business and property

(7) The Secretary after having taken possession of the business and property of an institution as receiver has surrendered to the institution itself or to any other corporation or person the assets of the institution in order to permit the carrying out of a special plan of liquidation

B Whenever it shall appear to the Department that any of the conditions which under the provisions of this section shall effect the forfeiture of the articles of an incorporated institution or the certificate of authorization of a private bank it shall issue a certificate of forfeiture of the articles of incorporation or of the certificate of authorization which shall be filed with the Department of State The Department of State shall send a copy of such certificate to the last known address of the institution and a copy to the Department of Banking

C If the articles of incorporation of an incorporated institution have been forfeited in the manner provided by this section the corporate powers may whenever necessary to effect the liquidation and winding up of the business and property of such institution continue for a period of three years but they shall not be considered in existence for any other purposes whatsoever

Section 1505 Prohibition upon Unauthorized Banking Business A The only corporations or persons who shall be authorized to engage in the business of receiving moneys in this Commonwealth for deposit or for transmission or to esablish in this Commonwealth a place of business for the purpose of receiving moneys for deposit or for transmission shall be banks bank and trust companies savings banks and private banks

B Any individual who either on his own behalf or as representative of any corporation or association shall engage in the business of receiving in this Commonwealth moneys for deposit or for transmission or shall establish a place of business for such purpose within this Commonwealth when such individual or such corporation or association is not authorized under the laws of this Commonwealth to engage in the business of receiving such moneys or to establish such place of business shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both The corporation which such individual represents or the members of the association which he represents shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding five thousand dollars

C The provisions of this section shall not apply to a national banking association to a Federal Reserve Bank or to private banks exempted by this act or to their representatives or to clubs and hotels which receive money from members and guests for temporary safe-keeping express steamship or telegraph companies which receive money for transmission attorneys at law real estate agents fiscal agents and attorneys in fact who are not engaged in the business of receiving money in this Commonwealth for deposit or for transmission but receive and transmit such moneys only as an incident to their general business or profession and brokers licensed under the laws of this Comomnwealth holding membership in a lawfully constituted brokerage exchange who do and have authority to do only such banking as is incidental to their brokerage business

Section 1506 Prohibition upon Corporations Acting as Fiduciary Penalty A The only corporations organized under the laws of this Commonwealth which shall have authority to act in this Commonwealth as trustees guardians executors administrators or in any similar fiduciary capacity shall be bank and trust companies and trust companies

B A corporation organized under the laws of any state of the United States other than Pennsylvania shall not have authority to act in this Commonwealth as trustee guardian executor administrator or in any other similar fiduciary capacity unless it shall be appointed such fiduciary by any last will and testament or codicil thereto or other testamentary writing or deed of trust inter vivos or by any court or register of wills of the Commonwealth and unless the laws of such other state confer like powers upon corporations organized under the laws of this Commonwealth but such corporations organized under the laws of another state shall be required to give such bond or other security as shall be deemed adequate by the court or register of wills in the Commonwealth having jurisdiction over the estate of which the corporation is acting as trustee guardian executor administrator or similar fiduciary

C The provisions of this section shall not be construed to permit a corporation organized under the laws of any state other than this Commonwealth to establish in this Commonwealth a place of business for the conducting of the business of acting as fiduciary

D The provisions of this section shall not apply to any nonprofit corporation nor shall they be construed to prevent any court or testator from appointing any corporation as trustee to execute a trust for its own use within the purpose of such corporation

E Any national banking association having authority under the laws of the United States to act as trustee guardian executor administrator or similar fiduciary shall upon the adoption by its board of directors of a resolution agreeing to place its trust department under the supervision of the Department of Banking and upon the transmission of a certified copy of such resolution to the Department of Banking be authorized to act as such fiduciary in this Commonwealth

F Any corporation whether organized under the laws of this Commonwealth or of any other state which violates the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding five thousand dollars

Section 1507 Perjury Anyone who shall wilfully and corruptly make a false statement under any oath or affirmation provided for in this act or anyone who shall by any means procure or suborn any other person to do so shall be guilty of the crime or perjury and upon conviction thereof shall be subject to the same punishment as is or may be provided by law for perjury

Section 1508 Statute of Limitations for Violation of Act Any prosecution for the commission of any criminal offense under the provisions of this act may be commenced at any time within six years after the date upon which the alleged offense shall have been committed However if the person against whom such prosecution is brought shall not have been an inhabitant of this Commonwealth or a usual resident therein for six years then such indictment may be commenced and prosecuted at any time within six years after he shall have become an inhabitant of or usual resident within this Commonwealth

ARTICLE XVI

EFFECTIVE DATE AND REPEALER

Section 1601 Effective Date This act shall become effective on the third day of July one thousand nine hundred thirty-three

Section 1602 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed

Section two of the act approved the twenty-eighth day of March one thousand eight hundred eight (four Smith's Laws five hundred thirty-seven) (Chapter three thousand two) entitled "An act relating to the association of individuals for the purpose of banking" absolutely

The act approved the twenty-eighth day of March one thousand eight hundred twenty (Pamphlet Laws one hundred sixty-nine) entitled "An act to regulate proxies" in so far as it relates to incorporated institutions

The act approved the first day of April one thousand eight hundred twenty-two (Pamphlet Laws one hundred fourteen seven Smith's Laws five hundred forty-one) (Chapter five thousand one hundred seventy-one) entitled "An act providing for the closing of the concerns of banking institutions" absolutely

The act approved the twenty-third day of April one thousand eight hundred twenty-nine (Pamphlet Laws three hundred sixty) (Number two hundred ten) entitled "A supplement to an act to re-charter certain banks" absolutely

The act approved the sixth day of February one thousand eight hundred thirty (Pamphlet Laws forty-two) entitled "A supplement to an act entitled 'An act to incorporate the owners and occupiers of the Wicacoa and Moyamensing meadows in the county of Philadelphia for the sole purpose of keeping the banks dams sluices and flood-gates in repair and to raise a fund to defray the expenses thereof' passed twelfth April eighteen hundred and twenty-eight and for other purposes" in so far as it relates to incorporated institutions

The act approved the fourteenth day of April one thousand eight hundred thirty-five (Pamphlet Laws four hundred thirty-nine) (number eighteen) entitled "Resolution relating to the removal of the transfer or stock books of loans in the Auditor General's office to the Bank of Pennsylvania" in so far as it relates to incorporated institutions

Section eight of the act approved the eighteenth day of April one thousand eight hundred forty-three (Pamphlet Laws three hundred nine) entitled "An act to re-charter the Farmers' and Mechanics' Bank of Philadelphia" absolutely

The act approved the twenty-second day of April one thousand eight hundred fifty-four (Pamphlet Laws four hundred sixty-seven) entitled "A further supplement to an act regulating banks approved April sixteen Anno Domini one thousand eight hundred and fifty" absolutely

The act approved the third day of May one thousand eight hundred fifty-five (Pamphlet Laws four hundred twenty-three) (Number four hundred forty-eight) entitled "An act relating to Corporations" in so far as it relates to incorporated institutions

The act approved the thirteenth day of October one thousand eight hundred fifty-seven (Pamphlet Laws of one thousand eight hundred fifty-eight six hundred eleven) entitled "An act providing for the Resumption of Specie Payments by the Banks and for the Relief of Debtors" absolutely

The act approved the twenty-first day of April one thousand eight hundred fifty-eight (Pamphlet Laws four hundred twelve) (Number four hundred forty-three) entitled "An act authorizing Savings Institutions Insurance and Trust Companies and Loan Associations to make investments in Ground Rents" in so far as it relates to incorporated institutions

The act approved the thirty-first day of March one thousand eight hundred sixty (Pamphlet Laws four hundred fifty-nine) entitled "An act to establish a system of Free Banking in Pennsylvania and to secure the public against loss from Insolvent Banks" absolutely

The act approved the seventeenth day of April one thousand eight hundred sixty-one (Pamphlet Laws three hundred forty-one) entitled "An act requiring the Resumption of Specie Payments by the Banks and for Equalization of the Currency of the State" absolutely

The act approved the first day of May one thousand eight hundred sixty-one (Pamphlet Laws five hundred three) (Number four hundred seventy-three) entitled "Supplement to an act to establish a system of Free Banking in Pennsylvania and to secure the public against loss from Insolvent Banks approved March thirty-first one thousand eight hundred and sixty" absolutely

The act approved the thirteenth day of January one thousand eight hundred sixty-four (Pamphlet Laws eleven hundred forty-two) entitled "A further supplement to an act entitled 'An act to establish a system of free banking in Pennsylvania'" absolutely

The act approved the twenty-seventh day of November one thousand eight hundred sixty-five (Pamphlet Laws of one thousand eight hundred sixty-six page one thousand two hundred twenty-eight) (Number one thousand one hundred nineteen) entitled "An act relating to the organization and meetings of certain corporations incorporated under the laws of this Commonwealth" in so far as it relates to incorporated institutions

The act approved the twelfth day of April one thousand eight hundred sixty-seven (Pamphlet Laws seventy-one) entitled "A supplement to the act entitled 'An act regulating banks' approved April sixteenth one thousand eight hundred and fifty" absolutely

The act approved the thirty-first day of March one thousand eight hundred sixty-eight (Pamphlet Laws fifty) entitled "An act to authorize incorporated companies to invest and reinvest surplus funds in mortgages stocks and other securities and fixing the time for holding elections for directors" in so far as it relates to incorporated institutions

The act approved the fifteenth day of April one thousand eight hundred sixty-nine (Pamphlet Laws twenty-nine) entitled "An act requiring a majority of the directors or managers of corporations to constitute a quorum" in so far as it relates to incorporated institutions

The act approved the seventeenth day of February one thousand eight hundred seventy-one (Pamphlet Laws fifty-six) (Number sixty-two) entitled "An act to authorize corporations to subscribe for or purchase the capital stock and to purchase the bonds of the American Steamship Company of Philadelphia" in so far as it relates to incorporated institutions

The act approved the fourth day of April one thousand eight hundred seventy-two (Pamphlet Laws forty) entitled "An act supplemental to an act entitled 'A supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" in so far as it relates to incorporated institutions

The act approved the fourth day of April one thousand eight hundred seventy-two (Pamphlet Laws forty-six) (Number thirty-nine) entitled "An act for the appointment of a receiver in cases where corporations have been dissolved by judgment of ouster upon proceedings of quo warranto" in so far as it relates to incorporated institutions

Section one of the act approved the seventeenth day of April one thousand eight hundred seventy-two (Pamphlet Laws sixty-two) entitled "An act relating to unclaimed deposits in savings banks and transfer of stock" absolutely

The act approved the seventeenth day of February one thousand eight hundred seventy-three (Pamphlet Laws thirty-five) (Number eight) entitled "An act authorizing mining and manufacturing companies or other organized companies or individuals to give any banks or other organized companies or individuals to take and hold mortgages on real estate to secure payment of notes bills and renewals thereof" in so far as it relates to incorporated institutions

The act approved the twentieth day of April one thousand eight hundred seventy-four (Pamphlet Laws one hundred ten) entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations" in so far as it relates to incorporated institutions

The act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" and its amendments in so far as it relates to incorporated institutions

The act approved the eleventh day of May one thousand eight hundred seventy-four (Pamphlet Laws one hundred thirty-five) (Number sixty-eight) entitled "An act fixing the liability of stockholders of banks and banking companies and other banking institutions in this Commonwealth" absolutely

The act approved the fourteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws one hundred forty-six) entitled "An act relative to service of process upon

the stockholders of corporations in actions brought to charge the stockholders for debts of the corporation or for unpaid instalments upon their stock" in so far as it relates to incorporated institutions

The act approved the fifteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws one hundred eighty-six) (Number one hundred nineteen) entitled "An act to authorize corporations to increase the security of their bonded indebtedness" in so far as it relates to incorporated institutions

The act approved the fifteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws one hundred ninety-three) (Number one hundred twenty-five) entitled "An act to secure to married women and minors the control of money deposited by them in banks" absolutely

The act approved the seventeenth day of April one thousand eight hundred seventy-six (Pamphlet Laws thirty) entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations" and its amendments in so far as it relates to incorporated institutions

The act approved the twenty-fifth day of April one thousand eight hundred seventy-six (Pamphlet Laws forty-seven) Number thirty-six) entitled "An act supplementary to the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini eighteen hundred and seventy-four extending its provisions to all who may have the right to vote at elections for directors managers or trustees" in so far as it relates to incorporated institutions

The act approved the thirteenth day of May one thousand eight hundred seventy-six (Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" absolutely

The act approved the twenty-second day of May one thousand eight hundred seventy-eight (Pamphlet Laws ninety-six) (Number one hundred twenty-nine) entitled "An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold" in so far as it relates to incorporated institutions

The act approved the twenty-third day of May one thousand eight hundred and seventy-eight (Pamphlet Laws one hundred nine) (Number one hundred forty) entitled "An act extending the provisions of an act entitled 'An act regulating the rate of interest' approved May twenty-eight one thousand eight hundred and fifty-eight to all corporations authorized to loan money within the Commonwealth and repealing all laws inconsistent within the provisions of the said act" absolutely

The act approved the thirteenth day of May one thousand eight hundred seventy-nine (Pamphlet Laws fifty-seven) entitled "An act to authorize corporations to borrow money to redeem previous loans authorized by special laws and limiting the rate of interest and terms thereof and providing for the payment of mechanics' liens" in so far as it relates to incorporated institutions

The act approved the fourth day of June one thousand eight hundred seventy-nine (Pamphlet Laws ninety-four) (Number one hundred eleven) entitled "An act to authorize banks and savings institutions to divide their capital stock into shares of the par value of not less than fifty dollars" absolutely

The act approved the eleventh day of June one thousand eight hundred seventy-nine (Pamphlet Laws one hundred thirty-three) (Number one hundred thirty-seven) entitled "An act to provide for the manner of decreasing the capital stock of banking corporations" absolutely

The act approved the twenty-fourth day of May one thousand eight hundred eighty-one (Pamphlet Laws twenty-two) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four" absolutely

The act approved the twenty-second day of May one thousand eight hundred eighty-three (Pamphlet Laws forty-one) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-second day of May Anno Domini eighteen hundred and seventy-eight" in so far as it relates to incorporated institutions

The act approved the thirteenth day of June one thousand eight hundred eighty-three (Pamphlet Laws one hundred twenty-two) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charters of corporations of the second class and authorizing the incorporation of traction motor companies" in so far as it relates to incorporated institutions

The act approved the twenty-second day of June one thousand eight hundred eighty-three (Pamphlet Laws one hundred fifty-five) entitled "An act to provide for the manner of decreasing the capital stock of banking corporations" absolutely

The act approved the eleventh day of June one thousand eleven) (Number seventy-three) entitled "An act authorizing trust companies to transact safe deposit business and also to increase capital and change the par value of shares representing the same" absolutely

The act approved the twenty-fifth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred seventy-eight) entitled "An act to amend an act entitled 'An act to enable the officers of dissolved corporations to convey real estate held by such corporations' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders" in so far as it relates to incorporated institutions

The act approved the thirtieth day of June one thousand eight hundred eighty-five (Pamphlet Laws two hundred one) entitled "An act to provide for renewing and extending charters of provident institutions savings institutions and savings banks" absolutely

The act approved the twenty-fifth day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred seventy-three) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four amending the twelfth section of said act and thereby relieving full paid capital stock from liability to further assessment" in so far as it relates to incorporated institutions

The act approved the twenty-sixth day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred seventy-four) (Number one hundred sixty) entitled "A supplement to an act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-second day of May Anno Domini one thousand eight hundred and eighty-three" in so far as it relates to incorporated institutions

The act approved the thirty-first day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred eighty-one) (Number one hundred sixty-six entitled "An act permitting the stockholders of corporations to determine the number of directors and the time for holding annual elections of officers" in so far as it relates to incorporated institutions

The act approved the seventeenth day of June one thousand eight hundred eighty-seven (Pamphlet Laws four hundred eleven) entitled "A further supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the further regulation of such corporations" in so far as it relates to incorporated institutions

The act approved the twenty-sixth day of April one thousand eight hundred eighty-nine (Pamphlet Laws fifty-six) entitled "An act enabling the banks of this Commonwealth to become associations for the purpose of banking under the laws of the United States" with the exception of section eight

The act approved the twenty-sixth day of April one thousand eight hundred eighty-nine (Pamphlet Laws sixty-one) entitled "An act to provide for and regulate the renewal and extension of the charters of State banks" absolutely

The act approved the seventh day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred two) (Number one hundred eight) entitled "An act defining evidence of stock ownership in corporations and for determining the right to vote thereon" in so far as it relates to incorporated institutions

The act approved the ninth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred eighty) (Number two hundred four) entitled "An act supplementary to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' amending the eleventh section thereof as far as the same applies to companies incorporated to supply the public with water giving and granting authority to the said companies incorporated for the supply of water to the public to issue capital stock to an amount not exceeding two million dollars" in so far as it relates to incorporated institutions

The act approved the ninth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred fifty-nine) entitled "An act supplementary to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four amending the twenty-ninth section of said act so as to provide for the further regulation of and granting additional powers to all corporations now or hereafter incorporated under the provisions of said act for the insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and incumbrances" absolutely

The act approved the tenth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred eighty-five) entitled "A supplement to an act entitled 'An act to provide for renewal and extending charters of provident institutions savings instiuttions and savings banks' approved June thirtieth Anno Domini one thousand eight hundred and eighty-five amending the first section thereof providing for the renewals and extending charters of banks banks of discount and savings banks and trust companies" absolutely

The act approved the twentieth day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred forty-six) entitled "An act to provide for the incorporation and regulation of savings banks and institutions without capital stock established for the encouragement of saving money" absolutely

The act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-seven) entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' amending the thirteenth section thereof" in so far as it relates to incorporated institutions

The act approved the fifteenth day of April one thousand eight hundred ninety-one (Pamphlet Laws fifteen) entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to enable the officers of dissolved corporatins to convey real estate held by such corporations' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders" approved the twenty-fifth day of June one thousand eight hundred and eighty-five' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders or their legal representatives whenever requested so to do" in so far as it relates to incorporated institutions

The act approved the fourteenth day of May one thousand eight hundred ninety-one (Pamphlet Laws sixty-one) entitled "An act to amend the fifth section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four defining the officers of corporations and allowing certain officers receiving salaries to be directors and receive compensations" in so far as it relates to incorporated institutions

The act approved the twenteith day of May one thousand eight hundred ninety-one (Pamphlet Laws one hundred one) (Number seventy-seven) entitled "An act authorizing salaried officers of private or business corporations to concurrently serve as directors therein" in so far as it relates to incorporated institutions

The act approved the twenty-sixth day of April one thousand eight hundred ninety-three (Pamphlet Laws twenty-six) (Number twenty-two) entitled "An act providing for the appointment of a receiver in cases where corporations have been dissolved by judgment of ouster upon proceedings of quo warranto" in so far as it relates to incorporated institutions

The act approved the eighteenth day of May one thousand eight hundred ninety-three (Pamphlet Laws eighty-eight) entitled "An act to revive and continue in force provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-sixth day of May Anno Domini one thousand eight hundred and eighty-seven" in so far as it relates to incorporated institutions

The act approved the eighteenth day of May one thousand eight hundred ninety-three (Pamphlet Laws eighty-nine) entitled "An act to encourage and authorize the formation of co-operating banking associations where the profits derived from the business after paying all legitimate expenses shall accrue to the depositors and borrowers of the association in proportion to their deposits or loans" absolutely

The act approved the twenty-sixth day of May one thousand eight hundred ninety-three (Pamphlet Laws one hundred forty-one) entitled "An act amending an act entitled 'An act defining evidence of stock ownership in corporations and for determining the right to vote thereon' approved May seventh one thousand eight hundred and eighty-nine further defining evidence of stock ownership and the right to vote thereon" in so far as it relates to incorporated institutions

The act approved the eighth day of June one thousand eight hundred ninety-three (Pamphlet Laws three hundred fifty-one) entitled "An act to provide for the manner of reducing the capital stock of corporations" in so far as it relates to incorporated institutions

The act approved the eighth day of June one thousand eight hundred ninety-three (Pamphlet Laws three hundred fifty-five) entitled "An act to regulate the change of location of the principal office the place of annual and other meeting of stockholders and the time of such annual meetings of corporations of this Commonwealth" in so far as it relates to incorporated institutions

The act approved the tenth day of June one thousand eight hundred ninety-three (Pamphlet Laws four hundred seventeen) (Number three hundred sixteen) entitled "An act to authorize corporations to increase their capital stock for corporate purposes" in so far as it relates to incorporated institutions

The act approved the tenth day of June one thousand eight hundred ninety-three (Pamphlet Laws four hundred thirty-five) entitled "An act amending an act entitled 'A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations' approved April seventeenth one thousand eight hundred and seventy-six authorizing the incorporation of drainage companies" in so far as it relates to incorporated institutions

Section one of the act approved the twenty-ninth day of May one thousand eight hundred ninety-five (Pamphlet Laws one hundred twenty-seven) (Number ninety-six) entitled "An act to amend the fourth section of an act entitled 'An act supplementary to an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four amending the twenty-ninth section of said act so as to provide for the further regulation of and granting additional powers to all corporations now or hereafter incorporated under the provisions of said act for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances' enlarging the powers of such corporations and providing that courts into which moneys may be paid or brought may by order direct the same to be deposited with any such corporation" absolutely

The act approved the twenty-fourth day of June one thousand eight hundred ninety-five (Pamphlet Laws two hundred fifty-eight) (Number one hundred seventy-two) entitled "An act relating to and regulating the issue and transfer of certifi-

cates of stock by companies incorporated under the laws of this Commonwealth" in so far as it relates to incorporated institutions

The act approved the twenty-sixth day of June one thousand eight hundred ninety-five (Pamphlet Laws three hundred sixty-nine) (Number two hundred sixty-one) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four further amending the twelfth section thereof so as to permit corporations organized thereunder either for the purpose of carrying on any manufacturing business or for the supply of water or for the manufacture or supplying of light to purchase bonds or stock of other corporations of the same character or to guarantee the payment of interest and principal of such bonds or either principal or interest or to lease and operate corporate property" in so far as it relates to incorporated institutions

The act approved the twenty-seventh day of June one thousand eight hundred ninety-five (Pamphlet Laws three hundred ninety-nine) entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" in so far as it relates to incorporated institutions

The act approved the twentieth day of April one thousand eight hundred ninety-seven (Pamphlet Laws twenty-eight) (Number twenty-three) entitled "An act to revive and continue in force provisions of an act entitled 'An act to extend the time which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the eighteenth day of May Anno Domini one thousand eight hundred and ninety-three" in so far as it relates to incorporated institutions

The act approved the twenty-fifth day of May one thousand eight hundred ninety-seven (Pamphlet Laws ninety-three) (Number seventy-seven) entitled "An act specifying additional securities upon which provident institutions savings institutions and savings banks chartered under special acts may loan deposits received by them" absolutely

The act approved the tenth day of June one thousand eight hundred ninety-seven (Pamphlet Laws one hundred thirty-eight) (Number one hundred twelve) entitled "An act authorizing banks chartered under the laws of Pennsylvania to pay interest upon demand deposits" absolutely

The act approved the ninth day of February one thousand nine hundred one (Pamphlet Laws three) entitled "An act to provide for increasing the capital stock and indebtedness of corporations" in so far as it relates to incorporated institutions

The act approved the nineteenth day of April one thousand nine hundred one (Pamphlet Laws seventy-nine) entitled "An act to amend the eighth section of an act entitled 'An act for the incorporation and regulation of banks of discount and deposit' approved the thirteenth day of May Anno Domini one thousand eight hundred and seventy-six" absolutely

The act approved the nineteenth day of April one thousand nine hundred one (Pamphlet Laws eighty) (Number fifty-one) entitled "An act to regulate the number of directors in corporations chartered under the laws of this Commonwealth" in so far as it relates to incorporated institutions

The act approved the twenty-first day of May one thousand nine hundred one (Pamphlet Laws two hundred eighty-eight) (Number one hundred eighty-eight) entitled "An act to authorize banks and banking companies to improve any real estate they may hold for the accommodation and transaction of their business by the erection renewal or replacing of buildings thereon and to derive rent therefrom" absolutely

The act approved the twenty-ninth day of May one thousand nine hundred one (Pamphlet Laws three hundred twenty-six) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four authorizing formation of corporations for profit by voluntary association of three or more persons one of whom at least must be a citizen of this Commonwealth" in so far as it relates to incorporated institutions

The act approved the twenty-ninth day of May one thousand nine hundred one (Pamphlet Laws three hundred forty-nine) entitled "An act supplementary to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four providing for the merger and consolidation of certain corporations" in so far as it relates to incorporated institution

The act approved the seventh day of June one thousand nine hundred one (Pamphlet Laws five hundred thirty) entitled "An act to amend the forty-fifth section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four providing for the publication in separate pamphlet form of a certified list of all charters of incorporation" in so far as it relates to incorporated institutions

The act approved the fourteenth day of June one thousand nine hundred one (Pamphlet Laws five hundred sixty-one) (Number two hundred sixty-eight) entitled "An act to limit the amount of loans to officers and directors of banks trust companies and savings institutions with capital stock heretofore or hereafter incorporated in this Commonwealth and prohibiting loans upon the security of the capital stock of such corporations" absolutely

The act approved the second day of July one thousand nine hundred one (Pamphlet Laws six hundred three) (Number two hundred ninety-eight) entitled "An act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation" in so far as it relates to incorporated institutions

The act approved the second day of July one thousand nine hundred one (Pamphlet Laws six hundred six) (Number three hundred two) entitled "An act authorizing corporations organized under the laws of Pennsylvania to increase or diminish the par value of the shares of their capital stock" in so far as it relates to incorporated institutions

The act approved the tenth day of July one thousand nine hundred one (Pamphlet Laws six hundred thirty-nine) (Number three hundred twenty-four) entitled "An act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages on real estate and to invest their funds in bonds mortgages notes and other interest bearing securities and obligations" absolutely

The act approved the fifth day of March one thousand nine hundred three (Pamphlet Laws fourteen) (Number seventeen) entitled "An act concerning proxies authorizing representation and voting of shares of capital stock of corporations at meetings and elections thereof" in so far as it relates to incorporated institutions

The act approved the fifteenth day of April one thousand nine hundred three (Pamphlet Laws two hundred) (Number one hundred forty-five) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold approved the twentieth day of April Anno Domini one thousand eight hundred and ninety-seven" in so far as it relates to incorporated institutions

The act approved the twenty-first day of April one thousand nine hundred three (Pamphlet Laws two hundred twenty-three entitled "An act supplementary to an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of corporations incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved the twenty-seventh day of June one thousand eight hundred and ninety-five" absolutely

The act approved the twenty-second day of April one thousand nine hundred three (Pamphlet Laws two hundred fifty-one) entitled "An act regulating the change of corporate titles" in so far as it relates to incorporated institutions

The act approved the twenty-third day of April one thousand nine hundred three (Pamphlet Laws two hundred seventy-two) entitled "An act to amend the first scetion of an

act entitled 'A supplement to an act entitled "An act to provide for the incorporation and regulation of certain corporations approved April twenty-nine one thousand eight hundred and seventy-four" authorizing the formation of corporations for profit by voluntary association of three or more persons one of whom at least must be a citizen of this Commonwealth' said supplement approved the twenty-ninth day of May one thousand nine hundred and one and to extend the provisions of said act to all corporations for profit embraced within corporations of the second class defined in section two (2) and the various supplements to section two (2) of the act of April twenty-ninth one thousand eight hundred and seventy-four and confirming all charters granted under the said supplements to corporations which have been formed under the various supplements to the said section two (2) of the act of April twenty-ninth one thousand eight hundred and seventy-four by the association of three or more persons one of whom at least was a citizen of this Commonwealth" in so far as it relates to incorporated institutions

The act approved the sixteenth day of March one thousand nine hundred five (Pamphlet Laws forty-two) (Number twenty-six) entitled "An act providing for the voting of shares of stock in corporations in this Commonwealth held by executors administrators guardians and trustees and the manner of voting the same" in so far as it relates to incorporated institutions

The act approved the twenty-fourth day of March one thousand nine hundred five (Pamphlet Laws fifty-six) entitled "A supplement to an act entitled 'A supplement to an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four further amending the twelfth section thereof so as to permit corporations organized thereunder either for the purpose of carrying on any manufacturing business or for the supply of water or for the manufacture or supplying of light to purchase bonds or stock of other corporations of the same character or to guarantee the payment of interest and principal of such bonds of either principal or interest or to lease and operate corporate property' approved the twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five correcting errors therein and validating all acts done in pursuance thereof" in so far as it relates to incorporated institutions

The act approved the thirty-first day of March one thousand nine hundred five (Pamphlet Laws ninety-three) entitled "An act amending the third section of a supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-nine one thousand eight hundred and seventy-four 'providing for the improvement amendment and alteration of the charters of corporations of the second class and authorizing the incorporation of traction motor companies' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three requiring corporations to file a certificate with the Governor of the Commonwealth setting forth that all reports required by the Auditor General of the Commonwealth have been duly filed and that all taxes due the Commonwealth have been paid before the improvement amendment or alteration of the charter of any corporation" in so far as it relates to incorporated institutions

The act approved the thirty-first day of March one thousand nine hundred five (Pamphlet Laws ninety-five) entitled "An act to amend section three of a supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four providing for the merger and consolidation of certain corporations approved the twenty-ninth day of May one thousand nine hundred and one requiring the filing of all reports required by the Auditor General and the payment of all taxes due the Commonwealth of Pennsylvania by corporations before merger or consolidation" in so far as it relates to incorporated institutions

The act approved the twenty-second day of April one thousand nine hundred five (Pamphlet Laws two hundred sixty-four) (Number one hundred eighty-three) entitled "An act to amend the first section of an act entitled 'An act to provide for the manner of reducing the capital stock of corporations' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three (1893) extending the provisions of the said act to all corporations created by general or special law and repealing all acts or parts of acts inconsistent therewith" in so far as it relates to incorporated institutions

The act approved the twenty-second day of April one thousand nine hundred five (Pamphlet Laws two hundred eighty) entitled "An act to amend section one of the act entitled 'An act to provide for increasing the capital stock and indebtedness of corporations' approved the ninth day of February Anno Domini one thousand nine hundred and one authorizing corporations to increase their capital stock and indebtedness and secure the payment of principal and interest of their indebtedness" in so far as it relates to incorporated institutions

The act approved the eighth day of May one thousand nine hundred seven (Pamphlet Laws one hundred eighty-nine) entitled "An act to provide for the creation and maintenance of a reserve fund in all banks banking companies savings banks savings institutions companies authorized to execute trusts of any description and to receive deposits of money which are now or which may hereafter be incorporated under the laws of this Commonwealth and in all trust companies or other companies receiving deposits of money which may have been heretofore or which may hereafter be incorporated under section twenty-nine of the act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act for the creation and regulation of corporations' and the supplements thereto" absolutely

The act approved the eighth day of May one thousand nine hundred seven (Pamphlet Laws one hundred ninety-two) entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five eleventh day of June Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment and regulation of trust companies" absolutely

The act approved the first day of June one thousand nine hundred seven (Pamphlet Laws three hundred eighty-two) (Number two hundred seventy-five) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four empowering companies incorporated under the provisions of said act for the insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens et cetera to guarantee the payment of the principal and interest of bonds secured by mortgage upon real estate" absolutely

The act approved the seventh day of June one thousand nine hundred seven (Pamphlet Laws four hundred sixty-one) (Number three hundred nine) entitled "An act requiring every person firm or unincorporated association of this Commonwealth who shall hereafter engage in the banking business within this Commonwealth to report to and be under the supervision of the Commissioner of Banking" absolutely

The act approved the twelfth day of June one thousand nine hundred seven (Pamphlet Laws five hundred twenty-five) entitled "An act requiring banks trust companies savings fund societies building and loan associations bond and investment companies provident associations and all other corporations under supervision of the Commissioner of Banking to furnish receipt to each depositor or investor for moneys received which shall also be entered in full on books of the company statement of liabilities to be set out in full in all reports to Commissioner of Banking or other supervisory authorities statement

of all moneys borrowed to be placed in full as liabilities on books of the company violation of provisions of this act a misdemeanor and penalty therefor" absolutely

The act approved the twenty-second day of April one thousand nine hundred nine (Pamphlet Laws one hundred twenty-one) entitled "An act restricting the use of the word 'trust' as part of a corporate name forbidding advertising or doing business at a trust company except by corporations under the supervision of the banking department and providing a penalty for violations thereof" absolutely

The act approved the third day of May one thousand nine hundred nine (Pamphlet Laws three hundred eighty-six) (Number two hundred fifteen) entitled "An act to provide that notice wherever required by law in connection with the formation amendment increase or reduction of capital stock conduct of business merger transfer of franchises or dissolution of corporations joint-stock companies limited partnerships or partnership association shall be published in the legal journal of the proper county in which court notices usually appear" in so far as it relates to institutions

The act approved the third day of May one thousand nine hundred nine (Pamphlet Laws four hundred eight) entitled "An act authorizing the merger and consolidation of certain corporations" in so far as it relates to incorporated institutions

The act approved the third day of May one thousand nine hundred nine (Pamphlet Laws four hundred twelve) entitled "An act to amend section five of an act entitled 'An act for the incorporation and regulation of banks of discount and deposit' approved the thirteenth day of May Anno Domini one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and sixty-one) changing the minimum capitalization required in certain cases" absolutely

The act approved the eleventh day of May one thousand nine hundred nine (Pamphlet Laws five hundred fifteen) entitled "An act amending and supplementing section two of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-nine one thousand eight hundred and seventy-four by striking out clause twenty of corporations of the second class and providing that corporations of the second class shall include corporations for any lawful purpose not specifically designated by law as the purpose for which a corporation may be formed and providing that certain companies heretofore incorporated may become incorported hereunder" in so far as if relates to incoporated institutions

The act approved the third day of June one thousand nine hundred eleven (Pamphlet Laws six hundred fifty-two) entitled "An act requiring each and every director of a bank of discount banking company co-operative banking association trust company safe deposit company real estate company mortgage company title insurance company guarantee company surety and indemnity company and savings bank which has been or may hereafter be incorporated under the laws of this Commonwealth with the right to receive moneys on deposit to take an oath of office and prescribing the form thereof said oath to be filed with the Commissioner of Banking" in so far as it relates to incorporated institutions

The act approved the nineteenth day of June one thousand nine hundred eleven (Pamphlet Laws one thousand sixty) entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" absolutely

The act approved the twenty-third day of May one thousand nine hundred thirteen (Pamphlet Laws three hundred thirty-four) (Number two hundred twenty) entitled "An act enabling the Board consisting of the State Treasurer Secretary of the Commonwealth and Commissioner of Banking to authorize on behalf of the Commonwealth the satisfaction of record of any mortgage judgment or lien which has been or may hereafter be accepted by the said Board under the provisions of the act of June nineteenth one thousand nine hundred and eleven entitled 'An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof' absolutely

The act approved the twenty-third day of May one thousand nine hundred thirteen (Pamphlet Laws three hundred thirty-six) (Number two hundred twenty-two) entitled "An act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid" in so far as it relates to incorporated institutions

The act approved the twenty-third day of May one thousand nine hundred thirteen (Pamphlet Laws three hundred thirty-eight) entitled "An act to amend an act approved the tenth day of June one thousand eight hundred and ninety-seven entitled 'An act authorizing banks chartered under the laws of Pennsylvania to pay interest upon demand deposits' by authorizing interest on time deposits" absolutely

The act approved the twenty-third day of May one thousand nine hundred thirteen (Pamphlet Laws three hundred fifty-four) entitled "An act to amend section one of an act entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania entitled "An act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five eleventh day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three and seventh day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment and regulation of trust companies' approved the eighth day of May Anno Domini one thousand nine hundred and seven by enlarging and extending the preference given to depositors so as to include deposits payable only after specified notice or at the expiration of a fixed period and defining and including as depositors bona-fide holders for value of certified checks on or of certificates of deposit issued by trust company or of checks or drafts given in exchange for or in payment of checks or drafts of depositors of a trust company drawn thereon" absolutely

The act approved the twenty-fourth day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-two) entitled "An act to amend the first section of an act entitled 'An act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages on real estate and to invest their funds in bonds mortgages notes and other interest bearing securities and obligations' approved the tenth day of July Anno Domini one thousand nine hundred and one (Pamphlet Laws six hundred and thirty-nine) by defining more definitely the amount of money banks may loan on the security of and the amount said banks may invest in bonds and mortgages on real estate" absolutely

The act approved the twenty-second day of April one thousand nine hundred fifteen (Pamphlet Laws one hundred seventy) entitled "An act to amend section four of an act entitled 'An act to regulate the doing of business in this Commonwealth by foreign corporations the registration thereof and service of process thereon and providing punishment and penalties for the violation of its provisions and repealing previous legislation on the subject' approved the eighth day of June one thousand nine hundred and eleven" in so far as it relates to the business of banking and to the business of acting as fiduciary

The act approved the twenty-ninth day of April one thousand nine hundred fifteen (Pamphlet Laws two hundred five) entitled "An act to amend the third section of an act entitled 'An act authorizing the merger and consolidation of certain corporations' approved the third day of May Anno Domini one thousand nine hundred and nine" in so far as it relates to incorporated institutions

The act approved the sixth day of May one thousand nine hundred fifteen (Pamphlet Laws two hundred seventy-one) (Number one hundred sixty-six) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate hereofore bought un-

der execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-second day of May Anno Domini one thousand eight hundred and seventy-eight in so far as it relates to banking companies amending and extending the same and giving said banking companies the right to bring suit and maintain an action either at law or in equity and to maintain any action already brought for the recovery of possession of property so bought the same as an individual could do" in so far as it relates to incorporated institutions

The act approved the fourteenth day of May one thousand nine hundred fifteen (Pamphlet Laws four hundred seventy-six) entitled "A supplement to an act entitled 'An act to encourage and authorize the formation of co-operative banking associations where the profits derived from the business after paying all legitimate expenses shall accrue to the depositors and borrowers of the association in proportion to their deposits or loans' approved the eighteenth day of May one thousand eight hundred ninety-three and providing for the conversion of co-operative banking associations into banks of discount and deposit under certain regulations" absolutely

The act approved the second day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred twenty-four) (Number three hundred thirty-three) entitled "An act to amend section twenty-three of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled 'A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations' approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all the reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corporation before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth" in so far as it relates to incorporated institutions

The act approved the seventeenth day of May one thousand nine hundred seventeen (Pamphlet Laws two hundred twenty-eight) entitled "An act to authorize the payment by corporation to their directors of compensation for services rendered by them" in so far as it relates to incorporated institutions

The act approved the seventh day of June one thousand nine hundred seventeen (Pamphlet Laws six hundred nine) (Number two hundred five) entitled "An act empowering banks and trust companies to accept drafts and issue letters of credit" absolutely

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred ninety-eight) (Number two hundred fifty-eight) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to continue the salaries of employes enlisting or enrolling in any branch of the military or naval service of the United States or other protective organization" in so far as it relates to incorporated institutions

The act approved the eleventh day of July one thousand nine hundred seventeen (Pamphlet Laws seven hundred ninety-one) entitled "An act to amend sections two and three of the act entitled 'An act to provide for the creation and maintenance of a reserve fund in all banks banking companies savings banks savings institutions companies authorized to execute trusts of any description and to receive deposits of money whcih are now or which may hereafter be incorporated under the laws of this Commonwealth and in all trust companies or other companies receiving deposits of money which may have been heretofore or which may hereafter be incorporated under section twenty-nine of the act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An act for the creation and regulation of corporations" and the supplements thereto' approved the eighth day of May Anno Domini one thousand nine hundred and seven by providing that such reserve fund may consist in part of gold or silver certificates notes or bills issued by a Federal Reserve Bank and authorizing a portion of such reserve fund to be deposited in any bank or trust company located in any State other than Pennsylvania which shall have been approved by the Commissioner of Banking of this Commonwealth" absolutely

The act approved the seventeenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand twenty-one) entitled "An act authorizing any bank or trust company incorporated under the laws of this Commonwealth to become a member of a Federal reserve bank and in such event to be subject to all the provisions of the act of Congress known as the Federal Reserve Act allowing any such bank or trust company to comply with the reserve requirements of such act in lieu of those established by the laws of this Commonwealth and permitting the Commissioner of Banking to accept the examinations and audits made pursuant to such act in lieu of those required by the laws of this Commonwealth" absolutely

The act approved the nineteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand one hundred one) entitled "An act to amend section twelve of an act approved the thirteenth day of May one thousand eight hundred seventy-six 'An act for the incorporation and regulation of banks of discount and deposit' " absolutely

The act approved the eighteenth day of April one thousand nine hundred nineteen (Pamphlet Laws sixty-seven) entitled "An act to give to women married and single the same right as men to be corporators and in furtherance of their interests as stockholders to serve as directors and officers of corporations for profit" in so far as it relates to incorporated institutions

The act approved the twelfth day of July one thousand nine hundred nineteen (Pamphlet Laws nine hundred fourteen) entitled "An act authorizing stock corporations other than building and loan associations and corporations authorized by law to transact a banking or insurance business to make provision upon formation reorganization merger or consolidation for the issue of either or both preferred or common shares without nominal or par value regulating the same and such corporations and prescribing the method of determining the number of shares and capital of corporations issuing shares in such manner" in so far as it pertains to incorporated institutions

The act approved the seventeenth day of July one thousand nine hundred nineteen (Pamphlet Laws one thousand thirty-two) entitled "An act authorizing banking companies incorporated and organized under the laws of the Commonwealth and having capital stock at least equal to the capital stock which trust companies are required by law to have to act in any fiduciary capacity in which trust companies organized under the laws of the Commonwealth are empowered to act and prescribing the method of acquiring such rights" absolutely

The act approved the thirtieth day of March one thousand nine hundred twenty-one (Pamphlet Laws fifty-four) (Number twenty-eight) entitled "An act permitting corporations to change the date of their annual meeting as fixed by its charter" in so far as it relates to incorporated institutions

The act approved the twentieth day of May one thousand nine hundred twenty-one (Pamphlet Laws nine hundred ninety-one) entitled "An act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" absolutely

The act approved the twenty-fourth day of May one thousand nine hundred twenty-one (Pamphlet Laws one thousand seventy-one) entitled "An act requiring banks banking corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void" in so far as it relates to incorporated institutions

The act approved the twenty-fifth day of May one thousand nine hundred twenty-one (Pamphlet Laws one thousand one hundred fifty-nine) entitled "An act authorizing certain corporations to issue preferred or common stock of one or more classes providing for the manner of issuance restrictions and regulations in the manner of voting thereof and the rights and privileges of the holders thereof validat-

ing certain acts of corporations not participated in by the holders of non-voting stock and repealing all acts and parts of acts inconsistent therewith" in so far as it relates to incorporated institutions

The act approved the ninth day of March one thousand nine hundred twenty-three (Pamphlet Laws nine) entitled "An act relating to the incorporation of banks and trust companies" absolutely

The act approved the fifteenth day of March one thousand nine hundred twenty-three (Pamphlet Laws ten) entitled "An act relating to the recording of certificates of incorporation of domestic corporations providing for the recording of certified copies thereof in certain cases validating the recording of such certified copies heretofore recorded and making the record of such certified copies competent evidence for all purposes" in so far as it relates to incorporated institutions

The act approved the ninth day of May one thousand nine hundred twenty-three (Pamphlet Laws one hundred seventy-three) entitled "An act extending and enlarging the powers and rights of trust companies and banks organized and incorporated under the laws of the Commonwealth of Pennsylvania" absolutely

The act approved the ninth day of May one thousand nine hundred twenty-three (Pamphlet Laws one hundred seventy-four) entitled "An act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers on the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity" absolutely

The act approved the sixteenth day of May one thousand nine hundred twenty-three (Pamphlet Laws two hundred forty-eight) entitled "An act limiting the power of State banks banking companies trust companies savings banks and unincorporated banks to become surety on bonds" absolutely

The act approved the nineteenth day of May one thousand nine hundred twenty-three (Pamphlet Laws two hundred seventy-four) entitled "An act to amend section two of an act approved the twenty-second day of April one thousand nine hundred and nine (Pamphet Laws one hundred twenty-one) entitled 'An act restricting the use of the word "trust" as part of a corporate name forbidding advertising or doing business as a trust company except by corporations under the supervision of the Banking Department and providing a penalty for violations thereof" absolutely

The act approved the twenty-first day of May one thousand nine hundred twenty-three (Pamphlet Laws two hundred eighty-eight) (Number one hundred eighty-four) entitled "An act to better secure all bonds stocks mortgages or other securities deposited with the State Treasurer by providing for their inspection examination and verification and the verification of the books containing a record of such bonds stocks mortgages or other secruities by the Auditor General or his agents" in so far as it relates to institutions

The act approved the twenty-first day of May one thousand nine hundred twenty-three (Pamphlet Laws two hundred eighty-eight) (Number one hundred eighty-five) entitled "An act authorizing certain corporations to authorize create and issue capital stock of any class or kind without nominal or par value and to change or convert their authorized or outstanding capital stock of any class or kind into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof" in so far as it relates to incorporated institutions

The act approved the twenty-fourth day of May one thousand nine hundred twenty-three (Pamphlet Laws three hundred fifty-six) entitled "An act to amend an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled 'An act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" by exempting certain corporations from the provisions thereof" absolutely

The act approved the twelfth day of July one thousand nine hundred twenty-three (Pamphlet Laws one thousand and eighty-three) entitled "An act authorizing corporations to issue stock at a price in excess of the par value thereof" in so far as it relates to incorporated institutions

The act approved the first day of April one thousand nine hundred twenty-five (Pamphlet Laws one hundred two) entitled "An act to amend section one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and seventy-one) entitled 'An act requiring banks banking corporations copartnership or associations co-operative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void' by extending its provisions to all corporations copartnerships and associations" in so far as it relates to incorporated institutions

The act approved the sixth day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred fifty-two) entitled "An act to further amend clause five of section twenty-nine of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations'" absolutely

The act approved the seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred eighty-three) entitled "An act providing that certificates of association and articles of incorporation or of any improvements amendments or alterations thereto may be acknowledged and sworn or affirmed to before a notary public or justice of the peace validating such acknowledgements made prior to the approval of this act" in so far as it relates to incorporated institutions

The act approved the thirtieth day of April one thousand nine hundred and twenty-five (Pamphlet Laws four hundred three) entitled "An act relating to the dissolution of corporations and imposing certain duties on the Secretary of the Commonwealth and the prothonotaries" in so far as it relates to incorporated institutions

The act approved the second day of May one thousand nine hundred twenty-five (Pamphlet Laws five hundred two) entitled "An act to amend section eight of an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws ten hundred and sixty) entitled 'An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof' and providing certain exceptions to which the provisions of the act shall not apply" absolutely

The act approved the twelfth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred fifteen) entitled "An act pertaining to corporations organized or doing business within the Commonwealth limiting the operation of their by-laws and providing for the execution of contracts notes mortgages et cetera by such corporations" in so far as it relates to incorporated institutions

The act approved the thirteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred seventy-nine) (Number three hundred sixty-eight) entitled "An act authorizing corporations to issue stock to their employes and to employes of their subsidiaries at par value or at a price in excess of par value" in so far as it relates to incorporated institutions

The act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws thirty) entitled "An act to regulate the number of directors of banks banking corporations and trust companies chartered under general or special laws of this Commonwealth" absolutely

The act approved the seventeenth day of March one thousand nine hundred twenty-seven (Pamphlet Laws thirty-nine) entitled "An act to amend section eight of the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand sixty) entitled 'An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof' as amended by the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws five hundred two) entitled 'An act to amend section eight of an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws ten hundred sixty) entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" and providing certain exceptions to which the provisions of the act shall not apply' exempting express steamship and telegraph companies from the provisions of said act" absolutely

The act approved the twenty-ninth day of March one thousand nine hundred twenty-seven (Pamphlet Laws seventy) entitled "An act to amend section one of the act approved the twenty-fifth day of April one thousand eight hundred and seventy-six (Pamphlet Laws forty-seven) entitled 'An act supplementary to the act entitled "An act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini eighteen hundred and seventy-four extending its provisions to all who may have the right to vote at elections for directors managers or trustees' regulating the manner of voting in first class corporations" in so far as it relates to incorporated institutions

The act approved the fifth day of April one thousand nine hundred twenty-seven (Pamphlet Laws one hundred six) (Number seventy-three) entitled "An act to amend section one of an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand sixty) entitled 'An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penlaties for the violation thereof' providing for the distribution of the assets of private bankers in case of insolvency" absolutely

The act appjroved the fifth day of April one thousand nine hundred twenty-seven (Pamphlet Laws one hundred nine) entitled "An act to amend section four of the act approved the thirteenth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred sixty-one) entitled 'An act for the incorporation and regulation of banks of discount and deposit' shortening the period of the advertisement of the notice of applications and renewals for charters and for the increase of capital" absolutely

The act approved the twentieth day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred seventeen) (Number one hundred eighty-nine) entitled "An act to regulate the aggregate amount of deposits which may be received by savings banks from persons or corporations and the repayment of the same" absolutely

The act approved the twenty-second day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred fifty-three) (Number two hundred eighteen) entitled "An act to amend subdivision three of section three of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' by regulating the weekly advertisements for corporate charters" in so far as it relates to incorporated institutions

The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (Pamphlet Laws four hundred) entitled "An act providing that no bank banking company banking institution savings bank trust company title insurance company or other corporation authorized to receive deposits or carry on a banking or trust business and no individual partnership or unincorporated association carrying on a banking business shall establish maintain or operate a branch bank branch office agency sub-office sub-agency or branch place of business within the Commonwealth for the transaction of any part of its his or their business authorizing the continuance of certain branches sub-offices and sub-agencies with the right to relocate the same subject to the approval of the Secretary of Banking authorizing certain of said corporations individuals partnerships and unincorporated associations to hereafter establish with the consent of the Secretary of Banking and thereafter maintain and operate branch banks branch offices agencies sub-offices sub-agencies and branch places of business in certain cities boroughs and townships and repealing inconsistent laws" except in so far as it relates to private banks not subject to the provisions of this act

The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (Pamphlet Laws four hundred four) (Number two hundred sixty) entitled "An act prohibiting corporations from pleading usury as a defense" in so far as it relates to incorporated institutions

The act approved the fifth day of May one thousand nine hundred twenty-seven (Pamphlet Laws seven hundred seventy-seven) entitled "An act to amend clause five of section twenty-nine of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' as amended" absolutely

The act approved the sixth day of May one thousand nine hundred twenty-seven (Pamphlet Laws eight hundred twenty-eight) (Number four hundred seventeen) entitled "An act to further amend the second paragraph of the fifth section of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' in so far as it relates to incorporated institutions

The act approved the fourth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred forty-two) (Number one hundred forty-six) entitled "An act providing for the approval of the names and changes of names of title insurance companies trust companies and title insurance and trust companies by the Secretary of Banking" in so far as it relates to incorporated institutions

The act approved the fourth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred forty-three) entitled "An act to amend section one of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred fifty-two) entitled 'An act requiring each and every director of a bank of discount banking company co-operative banking association trust company safe deposit company real estate company mortgage company title insurance company guarantee company surety and indemnity company and savings bank which has been or may hereafter be incorporated under the laws of this Commonwealth with the right to receive moneys on deposit to take an oath of office and prescribing the form thereof said oath to be filed with the Commissioner of Banking' and providing for the disqualification of the directors who do not own sufficient capital stock or dispose hypothecate or pledge the same during their term" absolutely

The act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (Pamphlet Laws seventy-four) entitled "An act amending section one of an act entitled 'An act amending section one of an act entitled 'An act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation' approved the second day of July Anno Domini one thousand nine hundred and one (Pamphlet Laws six hundred and three) so as to include corporations either public or private of this or any other State or of the United States of America or of any territory or dependency thereof or of any foreign country or any subdivision or agency thereof and to validate all purchases sales assignments transfers mortgages pledges or other disposition thereof at any time heretofore made" in so far as it relates to incorporated institutions

The act approved the fourth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred forty-one) entitled "An act for the preservation of records by State banks trust companies savings banks banks and trust companies and private bankers" absolutely

The act approved the tenth day of April one thousand nine hundred twenty-nine (Pamphlet Laws four hundred eighty) entitled "An act to amend section one of the act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred fifty-eight) entitled 'An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth' by authorizing the counter-signatures of assistant treasurers thereon by permitting the signatures counter-signatures and seals thereon in facsimile printed or engraved and validating certificates of stock heretofore so executed and issued" in so far as it relates to incorporated institutions

The act approved the eleventh day of April one thousand nine hundred twenty-nine (Pamphlet Laws five hundred twelve) entitled "An act to further amend clause five of section twenty-nine of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' by providing the manner in which trust companies may use trust fund awaiting investment or distribution" absolutely

The act approved the sixteenth day of April one thousand nine hundred twenty-nine (Pamphlet Laws five hundred twenty-two) entitled "An act providing for and regulating

the merger and consolidation of National banking associations with State banks trust companies or banks and trust companies" absolutely

The act approved the eighteenth day of April one thousand nine hundred twenty-nine (Pamphlet Laws five hundred forty-four) entitled "An act to amend the act approved the second day of July one thousand nine hundred and one (Pamphlet Laws six hundred three) entitled 'An act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation' by extending the provisions thereof so as to apply to all corporations and validating past transactions of such character" in so far as it relates to incorporated institutions

The act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (Pamphlet Laws seven hundred sixty-three) entitled "An act providing for and regulating the conversion of National banking associations into State banks or trust companies" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws eight hundred twelve) entitled "An act to amend section one of the act approved the fourteenth day of June one thousand nine hundred and one (Pamphlet Laws five hundred sixty-one) entitled 'An act to limit the amount of loans to officers and directors of banks trust companies and savings institutions with capital stock heretofore or hereafter incorporated in this Commonwealth and prohibiting loans upon the security of the capital stock of such corporations' limiting the amount of loans to officers and directors of banks trust companies and savings institutions and to firms and houses in which such officers and directors are interested" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws eight hundred thirteen) entitled "An act to further amend section one of an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and sixty) entitled 'An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof' as amended by providing that all moneys or securities deposited with the Secretary of Banking shall pending their approval be turned into the State Treasury" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws eight hundred twenty) (Number three hundred fifty-one) entitled "An act authorizing State banks to guarantee the payment of principal and interest of bonds secured by mortgage on real estate" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws eight hundred twenty-seven) entitled "An act permitting savings banks savings institutions and provident institutions to invest moneys deposited with them in the bonds of certain railroad companies" absoluetly

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws eight hundred thirty-nine) (Number three hundred sixty-five) entitled "An act authorizing merged or consolidated corporations possessing fiduciary powers and composed of trust companies or banking companies or both to act in any fiduciary capacity under instruments naming or appointing one of their constituent companies to such fiduciary capacity" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws eight hundred thirty-nine) (Number three hundred sixty-six) entitled "An act to validate grants of letters testamentary to and acts in fiduciary capacities performed by merged or consolidated corporations possessing fiduciary powers composed of trust companies or banking companies or both under instruments naming or appointing one of their constituent companies to such fiduciary capacity" absolutely

The act approved the thirtieth day of April one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred three) entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting" in so far as it relates to incorporated institutions

The act approved the eighth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand six hundred forty-seven) (Number five hundred twelve) entitled "An act to amend the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws fou rhundred four) entitled 'An act prohibting corporations from pleading usury as a defense'" in so far as it relates to incorporated institutions

The act approved the seventeenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand eight hundred two) entitled "An act providing that when all or a majority of the outstanding shares of the capital stock of any corporation now or hereafter created under the laws of this Commonwealth are owned by a corporation created under the laws of any other State the owner or owners of not less than one-fifth of the total number of the outstanding shares of the capital stock of such foreign corporation shall have the right to investigate and inquire into the affairs management and operations of such domestic corporation and to institute maintain and prosecute actions or proceedings against or in behalf of such domestic corporation for any purpose to the same extent in the same manner with the same force and effect and with the same rights and remedies as if he or they were the owner or owners of shares of the capital stock of such domestic corporation and prescribing the conditions upon which a bond may be required in any such action or proceeding" in so far as it relates to incorporated institutions

The act approved the twentieth day of March one thousand nine hundred thirty-one (Pamphlet Laws four) entitled "An act to amend section one of the act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred fifty-eight) entitled 'An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth' as amended by permitting the signatures countersignatures and seals thereon in facsimile printed or engraved when the certificate is signed by a transfer agent or assistant transfer agent and registrar and permitting the use of certificates bearing the signature or countersignature or facsimile signature or countersignature of any officer who has ceased to be such when the certificate is issued" in so far as it relates to incorporated institutions

The act approved the twenty-sixth day of March one thousand nine hundred thirty-one (Pamphlet Laws ten) (Number eight) entitled "An act to amend subdivision three of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' as amended by regulating the advertising of application of charters for corporations of the first class" in so far as it relates to incorporated institutions

The act approved the twenty-fifth day of May one thousand nine hundred thirty-one (Pamphlet Laws one hundred eighty-nine) entitled "An act to further amend section twelve of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' by providing that corporations organized either for the supply storage or transportation of water and water power or for the supply of light heat and power by means of electricity and corporations formed by the merger or consolidation of such corporations may subscribe for take purchase hold and dispose of the bonds and stock of any company of the same character or may guarantee the payment of principal and interest of such bonds or either principal or interest or may lease and operate corporate property" is so far as it relates to incorporated institutions

The act approved the twelfth day of June one thousand nine hundred thirty-one (Pamphlet Laws five hundred sixty-one) entitled "An act to amend section twenty-three of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) as amended by an act entitled 'An act to amend section twenty-three of an act entitled "An act to provide for the incorporation and regultaions of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations'

providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations" approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all the reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corporation before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth' approved June second one thousand nine hundred and fifteen (Pamphlet Laws seven hundred twenty-four) providing that in the case of the sale assignment disposition or conveyance by certain building and loan associations of their franchises and property to certain other building and loan associations in lieu of the advertisement required by section nineteen of the act first mentioned notice of the time place and object of the meeting of stockholders therein mentioned shall be published once a week for two weeks prior to such meeting in at least one newspaper published in the county city or borough wherein the place of business of the building and loan association so selling assigning disposing or conveying is situate" in so far as it relates to incorporated institutions

The act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws six hundred) entitled "An act permitting savings banks savings institutions and provident institutions to invest monies deposited with them in obligations of certain public utility companies" absolutely

....
....
....

Section 1603 General Repeal of Acts All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 484, entitled:

An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this Commonwealth; prescribing the license and filing fees to be paid therefor, and the disposition thereof; and prescribing penalties.

And said bill having been read at length the third itme,

On the question,

Will the Senate agree to the bill?

Mr. PARKINSON. Mr. President, I ask unanimous consent to amend section 5, page 5 by inserting between lines 11 and 12, on said page, the following: "The excise license tax hereby imposed shall not apply to gasoline filling stations."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 519, entitled:

A Supplement to the act, approved the tenth day of July, one thousand nine hundred nineteen (Pamphlet Laws eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties," its amendments and supplements; authorizing, in certain cases, the payment of grants accrued and unpaid at the date of death of a mother.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 522 (House Bill No. 756), entitled:

An Act to amend part of section two of the Appropriation Acts of one thousand nine hundred and thirty-one (Act Number fifteen-A page sixteen) entitled "An act to provide for

the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one" amending the appropriation relating to the Coaldale State Hospital.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. PARKINSON. Mr. President, I move that Senate Bill No. 631, on third reading, entitled

An Act to regulate the mixture of manufactured gas with natural gas permitting the mixture to be distributed by natural gas companies, providing for the number of British Thermal Units in said mixture and requiring the consent of the municipality wherein said gas is to be distributed together with notice to the consumers.

be recommitted to the Committee on Judiciary General.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 644, entitled:

An Act making an appropriation to the Department of Forests and Waters for the maintenance and improvement of Fort Washington Park.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 775, entitled:

An Act to amend article eleven of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 762), entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Com- relating thereto," as amended, by extending the time of ing the directors to make temporary loans payable out of temporary loans to meet unusual expenditures; and authoriz- and revising, amending, consolidating, and changing the law monwealth, except in counties of the first and second class; current revenue, when the district is out of funds.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 796, entitled:

An Act defining and regulating the practice of photography; providing for the licensing and registration of persons to carry on the practice of photography, and the promulgation and enforcement of rules for the conduct thereof by the Department of Public Instruction.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. PARKINSON. Mr. President, I ask unanimous consent to amend section 4, page 3, line 2, by striking out the words "kodak or amateur" and insert in lieu thereof "photo"; also section 7, page 5, line 23, by striking out the words "kodak or amateur"and insert in lieu thereof "photo"; also section 11, page 9, line 1, by inserting after the word "of" the following: "the United States, the Commonwealth of Pennsylvania, any county, city, borough, town, township, school district or poor district or"; also line 2, by striking out the word "State"; also by inserting after the word "college" the following: "university"; also line 3, by inserting after the word "for" the following: "public use or for"; also page 9, line 4, by inserting after the word "colelge" the following: "university"; also ing after the word "college" the following: "Nor to any person, firm or corporation actually engaged in inter-state commerce, in a bona fide mannner and not for the purpose of evading the provisions of this act."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED

Mr. BOYD. Mr. President, I move that Senate Bill No. 815 (House Bill No. 962), on third reading, entitled:

An act relating to judicial sales of real estate the credits to be given upon obligations on account of certain sales giving the right of subrogation to mortgagors in the event of certain sales and providing the procedure in such cases

be recommitted to the Committee on Judiciary General.

Mr. McCLURE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 817 (House Bill No. 1185), entitled:

An Act creating borough and township poor districts in the County of Wyoming to be administered by overseers of the poor and abolishing the county poor district

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 875, entitled:

An Act to require county commissioners, poor boards, public officers, voluntary relief organizations, trustees, and others having jurisdiction of funds available for poor or unemployment relief, or to tax or borrow for such purposes, to furnish information and exhibit their records to the State Emergency Relief Board; and providing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Einstein,	Mansfield,	Scott,
Aron,	Fay,	McClure,	Shapiro,
Baumer,	Frazier,	Miller,	Snyder,
Bell,	Gelder,	Norton,	Sones,
Bennett,	Graff,	Owlett,	Sordoni,
Boyd,	Harris,	Pethick,	Staudenmeier,
Brandt,	Harvey,	Pierson,	Thompson,
Buckman,	Homsher,	Prince,	Trainer,
Chapman,	Howell,	Quigley,	Williamson,
Clark,	Hunsicker,	Rice,	Woodward,
Coyne,	Krause,	Roberts,	Ziesenheim,
Ealy,	Lanius,	Salus,	

NAYS—3

Batchelor,	Parkinson,	Reed,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 880, entitled:

An Act authorizing repayment to the Federal Unemployment Relief Fund and the State Emergency Relief Board of relief funds paid in to the Motor License Fund in certain cases, and appropriating moneys in the Motor License Fund for that purpose.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,

Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 909 (House Bill No. 1337), entitled:

An Act to amend section one of the act approved the eleventh day of July one thousand nine hundred and seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treament of the drug habit by providing for the revocation and suspension of licenses physicians dentists veterinarians pharmacists druggists and registered nurses for certain cases and by providing for the enforcement of this act and penalties as amended by extending the provisions of said act to include marihuana

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Geider,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 913 (House Bill No. 1758), entitled:

An Act to repeal the act approved the eighth day of July one thousand nine hundred nineteen (Pamphlet Laws seven hundred seventy) entitled "An act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions and providing penalties."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Geider,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 998 (House Bill No. 846), entitled:

An Act to appropriate money in the Motor License Fund to the Department of Highways for the purpose of paying commissary supplies heretofore furnished said Department.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Geider,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 999 (House Bill No. 903), entitled:

An Act to amend section four hundred and twenty-three of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by requiring application for payment of allowance for burial of widows of certain soldiers, sailors or marines to be made within one year.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Snyder,
Bell,	Graff,	Owlett,	Sones,
Bennett,	Harris,	Parkinson,	Sordoni,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Senate Bill No. 1000 (House Bill No. 979), on third reading, entitled:

An Act to amend section five of the act approved the twenty-ninth day of June, one thousand nine hundred and twenty-three (P. L. 944), entitled "An act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks, in counties of the sixth class"; providing that county officers shall be members of the salary board when matters affecting their offices are under consideration.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HARRIS. Mr. President, I move that Senate Bill No. 1007 (House Bill No. 1040), on third reading, entitled:

An Act to amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by exempting certain non-interest or non-dividend paying loans and stocks from payment of tax.

be recommitted to the Committee on Finance.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1009 (House Bill No. 1124), entitled:

An Act to amend section two hundred and ninety-five of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by limiting the compensation of thee clerk to the jury commissioners in counties of the sixth class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON FINAL PASSAGE POSTPONED

Mr. BUCKMAN. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 805 (House Bill No. 92), bill on final passage postponed, entitled:

An Act permitting fishing on Sunday with one rod and two hooks in bounday streams and fixing penalties.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President and gentlemen of the Senate, this bill, House Bill No. 92, as it came from the House permitted fishing all over the Commonwealth on Sundays. Personally I would not vote for such a bill; I do not think many of the members of this Senate would; but the Committee on Game and Fisheries have made a good bill out of a bad bill, and we have amended this bill so that its own sponsor, probably, would hardly recognize it. Instead of permitting fishing all over the State on Sundays, it now permits fishing, with one rod and two hooks, in the boundary streams of the Commonwealth,—which, boiled down, means it allows fishing in the Delaware River on Sunday, by hook and line.

I am sure you will all agree with me that as long as the State of New Jersey has this privilege of fishing in the Delaware River on Sunday, and fishermen from that State are ready to row up and down the river, and sit in the sun and watch a cork, and catch no fish, there is no reason why the residents of Pennsylvania should not be permitted to have the same privilege. It will not hurt the fish; it will not hurt the river; it will not hurt the fishermen; it will not hurt the Commonwealth; it will not hurt even the church people.

There is nothing very strenuous about fishing; what our people, who reside along or near the Delaware River, want is the privilege of going out in the open air and sitting in a boat and getting some fresh air and sunshine; and I ask the Senate to go along with me and vote for this bill as amended, and permit Sunday fishing in the Delaware River.

We help stock the Delaware River, either directly or indirectly; if we put fish in any tributary stream of the Delaware River, they naturally find their way to that body, and the New Jersey fishermen are permitted to catch them on Sunday, but the Pennsylvania fishermen are not. I earnestly and seriously ask that the members of this body support this bill, for the benefit of the people who live on or near the Delaware River.

Mr. NORTON. Mr. President, I desire to interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman, permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, I shall be delighted.

Mr. NORTON. Mr. President, I understand the Senator from Bucks, Mr. Buckman, to say this is meant for fisherman in the Delaware River?

Mr. BUCKMAN. Mr. President, that is as I understand it.

Mr. NORTON. Mr. President, is not that class legislation?

Mr. BUCKMAN. Mr. President, I do not think so,—not the way the bill is worded. If you can find any other boundary streams of Pennsylvania, you will be able to fish in them; or if you cannot find any, if you create some you will be allowed to fish in them. There is no class legislation in that.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Harris,	Owlett,	Snyder,
Batchelor,	Harvey,	Pierson,	Sordoni,
Boyd,	Howell,	Quigley,	Staudenmeier,
Buckman,	Hunsicker,	Rice,	Trainer,
Coyne,	Krause,	Roberts,	Woodward,
Einstein,	McClure,	Salus,	Ziesenheim,

NAYS—22

Baumer,	Ealy,	Mansfield,	Reed,
Bell,	Fay,	Norton,	Scott,
Bennett,	Gelder,	Parkinson,	Sones,
Brandt,	Graff,	Pethick,	Thompson,
Chapman,	Homsher,	Prince,	Williamson,
Clark,	Lanius,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1012 (House Bill No. 1383), entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, and revising, amending and consolidating the laws relating thereto"; by providing for depositories of county funds in counties of the third class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL POSTPONED

Mr. EINSTEIN. Mr. President, I move that further consideration of Senate Bill No. 1013 (House Bill No. 1511), entitled:

An Act to amend section four hundred and twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by defining the term "service man or woman"

be postponed for the present.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. REED. Mr. President, I move that Senate Bill No. 1015 (House Bill No. 1715), on third reading, entitled:

An Act authorizing the Department of Agriculture to establish and promulgate standards of quality, condition and fill of containers of canned food, and standards of containers or receptacles therefor, and for the marking, branding and labeling thereof; and providing penalties.

be recommitted to the Committee on Public Health and Sanitation.

Mr. BENNETT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1016 (House Bill No. 1808), entitled:

An Act to amend section one thousand eight hundred and six of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the adminstrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain ad-

ministrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," defining the powers of persons appointed to police State parks.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1020 (House Bill No. 1891), entitled:

An Act making an appropriation to the Department of Property and Supplies to erect steps from the Soldiers and Sailors Memorial Bridge to Baum and Linden streets.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. McCLURE. Mr. President, I ask unanimous consent that Senate Bill No. 1030, on third reading, entitled:

An Act to amend sections three and six as amended of and to add section three and one-tenth to the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" transferring the appropriation for the State Highway Patrol from the Department of Revenue to the Pennsylvania State Police and making the same a definite amount for each biennium.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1065 (House Bill No. 1138), entitled:

An Act making an appropriation for the purchase of a history of the One Hundred and Ninth Field Artillery of the Pennsylvania National Guard, and providing for the distribution thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1212 (House Bill No. 500), entitled:

An Act to amend the act, approved the twenty-fifth day of February, one thousand eight hundred and seventy-five (P. L. 4), entitled "A supplement to the act, approved March thirty-first, one thousand eight hundred and sixty, entitled 'An act to consolidate, revise and amend the penal laws of this Commonwealth,' further defining the offence of kidnapping, and affixing additional penalties thereto," by increasing the penalty for kidnapping of children under the age of sixteen years with intent to extort money for restoration.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1230 (House Bill No. 10), entitled:

An Act to repeal the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 278), entitled "An act creating a 'Greater Pennsylvania Council' for the promotion of the economic, social, industrial, agricultural, educational, civic and recreational welfare of the Commonwealth of Pennsylvania and its citizens, prescribing the organization, powers and duties of said council and making an appropriation."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. GELDER. Mr. President, I move that Senate Bill No. 1235 (House Bill No. 1033), on third reading, entitled:

An Act to amend section seven hundred twenty-two, of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts, and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them,

be recommitted to the Committee on Public Roads and Highways.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1249 (House Bill No. 1779), entitled:

An Act to amend section one of the act, approved the eighth day of June, one thousand nine hundred twenty-three (Pamphlet Laws, six hundred eighty-five), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth," by increasing certain fees to be collected by the Secretary of the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1254 (House Bill No. 314), enttiled:

An Act to amend section seven hundred five of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine), entitled "An act concerning game and other wild

birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended permitting "cooperation only in the manner known as driving in" the killing or more than one legal deer bear or elk in one season by a member at a camp or body of men hunting together so long as the number of deer killed by such camp does not exceed six.

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. QUIGLEY. Mr. President, I ask unanimous consent to amend title page 1, line 4, by inserting a parenthesis after the word "fifty-nine"; also line 7, by striking out the quotation marks before the word "cooperation"; also line 8 by striking out the quotation marks after the word "in"; also section 1, page 2, line 17, by striking out the quotation marks before the word "such"; also line 18, by striking out the quotation marks after the word "driving."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1255 (House Bill No. 1205), entitled:

An Act exempting household furniture and household goods leased, hired or conditionally sold from levy and sale on execution or distress for rent under certain conditions.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SALUS. Mr. President and gentlemen of the Senate, this is House Bill No. 1255, Senate Bill No. 1205.

The PRESIDENT. It is the other way around,—House Bill No. 1205, Senate Bill No. 1255.

Mr. SALUS. Well, Mr. President, the bill is the other way around, too; and I am sure I will prove to you that the bill is cockeyed. There has not been a piece of legislation in Harrisburg from the beginning of this session where there has been a more determined, more vicious, more offensive and more disgusting lobby than there has been on this piece of legislation. It is a piece of legislation that is fostered by the instalment men of Pennsylvania. These instalment men, for some months past, have had traveling throughout the State of Pennsylvania, in every county, a number of men, or women, as the case may be, paid to go among the various welfare people of the particular county to make their plea that this is welfare legislation. There has never been a piece of welfare legislation on the floor of this Senate that has not received my 100 percent support,—so much so, I am now on the outside of the Republican Organization, on which I, for twenty-five years, have been a member—the Republican Organization of Philadelphia.

I am disgusted with them because I have almost put down my life's blood on emergency legislation, and for the protection of the people of this Commonwealth. I am for those who need relief,—I am for those who need relief if it not only costs me my position in politics but if it costs me the life that God Almighty gave me. I am willing to die for the relief of the poor of Pennsylvania. And you cannot point to a piece of legislation introduced on the floor of this Senate, or in the House, which had to do with the welfare of children or with relief work that I have not taken an active hand in; nor have I ever opposed a piece of fair legislation for the working man of Pennsylvania; and I have never been a candidate for public office in which I have not received one hundred percent support from every union and organization of working men in Pennsylvania.

My particular aversion to this bill is based on the fact that in the campaign for its passage is was urged throughout the State of Pennsylvania as a relief measure. It is no relief measure; it is a proposition to protect the ghouls,—the ghouls who have ruined, for many years past, the happy homes of the working men of Pennsylvania,—the instalment men, who, in the daytime, while the working man is at work, come along with their high-power methods of salesmanship, going from door to door, and inveigle the housewife to buy many things that her husband cannot pay for—will not be able to pay for; and their list includes almost everything from the automobile, the radio, the washing machine, to the electric refrigerator,—everything imaginable is loaded in the home by these instalment ghouls, who would make you believe that this is welfare legislation.

Let me show you how it is welfare legislation, and how much they are interested in the poor of Pennsylvania or anywhere else: "written notice that such household furniture or household goods, specifically describing the same, have been leased or hired or conditionally sold to any such person shall be given to the landlord or his agent at the time the said household furniture or household goods are placed upon the demised premises or within five days thereafter, and such notice shall contain a statement of the respective amounts due to the lessor or conditional vendor on each of the articles named therein, and when so given shall be effective as to such landlord and any future owner or owners of said premises."

Now, let me show you how far they are going to protect the instalment furniture of theirs. If you own a house and you get notice that there is instalment furniture in the place, then somebody else comes along and buys the house, and he gets the lease, and the second holder does not get notice, that second holder has got to pay the instalment man for the furniture he did not buy, if anything happens to the furniture. And it not only binds the present owner, but any future owner; and the instalment man make very, very good effort to so protect himself that if he does not hook up the present owner of the real estate, somebody else comes along, and does not know there is a lot of bum furniture in there,—and he makes the new owner pay for it.

"Well," somebody may say, "That is a good thing for the tenant." But the bill goes on to say, "Nothing herein contained shall prevent the landlord or his agent from levying upon and selling on execution or distress for rent any right or interest of the bailment lessee or conditional vendee under such bailment lease or contract of conditional sale, subject to the rights therein of the bailment lessor or conditional vendor."

Now you see how good-hearted he is, how generous he is; and you will be interested to know how his agents went through Pennsylvania advocating that this was welfare legislation. It

is not welfare legislation; this is the most hypocritical piece of legislation that was ever on the floor of this Senate. What do they say in that last paragraph I read? They say, "Mr. Landlord, you can levy on and sell any portion of the furniture that this poor tenant has paid for, but you cannot sell ours. If the tenant has paid $150.00 on a thousand dollar bill, or a five hundred bill, Mr. Landlord, you can sell his $150.00 worth, but our $850.00 worth of furniture is on hallowed ground, protected by the laws of Pennsylvania; because we, the instalment men, in the innocence of our hearts and through the dictates of God Almighty, are protecting the poor in this time of distress."

They are "protecting the poor" by getting for themselves the right to deplete the poor people's homes at any time they see fit. If this is welfare legislation, it is in the guise of Dr. Jekyl and Mr. Hyde.

Mr. REED. Mr. President, I agree with the Senator from Philadelphia, Mr. Salus, that this is not welfare legislation; if it were, I would cheerfully vote for this bill; but this bill bears evidence on its face that it is for one purpose only, and that is, to protect the interests of a special interest that desires protection. To my mind there is no chapter in the law of Pennsylvania that is more unfair and, I believe, more unconstitutional than the series of acts which have been passed from time to time exemtping certain property from distress for rent. Undoubtedly, the first acts of this character were humanitarian in their purpose. The first act, I believe, was the act which exempted the sewing machine,—over fifty yeares ago, before the age of machinery; and that act was passed on the theory of protecting the poor seamstress in her means of making a livelihood; and possibly some of the other acts of that early period in our history were of a like intent; but for years in every session of the Legislature, one interest after another has come before the Legislature of Pennsylvania asking for exemption for some particular purpose. During the Session of 1929 one bill after another, as I recall, was introduced in the House of Representatives,—and they were all soundly defeated, —each bill representing the efforts of some particular manufacturer to save his particular product from distress for rent; and now we have this bill brought into being by the instalment houses, who are letting out goods under an instalment contract, in order that they may be protected. The landlord may be protected, or the tenant may be protected from the landlord, but the tenant has no protection whatever from the instalment house.

Now, possibly the time has come in Pennsylvania, or may come, when the old common law rule of the right to distrain for rent should be abandoned; but I submit, Mr. President, it should not be done in this way. If we are going to take away from the landlord his right to distrain goods on the property, I submit that it should be done by a uniform and general law exempting all classes of property, or, at least, all property within a specific class; but this bill does not attempt any such thing, it refers to certain property, it is class legislation. I believe if the Legislature of Pennsylvania would move forward, it would wipe off all these acts which we have in the way of class legislation, exempting one article or another article from distress for rent, and that we should not continue this policy of class legislation representing simply the wishes of some particular dealers or some particular manufacturers.

Mr. BUCKMAN. Mr. President, this bill ,instead of being styled an act exempting household furniture from distress for rent, should be named a bill to continue the depression. I do not believe there is any other one custom among our people in this country that has helped more to bring on the depression than the custom, or abuse of the custom, of buying and selling goods on instalments. I do not see one Senator here on this floor who sees fit to stand on his feet and defend this bill. I agree with the Senators who have already spoken, that it is class legislation, a new method of collecting debts, a protection for special interests; and in order that we, as members of this body, may not be considered by the people of this Commonwealth to be bought and sold.

MOTION TO RECOMMIT BILL

Mr. PRESIDENT. I move that this bill be recommitted to the Committee on Judiciary General for decent burial.

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

A division being called for, fifteen Senators voted in the affirmative and twenty-eight in the negative,

Whereupon, the question was decided in the negative.

Shall the bill pass finally?

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Armstrong,	Coyne,	Homsher,	Parkinson,
Aron,	Daly,	Howell,	Roberts,
Batchelor,	Einstein,	Hunsicker,	Scott,
Baumer,	Fay,	Krause,	Sones,
Bell,	Frazier,	Lanius,	Sordoni,
Bennett,	Gelfer,	Mansfield,	Staudenmeier,
Boyd,	Graff,	McClure,	Thompson,
Brandt,	Harris,	Norton,	Trainer,
Chapman,	Harvey,	Owlett,	Ziesenheim,

NAYS—13

Buckman,	Pierson,	Reed,	Shapiro,
Clark,	Prince,	Rice,	Snyder,
Miller,	Quigley,	Salus,	Williamson,
Pethick,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 223

Mr. CLARK. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CLARK offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur), That Senate Bill 223, Printer's No. 277, entitled "An Act making an appropriation to the Downingtown Industrial and Agricultural School, Dowingtown, Pennsylvania" be recalled from the Governor for purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 361

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZIESENHEIM offered the following resolution which was twice read considered and agreed to:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 361, entitled "An act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route number as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' as amended providing that in awarding damages to abutting property owners for changing the width or existing lines and location of State highways the benefits to such property may be considered in mitigation thereof," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 1024

Mr. McCLURE presented the report of Committee of Conference on Senate Bill No. 1024, entitled:

An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the eighteenth amendment to the said Constitution and for the prohibition of the transportation importation delivery or use of intoxicating liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such convention

The report was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 1024, entitled: "An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the eighteenth amendment to the said Constitution, and for the prohibition of the transportation, importation delivery or use of intoxicating liquors in violation of the laws of states, territories or possessions of the United States; and to provide for the election of delegates to such convention," respectfully submit the following bill as our report:

GEORGE WOODWARD,
FRANK J. HARRIS,
JOHN J. McCLURE,
Committee on the part of the Senate

ARNOLD M. BLUMBERG,
ELWOOD J. TURNER,
JOSEPH G. STEEDLE,
Committee on the part of the House of Representatives

An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the eighteenth amendment to the said Constitution and for the prohibition of transportation importation delivery or use of intoxicating liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such convention

Whereas The Congress of the United States has proposed an amendment to the Constitution of the United States in the following language

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-third of each House concurring therein) That the following article is hereby proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several States

"Article

"Section 1 The eighteenth article of amendment to the Constitution of the United States is hereby repealed

"Section 2 The transportation or importation into any State territory or possession of the United States for delivery or use therein of intoxicating liquors in violation of the laws thereof is hereby prohibited

"Section 3 This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States as prescribed in the Constitution within seven years from the date of the submission hereof to the States by the Congress"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a convention shall be held in this State for the purpose of ratifying or rejecting the proposed amendment to the Constitution of the United States recited in the preamble hereof An election shall be held at the same time as the municipal election in the year one thousand nine hundred and thirty-three for the election of delegates to such convention

Section 2 At such election all persons qualified as electors shall be entitled to vote

Section 3 Except as in this act otherwise provided such election shall be conducted and the results thereof ascertained and certified in the same manner as in the case of the election of Representatives in Congress of the United States at large at general elections and all provisions of the laws of this State relative to elections except so far as inconsistent with this act are hereby made applicable to such election The

expenses incident to such election of delegates to the said convention shall be paid by the respective counties

Section 4 The number of delegates to be elected at such convention shall be fifteen all of whom shall be elected from the State at large

Section 5 Candidates for the office of delegate to the convention shall be qualified electors of the state nominations shall be by petition and not otherwise A single petition may place in nomination any number of candidates for delegate not exceeding the total number of such delegates to be elected and nomination petitions shall be signed by at least two thousand resident voters in each of at least ten congressional districts in the State as apportioned by the act of June twenty-seventh one thousand nine hundred and thirty-one (Pamphlet Laws one thousand four hundred sixteen) entitled "An act to apportion the State into congressional districts" Nomination shall be without party or official designation but the nominating petitions shall contain a statement by each nominee to the effect that he favors ratification or that he opposes ratification of the proposed amendment No nominating petition for delegate shall contain the name of any nominee whose position as stated therein is different from that of any other nominee as stated therein Nominating petitions shall be prepared and furnished by the Secretary of the Commonwealth and except as above provided shall be substantially in the form provided by the election laws for nomination petitions for candidates at primaries for the office of Representatives in Congress of the United States at large Any number of petitions may be circulated for a candidate or group of candidates and when filed shall be considered as one petition for that candidate or group of candidates Signatures shall not be obtained on any petitions prior to one hundred and twenty days before the date of the election

All nomination petitions shall be filed with the Secretary of the Commonwealth not less than sixty (60) days before the date of the election After the last day for filing petitions the Secretary of the Commonwealth shall proceed to ascertain the nominees by selecting two groups of nominees The two groups of nominees shall be the fifteen having the largest number of signers to their petitions among those favoring ratification and the fifteen having the largest number of signers to their petitions among those opposing ratification

Ties shall be decided by lot drawn by the Secretary of the Commonwealth

Within thirty days after the last day for filing petitions the Secretary of the Commonwealth shall certify the nominees to the county commissioners of the respective counties

Section 6 The election shall be by ballot separate from any ballot to be used at the same election which shall be prepared by the Secretary of the Commonwealth in substantially the following form and shall be furnished to the various election districts by the county commissioners of the respective counties

CONSTITUTIONAL CONVENTION BALLOT

(Copy of Amendment)

INSTRUCTIONS TO VOTERS A cross mark X in the square at the head of any one of the two columns on this ballot votes for all candidates for delegates named in that column Do not mark a cross mark in more than one square at the head of a column

If you do not desire to vote for the group of nominees in any one column mark a cross mark X after the name or names of the candidates of your choice to the number indicated on the ballot

Delegates Favor ratification (Repeal) ☐ Vote for (15)	
John Doe	
Richard Roe	
John Smith	
(Etc.)	

Delegates Oppose ratification (Against repeal) ☐ Vote for (15)	
John Doe	
Richard Roe	
John Smith	
(Etc.)	

Each elector may vote for fifteen candidates for delegate A cross mark X in the square at the head of any one of the two columns on the ballot shall count as a vote for each of the candidates for delegate appearing in that column If an elector does not desire to vote by a cross mark X in the square at the head of a column then he may indicate the fifteen candidates for delegates of his choice by marking a cross mark X in the square opposite their respective names or he may insert the name of any candidate or candidates for whom he desires to vote in the appropriate blank spaces provided on the ballot.

When an elector votes in the square at the head of a column his power to vote is exhausted and if he thereafter inserts any cross mark X in any other square at the head of another column or after the name of a candidate in any column other than the one at the head of which he has placed his cross mark X his ballot shall be void

Section 7 The fifteen candidates receiving the highest number of votes in the entire state at said election shall be the delegates to said convention Any vacancy in the membership of the convention caused by the death or disability of any delegate or for any other cause shall be filled by appointment of a person by the majority vote of the group of delegates favoring ratification or opposing ratification as the case may be to which the absent delegate belonged

Section 8 The delegates to the convention shall serve without compensation and shall meet at the capitol on the twenty-eighth day after their election at twelve o'clock noon in the hall of the Senate and shall thereupon constitute a convention to pass upon the question of whether or not the proposed amendment shall be ratified

Section 9 The convention shall be the judge of the election and qualification of its members The convention shall be called to order by the Lieutenant Governor who shall be the chairman thereof but who shall not have any vote unless elected as a delegate The secretary of the Senate shall be the secretary of the convention and the chief clerk of the Senate and the chief clerk of the House of Representatives shall be the tellers of the convention The secretary of the

Senate shall provide a reporter or reporters for the convention a sergeant-at-arms and one page whose compensation shall be paid out of the appropriation made by this act upon the approval of the Lieutenant Governor and secretary of the Senate In case of the inability of any of the persons herein named to be present the convention shall name some one in his stead

The Secretary of the Commonwealth shall as soon as the convention is called to order present the election returns of delegates which shall be opened and read after which the roll of names of those elected as shown by the returns shall be called and if any elected delegate is absent the vacancy shall then be filled as in this act provided

Before proceeding with the business of the convention the delegates shall take the constitutional oath of office which shall be administered by a judge of the court of common pleas

Section 10 The convention shall keep a journal of its proceedings in which shall be recorded the vote of each delegate on the question of ratification of the proposed amendment and the debates thereon Upon final adjournment the journal shall be filed with the Secretary of the Commonwealth

Section 11 If the convention shall agree by vote of a majority of the total number of delegates to the ratification of the proposed amendment a certificate to that effect shall be executed by the president and secretary of the convention and transmitted to the Secretary of the Commonwealth of this State who shall transmit the certificate under the great seal of the Commonwealth to the Secretary of State of the United States

Section 12 If at or about the time of submitting any such amendment Congress shall by statue prescribe the manner in which the conventions shall be constituted and shall not except from the provisions of such statute such states as may theretofore have provided for constituting such conventions the preceding provisions of this act shall be inoperative and the convention shall be constituted and shall operate as the said act of Congress shall direct and all officers of the State who may by the said statute be authorized or directed to take any action to constitute such a convention for this State are hereby authorized and directed to act thereunder and in obedience thereto with the same force and effect as if acting under a statute of this State

Section 13 The sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby specifically appropriated to the Secretary of the Senate for the payment of the compensation of the reporter or reporters sergeant-at-arms and page and for the payment of all other incidental and necessary expenses in connection with said convention

Section 14 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Armstrong,	Chapman,	Krause,	Rice,
Aron,	Clark,	Lanius,	Roberts,
Batchelor,	Coyne,	Mansfield,	Shapiro,
Baumer,	Frazier,	McClure,	Snyder,
Bell,	Harris,	Miller,	Staudenmeier,
Bennett,	Harvey,	Owlett,	Trainer,
Boyd,	Homsher,	Parkinson,	Williamson,
Brandt,	Howell,	Pierson,	Woodward,
Buckman,	Hunsicker,	Quigley,	Ziesenheim,

NAYS—10

Ealy,	Graff,	Prince,	Sones,
Fay,	Norton,	Scott,	Thompson,
Gelder,	Pethick,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 389

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur) That Senate Bill No. 389, entitled:

An Act to amend sections six, seventeen and twenty-six of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, seven hundred ten), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," as amended, by extending the provisions of said act so as to include bookers, booking agents, representatives of booking agencies for services of wrestlers; modifying license fees in certain cases; exempting amateur boxing or wrestling in schools colleges and universities

be recalled from the Governor for the purpose of amendment.

HOUSE CONURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 345

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur) That Senate Bill No. 345, entitled:

An Act prohibiting contractors, subcontractors and builders and their agents from paying out using or appropriating moneys and funds received for the erection, construction, alteration, completion and repair of buildings and for additions thereto before first paying in full or pro rata all claims due to architects, surveyors, engineers, and persons furnishing labor and material, imposing certain duties upon owners of buildings for the protection of the claims of such architects, surveyors, engineers and persons, and providing that the contractor in receiving payments on the contract shall be the agent of such claimants.

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 388

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur) That Senate Bill No. 388, entitled:

An Act providing for the appointment promotion reduction removal and reinstatement of paid officers firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the first second and third class defining the powers and duties of civil service commissions for such purposes and fixing penalties

be recalled from the Governor for the purpose of amendment.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1374.

He also presented communication from the House of Representatives, informing the Senate that the House has adopted

the report of the Committee of Conference on the subject of the differences existing between the two Houses in relation to House Bill No. 1374, entitled:

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the Superintendent of Public Instruction to permit as to certain school districts temporary reductions in the salary schedules authorizing Superintendent of Public Instruction to suspend mandatory provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements prohibiting school districts from demanding requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules granting certain options to the members of the School Employes' Retirement System and temporarily superseding any inconsistent acts and parts of acts

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1374

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1374, entitled: "An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the Superintendent of Public Instruction to permit as to certain school districts temporary reductions in the salary schedules authorizing Superintendent of Public Instruction to suspend mandatory provisions of the act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation therof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws ,general, special or local, or any parts thereof that are or may be inconsistent therewith," and of its amendments and supplements; prohibiting school districts from demanding, requesting or accepting gifts or donations from members of the teaching and supervisory stafs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules granting certain options to the members of the School employes' Retirement System and temporarily superseding any inconsistent acts and parts of acts, respectfully submit the following bill as our report:

RICHARD W. WILLIAMSON,
CHARLES H. EALY,
CHARLES W. STAUDENMEIER,
Committee on the part of the Senate

THOMAS B. WILSON,
A. J. WHITE HUTTON,
WILLIAM ELLIS ZIMMERMAN,
Committee on the part of the House of Representatives

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the Superintendent of Public Instruction to permit as to certain school districts temporary reductions in the salary schedules authorizing Superintendent of Public Instruction to suspend mandatory provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements prohibiting school districts from demanding requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules granting certain options to the members of the School Employes' Retirement System and temporarily superseding any inconsistent acts and parts of acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Definitions The following terms shall be construed in this act to have the following meanings ·

1 "Employe" Any teacher principal supervisor or supervising principal county superintendent district superintendent assistant superintendent any member of the staff of the State Teachers' Colleges of the Cheyney Training School for Teachers of the staff of the Department of Public Instruction or of the staff of the State Council of Education or any clerk stenographer janitor attendance officer or other person engaged in any work concerning or relating to the public schools of this Commonwealth or in connection therewith or under contract or engagement to perform one or more of these functions No person however shall be deemed an employe within the meaning of this act who is not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods In all cases of doubt the School Employes' Retirement Board shall determine whether any person is an employe as defined in this act

2 "Employer" The Commonwealth school district State Teachers' Colleges Cheyney Training School for Teachers board or other committee by which the employe is paid

3 "Teacher or supervisor" A member of the teaching or supervisory staff or other appointee of any school district to whom any statutory minimum salary schedule shall be applicable

4 "Salary schedule" A schedule of minimum basic salaries plus required increments prescribed by any Act of Assembly for the payment of salaries of teachers or supervisors

Section 2 Re-employed Teachers and Supervisors During the period in which this act shall be in effect no school district shall be required to pay to any teacher or supervisor who during the year preceding the effective date of this act shall have been in its employ or who during such year shall have been in the employ of any school district whose territory shall wholly or in part comprise such district any salary or compensation at a rate greater than ninety per centum of the minimum amount which such teacher or supervisor was entitled to receive under the salary schedule immediately prior to the effective date of this act

Section 3 New Teachers and Supervisors During the period in which this act shall be in effect no school district shall be required to pay to any teacher or supervisor who during the year preceding the effective date of this act was not employed by such school district or by a district whose territory shall wholly or in part comprise such district any salary or compensation at a rate greater than ninety per centum of the minimum amount which such teacher or supervisor would have been entitled to receive under the salary schedule if he or she had entered the employ of such district immediately prior to the effective date of this act

Section 4 Additional Reductions When the board of school directors of any school distirct shall present to the Superintendent of Public Instruction evidence which shall convince him that the district does not and will not have sufficient funds to pay the salaries required by the salary schedule as modified by the foregoing provisions of this act or that the payment of the salaries of the schedule as thus modified would be unreasonably oppressive upon the school district the Superintendent of Public Instruction may for such district and for the period during which this act shall be in effect reduce the percentage herein provided from ninety to a percentage which he shall deem to be just and reasonable for that district

In lieu of or in addition to thus reducing the above percentage the Superintendent of Public Instruction may as to any such district and for such period suspend any provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements when such provisions require and make mandatory any action by the school district or its board of school directors

Section 5 All reductions of salary or compensation made by any school district under authority of this act should be extended and applied to all employes of the district on an equitable graduated scale that is those receiving the largest compensation or salary to receive the largest reduction and those receiving the smallest salary or compensation the smallest reduction

Section 6 Retirement Options During the year which shall begin on July first one thousand nine hundred thirty-three and close June thirtieth one thousand nine hundred thirty-four each employe who is a member of the School Employes Retirement System shall have the option of contributing to the School Employes Retirement Fund either on the basis of the total salary which he or she will receive during such year or on the basis of the salary which he or she received during the year which began July first one thousand nine hundred thirty-two and ended June thirtieth one thousand nine hundred thirty-three Each such employe shall notify in writing his employer on or before September first one thousand nine hundred thirty-three upon which salary he or she elects to contribute

During the year which shall begin July first one thousand nine hundred thirty-four and close June thirtieth one thousand nine hundred thirty-five each employe who is a member of the School Employes' Retirement System shall have the option of contributing to the School Employes' Retirement Fund either on the basis of the total salary he or she will receive during such year or on the basis of the total salary which he or she received during the year which began July first one thousand nine hundred thirty-two and closed June thirtieth one thousand nine hundred thirty-three Each such employe shall notify in writing his employer on or before September first one thousand nine hundred thirty-four upon which salary he or she elects to contribute Each employer shall notify the School Employes' Retirement Board in writing on or before September fifteenth one thousand nine hundred thirty-three and on or before September fifteenth one thousand nine hundred thirty-four of the option elected by each such employe for the then current year

During each of such years which begin on July first one thousand nine hundred thirty-three and July first one thousand nine hundred thirty-four the employer shall contribute on the basis of the salary upon which each of such employes shall have thus elected to contribute

Each new member who comes into the School Employes' Retirement System during the period beginning July first one thousand nine hundred thirty-three and ending on June thirtieth one thousand nine hundred thirty-five shall contribute on the basis of the salary actually received The employer shall contribute upon the same basis

The salary upon which each such employe elects to contribute for each of the years beginning July first one thousand nine hundred thirty-three and July first one thousand nine hundred thirty-four shall be used as the salary for each such year in the determination of any final salary upon which a retirement allowance will be computed

Section 7 Effect of Payment of Salaries Which Are Less Than Those Prescribed by Salary Schedule There shall be no deduction from the amount to be paid by the Commonwealth to a school district as a partial reimbursement for the salary or compensation of any teacher or supervisor because the district pays such person any time during the biennium beginning on the first day of June one thousand nine hundred thirty-three a smaller salary or compensation than is prescribed for such person by the salary schedule so long as the amount which the district pays is not less than the amount permitted by the provisions of this act or than that allowed by the Superintendent of Public Instruction in pursuance of the provisions of this act

Section 8 Prohibition Against Demanding Requesting or Accepting Gifts or Donations During the period in which this act shall be in effect it shall be unlawful for any board of school directors to demand request or accept directly or indirectly any gift or donation from any teacher or supervisor within its employ

Section 9 Forfeiture of Subsidies When during the period during which this act shall be in effect the Superintendent of Public Instruction shall be of the opinion that any school district shall have violated the provisions of this act by demanding requesting or accepting any gift or donation from one or more teachers or supervsors he shall subject to the restrictions herein provided have the power to declare forfeited for the then current school year any State subsidy which is to be paid to the district as a partial reimbursement of the salary of each such teacher or supervisor

Before declaring any such forfeiture as to any school district the Superintendent of Public Instruction shall mail to the board of school directors of the district a statement setting forth the alleged violations and the names of the one or more teachers or supervisors from whom the gifts or donations are alleged to have been demanded requested or accepted The statement shall be accompanied by a notice stating that unless a denial of such allegations verified by the affidavit of the president or secretary of the board is received by the Superintendent of Public Instruction within fifteen days he will declare a forfeiture as to such subsidy for each such teacher or supervisor If such a denial shall not be received within such fifteen days the Superintendent of Public Instruction may declare such one or more forfeitures

If such a denial shall be received the Superintendent of Public Instruction shall conduct a hearing to determine whether or not there have been any such violations He shall give reasonable notice of the time and place of the hearing to the board of school directors of the district and at the hearing shall give the board the right to be heard and to be represented by counsel

If after the hearing the Superintendent of Public Instruction shall be of the opinion that one or more of the violations set forth in the statement which he shall have sent to the board as herein provided did actually occur he may as herein provided forfeit the subsidies to be paid to the district as a partial reimbursement for the salary of each teacher or supervisor listed in such statement from whom in his opinion the district or its representative shall have demanded requested or accepted a gift or donation

Section 10 Impairment of Contracts Nothing in this act shall be construed as impairing the obligation of any contract made before the effective date of this act

Section 11 Constitutional Construction The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court as to those provisions shall not affect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included herein

Section 12 Effective Date Period During which Act Shall be Effective This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor and shall remain in effect as to school districts of the second third and fourth classes until the first day of July one thousand nine hundred thirty-five and as to school districts of the first class until the first day of January one thousand nine hundred and thirty-six

Section 13 Inconsistent Provisions All acts and parts of acts inconsistent with the provisions of this act are hereby superseded for the period during which this act shall be in effect

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Aron,	Fay,	Miller,	Scott,
Batchelor,	Gelder,	Owlett,	Shapiro,
Baumer,	Graff,	Pethick,	Sones,
Bell,	Homsher,	Pierson,	Sordoni,
Bennett,	Howell,	Prince,	Staudenmeier,
Boyd,	Hunsicker,	Quigley,	Thompson,
Chapman,	Krause,	Reed,	Trainer,
Clark,	Lanius,	Rice,	Williamson,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,	McClure,	Salus,	

NAYS—8

Armstrong,	Coyne,	Harvey,	Parkinson,
Buckman,	Harris,	Norton,	Snyder,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. CLARK. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CLARK, from the Committee on Agriculture, reported as committed, Senate Bill No. 1454, entitled:

An Act relating to milk control during the existing emergency; creating a milk control board in the Department of Agriculture; and defining its jurisdiction, powers and duties.

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as amended, Senate Bill No. 1399 (House Bill No. 1566), entitled:

An Act establishing a State Public Works Planning Board prescribing and defining its powers and duties granting authority to counties of the first second and third classes and cities to create local public works planning boards and defining their powers and duties defining the relationship of the state board to such local boards and to such classes of counties and such cities where no such approved local boards exist on and after January first one thousand nine hundred and thirty-six.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 786, entitled:

An Act making an appropriation to the Southern Dispensary, three hundred and eighteen Bainbridge Street, Philadelphia, Pennsylvania.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 1339, entitled:

An Act to amend section thirty-seven of the act approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal"; providing a fee for consents and certificates to transfer stock of decedents.

Mr. WILLIAMSON. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WILLIAMSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 724 (House Bill No. 987), entitled:

An Act to amend section one of the act, approved the tenth day of April, one thousand nine hundred and twenty-nine (P. L. 479), entitled "An act to regulate procedure where a defendant desires to have joined, as additional defendants, persons who he alleges are alone liable or liable over to him or jointly or severally liable with him for the cause of action declared on" and providing for entry of judgments against such additional defendants as amended by providing for service of process on an added defendant in counties other than that within which the action was instituted

Mr. NORTON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. NORTON. from the Committee on Insurance, reported as amended, Senate Bill No. 1417 (House Bill No. 1973), entitled:

An Act to amend section six hundred and ten of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," as added, by further defining resident agents of certain foreign insurance companies.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 714 (House Bill No. 1277), entitled:

An Act relating to writs of execution on goods and chattels and regulating the period within which such property must be sold to preserve the lien of a levy thereon, and providing that sheriffs or coroners may return any such writ if no sale shall be made thereon, within said period unless the sale be stayed by law or an order of court and relieving them from liability or abandonment of the levy in such cases.

BILLS INTRODUCED

Mr. SCOTT. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT read in his place and presented to the Chair Senate Bill No. 1455, entitled:

An Act to amend Act No. 12-A, approved the twentieth day of April, one thousand nine hundred thirty-three (Appropriation Acts of one thousand nine hundred thirty-three, page), entitled "An act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania," by changing the fiscal biennium for which the appropriation is made.

Which was committed to the Committee on Appropriations.

Mr. BATCHELOR. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BATCHELOR read in his place and presented to the Chair Senate Bill No. 1456, entitled:

An Act to authorize boroughs and townships of the first class to sue out writs of scire facias on certain tax liens where more than five years have elapsed since said liens were filed and to reduce such liens to judgment and providing for the revival and collection of such judgments.

Which was committed to the Committee on Judiciary General.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows, and laid upon the table:

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 638

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate of House of Representatives recalling from the Governor Senate Bill No. 638, Printer's No. 178, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 51

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor, Senate Bill No. 51, Printer's No. 443, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1257 (House Bill No. 1774), entitled:

An Act establishing portions of certain highways lying partially within the corporate limits of cities boroughs or incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	McClure,	Scott,
Baumer,	Frazier,	Miller,	Snyder,
Bell,	Gelder,	Norton,	Sones,
Bennett,	Graff,	Owlett,	Sordoni,
Boyd,	Harris,	Parkinson,	Staudenmeier,
Brandt,	Harvey,	Pethick,	Thompson,
Buckman,	Homsher,	Pierson,	Trainer,
Chapman,	Howell,	Prince,	Williamson,
Clark,	Hunsicker,	Quigley,	Woodward,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—2

Reed, Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. SCOTT. Mr. President, I ask unanimous consent that Senate Bill No. 1258 (House Bill No. 1775), on third reading, entitled:

An Act authorizing agreements between the Department of Highways and local authorities to provide for the construction and maintenance of streets and highways in cities counties boroughs towns and townships under certain conditions providing for assessments on abutting property owners and making an appropriation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1268 (House Bill No. 1550), entitled:

A Supplement to the act approved the second day of April, one thousand eight hundred and sixty (P. L. 538), entitled "An act to authorize the erection of a Poor House by the township of Wilkesbarre in Luzerne county," authorizing the central poor district to create indebtedness.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1024.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has adopted the report of the Committee of Conference on Senate Bill No. 1024, entitled:

An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the Eighteenth Amendment to the said Constitution and for the prohibition of liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such convention.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 1034, entitled:

An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the Eighteenth Amendment to the said Constitution and for the prohibition of the transportation, importation, delivery or use of intoxicating liquors in violation of the laws of states, territories or possessions of the United States and to provide for the election of delegates to such convention.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1676

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 24, 1933.

Resolved (if the Senate concur), That House Bill No. 1676, entitled:

An Act to further amend paragraph (b) of section nine of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (P. L. 809), entitled "Banking Act of 1923," by requiring building and loan associations to pay the full cost of examinations by the Department of Banking.

be recalled from the Governor for further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

He also presented extract from the Journal of the House of Representatives, which was twice read, considered as follows, and agreed to:

RESOLUTION RETURNING TO THE GOVERNOR WITHOUT AMENDMENT HOUSE BILL No. 456

In the House of Representatives, April 24, 1933.

Resolved (if the Senate concur), That House Bill No. 456, Printer's No. 598, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by requiring certain motor vehicles to be equipped with laminated safety plate glass; fixing penalties; and providing for the suspension or revocation by the Public Service Commission of certificates of public convenience of common carriers for violations of the provisions of this act

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECONSIDERATION OF SENATE BILL No. 638, RECALLED FROM THE GOVERNOR

Mr. ZIESENHEIM. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 638, recalled from the Governor, entitled:

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors; providing for the appointment and compensation of a director of welfare, investigators, assistants, experts and employes, and for the employment and compensation of elected directors whose terms have not expired; and repealing existing laws.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

Mr. ZIESENHEIM. Mr. President, I move to reconsider the vote by which the bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. ZIESENHEIM. Mr. President, I voted "aye".

Mr. KRAUSE. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. KRAUSE. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. ZIESENHEIM. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. ZIESENHEIM. Mr. President, I voted "aye".

Mr. KRAUSE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. KRAUSE. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to amend section 1, page 2, line 16 by adding at the end of the line after the word "court" the following: "Such directors shall not be county officers and shall not be subject to the general laws relating to county officers"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS INTRODUCED

Mr. ROBERTS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ROBERTS read in his place and presented to the Chair, Senate Bill No. 1457, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to incur indebtedness and issue bonds for certain purposes.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair, Senate Bill No. 1458, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to incur indebtedness and issue bonds for certain purposes.

Which was committed to the Committee on Finance.

REPORTS FROM COMMITTEES

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 1422, entitled:

An Act authorizing directors of building and loan associations to pro rate, or with the approval of the Department of Banking, to fix the maximum amount of withdrawals and maturities; and applying retroactively.

Also from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 1423, entitled:

An Act limiting the period within which non-assenting or dissenting shareholders of building and loan associations, which have merged and consolidated or which shall merge and consolidate prior to the third day of July, one thousand nine hundred thirty-three, may enforce their rights.

Also from the Committee on Banks and Buliding and Loan Associations, reported as committed, Senate Bill No. 1424, entitled:

An Act providing for the preservation of the records of banks, bank and trust companies, trust companies, savings banks, and private banks; and imposing penalties for violations.

Also from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 1451, entitled:

An Act to amend the act, approved the fifth day of May one thousand nine hundred twenty-one (Pamphlet Laws, three hundred seventy-four), entitled "An act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith, a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties," as amended, by providing for the transfer from the Department of Banking to the Pennsylvania Securities Commission of the rights and duties with respect to the licensing and regulation of such corporations, copartnerships, associations, and individuals.

Also from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 1263 (House Bill No. 1131), entitled:

An Act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties.

BILL INTRODUCED

Mr. WILLIAMSON (By Request). Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WILLIAMSON read in his place and presented to the Chair Senate Bill No. 1459, entitled:

An Act to amend sections one hundred and twenty-seven, one hundred and twenty-eight, one hundred and twenty-nine, and one hundred and thirty, as added, and to add section one hundred and thirty-one to the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating the creation of union school districts.

Which was committed to the Committee on Education.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD, from the Committee on Municipal Affairs, re-reported as amended, Senate Bill No. 651 (House Bill No. 30), entitled:

An Act to amend section two thousand five hundred and fifty-six of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," providing for the fixing of the salary of the city treasurer as collector of city, school and poor taxes and for the number and salaries of assistants jointly by the city council and board of school directors, and for payment of such salaries and other expenses in connection with his office equally by the city and school districts, and requiring the city and school district to pay the premiums on the bonds required to be given to the city and school district.

MOTION TO CONSIDER HOUSE BILLS ONLY

Mr. BUCKMAN. Mr. President, in view of the lateness of the hour, I move that the Senate do now resume the consideration of the Calendar and that Senate Bills only be considered for the balance of the evening and that House Bills remain for consideration tomorrow.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1338, entitled:

An Act fixing the fee for the filing of applications for pardon.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1340, entitled:

An Act fixing the fee for the analysis of water by the Department of Health.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1363, entitled:

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges, providing penalties, and repealing existing laws," by adding certain new sections, including corporations which have the power to insure owners of real property, mortgagees and other to interested in real property from loss by reason of defective titles, liens, and encumbrances within the scope of the act, and further providing for the supervision, examination, regulation, suspension, involuntary dissolution and liquidation of such corporations,

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

AMENDMENTS TO SENATE BILL No. 1363

Mr. NORTON. I ask uanimous consent to amend section 2, page 3, line 21, by striking out the word "encumbances" and insert in lieu thereof "encumbrances."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1364, entitled:

An Act creating a commission to make a study of local government and report thereon, and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Salus,
Aron,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Norton,	Snyder,
Bell,	Graff,	Owlett,	Sones,
Bennett,	Harris,	Parkinson,	Sordoni,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,			

NAYS—1

Reed.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1388, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws, one hundred seventy-seven), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" by adding a new section providing for the reimbursement of the General Fund by the special operating funds for services rendered by the Department of Property and Supplies, and for space occupied in the Capitol buildings by departments, boards and commissions supported from the operating funds.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SCOTT. Mr. President, I ask unanimous consent to amend section 1, page 3, lines 9 to 29, both inclusive, by underscoring all of said lines.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1389, entitled:

An Act to amend paragraph (c) of section five and section seven of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 899), entitled "An act regulating public bathing places, swimming pools, public bath houses, public and private natatoriums, turkish bath houses, all places hired for any form of bathing or swimming, and all related appurtenances; fixing license fees; providing, in matters of sanitation, cleanliness and safety, for supervision by the Department of Health; and prescribing penalties for violtaions," by increasing the inspection and license fees chargeable by the Department of Health.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1390, entitled:

An Act to amend section twenty, sections twenty-six, twenty-seven, twenty-nine, thirty and thirty-two, as amended, and to repeal section twenty-eight of the act, approved the eleventh day of May one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," changing the fee for killing dogs and disposing of their carcasses; and providing that appraisements for damages to live stock and poultry shall be made by an agent of the Commonwealth.

And said bill having been read at length the third time,

On the question,

Wil lthe Senate agree to the bill?

Mr. SCOTT. Mr. President, I ask unanimous consent to amend section 2, page 3, line 24, by striking out the words "sections twenty-six and twenty-seven," and inserting in lieu thereof: "section twenty-six"; also line 25, by inserting after the word "as" the word: "last"; also by placing a strike-out bracket before the word "nineteen"; also line 27, by placing a strike-out bracket after the word "are"; also by inserting before the word "hereby" the following: "first day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, three hundred eleven), is"; also page 6, line 18, by inserting after the word "killing" the following paragraph: "Section 3. That section twenty-seven of said act, as last amended by the act, approved the nineteenth day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, sixteen), is hereby further amended to read as follows:"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1391, entitled:

An Act to amend section eleven of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of elevators outside of cities of the first and second and second A classes; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," fixing the fees for the approval of plans of elevators.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1425, entitled:

An Act to further amend part of section one of the act, approved the thirteenth day of June, one thousand nine hundred thirty-one (Act number eighteen-A, Appropriation Acts of one thousand nine hundred thirty-one), entitled "An act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings for the Commonwealth, and the erection and construction of new buildings and additions, alterations or improvements to and replacement of new or existing buildings of the Commonwealth, including fixtures and heating or sewerage systems and service lines for the accommodation of buildings", by extending the scope of the appropriation made to the Department of Property and Supplies for the erection and construction of buildings at the State Industrial Home for Women at Muncy.

And said bill having been read at length the third time, and agreed to,

On the question,

Shal the bill pass finally?

The yeas and nays were taken agreeably to the provisoins of the Constitution, and were as folows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the afirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered on Committee of the Whole being in thise case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1343, as follows:

An Act creating and appropriating a special fund in the State Treasury to be utilized by the Department of Property and Supplies in purchasing fuel equipment supplies and services for departments boards and commissions providing for the rembursement of the fund from appropriations to departments boards and commissions upon bills rendered by the Department of Property and Supplies and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created in the State Treasury a special fund to be known as the Purchasing Fund which shall consist of the appropriation from the General Fund hereinafter made in this act and all sums received by the Department of Property and Supplies from the various departments boards and commissions of this Commonwealth as hereinafter provided in this act

Section 2 All moneys in the Purchasing Fund are hereby appropriated to the Department of Property and Supplies for the purchase of supplies including medicines medical surgical laboratory chemical biological and electrical supplies military stores and supplies stationery and office supplies for the purchase of food and forage and other animals foods for the purchase of furniture and equipment including office chemical laboratory medical surgical biological and electrical equipment furniture furnishings utensils military and police equipment fire arms and other accoutrements artificial appliances fire protection and fire fighting equipment for the purchase of animals poultry seedlings and transplants for the purchase of legal and other books periodicals maps charts manuscripts pamphlets exchanges records lantern slides archaeological and historical markers and for the purchase of all other materials supplies or equipment as set forth in the schedules of the Department of Property and Supplies or for which requisition is made but the want of which was not anticipated at the time of the making of sad schedules for the cost of miscellaneous services for the ayment of rental charges for telephones and other patented leased office devices for the payment of the cost of printing and printing processes such as binding ruling lithographing color printing and engraving for the purchase of paper envelopes cloth and other substances on which printing is done cuts electrotypes dies stamps and other printing and binding supplies as may be required for the several departments boards and commissions of the State government and for the payment of salaries wages supplies and other expenses in connection with any service to be rendered departments boards and commissions which the Governor may approve

Section 3 Whenever any department board or commission shall call upon the Department of Property and Supplies to

purchase for it any article or service whatsoever the Department of Property and Supplies may furnish the same from supplies on hand or may pay for the same in the first instance out of the Purchasing Fund and in either case bill such department board or commission for the cost of such article or service Amounts payable by any department board or commission hereunder shall be paid out of the appropriation available for such purposes to the Department of Property and Supplies for payment into the Purchasing Fund of the State Treasury through the Deartment of Revenue

Section 4 Subject to the approval of the Governor all the materials and supplies which the Department of Property and Supplies has on hand June first one thousand nine hundred thirty-three may be added to the Purchasing Fund at values based on present contracts provided that such materials and supplies are in a usable condition

Section 5 The sum of ten thousand dollars ($10,000) is hereby specifically appropriated from the General Fund to the Department of Property and Supplies for payment into the Purchasing Fund as working capital

Section 6 The powers conferred by this act upon the Department of Property and Supplies shall be in addition to any existing powers granted to that department under existing law

Section 7 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as committed, Senate Bill No. 1455, entitled:

An Act to amend Act No. 12-A, approved the twentieth day of April, one thousand nine hundred thirty-three (Appropriation Acts of one thousand nine hundred thirty-three, page), entitled "An act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania," by changing the fiscal biennium for which the appropriation is made.

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Banks and Building and Loan Associations, re-reported as amended, Senate Bill No. 815, entitled:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations; providing for the payment of the expenses of the Department of Banking by [illegible] corporations, associations, or persons and appropriating the Banking Department Fund; authorizing the department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions, with supervised corporations, associations or persons; prescribing and limiting the powers and duties of certain courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts.

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Finance, reported as committed, Senate Bill No. 1457, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to incur indebtedness and issue bonds for certain purposes.

Also from the Committee on Finance, reported as committed, Senate Bill No. 1458, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to incur indebtedness and issue bonds for certain purposes.

Mr. EALY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on Education, reported as committed, Senate Bill No. 1459, entitled:

An Act to amend sections one hundred and twenty-seven, one hundred and twenty-eight, one hundred and twenty-nine, and one hundred and thirty, as added, and to add section one hundred and thirty-one to the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating the creation of union school districts.

Mr. STAUDENMIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMIER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1456, entitled:

An Act to authorize boroughs and townships of the first class to sue out writs of scire facias on certain tax liens where more than five years have elapsed since said liens were filed and to reduce such liens to judgment and providing for the revival of such judgments.

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1291 (House Bill No. 1104), entitled:

An Act to amend sections one and two as amended and section seventy of the act, approved the seventh day of June, one thousand nine hundred and eleven (P. L. 689), entitled "An act providing for the examination, licensure and registration of persons, forms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescrib-

ing certain rules and regulations and requirements for the construction of plumbing, house drainage and cesspools in cities of the first class and imposing fines, penalties and forfeitures for violation thereof," by including water piping, additions, alterations and repairs to plumbing, house drainage, water-piping, cesspools, wastes, traps or vents, changing the terms of the certificate of master plumbers, changing the fees for examinations, requirements for registration and re-registration of master plumbers and journeymen and providing for the penalty for the violation of the provisions herein.

BILLS RECOMMITTED

Mr. GELDER. Mr. President, I move that Senate Bill No. 1258 (House Bill No. 1775), on third reading, entitled:

An Act authorizing agreements between the Department of Highways and local authorities to provide for the construction and maintenance of streets and highways in cities, counties, boroughs, towns and townships, under certain conditions; providing for assessments on abutting property owners; and making an appropriation.

be recommitted to the Committee on Public Roads and Highways.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELDER. Mr. President, I move that Senate Bill No. 1313 (House Bill No. 1753), on third reading entitled:

An Act requiring Pennsylvania registration plates on certain vehicles when being operated under a contract for a public improvement and requiring the operators thereof to have a Pennsylvania operator's license.

be recommitted to the Committee on Public Roads and Highways.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELDER. Mr. President, I move that Senate Bill No. 1314 (House Bill No. 1754), on third reading, entitled:

An Act to amend section four hundred fifteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by providing for the sale of statistics relating to the titling and registration of motor vehicles.

be recommitted to the Committee on Public Roads and Highways.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELDER. Mr. President, I move that Senate Bill No. 1317 (House Bill No. 1949), on third reading, entitled:

An Act providing for the designation as State highways of certain existing township roads in townships of the second class by the Secretary and Chief Engineer of the Department of Highways providing for their construction and maintenance at the expense of the Commonwealth under certain terms and conditions and subject to certain limitations and making an appropriation from the Motor License Fund for the purposes of this act.

be recommitted to the Committee on Public Roads and Highways.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELDER. Mr. President, I move that Senate Bill No. 1318 (House Bill No. 1833), on third reading, entitled:

An Act providing for the taking over of certain roads in townships of the first class as State highways and providing for their construction, improvement and maintenance by the Commonwealth, including certain bridges thereon and drainage facilities connected therewith, and conferring powers upon township and county commissioners.

be recommitted to the Committee on Public Roads and Highways.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 158, RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 158, entitled:

An Act to amend section six, as amended, and section eight of an act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; prohibiting persons from being candidates for more than one party nomination.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

MOTION TO READ BILLS FOR THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. TRAINER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 714 (House Bill No. 1277), entitled:

An Act relating to writs of execution on goods and chattels and regulating the period within which such property must be sold to preserve the lien of a levy thereon and providing that sheriffs or coroners may return any such writ if no sale

shall be made thereon within said period unless the sale be stayed by law or any order of court and relieving them from liability for abandonment of the levy in such cases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 724 (House Bill No. 987), entitled:

An Act to amend section one of the act approved the tenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred seventy-nine) entitled "An act to regulate procedure where a defendant desires to have joined as additional defendants persons who he alleges are alone liable or liable over to him or jointly or severally liable with him for the cause of action declared on and providing for entry of judgments against such additional defendants" as amended by providing for service of process on an added defendant in counties other than that within which the action was instituted

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 786, entitled:

An Act making an appropriation to the Southern Dispensary, three hundred and eighteen Bainbridge Street, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1217 (House Bill No. 1054), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth, by adding thereto section sixteen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1263 (House Bill No. 1131), entitled:

An Act to provide for the organization, incorporation, operation and supervision of cooperative savings and credit associations to be termed credit unions, designating such credit unions as corporations and defining their powers and duties, conferring certain powers and duties on the Department of Banking and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1269 (House Bill No. 1567), entitled:

An Act to amend section 11 sections 20 30 and 40 as amended sections 50 71 72 98 and 202 sections 220 and 224 as amended and sections 226 228 240 255 and 272 of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" defining bait-fish changing closed seasons legal sizes and creel limits regulating minnow traps prohibiting the possession of certain fillets regulating the issuing of resident fishing licenses providing for monthly returns by county treasurers and the revocation of fishing licenses authorizing the Commissioner of Fisheries to accord special fishing privileges to unnaturalized foreign-born persons empowering the board to create nursery waters providing for the payment over of fines and for refunds generally regulating fishing and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1281 (House Bill No. 1726), entitled:

An Act creating a commission to study the laws relating to poor districts and to draft such new laws as may be necessary to revise and codify such laws and establish State supervision over poor boards.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1291 (House Bill No. 1104), entitled:

An Act to amend sections one and two as amended and section seventy of the act, approved the seventh day of June one thousand nine hundred and eleven (P. L. 680), entitled, "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules and regulations and requirements for the construction of plumbing, house drainage, and cesspools in cities of the first class, and imposing fines, penalties, and forfeitures for violation thereof," by including water piping additions, alterations and repairs to plumbing, house drainage, waterpiping cesspools wastes traps or vents changing the terms of the certificate of master plumbers changing the fee for examinations requirements for registration and re-registration of master plumbers and journeymen and providing for the penalty for the violation of the provisions herein.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1339, entitled:

An Act to amend section thirty-seven of the act approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal"; providing a fee for consents and certificates to transfer stock of decedents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1382 (House Bill No. 1418), entitled:

An Act declaring and adopting the azalea nudiflora, also known as the wild Azalea, wild honeysuckle and pinxter bloom, as the Pennsylvania State flower.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1398 (House Bill No. 1519), entitled:

An Act to regulate insurance companies chartered under general or special laws of this Commonwealth by providing that no director need be a resident of any particular city or county, that the directors shall elect the president or appoint the secretaries, that the residence of the president and secretaries need not be in the county wherein the principal office of the company is located, and that the annual meeting shall be held and reports shall be published as provided in the by-laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1399 (House Bill No. 1566), entitled:

An Act establishing a State Public Works Planning Board; prescribing and defining its powers and duties; granting authority to counties of the first, second and third classes and cities to create local public works planning boards and defining their powers and duties; defining the relationship of the state board to such local boards and to such classes of counties and such cities where no such approved local boards exist on and after January first, one thousand nine hundred and thirty-six

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1407 (House Bill No. 1351), entitled:

An Act to amend section two hundred thirteen of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled "An act relating to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," as amended, by adding thereto provisions granting hearings before reports of examinations of insurance companies by the Insurance Department are filed and providing for authority to the Insurance Commissioner to publish such reports and authorizing the Insurance Commissioner to accept the report of examination of insurance companies made by or upon the authority of the supervising official of any other State.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1408 (House Bill No. 1353), entitled:

An act to amend section six hundred fifty-two of article six of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance; amending revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-Insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws" providing that all premiums and interest charges on account of policies insuring employers against workmen's compensation liability and all judgments recovered for same shall be preferred claims in all insolvency or bankruptcy proceedings and trustees proceedings for administration of estates and receiverships.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1411 (House Bill No. 1517), entitled:

An Act to amend section two hundred and five of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance, amending, revising, and consolidateing the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insruance exchanges, and fire insurance rating bureaus, and the regulation and supervisions of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," as amended, by fixing the minimum par value of the shares of capital stock of all stock insurance companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1412 (House Bill No. 1518), entitled:

An Act to amend section six hundred and twenty-nine of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureau, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," as amended, exempting additional corporations from the provisions of subdivision (b) of Article Six of the act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1413 (House Bill No. 1704), entitled:

An Act to further amend the first paragraph of section two hundred twelve of the act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1414 (House Bill No. 1812), entitled:

An Act relating to policies of indemnity insurance requiring such policies to contain provisions covering cases in insolvency and bankruptcy of the insured and to permit injured persons or their personal representatives to maintain suits against the insurer in such cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1415 (House Bill No. 1971), entitled:

An Act to amend section two hundred and twelve of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended, "An act relating to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign companies, associations or exchanges; providing penalties; and repealing existing laws," as amended, by bringing public adjusters' solicitors within the retialiatory provisions relating to agents, brokers and public adjusters.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1416 (House Bill No. 1972), entitled:

An Act to amend section six hundred and three as amended and section six hundred and twenty-two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign companies associations or exchanges providing penalties and repealing existing laws" by defining the right of corporations to be licensed as insurance agents or insurance brokers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1417 (House Bill No. 1973), entitled:

An Act to amend section six hundred and ten of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as added by further defining resident agents of certain foreign insurance companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1422, entitled:

An Act authorizing directors of building and loan associations to pro rate, or with the approval of the Department of Banking, to fix the maximum amount of withdrawals and maturities; and applying retroactively.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1423, entitled:

An Act limiting the period within which non-assenting or dissenting shareholders of building and loan associations, which have merged and consolidated or which shall merge and consolidate prior to the third day of July, one thousand nine hundred thirty-three, may enforce their rights.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1424, entitled:

An Act providing for the preservation of the records of banks, bank and trust companies, trust companies, savings banks, and private banks; and imposing penalties for violations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1439 (House Bill No. 6), entitled:

An Act to further amend paragraph eight of section one thousand two hundred ten of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended decreasing the minimum salaries of county superintendents and assistant county superintendents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1446 (House Bill No. 1925), entitled:

An Act authorizing persons employed under any system of State work relief to work out the per capita school taxes of himself and members of his family; and providing for the payment of such taxes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1451, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred twenty-one (Pamphlet Laws, three hundred seventy-four), entitled "An act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith, a contract based upon payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties," as amended, by providing for the transfer from the Department of Banking to the Pennsylvania Securities Commission of the rights and duties with respect to the licensing and regulation of such corporations, copartnerships, associations, and individuals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1454, entitled:

An Act relating to milk control during the existing emergency; creating a milk control board in the Department of Agriculture; and defining its jurisdiction, powers and duties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1455, entitled:

An Act to amend Act No. 12-A, approved the twentieth day of April, one thousand nine hundred thirty-three (Appropriaton Acts of one thousand nine hundred thirty-three, page), entitled "An act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania," by changing the fiscal biennium for which the appropriation is made.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1456, entitled:

An Act to authorize boroughs and townships of the first class to sue out writs of scire facias on certain tax liens where more than five years have elapsed since said liens were filed and to reduce such liens to judgment and providing for the revival of such judgments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1457, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to incur indebtedness and issue bonds for certain purposes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1458, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to incur indebtedness and issue bonds for certain purposes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1459, entitled:

An Act to amend sections one hundred and twenty-seven, one hundred and twenty-eight, one hundred and twenty-nine, and one hundred and thirty, as added, and to add section one hundred and thirty-one to the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating the creation of union school districts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

LEGISLATIVE INVESTIGATING COMMITTEE OF ALLEGHENY COUNTY GOVERNMENT CONTINUED

Mr. COYNE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE offered the following resolution, which was twice read:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur), That the Legislative Committee authorized to be appointed pursuant to concurrent resolution approved July 12, 1932. (Serial No. 102, Special Session of 1932), to investigate the cost of government in Allegheny County in order to determine the cause of the high cost thereof, is hereby continued for a further period of two years, and shall make a report of their recommendations to the General Assembly of 1935. Any vacancy existing on said committee for any cause shall be filled by an appointment of a Senator or Member of the President pro tempore of the Senate or the Speaker of the House of Representatives, as the case may be.

Mr. COYNE. Mr. President, I move that Rule 39, which requires resolutions to be referred to an appropriate committee, be suspended and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 538.

Mr. COYNE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE offered the following resolution, which was twice read, considered and agreed to.

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 538, entitled:

An Act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies, associations, exchanges or persons not authorized to do business in this Commonwealth; requiring certificates from the Insurance Department before accepting insurance advertisements or broadcasting the same by radio; and fixing penalties.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11 o'clock.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.59 P. M. until Tuesday morning, April 25, 1933, at 11 o'clock A. M.

HOUSE OF REPRESENTATIVES

MONDAY, April 24, 1933

The House met at 9.00 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Connor, offered the following prayer:

Dear Lord God, We thank Thee for this good day, for health to enjoy life, and strength to pursue our appointed tasks. Save us from forgetting Thee amid the multitude of activities in which we shall be engaged this week.

May the Ladies and Gentlemen of the General Assembly be fortified with dauntless courage and hope, and a spirit that knows not despair, as they face the unchartered trails which lie ahead of this Legislature. Conscious of obstructions, pitfalls and dangers, we turn to Thee for guidance, as our fathers have done from the beginning.

Bless our Speaker on this his natal day, and grant Thy favor to all members of the House that they may be able to unravel the gordian knots and solve the difficult problems before them. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 20, 1933.

The Clerk proceeded to read the Journal of Thursday, April 20, 1933, when, on motion of Mr. McBride, the further reading was dispensed with and the Journal approved.

RESOLUTION

FIXING ORDER OF BUSINESS

Mr. HUTTON offered a resolution from the Committee on Rules, fixing the order of business for the day, which was twice read, considered and adopted as follows:

Resolved, That the order of the business of the House for the Session Monday, April 24, 1933, shall be as follows:

1. Communications from the Governor and the Senate, reference of bills or petitions to committees; signing of bills or other papers; and clearing the table privileged at any time.
2. The asking of leave of absence.
3. The receiving reports of committees. Reports from committees may also be received immediately before or after a recess or before adjournment. (All bills reported from committee, shall be read for the first time).
4. Resolutions:
   A. House and concurrent resolutions originating in the House other than those to discharge committees from consideration of bills.
   B. Resolution recalling bills from the Governor or resolutions returning bills to the Governor are privileged at any time.
5. Special order at 10.30 P. M. for consideration of amendments made by the Senate to Senate Bill 158, Printer's No. 552, said bill having been recalled from the Governor.
6. Motions to recommit (this motion is also made when a bill is reached in its regular order).
7. Motions to reconsider privileged at any time.
8. Bills on first reading.
9. Bills on second reading.
10. Bills on final passage recalled from the Governor.
11. Bills on final passage (bills on the final passage postponed calendar may be called up under this order of business).
12. Bill on third reading (Bills on the third reading or final passage postponed calendars may be called up under this order of business).
13. Conference reports may be received or called up for consideration at any time.

RULES COMMITTEE:
GROVER C. TALBOT,
A. J. WHITE HUTTON,
T. B. WILSON,
WILSON G. SARIG.

On the question,

Will the House adopt the resolution?

Mr. J. J. KANE. Mr. Speaker, I would like to interrogate the Chairman of the Rules Committee.

The SPEAKER. Will the Chairman of the Rules Committee, the gentleman from Franklin, Mr. Hutton, permit himself to be interrogated?

Mr. HUTTON. I will, Mr. Speaker.

Mr. J. J. KANE. Will the Chairman of the Rules Committee inform the House whether or not the recommendation submitted provides in it an order of business for resolutions for the discharge of committees from further consideration of bills?

Mr. HUTTON. It does not.

Mr. J. J. KANE. Mr. Speaker, may I ask the Chairman of the Rules Committee, why it does not.

Mr. HUTTON. We did not consider it necessary at this time, Mr. Speaker.

Mr. J. J. KANE. Mr. Speaker and members of the House, there are some very important bills in the hands of committees and have been in the hands of committees since the opening of this session. They are bills dealing with home rule, bills dealing with social legislation, bills dealing with worthwhile relief for taxpayers, bills dealing with the regulation of public utilities, and bills beneficial to labor.

Last week I raised no objection to the orders of the day because I felt that there was a heavy calendar. I thought in fairness to the membership of this House, who as a result of that heavy calendar, were compelled to work long hours, that we should agree to the rules as submitted, but I can see no reason why the same procedure is now being presented to this House and we are asked to agree in it. In my opinion it is forcibly gagging the members of this House who have bills in committees, which they sponsored in good faith, in the interest of their constituents.

If the people of Pennsylvania are to have representative government, then I say that the representatives whom they have sent here should have at least an opportunity of moving to discharge committees as provided for under House Rule No. 40.

I realize that we are drawing toward the conclusion of the session, but it is not any fault of the members who desire to move to discharge committees on these bills that this delay is necessary. These committees have had these bills long enough to study them; they have had them long enough to make some recommendation on them.

In view of these facts I ask the membership of this House to nonconcur in the recommendations of the Rules Committee, because, in my opinion, it means nothing less than the gagging of the liberal members of this House from their opportunities of attempting to discharge committees from further consideration of liberal, social and labor legislation.

Mr. HUTTON. Mr. Speaker and members of the House, the controlling reason for submitting the resolution that has been submitted eliminating at this time resolutions or motions to discharge committees from further consideration of bills, was the hope of the committee that there might be an adjournment this week. If so the discharge of committees will cer-

tainly be absolutely futile. On the other hand, this evening it has been called to the attention of myself and other members of the committee that at the session probably tomorrow the Rules Committee will consider favorably the giving of a half an hour for motions to discharge committees. Although I can't speak for the Committee, it is likely that that matter will come up for consideration by the Rules Committee tomorrow morning. Therefore, I ask you to adopt the resolution pertaining to the order of the day as it has been submitted by the Rules Committee.

On the question recurring,

Will the House adopt the resolution?

Mr. HOOPES. Mr. Speaker, I offer the following amendment to the resolution submitted by the Rules Committee.

The amendment was read by the clerk as follows:

Amend the resolution of the Rules Committee so as to read:

"Excepting that at the hour of 11 P. M., Monday, April 24, 1933, it shall become a special order of business of the House to consider a motion that the Committee on Ways and Means be discharged from further consideration of House Bill No. 1173, 'An act entitled an act imposing a tax upon the net income of persons resident in the Commonwealth, providing a method for the collection and payment of such tax, and directing the disbursement of all proceeds of such tax to emergency relief funds and to the school districts in relief of local property taxes,' which bill was referred to the Committee on Ways and Means on February 28, 1933, and has been in the hands of said Committee for a period of more than ten days."

On the question,

Will the House agree to the amendment?

Mr. HOOPES. Mr. Speaker and members of the House, in view of the fact that for the last week the Rules Committee has at the beginning of every session brought in orders of the day, the adoption of which has prevented the consideration of anything except that which was included therein and which carefully excluded from the orders of the day any time for motions to discharge committees from further consideration of bills, I offer this amendment. While it is to be hoped that this session is not going to last all summer, it is very important that some of these motions should be considered now. The longer we put it off the less chance there is of getting a bill passed, even if the committee should be discharged.

Those of us who are interested in some of these measures, and many members of the House are interested in a number of these measures, feel that it is time that the House should be given a chance to vote and say whether or not we can have a committee discharged from further consideration of some of these important bills. The only way we can do that, due to the procedure followed last week, is to offer an amendment to the report of the Rules Committee which is what I have done here on this occasion.

The amendment offered by me proposes that an exception be made in the Committee resolution to the effect that at 11.00 o'clock P. M. there shall be a special order of business to consider a motion to discharge the Committee on Ways and Means from further consideration of House Bill No. 1173 which is an income tax bill. We feel that this bill is very important. We are told that it is impossible to raise enough money for the relief of the unemployment situation and to keep the schools open, and this bill is a method of doing that very thing. Incidentally, the bill is not sponsored by myself. It is a bill in which the members of the House are very much interested and therefore I ask you to vote for the amendment to the report of the Committee on Rules.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Delaware, Mr. Turner, will state his point of order.

Mr. TURNER. Mr. Speaker, the amendment offered, as I understand it, is to make a special order of business at 11.00 o'clock to night a motion to discharge the committee on Ways and Means from further consideration of House Bill No. 1173. Is that correct?

The SPEAKER. That is correct.

Mr. TURNER. The report of the Committee on Rules is to provide the proceudre and an order of business for the day. The amendment, therefore, would not be in order as an amendment to the order of the day should provide a place on the order of the day for motions to discharge committees from further consideration of bills.

The SPEAKER. The Chair is of the opinion that the amendment is in order because the amendment states 11.00 o'clock as the time for the consideration of motions to discharge committees, if it is adopted.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. Hoopes and Mr. Gallagher.

Mrs. WILSON. Mr. Speaker, I ask for a verification of the roll.

The roll call was verified and was as follows:

YEAS—71

Andrews,	Eroe,	Male,	Schwab,
Bechtel,	Fitzgerald,	Malina,	Sheffer,
Beech,	Flanagan,	Marcks,	Shettel,
Bernhard,	Furman,	McCreary,	Shugarts,
Boyd,	Gallagher,	McGinnis,	Sinwell,
Brancato,	Harmuth,	McGrail,	Stank,
Brown, J. E.,	Hartman,	McGregor,	Sterling, R. B.,
Brown, W. L.,	Hermansen,	McKinney,	Stevens,
Brownfield,	Hester,	Melchiorre,	Stone,
Cannon,	Holmes, J. B.,	O'Connor,	Surface,
Caputo,	Hoopes,	O'Keefe,	Wagner,
Carson,	Howard,	Quinn,	Walker, G. E.,
Chevenak,	Kane, J. J.,	Raub,	Walker, W. A.,
Cohen,	Kinney,	Reilly,	Welsh,
Cramer,	Lane,	Rhodes,	Westrick,
Downey, G. E.,	Lenahan,	Ruth,	Wilson, L. M.,
Downey, J.,	Lovett, J. E.,	Sautter,	Yourishin,
Dunmire,	Lynch, M.,	Schrope,	

NAYS—100

Bennett,	Hart,	Myers,	Sowers,
Blumberg,	Heffernan,	Negley,	Spann,
Brennan,	Hefferon,	Nothnagle,	Steedle,
Carey,	Heffner,	Patterson,	Stiteler,
Conner,	Hewitt,	Peelor,	Storb,
Cooke,	Holmes, J. L.,	Pennock,	Stott,
Cordier,	Horst,	Peters,	Tahl,
Craig,	Hough,	Perry, D. R.,	Turner,
Dane,	Hutton,	Perry, J. J.,	Wade,
Davies,	Kane, L. P.,	Powell,	Wall,
DeFrehn,	King,	Powers,	Wasserman,
Ederer,	Laubach,	Price,	Way,
Emhardt,	Lewis,	Rectenwald,	Weidemann,
Evans,	Lord,	Reed,	White,
Fleisher,	Lose,	Rice,	Wike,
Flynn,	Lovett, W. S.,	Roan,	Williams, G. W.,
Forrest,	Maloney,	Root,	Williams, J. J.,
Gillette,	Mason,	Roth,	Wilson, T. B.,
Gorman,	McBride,	Ruby,	Witkin,
Green,	McElwee,	Schrock,	Wood,
Greenstein,	McKay,	Schwartz,	Woodside,
Griffith,	Merrell,	Scorza,	Wright,
Habbyshaw,	Mohn,	Scott,	Yeakel,
Haines,	Moore,	Shellenberger,	Talbot,
Hamilton,	Mumford,	Simon,	Speaker.
Harris,			

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House adopt the resolution?

Mr. J. J. KANE. Mr. Speaker, I desire to offer the following amendment to the resolution of the Rules Committee.

The amendment was read by the Clerk as follows:

Amend the resolution of the Rules Committee so as to read: "Excepting that at the hour of 1.40 A. M. or as soon after that hour as possible, it shall become a special order of business of the House to consider a motion that the Committee on Public Health and Sanitation be discharged from further consideration of House Bill No. 977, 'An Act relating to limited dividend reconstruction corporations defining and providing for the formation of such corporation for the purpose of reconstructing slum areas extending to such corporations certain existing laws relating generally to corporations of the second class,' which bill was referred to the Committee on Public Health and Sanitation on February 15, 1933, and has been in the hands of that Committee for a period of more than ten days."

On the question,

Will the House agree to the amendment?

Mr. HOOPES. Mr. Speaker and members of the House, this is another one of those bills in which a large number of the members of this House are very much interested, and this is the only way that we can get a chance to get a vote to discharge the committee from further consideration, therefore, this amendemnt to the report of the Committee on Rules is offered. I trust you will vote aye in favor of this amendment.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. Hoopes and Mr. Harmuth.

Mr. WELSH. Mr. Speaker, on account of so much confusion around us here during the roll call I ask that the roll be verified.

The SPEAKER. The roll will be verified.

PARLIAMENTARY INQUIRY

Mr. J. J. KANE. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. J. J. KANE. Mr. Speaker, will the votes be recorded of those who answer as well as those who do not answer?

The SPEAKER. The recording clerk records only those who vote.

The roll was verified and was as follows:

YEAS—69

Andrews,	Emhardt,	Lovett, J. E.,	Rhodes,
Barnhardt,	Eroe,	Lynch, M.,	Ruth,
Bechtel,	Fitzgerald,	Male,	Schrope,
Beech,	Flanagan,	Malina,	Schwab,
Bernhard,	Furman,	McCreary,	Shettel,
Boyd,	Gallagher,	McGinnis,	Shugarts,
Brancato,	Harmuth,	McGrail,	Sinwell,
Brown, J. E.,	Hartman,	McKinney,	Stank,
Brownfield,	Hermansen,	Melchiorre,	Sterling, R. B.,
Cannon,	Hester,	O'Connor,	Stevens,
Caputo,	Hoffman,	O'Keefe,	Stone,
Carson,	Hoopes,	O'Rourke,	Wagner,
Chervenak,	Howard,	Perry, J. J.,	Welsh,
Cohen,	Kane, J. J.,	Powell,	Westrick,
Cramer,	Kinney,	Quinn,	Wilson, L. M.,
Downey, G. E.,	Lane,	Raub,	Yourishin,
Dunmire,	Lenahan,		

NAYS—105

Baker,	Haines,	Mumford,	Sterling, P.,
Bennett,	Hamilton,	Myers,	Stiteler,
Blumberg,	Harris,	Negley,	Storb,
Brennan,	Hart,	Nothnagle,	Stott,
Brown, W. L.,	Heffernan,	Patterson,	Surface,
Carey,	Hewitt,	Peelor,	Tahl,
Conner,	Himes, H. E.,	Pennock,	Turner,
Cooke,	Horst,	Perry, D. R.,	Wade,
Cordier,	Hough,	Peters,	Walker, W. A.,
Craig,	Hutton,	Price,	Wall,
Dane,	Jaffe,	Rectenwald,	Wasserman,
Davies,	Kane, L. P.,	Reed,	Way,
DeFrehn,	King,	Rice,	Weidemann,
Denning,	Labar,	Roan,	White,
Duffy,	Laubach,	Root,	Wike,
Ederer,	Lewis,	Roth,	Williams, G. W.,
Evans,	Long,	Sautter,	Williams, J. J.,
Fleisher,	Lose,	Schrock,	Wilson, T. B.,
Flynn,	Lovett, W. S.,	Schwartz,	Witkin,
Forrest,	McCandless,	Scorza,	Wood,
Gartner,	McElwee,	Scott,	Woodside,
Gillette,	McGregor,	Sheffer,	Wright,
Gorman,	McKay,	Shellenberger,	Yeakel,
Green,	Meredith,	Simon,	Zimmerman,
Greenstein,	Merrell,	Sowers,	Talbot,
Griffith,	Mohn,	Spann,	Speaker.
Habbyshaw,	Moore,		

So the question was determined in the negative and the amendment was not agreed to.

Mr. HUTTON. Mr. Speaker, I move the previous question.

The question was seconded by Messrs. Peters, Ederer, Zimmerman, Forrest, Greenstein, Craig, Stiteler, Duffy, Weidemann, Nothnagle, Fleisher, Price, Tahl, George W. Williams, Evans, Habbyshaw, Rice, John L. Holmes, Woodside and others.

On the question

Shall the main question be now put?

The motion was agreed to.

On the question recurring,

Will the House adopt the resolution?

It was agreed to.

COMMUNICATIONS

The SPEAKER laid before the House the following communications which were read by the Clerk.

URGING RETENTION OF PHILADELPHIA COUNTY RELIEF BOARD

Philadelphia Chamber of Commerce.

Referred to the Committee on Appropriations.

URGING ABOLITION OF OCCUPATION TAX

Borough of Norwood.

Referred to the Committee on Boroughs and Townships.

PROTESTING PASSAGE OF CODE FOR SECOND CLASS TOWNSHIPS

Sandy Township—Clearfield County—Taxpayers Association.

Referred to the Committee on Boroughs and Townships.

URGING PASSAGE OF HOUSE BILLS NOS. 1335, 1374 and 1386

Central Philadelphia Business Association.

Referred to the Committee on Education.

DEMANDING REPEAL OF STATE EVICTION LAW

Unemployed of Pennsylvania.

Referred to the Committee on Judiciary Special.

URGING PASSAGE OF LEGISLATION ON OLD AGE PENSION—SHORTER WORKING WEEK AND MINIMUM WAGE FOR WOMEN MINORS

The Presbytery of Northumberland.

Referred to the Committee on Labor.

URGING REDUCTION OF SALARIES OF PUBLIC OFFICIALS

Non-partisan Taxpayers League of York County.

Referred to the Committee on State Government.

OPPOSING SALE OF ALCOHOLIC LIQUORS

The Presbytery of Huntingdon.

Referred to the Committee on Ways and Means.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 187.

A Joint resolution continuing the Senate Committee constituted to investigate charges against members of the Public Service Commission and related matters defining the powers and duties of said committee ratifying and confirming the filling of vacancies in the membership thereof and making an appropriation for the payment of its past and future expenses.

SENATE BILL No. 720.

An Act to authorize certain corporations organized under the laws of Pennsylvania, including railroad corporations organized under the laws of Pennsylvania and of any other state or states, to increase or decrease the par value of the shares of their capital stock; providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock, or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued; prescribing the manner in which such change shall be made; and repealing all acts and parts of acts inconsistent herewith.

SENATE BILL No. 721.

An Act authorizing stock corporations, with certain exceptions, to make provisions for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilities of their directors; making other provisions relating to the capital and capital stock of such corporations; and repealing all acts or parts of acts inconsistent herewith.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 20, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 51, Printer's No. 5, entitled:

An Act to amend the act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-two) entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired and to validate the conveyances and other instruments of said corporations" as amended extending said validating provisions to January first one thousand nine hundred and thirty-three

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate April 20, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 638, Printer's No. 178, entitled:

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors providing for the appointment and compensation of a director of welfare investigators assistants experts and employes and for the employment and compensation of elected directors whose terms have not expired and repealing existing laws

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 95:

An Act to amend section one of the act approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage, stationery and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," as amended, decreasing the compensation of members of the General Assembly, and the amount they shall receive for postage and mileage.

HOUSE BILL No. 173:

An Act to amend section one thousand five hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended providing for cooperation by school districts with municipal districts in health work

HOUSE BILL No. 257:

An Act to amend sections thirty-seven and thirty-eight of the act approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fifty-seven) entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections, and their enrollment as members of political parties as a further condition of their right to vote at primaries, in cities of the first class of this Commonwealth, by removing from office all existing registration commissioners and their appointees in said cities, and authorizing the Governor to appoint registration commissions therein; defining the jurisdiction of said commissions, and the powers and duties of the commissioners constituting same, and of their appointees, including registrars, inspectors of registration, clerks, and counsel; fixing their qualifications, terms of office, and compensation; granting them certain immunity from arrest on registration days; and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence, as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof, to copy or demand a list of the lodgers therein, and to supervise the conduct of registrars; regulating the registration of electors at polling places by registrars, and at the offices of commissions by commissioners, and the right of parties or bodies of electors to have watchers thereat, and the preparation and use of street lists and other records of those registered; allowing the names of persons not entitled to vote to be struck from the registers in certain cases; permitting all records regarding registration to be inspected and copied by any elector under certain conditions; directing how the registers shall be used at elections and primaries; compelling the attendance of witnesses and payment of witness fees; and providing penalties for refusal to obey subpoenas; directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor; authorizing such clerks to administer oaths, sign subpoenas and vouchers, and to collect and disburse witness fees; prescribing a method for challenging persons applying for registration, and the procedure for the correction of registers, and for appealing from actions of registrars to said commissions; and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas; imposing certain duties upon election officers and upon the councils, treasurers, controllers, receivers of taxes, police officers, and other officials of said cities and upon the courts, judges, prothonotaries, sheriffs, commissioners, peace officers, and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive; legalizing certain acts required hereby if done on any Sunday or legal holiday; requiring said cities to provide for the maintenance of said commissions, and the compensation of their appointees, and the payment of all expenses necessary to carry out the provisions of this act, and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions; punishing and fixing penalties for violations hereof; and repealing all legislation inconsistent herewith"; regulating the correction of registers upon petitions of electors, by placing the burden of proof upon the petitioner in proceedings to strike names from the register.

HOUSE BILL No. 324:

An Act to further amend section one of the act approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws, one hundred eighteen), entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States," by providing that certain descriptions and plans heretofore required to be filed with the Secretary of the Commonwealth shall hereafter be filed in the Department of Internal Affairs, and requiring the transfer to the Department of the Internal Affairs of such descriptions and plans now filed with the Secretary of the Commonwealth.

HOUSE BILL No. 380:

An Act to amend section three of the act approved the fifth day of March one thousand nine hundred and six (P. L. 63) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" as amended by changing the hours when registrars are to sit

HOUSE BILL No. 1025:

An Act giving courts of common pleas jurisdiction of actions for injuries to or breaches of contracts or covenants relative to lands situate without the Commonwealth or estates or interests in such lands

HOUSE BILL No. 1340:

An Act to amend clause (d) as amended of section fifty-nine of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by providing for the action by the natural guardian or the person by whom the minor is maintained for the minor upon leave of court and without formal appointment in matters relating to real estate in which the share of the minor does not exceed two hundred dollars.

HOUSE BILL No. 1635:

An Act to amend section eleven of the act approved the eleventh day of May one thousand nine hundred and twenty-five (Pamphlet Laws five hundred sixty-one) entitled "An act to provide for the selection of jurors to serve in the several courts criminal and civil of counties of the second class and defining the qualifications of such jurors providing for the organization of a commission for the selection of jurors in such counties and prescribing its powers and duties and authorizing it to investigate as to the qualifications of prospective jurors imposing the expense of maintaining and operating said commission upon said counties and requiring the county commissioners to provide suitable quarters equipment and supplies authorizing the employment of the necessary clerks and other employes and providing for a salary board composed of the commission the county commissioners and the controller of said counties to fix the number and compensation of such employees requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service repealing inconsistent legislation and prescribing punishment for the violation hereof" by changing the method of giving notice to persons selected as jurors.

HOUSE BILL No. 1824:

An Act to amend section two of the act approved the third day of April, one thousand nine hundred and twenty-nine (P. L. 135), entitled "An act authorizing the Department of

Justice, acting for the Department of Forests and Waters, to institute suits on behalf of the Commonwealth to recover from persons, associations, copartnerships, and corporations, and their officers, agents, and employes, causing forest fires, the expenses incurred by the Department of Forests and Waters on account of such fires," authorizing the Department of Justice to institute suits for such purposes in any court or before any justice of the peace alderman or magistrate and requiring all monies collected by the department in such suits to be paid into the State Treasury

HOUSE BILL No. 1945:

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended and paragraphs one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two

HOUSE BILL No. 2061:

An Act providing for the transfer of the State Nursery at Milton from the Department of Highways to the Department of Forests and Waters.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1374

Mr. WILSON. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1374.

The report was read by the Clerk as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1374

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1374, entitled: "An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the Superintendent of Public Instruction to permit as to certain school districts temporary reductions in the salary schedules authorizing Superintendent of Public Instruction to suspend mandatory provisions of the act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation therof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws ,general, special or local, or any parts thereof that are or may be inconsistent therewith," and of its amendments and supplements; prohibiting school districts from demanding, requesting or accepting gifts or donations from members of the teaching and supervisory stafs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules granting certain options to the members of the School employes' Retirement System and temporarily superseding any inconsistent acts and parts of acts, respectfully submit the following bill as our report:

RICHARD W. WILLIAMSON,
CHARLES H. EALY,
CHARLES W. STAUDENMEIER,
Committee on the part of the Senate

THOMAS B. WILSON,
A. J. WHITE HUTTON,
WILLIAM ELLIS ZIMMERMAN,
Committee on the part of the House of Representatives

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the Superintendent of Public Instruction to permit as to certain school districts temporary reductions in the salary schedules authorizing Superintendent of Public Instruction to suspend mandatory provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements prohibiting school districts from demanding requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules granting certain options to the members of the School Employes' Retirement System and temporarily superseding any inconsistent acts and parts of acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Definitions The following terms shall be construed in this act to have the following meanings

1 "Employe" Any teacher principal supervisor or supervising principal county superintendent district superintendent assistant superintendent any member of the staff of the State Teachers' Colleges of the Cheyney Training School for Teachers of the staff of the Department of Public Instruction or of the staff of the State Council of Education or any clerk stenographer janitor attendance officer or other person engaged in any work concerning or relating to the public schools of this Commonwealth or in connection therewith or under contract or engagement to perform one or more of these functions No person however shall be deemed an employe within the meaning of this act who is not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods In all cases of doubt the School Employes' Retirement Board shall determine whether any person is an employe as defined in this act

2 "Employer" The Commonwealth school district State Teachers' Colleges Cheyney Training School for Teachers board or other committee by which the employe is paid

3 "Teacher or supervisor" A member of the teaching or supervisory staff or other appointee of any school district to whom any statutory minimum salary schedule shall be applicable

4 "Salary schedule" A schedule of minimum basic salaries plus required increments prescribed by any Act of Assembly for the payment of salaries of teachers or supervisors

Section 2 Re-employed Teachers and Supervisors During the period in which this act shall be in effect no school district shall be required to pay to any teacher or supervisor who during the year preceding the effective date of this act shall have been in its employ or who during such year shall have been in the employ of any school district whose territory shall wholly or in part comprise such district any salary or compensation at a rate greater than ninety per centum of the minimum amount which such teacher or supervisor was entitled to receive under the salary schedule immediately prior to the effective date of this act

Section 3 New Teachers and Supervisors During the period in which this act shall be in effect no school district shall

be required to pay to any teacher or supervisor who during the year preceding the effective date of this act was not employed by such school district or by a district whose territory shall wholly or in part comprise such district any salary or compensation at a rate greater than ninety per centum of the minimum amount which such teacher or supervisor would have been entitled to receive under the salary schedule if he or she had entered the employ of such district immediately prior to the effective date of this act

Section 4 Additional Reductions When the board of school directors of any school distirct shall present to the Superintendent of Public Instruction evidence which shall convince him that the district does not and will not have sufficient funds to pay the salaries required by the salary schedule as modified by the foregoing provisions of this act or that the payment of the salaries of the schedule as thus modified would be unreasonably oppressive upon the school district the Superintendent of Public Instruction may for such district and for the period during which this act shall be in effect reduce the percentage herein provided from ninety to a percentage which he shall deem to be just and reasonable for that district

In lieu of or in addition to thus reducing the above percentage the Superintendent of Public Instruction may as to any such district and for such period suspend any provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements when such provisions require and make mandatory any action by the school district or its board of school directors

Section 5 All reductions of salary or compensation made by any school district under authority of this act should be extended and applied to all employes of the district on an equitable graduated scale that is those receiving the largest compensation or salary to receive the largest reduction and those receiving the smallest salary or compensation the smallest reduction

Section 6 Retirement Options During the year which shall begin on July first one thousand nine hundred thirty-three and close June thirtieth one thousand nine hundred thirty-four each employe who is a member of the School Employes Retirement System shall have the option of contributing to the School Employes Retirement Fund either on the basis of the total salary which he or she will receive during such year or on the basis of the salary which he or she received during the year which began July first one thousand nine hundred thirty-two and ended June thirtieth one thousand nine hundred thirty-three Each such employe shall notify in writing his employer on or before September first one thousand nine hundred thirty-three upon which salary he or she elects to contribute

During the year which shall begin July first one thousand nine hundred thirty-four and close June thirtieth one thousand nine hundred thirty-five each employe who is a member of the School Employes' Retirement System shall have the option of contributing to the School Employes' Retirement Fund either on the basis of the total salary he or she will receive during such year or on the basis of the total salary which he or she received during the year which began July first one thousand nine hundred thirty-two and closed June thirtieth one thousand nine hundred thirty-three Each such employe shall notify in writing his employer on or before September first one thousand nine hundred thirty-four upon which salary he or she elects to contribute Each employer shall notify the School Employes' Retirement Board in writing on or before September fifteenth one thousand nine hundred thirty-three and on or before September fifteenth one thousand nine hundred thirty-four of the option elected by each such employe for the then current year

During each of such years which begin on July first one thousand nine hundred thirty-three and July first one thousand nine hundred thirty-four the employer shall contribute on the basis of the salary upon which each of such employes shall have thus elected to contribute

Each new member who comes into the School Employes' Retirement System during the period beginning July first one thousand nine hundred thirty-three and ending on June thirtieth one thousand nine hundred thirty-five shall contribute on the basis of the salary actually received The employer shall contribute upon the same basis

The salary upon which each such employe elects to contribute for each of the years beginning July first one thousand nine hundred thirty-three and July first one thousand nine hundred thirty-four shall be used as the salary for each such year in the determination of any final salary upon which a retirement allowance will be computed

Section 7 Effect of Payment of Salaries Which Are Less Than Those Prescribed by Salary Schedule There shall be no deduction from the amount to be paid by the Commonwealth to a school district as a partial reimbursement for the salary or compensation of any teacher or supervisor because the district pays such person any time during the biennium beginning on the first day of June one thousand nine hundred thirty-three a smaller salary or compensation than is prescribed for such person by the salary schedule so long as the amount which the district pays is not less than the amount permitted by the provisions of this act or than that allowed by the Superintendent of Public Instruction in pursuance of the provisions of this act

Section 8 Prohibition Against Demanding Requesting or Accepting Gifts or Donations During the period in which this act shall be in effect it shall be unlawful for any board of school directors to demand request or accept directly or indirectly any gift or donation from any teacher or supervisor within its employ

Section 9 Forfeiture of Subsidies When during the period during which this act shall be in effect the Superintendent of Public Instruction shall be of the opinion that any school district shall have violated the provisions of this act by demanding requesting or accepting any gift or donation from one or more teachers or supervsors he shall subject to the restrictions herein provided have the power to declare forfeited for the then current school year any State subsidy which is to be paid to the district as a partial reimbursement of the salary of each such teacher or supervisor

Before declaring any such forfeiture as to any school district the Superintendent of Public Instruction shall mail to the board of school directors of the district a statement setting forth the alleged violations and the names of the one or more teachers or supervisors from whom the gifts or donations are alleged to have been demanded requested or accepted The statement shall be accompanied by a notice stating that unless a denial of such allegations verified by the affidavit of the president or secretary of the board is received by the Superintendent of Public Instruction within fifteen days he will declare a forfeiture as to such subsidy for each such teacher or supervisor If such a denial shall not be received within such fifteen days the Superintendent of Public Instruction may declare such one or more forfeitures

If such a denial shall be received the Superintendent of Public Instruction shall conduct a hearing to determine whether or not there have been any such violations He shall give reasonable notice of the time and place of the hearing to the board of school directors of the district and at the hearing shall give the board the right to be heard and to be represented by counsel

If after the hearing the Superintendent of Public Instruction shall be of the opinion that one or more of the violations set forth in the statement which he shall have sent to the board as herein provided did actually occur he may as herein provided forfeit the subsidies to be paid to the district as a partial reimbursement for the salary of each teacher or supervisor listed in such statement from whom in his opinion the district or its representative shall have demanded requested or accepted a gift or donation

Section 10 Impairment of Contracts Nothing in this act shall be construed as impairing the obligation of any contract made before the effective date of this act

Section 11 Constitutional Construction The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court as to those provisions shall not affect the validity of the remaining provisions of this act It is hereby declared as a leg-

islative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included herein

Section 12 Effective Date Period During which Act Shall be Effective This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor and shall remain in effect as to school districts of the second third and fourth classes until the first day of July one thousand nine hundred thirty-five and as to school districts of the first class until the first day of January one thousand nine hundred and thirty-six

Section 13 Inconsistent Provisions All acts and parts of acts inconsistent with the provisions of this act are hereby superseded for the period during which this act shall be in effect

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that the report of the Committee on Conference on House Bill No. 1374 is the same as the previous report, therefore, the members will find on their desks Printers' No. 977 as the report of the committee on conference on House Bill No. 1374.

On the question,

Will the House adopt the report?

Mr. MUMFORD. Mr. Speaker and members of the House, we have before us tonight House Bill No. 1374. The provisions of this bill are that the directors may cut the teachers' salaries ten per cent themselves and then anything above that, or below that, they must have the approval of the Superintendent of Public Instruction. I know that a great many of you would like to have in that bill the provisions that any cut below the ten per cent. should be approved by the Court of Common Pleas. That is out of the bill and we must forget it, as I see it. The Senate has taken that out and we vote tonight on whether we will approve House Bill No. 1374 or not approve it.

Now, if we do not approve House Bill No. 1374, we have the Edmonds Act which is a salary raiser and under which there will be an increment in the salary of teachers, and I think that everyone agrees that the Edmonds Act it not suitable in a depression. It was all right when prices were rising and everything was prosperous and everyone had money, but the Edmonds Act I don't think anyone wants now. A vote for House Bill No. 1374 means that you want to allow the directors to cut the teachers' salaries, and cut them if necessary above ten per cent., with the approval of the Superintendent of Public Instruction. A vote "no" means simply to continue the Edmonds Act, or, in other words, that the teachers will have the increments in their salaries. You have your choice, either to give to the directors the power to cut salaries, or, on the other hand a vote "no" will mean that the teachers' salaries will be put up under the Edmonds Act under which they will be operating. I beg of you to vote for House Bill No. 1374. We must have it. Thank you.

Mr. HAINES. Mr. Speaker and members of the House, I hate to take your time to express myself on this conference report, but in the light of it I feel that I must disagree with the statements of the gentleman from Warren, Mr. Mumford, I feel that I must disagree with our colleague from Warren County, Mr. Mumford, in that he says that a vote against the report of the committee on conference would be to keep the Edmonds Act in its entirety. I don't feel that the Senate has any prerogatives over those exercised by this House. Upon two occasions this House has demonstated its wish and desire with reference to the provisions of House Bill No. 1374, in particular that portion of it which refers to the source to which we must go for our approval, or that the school boards should go for their approval to set aside further provisions of the Edmonds Act.

It seems to me that there are just three alternatives before us. We will either have to impose further taxes on real estate, or have a shortening of the session or a closing of the schools for a portion of the term in the rural sections, or to have this further suspension of the provisions of the Edmonds Act.

I have talked to the Courts in Bucks County on Friday last and both of our judges are entirely in accord with the though of having this matter left to them. They are sympathetic, they understand the financial situation in the several districts throughout the county, they are accessible, and in so far as Bucks County is concerned the courts there are entirely in accord with having this matter left in their hands. I shall personally vote against the adoption of the report of the conference committee at this time.

Mr. LONG. Mr. Speaker and members of the House, this bill, as I understand it, in its present form, has twice been defeated in this House. I wonder how many lives this bill has on the floor of the House. The objectionable feature in this bill is still there and that is leaving the fixing of these teachers salaries up to the Superintendent of Public Instruction. It may be that all of the members of the House understand that the bill is in the form which I describe. My only purpose in getting on my feet is to call the attention of the members to the fact that the bill is in such form. I hope you will vote to defeat it.

Mr. SARIG. Mr. Speaker and members of the House, when this bill was before this House for the first time about three weeks ago I spoke against the bill and voted against it, because I believed that it would be possible for us to get a better bill. However, as the situation now stands, the question is whether House Bill No. 1374 shall be passed or shall be defeated. If we defeat this bill what then; what is the alternative? Has there been any alternative brought forward to remedy this situation?

I fear, and I know, during the last three weeks the voluntary cut of teachers has spread through certain parts of the state like wildfire. School directors have gone to school teachers and have said "What is the least that you will take for teaching next year" and the poor teacher says perhaps "one hundred dollars a month." Then the directors say: "Well I have a teacher that will take your place at seventy-five dollars a month." What is the poor teacher going to do? In order not to lose her position she says "All right, I will accept seventy-five dollars a month," and this is considered all over the State as a voluntary act. In fact it is nothing of the kind; it is really a cut under extortion, it is a cut under duress. In order to remedy that situation I feel that we can do nothing better for the teachers of Pennsylvania, as well as for the boys and girls of Pennsylvania, than to support the bill in its present form.

The Cordier Bill, which provides for a five million dollar loan from the Motor Fund for school purposes, has passed this House and I understand that it is reasonably sure that it will pass the Senate and I think it will be signed by the Governor. At least that is the understanding. With that five million dollars then as a bottom for House Bill No. 1374 the teachers will at least have some protection. They will be protected and I say the one remedy effected in this bill is that clause which prohibits the voluntary cut.

I would hate to think of what would happen all over the State of Pennsylvania if this bill is defeated. If you defeat this bill tonight it will mean that practically every school district in Pennsylvania will be thrown open to that voluntary

cut, and the teachers of Pennsylvania will have no recourse whatsoever.

There is nothing in the Edmonds Act that prevents that socalled "voluntary cut." This bill at least gives them some protection. When any school board comes in to the Superintendent of Public Instruction and asks for a further cut, the five million dollars in the revolving fund can be used to take the place of a further cut.

I have been assured several times by the Superintendent of Public Instruction that he will do all in his power, especially in the case of fourth class districts where the minimum salary is $100.00 and where a ten per cent. cut would cut them to seven hundred and twenty dollars per year, that he will do all in his power to prevent any further cut beyond the ten per cent.

On the other hand, defeat this bill and the teachers will have no protection whatever, and it will mean that the entire state will be thrown open to the voluntary cut and that there is nothing to stop it. It is spreading now like wildfire in many parts of the state and I feel at least for affording some protection to these poorly paid teachers we must support this bill or place them at the mercy of the voluntary cut which is now spreading over the state. I, therefore, ask you to vote for this bill as the lesser of two evils which confront us.

Mr. ZIMMERMAN. Mr. Speaker and members of the House, tonight I find myself as in fact my colleague, Mr. Perry, found himself a few days ago in serving his first term he came here and determined that as serving his first term I would have nothing to say in this House, but I am going to diverge from that rule which I made when I was sworn in and I do so because of the fact that it has been my pleasure and privilege to have served as a conferee of the House with the Senate upon this exceedingly important bill.

I am not going to take much of your time except to tell you and bring to you, if I may, the attitude of the conferees that has labored with this bill as I doubt whether few conferences have labored with other bills in this session, and that conference believed, and I believe that I speak for them, that this is the best possible legislation that can be brought to the school districts of Pennsylvania. I agree with my colleague, Mr. Sarig, and I want to tell you, those of you who look to the interest of the school teachers throughout the State, this bill curbs the cut that school teachers may receive. It states by adjective law what the school districts may cut and what they may take away from the school teachers of this State. Vote down this bill and then the school boards of the districts can cut the teachers salaries much more severely than they can with this bill enacted into law.

So I ask, if you are thinking of the school teachers, to support them by establishing a fixed point beyond which the school board and the district dare not go. Then, again, if you are thinking of the school board itself, this bill allows the school board to put its own financial house in order and allows them to make their own final adjustments.

If we get the five million dollars provided for by another bill in this House then this bill becomes null. Certainly we should place in the hands of the school districts the machinery to put their house in order in the event that the five million dollars is not obtained.

Therefore, on behalf of the conferees I ask in the interest of the public schools of this state that you vote favorably upon this bill.

Mr. LOSE. Mr. Speaker and members of the House it seems to me that in this House there is some misunderstanding as to the part that our revenue and financial officers have to do with the school districts when they ask for a greater reduction in teachers' salaries than ten percent. It is not the State Council of Education but the State Superintendent of Public Instruction in whose offices are all the facts and figures necessary to determine on giving the school districts permission to make the increase if he thinks that to be necessary. It can be done much more promptly there and much more fairly there than in the Courts, it seems to me. Thousands of people are watching and waiting to have this bill passed. In my own county more than half of the school directors are waiting for the passage of this bill before making their contracts with teachers for the next year. So we see how imperative it is to pass this bill as it is now.

Mr. LENAHAN. Mr. Speaker and members of the House, I arise at this time to protest against the passage of this bill because the people of my district are one hundred percent against it.

I realized when I came to the legislative body of this House that laws are being enacted for the purpose of bringing about economy, but I fail to see that in the passage of this law we can bring about that purpose in this legislature by cutting salaries or by passing any law that will have for its purpose the cutting of teachers' salaries in any district throughout the confines of the Commonwealth of Pennsylvania.

I believe that if this bill were enacted into law it would impose upon the school directorate of many districts an arbitrary power that would enable them to go either to the Court of Common pleas, civil session, or to the Superintendent of Public Instruction. Therefore, it is in the interest of the people of my constituency that I arise in protest of a law which I have been on many occasions quoted as voting for when I arise in the hall of this House, and say to the members comprising this Legislature that I ask your unanimous vote in opposition to any bill that might confront the people of this House which has for its purpose the cutting of teachers' salaries. The teachers of the State of Pennsylvania, in public and in private schools have labored too long in the interest of humanity. They have been underpaid for such a period of time that it is incumbent upon the Legislature at this time to arise in protest against any bill which has for its purpose the cutting of teachers' wages at this present time.

Now, it is under the provisions of this act that the teachers' salaries may be curtailed and they may start from the point of zero and run on indefinitely, and yet if we were to consider the low wage with which our teachers have been paid and if we could lay aside those ulterior motives that might prompt us not to vote for the passage of this bill, we can readily see, members of this House, what a detriment and what a hardship that would work upon the teachers of the Commonwealth of Pennsylvania.

Oh, yes, members of this Legislature, the proponents of this bill will argue and perhaps argue well that unless this bill is enacted into law perhaps the school districts of our Commonwealth may be closed. I say in the sense of decency, in the sense of security, the members of this House, the Legislature, are not going to stand idly by and see the school districts of our Commonwealth closed, because I freely say to the members of this Legislature that the school districts of the Commonwealth of Pennsylvania are going to remain open regardless of the enactment into law of this piece of legislation.

I ask, and I sincerely ask, the members of this House to vote down this legislation.

Mr. O'CONNOR. Mr. Speaker and members of the House, it would seem from what has been said on this bill tonight that there is a great difference of opinion as to just what it does mean.

One of the speakers has informed us that failure to pass this bill will mean a continuation of the operation of the Edmonds act in regard to teachers' salaries.

Another speaker has warned us that if this bill passes it will mean a reduction of the salaries of the teachers, which they will have to take voluntarily in order to engage in their profession.

I know of no teacher who is opposed to taking a reduction of salary at this time, and I do not believe it would be more detrimental to public education in this State for a teacher to take a voluntary reduction than to take a reduction as provided by the terms of this bill, for by the terms of this bill if a school district is unable to come to the ninety per cent of the requirements of the present salaries paid its teachers then the State Superintendent of Public Instruction steps in and becomes an absolute dictator.

In the Philadelphia Record of yesterday I read a quotation attributed to our State Superintendent of Public Instruction in which he is quoted as having said that the teachers of the Commonwealth of Pennsylvania are rapidly falling into line with this reduction in salaries if this bill were enacted into law.

We know that through the press and by means of the radio every strategic point in the State of Pennsylvania is being reached. It is the work of certain political leaders of the State to array the assemblymen from the city districts against the members from the country districts.

In my district, and I claim I represent a district composed of the finest citizens in America they are appealing to me to ask these representatives in this House from the larger cities not to array themselves against the country districts and the small towns in the rural districts and enact this legislation.

By the very terms of this bill not only would the Superintendent of Public Instruction have authority and power to reduce salaries but also he would have the power to raise taxes. He could set aside by the terms of this bill any law that we may now have. It is for this reason, this deviation from established practices and laws governing our schools and giving the State Superintendent of Public Instruction an absolute dictatorship over our schools for a period of two years, that the citizens of my district protest against the bill, and I ask you, therefore, to vote it down again.

Mr. BECHTEL. Mr. Speaker, I would like to interrogate the gentleman from Berks, Mr. SARIG.

The SPEAKER. Will the gentleman from Berks permit himself to be interrogated?

Mr. SARIG. I will, Mr. Speaker.

Mr. BECHTEL. Did I understand the gentleman to convey in the talk which he gave the House that the school directors would cancel the contracts of teachers and then employ them at a very much decreased rate of salary?

Mr. SARIG. I did, Mr. Speaker.

Mr. BECHTEL. Would you say that is true in the face of the provisions of the Edmonds law, that they could hire them at a lower salary than it is stated they should receive?

Mr. SARIG. Mr. Speaker, I would say that it has been done in our county under the provisions of the Edmonds law as it now stands in its entirety.

Mr. BECHTEL. Under what section of the Edmonds Act, may I ask, Mr. Speaker?

Mr. SARIG. There is no section under the Edmonds law, Mr. Speaker, that guarantees a teacher against a voluntary reduction.

Mr. BECHTEL. They are bound to pay them a certain established minimum wage under the Edmonds act?

Mr. SARIG. They are bound to pay them a minimum wage, but there is nothing in it to stop the school boards from giving them a voluntary reduction if the teachers agree to it.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—141

Andrews,	Greenstein,	McElwee,	Shreiner,
Baker,	Griffith,	McGregor,	Simon,
Baldi,	Habbyshaw,	McHenry,	Sinwell,
Barnhardt,	Hamilton,	McKay,	Snyder,
Bechtel,	Harris,	Meredith,	Sowers,
Bennett,	Hart,	Merrell,	Spann,
Blumberg,	Heffernan,	Moore,	Steedle,
Brennan,	Heffner,	Mumford,	Sterling, P.,
Brown, J. E.,	Hester,	Myers,	Stiteler,
Brown, W. L.,	Hewitt,	Negley,	Stone,
Caputo,	Himes, H. E.,	Nothnagle,	Storb,
Carey,	Himes, L. R.,	Patterson,	Stott,
Carson,	Hoffman,	Peelor,	Surface,
Cohen,	Holmes, J. B.,	Pennock,	Tahl,
Conner,	Holmes, J. L.,	Perry, D. R.,	Terry,
Cooke,	Horst,	Peters,	Turner,
Cordier,	Hutton,	Price,	Wade,
Craig,	Jaffe,	Raub,	Wagner,
Cramer,	Jones,	Rectenwald,	Wall,
Dane,	Kane, L. P.,	Reed,	Wasserman,
Davies,	King,	Reilly,	Way,
DeFrehn,	Kinney,	Rhodes,	Weidemann,
Downey, G. E.,	Labar,	Rice,	White,
Duffy,	Laubach,	Root,	Wike,
Dwyer,	Lewis,	Royle,	Williams, G. W.,
Ederer,	Lord,	Ruby,	Williams, J. J.,
Emhardt,	Lose,	Sarig,	Wilson, T. B.,
Evans,	Lovett, W. S.,	Schrock,	Witkin,
Fitzgerald,	Lynch, M.,	Schwab,	Wood,
Flanagan,	Male,	Schwartz,	Woodside,
Fleisher,	Malina,	Scorza,	Wright,
Flinchbaugh,	Maloney,	Scott,	Yeakel,
Flynn,	McBride,	Sheffer,	Zimmerman,
Forrest,	McCandless,	Shellenberger,	Talbot,
Gillette,	McClure,	Shettel,	Speaker.
Green,	McCreary,		

NAYS—50

Beech,	Harmuth,	McGrail,	Sautter,
Bernhard,	Hartman,	McKinney,	Shenkel,
Boyd,	Hefferon,	Melchiorre,	Shortz,
Brancato,	Hermansen,	Mohn,	Shugarts,
Brownfield,	Hoopes,	O'Connor,	Stank,
Cannon,	Hough,	O'Keefe,	Sterling, R. B.,
Downey, J.,	Kane, J. J.,	O'Rourke,	Stevens,
Dunmire,	Lane,	Perry, J. J.,	Walker, W. A.,
Eroe,	Lenahan,	Quinn,	Welsh,
Furman,	Long,	Roan,	Westrick,
Gallagher,	Lovett, J. E.,	Roth,	Wilson, L. M.,
Gorman,	Lynch, J. R.,	Ruth,	Yourishin,
Haines,	McGinnis,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 19, 1933.

Resolved (if the Senate concur), That House Bill No. 1035, entitled "An Act to amend section three hundred and two of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' providing for the identification of persons applying for licenses" be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 388 Printers No. 598, entitled:

An Act to amend section one of the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred ninety-five) entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants" fixing the compensation of district attorneys in all counties of the fifth and sixth classes

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR COUCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 345 Printer's No 330, entitled:

An Act prohibiting contractors subcontractors and builders and their agents from paying out using or appropriating moneys and funds received for the erection construction alteration completion and repair of buildings and for additions thereto before first paying in full or pro rata all claims due to architects surveyors engineers and persons furnishing labor and material

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 389 Printer's No. 510, entitled:

"An Act to amend sections six, seventeen and twenty-six of the act approved the fourteenth day of June, one thousand nine hundred and twenty-three (P .L. 710), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," as amended, by extending the provisions of said act so as to include bookers, booking agents, representatives of booking agencies for services of wrestlers; modifying license fees in certain cases; exempting amateur boxing or wrestling in schools, colleges and universities"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

CONCURRENCE IN SENATE AMENDMENTS TO SENATE BILL No. 158 SPECIAL ORDER

The SPEAKER. The hour of 10.30 having arrived the Chair lays before the House the special order fixed for this time.

The special order was read by the Clerk as follows:

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 158:

An Act to amend section six, as amended, and section eight of an act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation" prohibiting candidates for certain offices from being candidates for more than one party nomination and requiring candidates' affidavits from candidates for additional offices

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 2, line 2, by striking out after the syllable "hibiting" the word "persons" and inserting in lieu thereof the words "candidates for certain offices"; also by inserting after the word "nomination" in the last line of the title the words "and requiring candidates' affidavits from candidates for additional offices."

Amend section 1, page 5, line 9, by striking out after the word "opposite" the word "to"; also in line 14, by inserting after the word "for" the words "United States Senator or Representative in Congress or for any"; also in line 14 and 15 by striking out after the word "city" the words "borough and township" and inserting in lieu thereof the following:

"borough incorporated town township school or poor district"; also in line 19 by striking out after the word "office" the word "and"; also in line 21 by striking out after the syllable "ing" the word "nominations" and inserting in lieu thereof the word "nomination"; also in line 22 by striking out after the word "therewith" the word "That" and inserting in lieu thereof the words "and unless he is a candidate for judge of a court of record that"; also in line 25 by inserting after the word "candidates" the words "except candidates for judge of a court of record"; also in line 27 by striking out after the word "Office" the word "and"; also in line 29 by inserting after the word "office" the words "except the office of judge of a court of record"; also on page 6, line 2, by striking out at the beginning of said line the words "Provided That" and inserting in lieu thereof the word "and"; also in line 3, by inserting after the word "a" the words "candidate for"; also on page 7, line 7, by striking out after the word "on" the word "a" and inserting in lieu thereof the word "the."

Amend section 2, page 7, line 28, by striking out after the word "age" the word "sex"; also by striking out in same line after the word "residence" the word "and"; also in line 29, by inserting after the word "citizenship" the words "and party membership"; also in same line by striking out after the word "be" the word "electors" and inserting in lieu thereof the word "signers"; also on page 8, line 21, by striking out after the word "in" the word "the"; also in line 23 by striking out after the word "as" the word "the" and inserting in lieu thereof the word "to."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HEFFERON. Mr. Speaker and members of the House, the bill before you for consideration is known as the party raiding bill. It is my opinion that the bill in question is a violation of the personal rights of the citizens of Pennsylvania, if not in the truest legal sense at least it violates the spirit of the day.

We are living in a progressive and a liberal age. Our citizens are capable of doing their own thinking. Surely the time is most inopportune to pass any measure which would in any way interfere with the rights of any man to run on as many tickets as he sees fit.

I also question the sincerity of the sponsors of this measure inasmuch as they have seen fit to exclude the judiciary from being bound by this bill. It looks to me as if the political expediency of the moment has prompted the bringing forward of this political measure, and I for one am against the House being used as an instrument to pull the political chestnuts of any one out of the fire.

I resent the fact that the good time of the House is being taken up by such a measure as this when such important matters as unemployment relief and tax legislation are still hanging fire.

I ask the members of this House to vote "no" on the concurrence in these amendments.

Mr. LENAHAN. Mr. Speaker, I would like to interrogate the gentleman from Luzerne.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. HEFFERON. I will, Mr. Speaker.

Mr. LENAHAN. Is it not a fact, Mr. Hefferon, that you were elected on both tickets at the last election?

Mr. HEFFERON. Always elected, Mr. Speaker.

Mr. LENAHAN. Is that not the reason why you oppose this bill?

Mr. HEFFERON. No. Mr. Speaker, I would say that this bill is hatched in one county and it is for the purpose of taking care of that particular county, namely Lackawanna.

Mr. LENAHAN. Mr. Speaker and members of the House, if there ever was in the history of county politics in the Commonwealth of Pennsylvania a time that an act such as the act upon which we are called to vote, is necessary to the people of Pennsylvania it is now, and I say to the members of this House they should vote affirmatively upon this measure.

My friend from Luzerne County, Mr. Hefferon, is in favor of the defeat of this measure, because he has the assurance of the party leaders in Luzerne County that regardless of what ticket he desires to run upon he can gain not only the nomination but the election.

As a Democrat and as a member of this House and as a person who is willing to take my chances on the Democratic ticket in the Commonwealth of Pennsylvania, I challenge the integrity of the gentleman from Luzerne when he says we should continue a party raider that goes into the Republican and even into the Democratic ranks, and when he goes before the people he is nothing more than a "Yes-man."

I say to the stalwart Republicans of this House and I say to the Democrats of this House in the interest of party government in the Commonwealth of Pennsylvania we should approve the amendments in this bill and thereby place a certain restriction on those people who will want to come into the Democratic ranks and steal whatever nominations they possibly can get, and as a protection to the Republicans I say that the same holds true.

Therefore, ladies and gentlemen of the House, in the interests of the minority and the majority form of government in the Commonwealth of Pennsylvania, I am going to ask you to concur in the amendments.

Mr. MASON. Mr. Speaker, may I interrogate the gentleman from Luzerne, Mr. Lenahan?

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. LENAHAN. Mr. Speaker, I will.

Mr. MASON. Will the gentleman from Luzerne state whether or not he filed on two tickets during the last election?

Mr. LENAHAN. In answer to the gentleman from Luzerne I will state to the House that because of the custom in Luzerne County I filed on both tickets.

Mr. MASON. Mr. Speaker and members of the House, in order to save any one from asking me the question at the end of this brief speech, I wish to state that I likewise filed on both tickets, but I was not fortunate enough to get both nominations.

I am not speaking against this bill on the basis alone that party raiding, so-called, should be allowed in the Commonwealth of Pennsylvania. I feel this way about it; that if we are going to have one-party nominations in the Commonwealth of Pennsylvania let us start at the top and finish at the bottom.

I can see no reason why after the House has passed the bill in its original form, a bill introduced by the Senator from Philadelphia, Mr. Woodward, with the most altruistic purpose in view, and after being sent to the Governor, it should be recalled from the Governor for the purpose of exempting the judges. Why should they be allowed to party raid, so-called? Why should they be so sacrosanct that they could file on each and every ticket that is listed in the primary. I feel this way and I appeal to the members to vote against this measure for one purpose and one purpose alone: If it is defeated now it will be sent to a conference committee and I will submit to the conference committee two forms of amendment and leave it to the conference committee to decide whether they are going ahead with the altruistic idea of the original bill by adopting one amendment which will again include the judges or adopt the second amendment which will exclude the members of the House and the members of the Senate.

If we are going to make it a political bill let us make it a political bill as far as each and every one here is concerned. If you are going to make it a real one-party bill, let us have the judges file on one ticket as each of us will do at the next election.

I appeal to you to vote against these amendments.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—125

Andrews,	Forrest,	Marcks,	Scott,
Baker,	Furman,	McClure,	Sheffer,
Beech,	Green,	McGinnis,	Shettel,
Blumberg,	Greenstein,	McGrail,	Shreiner,
Boyd,	Griffith,	McGregor,	Shugarts,
Brancato,	Habbyshaw,	McHenry,	Sinwell,
Brown, J. E.,	Harmuth,	McKay,	Stank,
Brown, W. L.,	Harris,	Meredith,	Steedle,
Brownfield,	Hartman,	Merrell,	Sterling, P.,
Cannon,	Heffernan,	Mohn,	Sterling, R. B.,
Caputo,	Hester,	Munley,	Stiteler,
Carey,	Hewitt,	Nothnagle,	Storb,
Carson,	Himes, H. E.,	O'Keefe,	Stott,
Chervenak,	Himes, L. R.,	Peelor,	Terry,
Cohen,	Holmes, J. L.,	Pennock,	Turner,
Conner,	Hoopes,	Perry, D. R.,	Wagner,
Cooke,	Horst,	Peters,	Walker, G. E.,
Cordier,	Howard,	Powers,	Walker, W. A.,
Craig,	Hutton,	Quinn,	Wall,
Cramer,	Kane, J. J.,	Raub,	Weidemann,
Davies,	King,	Rectenwald,	Welsh,
DeFrehn,	Kinney,	Reilly,	Westrick,
Downey, G. E.,	Lane,	Rhodes,	White,
Duffy,	Laubach,	Rice,	Williams, G. W.,
Dunmire,	Lenahan,	Ruth,	Williams, J. J.,
Ederer,	Lewis,	Sarig,	Wilson, L. M.,
Emhardt,	Lord,	Sautter,	Witkin,
Eroe,	Lose,	Schrock,	Wood,
Evans,	Lovett, J. E.,	Schrope,	Woodside,
Fitzgerald,	Lynch, M.,	Schwab,	Wright,
Flanagan,	Male,	Schwartz,	Zimmerman,
Fleisher,	Malina,	Scorza,	Talbot,
Flinchbaugh,			Speaker.

NAYS—54

Barnhardt,	Hoffman,	Mumford,	Ruby,
Bernhard,	Hough,	Negley,	Shellenberger,
Brennan,	Kane, L. P.,	O'Connor,	Shenkel,
Dane,	Lovett, W. S.,	O'Neill,	Shortz,
Downey, J.,	Lynch, J. R.,	O'Rourke,	Simon,
Flynn,	Maloney,	Patterson,	Snyder,
Gallagher,	Mason,	Perry, J. J.,	Stevens,
Gorman,	McBride,	Powell,	Surface,
Haines,	McCandless,	Price,	Wade,
Hamilton,	McElwee,	Reed,	Wasserman,
Hefferon,	McKinney,	Roan,	Wilson, T. B.,
Heffner,	Melchiorre,	Roth,	Yeakel,
Hermansen,	Metzler,	Royle,	Yourishin,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

RECALLING HOUSE BILL No. 1676 FROM THE GOVERNOR

Mr. PHILIP STERLING asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 24, 1933.

Resolved (if the Senate concur), That House Bill No. 1676, entitled "An act to further amend paragraph (b) of Section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred nine), entitled 'An act relating to the organization, maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations, partnerships, unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisoins and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents by requiring building and loan associations to pay the full cost of examinations by the Department of Banking," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

MR. HUTTON IN THE CHAIR

RESOLUTIONS

CONGRATULATING THE SPEAKER

Mrs. PENNOCK offered a resolution which was twice read as follows:

In the House of Representatives, April 24, 1933.

On Sunday, April 23rd, two score years and eight had passed since, in East Coventry Township in the County of Chester in this Commonwealth, a child was born whose name was destined to be forever linked with the greatest effort ever undertaken by Pennsylvania for the relief of suffering and distress.

The loveable traits of this boy won for him early in life the friendship, respect and devotion of his companions—he was dependable and courageous, and election to public office, when he reached maturity, was the natural result of the esteem in which he was held by his neighbors.

Those same traits of character that made him councilman and then burgess of his home town of Norwood, later brought him to membership in this House, and it was his capacity to make and hold friends and his work in securing the passage against powerful opposition of the Talbot Relief Act at the Special Session of 1931 that made sure his election as our Speaker at this Session; therefore be it

Resolved, That this House congratulates its Speaker, the Hon. Grover C. Talbot, wishes him many glad and happy returns of his natal day, and assures him of its belief in his sure and certain rise to even more powerful and influential political positions in the Commonwealth; and be it further

Resolved, That this resolution be spread upon the Journal of the House and a copy thereof be handed to the Speaker by the Chief Clerk.

The resolution was unanimously adopted by a rising vote.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

The SPEAKER. The Chair thanks the membership for this expression of their feeling. The Chair will be heard from later.

RESOLUTIONS

RETURNING HOUSE BILL No. 456 TO THE GOVERNOR

Mr. FLYNN asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 24, 1933.

Resolved (if the Senate concur), That House Bill No. 456, Printer's No. 593, entitled:

"An Act to amend the act approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five), entitled 'An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonweath; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the

Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, alderman, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds,' by requiring certain motor vehicles to be equipped with safety glass; fixing penalties and providing for the suspension or revocation by the Public Service Commission of certificates of public convenience of common carriers for violation of the provisions of this act."

be returned to the Governor without amendments.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

OPPOSING SALE OF ALCOHOLIC BEVERAGES IN GROCERY STORES

Mr. SHUGARTS offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, April 24, 1933.

Resolved, That this House expresses itself as opposed to the sale of 3.2 alcoholic beverages in grocery stores.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1, Printer's No. 473, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RESOLUTION

RETURNING HOUSE BILL No. 1 TO THE GOVERNOR

Mr. SCHWARTZ asked and obtained unanimous consent to offer a resolution which was twice read considered and adopted:

In the House of Representatives, April 24, 1933.

Resolved (if the Senate concur), That House Bill No. 1, Printer's No. 473, entitled "An act relating to baseball and football on Sunday prohibiting baseball and football on Sunday during certain hours and also during certain other hours unless the electors of a municipality are in favor of the same and in certain cases a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws." be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION No. 71

Mr. FITZGERALD. Mr. Speaker, I desire to call up at this time Resolution No. 71, Printer's No. 925.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 17, 1933.

Whereas, The National Government, through the promulgation of an executive order to bring about economies, lessened benefits to veterans of all wars by some four hundred million dollars ($400,000,000), and

Whereas, This executive order will directly affect some fifty thousand World War and some thirty-five thousand Civil and Spanish War veterans residing in the Commonwealth of Pennsylvania, and

Whereas, By the closest estimates the veterans of all wars resident within the confines of Pennsylvania will have their pensions of thirty-five million dollars ($35,000,000), which they now receive yearly, cut to less than twenty million dollars ($20,000,000) and that many will be forced at the beginning of the government's new fiscal year to seek public aid for food, clothing, rent and fuel as a result, now therefore be it

Resolved (if the Senate concur), That on June 1, 1933, and thereafter so long as the present economic emergency shall exist, all new employees and appointees in the service of the Commonwealth shall be, all other things being equal, honorably discharged soldiers, sailors and marines who had service in the war with Spain, the Philippine Insurrection, the Boxer Rebellion and the World War, and the State officers authorized to employ persons are hereby directed to give preference to honorably discharged soldiers, sailors and marines of the above mentioned wars and insurrections who are native born Pennsylvanians, or resident in this State one year or more, and who had service with the Pennsylvania troops. State employment bureaus shall give twenty per centum credit preference ratings to bona fide Pennsylvanians not born in this State but who have resided in Pennsylvania five years or more and who have served in said wars.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION No. 72

Mr. JONES. Mr. Speaker, I desire to call up at this time Resolution No. 72, Printer's No. 979.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 19, 1933.

Whereas, The failure to finally enact legislation imposing a tax on malt and vinous beverages is resulting in the loss of a large amount of revenue to the State; and

Whereas, The continued honest disagreements as to the form of legislation relating to the regulation and taxation of these beverages unduly delays the day when these new revenues will be made available; therefore be it

Resolved (if the Senate concur), That the General Assembly hereby declares its intention that the State tax on brewed, malt, vinous and fruit juice beverage legalized by Act of Congress of the United States, shall be as follows: On brewed and malt beverages, one dollar and twenty-four cents ($1.24) a barrel, or equivalent; and on vinous and fruit juice beverages, three cents (3c) per gallon;

Resolved, That the General Assembly hereby declares its intention that the law imposing said tax when enacted, will be made retroactive to the date when this resolution becomes effective by approval by the Governor.

On the question,

Will the House adopt the resolution?

Mr. SOWERS. Mr. Speaker, I move that the resolution be recommitted to the Committee on Ways and Means.

On the question,

Will the House agree to the motion?

Mr. JONES. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Sowers.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SOWERS. I will, Mr. Speaker.

Mr. JONES. Mr. Speaker, will the gentleman from Philadelphia, Mr. Sowers, tell the House why he wants this resolution to go back to the Committee on Ways and Means?

Mr. SOWERS. Mr. Speaker, in answer to the gentleman's question, I think that the Ways and Means Committee should consider the proper amount of tax to be imposed upon beer. It seems to me that every state in the Union is imposing or has imposed a tax of one dollar. I don't know myself why Pennsylvania should try to make ten cent beer instead of five cent beer.

Mr. JONES. Mr. Speaker, will the gentleman from Philadelphia tell the members of the House whether or not there was an agreement between certain leaders of the House and the Governor at one dollar and twenty-four cents, including Mr. Sowers?

The SPEAKER. The gentleman is somewhat out of order. There is a motion to send the resolution to a committee. Its merits can not be discussed at this time.

Mr. JONES. Mr. Speaker, most every one was here last week when the argument was on the floor of this House. By this resolution it was hoped to have at least ten thousand dollars a day for the unemployed.

Mr. FLINCHBAUGH. Mr. Speaker, I arise to call your attention to the fact that this resolution is not on file.

The SPEAKER. The Chair is informed that the resolution is not on file and therefor it can not be considered at this time.

Mr. JONES. Mr. Speaker, last week, on Wednesday, I went personally, at the request of the members of this House, to the pages and they distributed them to everybody in the House, because the Chief page told me so.

The SPEAKER. The gentleman is informed that the Chair has no alternative when a member informs the Chair that the resolution is not on file. Therefore, it can not be considered.

Mr. SHORTZ. Mr. Speaker, the resolution is on my file.

Mr. COHEN. Mr. Speaker, may I inform the Speaker that the resolution is on page 419 of the House history for this week.

On the question recurring,

Will the House agree to the motion?

The ayes and nays were required for by Mr. Jones and Mr. Hermansen.

Mr. JONES. Mr. Speaker, I ask for a verification of the roll call.

The roll call was verified and was as follows:

YEAS—89

Baker,	Haines,	Meredith,	Roth,
Baldi,	Harris,	Metzler,	Ruby,
Bennett,	Hart,	Mohn,	Sautter,
Blumberg,	Heffernan,	Moore,	Scorza,
Brennan,	Hefferon,	Munley,	Scott,
Brown, W. L.,	Heffner,	Myers,	Shenkel,
Carey,	Hewitt,	Nothnagle,	Shreiner,
Conner,	Himes, L. R.,	O'Connor,	Simon,
Cooke,	Hoffman,	O'Keefe,	Sowers,
Cordier,	Hough,	O'Rourke,	Spann,
Craig,	Hutton,	Patterson,	Steedle,
Davies,	Jaffe,	Pennock,	Stiteler,
Denning,	Kane, L. P.,	Perry, D. R.,	Storb,
Duffy,	King,	Perry, J. J.,	Stott,
Dwyer,	Kinney,	Peters,	Tahl,
Ederer,	Laubach,	Powell,	Turner,
Emhardt,	Lenahan,	Price,	Wasserman,
Fleisher,	Lewis,	Rectenwald,	Williams, J. J.,
Flynn,	Lord,	Reed,	Wilson, T. E.,
Forrest,	Lose,	Reilly,	Yeakel,
Gorman,	Maloney,	Rice,	Zimmerman,
Green,	McBride,	Roan,	Talbot,
Greenstein,	McKay,	Root,	Speaker.

NAYS—82

Andrews,	Flanagan,	McCreary,	Shortz,
Bechtel,	Furman,	McGinnis,	Shugarts,
Beech,	Gallagher,	McGrail,	Sinwell,
Bernhard,	Griffith,	McGregor,	Snyder,
Boyd,	Harmuth,	McKinney,	Stank,
Brancato,	Hartman,	Melchiorre,	Sterling, R. B.,
Brown, J. E.,	Hermansen,	Merrell,	Stevens,
Brownfield,	Himes, H. E.,	Mumford,	Stone,
Cannon,	Holmes, J. L.,	Peelor,	Surface,
Caputo,	Hoopes,	Powers,	Terry,
Carson,	Howard,	Quinn,	Wagner,
Chervenak,	Jones,	Rhodes,	Walker, W. A.,
Cohen,	Lane,	Ruth,	Wall,
Cramer,	Lovett, J. E.,	Sarig,	Way,
Dane,	Lovett, W. S.,	Schrock,	Welsh,
DeFrehn,	Lynch J. R.,	Schrope,	Westrick,
Dunmire,	Lynch, M.,	Schwab,	Williams, G. W.,
Eroe,	Male,	Sheffer,	Wilson, L. M.,
Evans,	Marcks,	Shellenberger,	Wood,
Fitzgerald,	McCandless,	Shettel,	Wright,

So the question was determined in the affirmative and the motion was agreed to.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 1024

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 1024.

An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United State proposed by both Houses of Congress for the repeal of the eighteenth amendment to the said Constitution and for the prohibition of the transportation importation delivery or use of intoxicating liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such convention

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1024

Mr. BLUMBERG. Mr. Speaker, I desire to call up at this time the report of the Committee of Conference on Senate Bill No. 1024, Printer's No. 620.

The report was read by the clerk as follows:

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1024

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 1024, entitled: "An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the eighteenth amendment to the said Constitution, and for the prohibition of the transportation, importation delivery or use of intoxicating liquors in violation of the laws of states, territories or possessions of the United States; and to provide for the election of delegates to such convention," respectfully submit the following bill as our report:

GEORGE WOODWARD,
FRANK J. HARRIS,
JOHN J. McCLURE,
Committee on the part of the Senate

ARNOLD M. BLUMBERG,
ELWOOD J. TURNER,
JOSEPH G. STEEDLE,
Committee on the part of the House of Representatives

An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the

eighteenth amendment to the said Constitution and for the prohibition of transportation importation delivery or use of intoxicating liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such convention

Whereas The Congress of the United States has proposed an amendment to the Constitution of the United States in the following language

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-third of each House concurring therein) That the following article is hereby proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several States

"Article

"Section 1 The eighteenth article of amendment to the Constitution of the United States is hereby repealed

"Section 2 The transportation or importation into any State territory or possession of the United States for delivery or use therein of intoxicating liquors in violation of the laws thereof is hereby prohibited

"Section 3 This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States as prescribed in the Constitution within seven years from the date of the submission hereof to the States by the Congress"

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a convention shall be held in this State for the purpose of ratifying or rejecting the proposed amendment to the Constitution of the United States recited in the preamble hereof An election shall be held at the same time as the municipal election in the year one thousand nine hundred and thirty-three for the election of delegates to such convention

Section 2 At such election all persons qualified as electors shall be entitled to vote

Section 3 Except as in this act otherwise provided such election shall be conducted and the results thereof ascertained and certified in the same manner as in the case of the election of Representatives in Congress of the United States at large at general elections and all provisions of the laws of this State relative to elections except so far as inconsistent with this act are hereby made applicable to such election The expenses incident to such election of delegates to the said convention shall be paid by the respective counties

Section 4 The number of delegates to be elected at such convention shall be fifteen all of whom shall be elected from the State at large

Section 5 Candidates for the office of delegate to the convention shall be qualified electors of the state nominations shall be by petition and not otherwise A single petition may place in nomination any number of candidates for delegate not exceeding the total number of such delegates to be elected and nomination petitions shall be signed by at least two thousand resident voters in each of at least ten congressional districts in the State as apportioned by the act of June twenty-seventh one thousand nine hundred and thirty-one (Pamphlet Laws one thousand four hundred sixteen) entitled "An act to apportion the State into congressional districts" Nomination shall be without party or official designation but the nominating petitions shall contain a statement by each nominee to the effect that he favors ratification or that he opposes ratification of the proposed amendment No nominating petition for delegate shall contain the name of any nominee whose position as stated therein is different from that of any other nominee as stated therein Nominating petitions shall be prepared and furnished by the Secretary of the Commonwealth and except as above provided shall be substantially in the form provided by the election laws for nomination petitions for candidates at primaries for the office of Representatives in Congress of the United States at large Any number of petitions may be circulated for a candidate or group of candidates and when filed shall be considered as one petition for that candidate or group of candidates Signatures shall not be obtained on any petitions prior to one hundred and twenty days before the date of the election

All nomination petitions shall be filed with the Secretary of the Commonwealth not less than sixty (60) days before the date of the election After the last day for filing petitions the Secretary of the Commonwealth shall proceed to ascertain the nominees by selecting two groups of nominees

The two groups of nominees shall be the fifteen having the largest number of signers to their petitions among those favoring ratification and the fifteen having the largest number of signers to their petitions among those opposing ratification

Ties shall be decided by lot drawn by the Secretary of the Commonwealth

Within thirty days after the last day for filing petitions the Secretary of the Commonwealth shall certify the nominees to the county commissioners of the respective counties

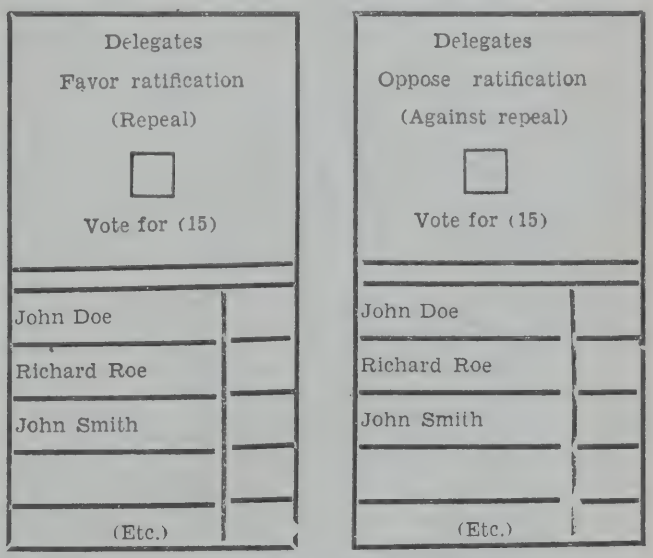
Section 6 The election shall be by ballot separate from any ballot to be used at the same election which shall be prepared by the Secretary of the Commonwealth in substantially the following form and shall be furnished to the various election districts by the county commissioners of the respective counties

CONSTITUTIONAL CONVENTION BALLOT

(Copy of Amendment)

INSTRUCTIONS TO VOTERS A cross mark X in the square at the head of any one of the two columns on this ballot votes for all candidates for delegates named in that column Do not mark a cross mark in more than one square at the head of a column

If you do not desire to vote for the group of nominees in any one column mark a cross mark X after the name or names of the candidates of your choice to the number indicated on the ballot



Each elector may vote for fifteen candidates for delegate A cross mark X in the square at the head of any one of the two columns on the ballot shall count as a vote for each of the candidates for delegate appearing in that column If an elector does not desire to vote by a cross mark X in the square at the head of a column then he may indicate the fifteen candidates for delegates of his choice by marking a cross mark X in the square opposite their respective names or he may insert the name of any candidate or candidates for whom he desires to vote in the appropriate blank spaces provided on the ballot.

When an elector votes in the square at the head of a column his power to vote is exhausted and if he thereafter inserts any cross mark X in any other square at the head of another column or after the name of a candidate in any column other than the one at the head of which he has placed his cross mark X his ballot shall be void

Section 7 The fifteen candidates receiving the highest number of votes in the entire state at said election shall be the delegates to said convention Any vacancy in the membership of the convention caused by the death or disability of any delegate or for any other cause shall be filled by appointment of a person by the majority vote of the group of

delegates favoring ratification or opposing ratification as the case may be to which the absent delegate belonged

Section 8 The delegates to the convention shall serve without compensation and shall meet at the capitol on the twenty-eighth day after their election at twelve o'clock noon in the hall of the Senate and shall thereupon constitute a convention to pass upon the question of whether or not the proposed amendment shall be ratified

Section 9 The convention shall be the judge of the election and qualification of its members The convention shall be called to order by the Lieutenant Governor who shall be the chairman thereof but who shall not have any vote unless elected as a delegate The secretary of the Senate shall be the secretary of the convention and the chief clerk of the Senate and the chief clerk of the House of Representatives shall be the tellers of the convention The secretary of the Senate shall provide a reporter or reporters for the convention a sergeant-at-arms and one page whose compensation shall be paid out of the appropriation made by this act upon the approval of the Lieutenant Governor and secretary of the Senate In case of the inability of any of the persons herein named to be present the convention shall name some one in his stead

The Secretary of the Commonwealth shall as soon as the convention is called to order present the election returns of delegates which shall be opened and read after which the roll of names of those elected as shown by the returns shall be called and if any elected delegate is absent the vacancy shall then be filled as in this act provided

Before proceeding with the business of the convention the delegates shall take the constitutional oath of office which shall be administered by a judge of the court of common pleas

Section 10 The convention shall keep a journal of its proceedings in which shall be recorded the vote of each delegate on the question of ratification of the proposed amendment and the debates thereon Upon final adjournment the journal shall be filed with the Secretary of the Commonwealth

Section 11 If the convention shall agree by vote of a majority of the total number of delegates to the ratification of the proposed amendment a certificate to that effect shall be executed by the president and secretary of the convention and transmitted to the Secretary of the Commonwealth of this State who shall transmit the certificate under the great seal of the Commonwealth to the Secretary of State of the United States

Section 12 If at or about the time of submitting any such amendment Congress shall by statue prescribe the manner in which the conventions shall be constituted and shall not except from the provisions of such statute such states as may theretofore have provided for constituting such conventions the preceding provisions of this act shall be inoperative and the convention shall be constituted and shall operate as the said act of Congress shall direct and all officers of the State who may by the said statute be authorized or directed to take any action to constitute such a convention for this State are hereby authorized and directed to act thereunder and in obedience thereto with the same force and effect as if acting under a statute of this State

Section 13 The sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby specifically appropriated to the Secretary of the Senate for the payment of the compensation of the reporter or reporters sergeant-at-arms and page and for the payment of all other incidental and necessary expenses in connection with said convention

Section 14 This act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the committee of conference?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—143

Andrews,	Gartner,	McBride,	Scott,
Baker,	Gillette,	McClure,	Shellenberger,
Baldi,	Green,	McCreary,	Shenkel,
Bechtel,	Greenstein,	McGinnis,	Shettel,
Beech,	Habbyshaw,	McGrail,	Shortz,
Bennett,	Haines,	Metzler,	Shreiner,
Bernhard,	Hamilton,	Mohn,	Shugarts,
Blumberg,	Harmuth,	Moore,	Simon,
Boyd,	Harris,	Munley,	Sinwell,
Brancato,	Hart,	Nothnagle,	Sowers,
Brennan,	Heffernan,	O'Connor,	Spann,
Brown, J. E.,	Hartman,	O'Keefe,	Stank,
Brown, W. L.,	Hefferon,	O'Neill,	Steedle,
Brownfield,	Heffner,	O'Rourke,	Sterling, P.,
Caputo,	Hermansen,	Pennock,	Sterling, R. B.,
Carey,	Hester,	Perry, D. R.,	Stiteler,
Carson,	Hoffman,	Perry, J. J.,	Storb,
Chervenak,	Holmes, J. L.,	Peters,	Stott,
Conner,	Hoopes,	Powers,	Tahl,
Cooke,	Hough,	Price,	Turner,
Cordier,	Jaffe,	Raub,	Wade,
Craig,	Kane, J. J.,	Rectenwald,	Walker, G. E.,
Cramer,	King,	Reed,	Wasserman,
Dane,	Kinney,	Reilly,	Weidemann,
Davies,	Labar,	Rhodes,	Welsh,
DeFrehn,	Lane,	Rice,	Westrick,
Denning,	Lenahan,	Roan,	Williams, G. W.,
Downey, G. E.,	Lewis,	Root,	Williams, J. J.,
Downey, J.,	Long,	Roth,	Wilson, T. B.,
Dwyer,	Lord,	Royle,	Wilson, L. M.,
Eroe,	Lovett, J. E.,	Ruby,	Woodside,
Fitzgerald,	Lynch, J. R.,	Ruth,	Yeakel,
Flanagan,	Male,	Sarig,	Yourishin,
Fleisher,	Malina,	Schwab,	Zimmerman,
Flynn,	Maloney,	Schwartz,	Talbot,
Furman,	Marcks,	Scorza,	Speaker.
Gallagner,	Mason,		

NAYS—22

Dunmire,	McElwee,	Negley,	Surface,
Hewitt,	McGregor,	Peelor,	Walker, W. A.,
Himes, L. R.,	McKay,	Powell,	Wall,
Holmes, J. B.,	McKinney,	Sautter,	Way,
Hutton,	Melchiorre,	Schrock,	Wood,
Jones,	Merrell,	Stevens,	Wright,
Lynch, M.,	Mumford,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 864.

An Act to repeal article twenty-one of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

HOUSE BILL No. 1125.

Au Act fixing the compensation and mileage of Jury commissioners in counties of the sixth class.

HOUSE BILL No. 128.

An Act making an appropriation to the Margaret Henry Children's Home, New Castle, Pennsylvania.

HOUSE BILL No. 484.

An Act making an appropriation to the St. Francis Hospital of the City of Pittsburgh, Pennsylvania.

HOUSE BILL No. 670.

An Act making an appropriation to the New Future Association located on Sherman Avenue, North Side, Pittsburgh, Pennsylvania.

HOUSE BILL No. 1063.

An Act making an appropriation to the Friendship Home, nineteen hundred thirty-nine North Twenty-second Street, Philadelphia.

HOUSE BILL No. 1313.

An Act making an appropriation to the Colored Children's Bureau located at seven hundred twenty-two North Forty-third Street, Philadelphia, Pennsylvania.

HOUSE BILL No. 1733.

An Act making an appropriation to Willow Crest for Convalescents, Philadelphia, Pennsylvania.

HOUSE BILL No. 2042.

An Act making an appropriation to the Milton Wright Memorial Home of Franklin County, Pennsylvania.

HOUSE BILL No. 1777.

An Act to amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by extending the exemptions from the tax imposed by the said act.

HOUSE BILL No. 2103.

An Act providing for the reimbursement by the State of counties for costs and the maintenance of prisoners imposed as a result of prosecutions under laws, providing that fines and penalties imposed under such laws or forfeited bail recovered as the result of such prosecutions shall be payable into the State Treasury or any fund thereof; providing for the audit of the accounts of counties by the Auditor General, and for the collection of amounts due from counties, and for appeals by counties to the Board of Finance and Revenue; and imposing powers and duties on the Auditor General and the Department of Revenue and certain duties upon counties repealing inconsistent acts and making an appropriation.

HOUSE BILL No. 1312.

An Act providing for the filling of vacancies in certain county offices in counties of the first class, and fixing the terms of such appointees.

HOUSE BILL No. 1499.

An Act to amend section three of Article five and section three of Article six of an act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one) entitled "First Class City Charter Law," by transferring the care, management, administration and supervision of electrical lighting from the Department of Public Safety to the Department of Public Works.

HOUSE BILL No. 911.

An Act to amend sections four and five of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on non-payment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by providing for the extension of the period during which such taxes shall remain liens on real estate; and authorizing the filing of such liens in the prothonotary's office.

HOUSE BILL No. 1563.

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 883), entitled "An act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process, and relieving the sheriff from liability therefor,," by further prescribing procedure upon rules for interpleaders.

HOUSE BILL No. 1948.

An Act to amend section one of an act, approved the eleventh day of June, one thousand nine hundred and fifteen (P. L. 938), entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of the courts of oyer and terminer, general jail delivery, and quarter sessions of the peace, in counties of this Commonwealth having a population of over eight hundred thousand, and less than one million five hundred thousand inhabitants as computed by the last preceding United States census," as amended by extending said act to counties of the second class, changing and further fixing the fees to be charged by said clerks

HOUSE BILL No. 1022.

An Act to amend sections one hundred and one and six hundred and one of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," as amended by removing the raccoon from the list of fur-bearing animals.

HOUSE BILL No. 1199.

An Act to amend section two hundred and eight of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrains, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, alderman, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garages keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" by providing for the continuance of a lien on motor vehicles where ownership is changed by operation of law or judicial sale, and determining the effect of the issuance of a certificate of title showing a lien or encumbrance.

HOUSE BILL No. 1204.

An Act to abolish the action of account render and to repeal certain acts and parts of acts relating thereto.

HOUSE BILL No. 1206.

An Act to abolish the action of dower and to repeal certain acts and parts of acts relating thereto.

HOUSE BILL No. 1207.

An Act to abolish the action of detinue.

HOUSE BILL No. 1441.

An Act to amend section one of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 434), entitled, "An act to empower courts of competent juris-

diction to issue writs of execution against property of defendant, and attachment execution or in the nature of attachment execution against trusts, including those commonly known as spendthrift trusts, no matter when such trusts were created, in cases where an order, award, or decree has been made against a husband for the support of his wife or children, or both, making an attachment execution against trusts, a continuing lien and levy for fifty per centum of such money or property until the order, judgment, or decree is paid in full with costs; and abolishing the benefit of the exemption law in such cases," by making such support orders, decrees and judgments liens against real property of the husband.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 385

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 385, entitled:

An Act providing for the fixing of salaries or compensation of all appointed officers clerks and other employes paid from the county funds in counties of the fourth fifth sixth seventh and eighth classes and creating salary boards in certain counties

And has appointed Messrs. Sones, McClure and Howell, a Committee of Conference to confer with a similar committee of the House of Representativs (if the House of Representativs shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill

Mr. WOODSIDE. Mr. Speaker, I move that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committe of Conference Messrs. Brennan, Weidemann and Woodside.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 671

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 671, entitled:

An Act to amend sections three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen, three hundred sixteen, three hundred seventeen, three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred twenty-one, three hundred twenty-two, three hundred twenty-three, three hundred twenty-four, three hundred twenty-five and three hundred twenty-six, and to repeal section three hundred twenty-seven as added of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the l. relating thereto," by changing the amount of contributions to the retirement fund the retirement age, the length of service necessary to entitle members to retirement allowance, upon being totally disabled, and increasing the number of members of the retirement board, and authorizing counties of the second class and the county poor district to make appropriations to an employes retirement fund.

And has appointed Messrs. Armstrong, Krouse and Roberts, a Committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

The SPEAKER. Pursuant to a motion previously made the Chair appoints as a Committee of Conference to confer with a similar committee on the part of the Senate, Messrs. Rectenwald, L. P. Kane and McBride.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS TO HOUSE BILL No. 1128

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1128, entitled:

An Act to amend the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to borough" as amended by further regulating the affairs of boroughs and amending and revising the laws relating thereto and altering the requirements regulating publication of auditors notice.

Mr. McCLURE. Mr. Speaker, I move that the House insist upon its non concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee on the part of the House to confer with a similar Committee on the part of the Senate, Messrs McClure, Hoffman and McBride.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 20, 1933.

Resolved (if the Senate concur), That House Bill No. 320, entitled "An act to amend clause (b) of section four article two of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred eighty-one) entitled 'An act for the better government of cities of the first class of this Commonwealth' as amended changing the order in which officers of such cities shall act as mayor in case of a vacancy or disability of the mayor to act," be recolled from the Governor for further consideration.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows, viz:

SENATE BILL No. 897.

An Act authorizing the issuance of scrip certificates for relief purposes by political subdivisions of this Commonwealth; providing for the printing and issuance of scrip and stamps by the Commonwealth, for the creation of a scrip redemption fund in the State Treasury and for the redemption of scrip therefrom; imposing duties on the State Emergency Relief Board and the State Treasurer; appropriating the moneys in the scrip redemption fund; and imposing penalties.

SENATE BILL No. 874.

An Act making an appropriation to the Clearfield Hospital, Clearfield, Pennsylvania.

SENATE BILL No. 228.

An Act relating to taxation; designating the subjects, property, and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws.

SENATE BILL No. 194.

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; by authorizing counties of the second class to levy and collect tolls on certain county bridges for the purpose of paying off the indebtedness incurred in locating, constructing and purchasing such bridges.

SENATE BILL No. 257.

An Act requiring State-aided hospitals under certain conditions immediately to admit indigent veterans as herein defined, and to provde care and treatment for them until they can be accommodated in Federal institutions.

SENATE BILL No. 266.

An Act to provide for the hospitalization of tubercular patients in State and State-aided hospitals when State owned institutions established for that purpose are unable to provide therefor

SENATE BILL No. 345.

An Act prohibiting contractors subcontractors and builders and their agents from paying out using or appropriating moneys and funds received for the erection construction alteration, completion and repair of buildings and for additions thereto before first paying in full or pro rata all claims due to architects, surveyors, engineers, and persons furnishing labor and material.

SENATE BILL No. 388.

An Act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the second and third class defining the powers and duties of civil service commissions for such purposes and fixing penalties

SENATE BILL No. 389.

An Act to amend sections six seventeen and twenty-six of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" as amended by extending the provisions of said act so as to include bookers booking agents representatives of booking agencies for services of wrestlers modifying license fees in certain cases exempting amateur boxing or wrestling in schools colleges and universities

SENATE BILL No. 454.

An Act authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and members of the school board in relation to said funds and fixing a penalty for the violation thereof

SENATE BILL No. 535.

An Act to amend section eight of the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances;" as amended, by further providing for the sales of seated lands for delinquent taxes assessed and levied for the year one thousand nine hundred and thirty, or any year prior thereto; where no sales have previously been made for delinquent taxes of that year, and validating liens on lands, taxes heretofore returned when land has not been advertised or sold.

SENATE BILL No. 548.

A Supplement to act number four-A approved the fourteenth day of April one thousand nine hundred thirty-one (Appropriation Acts of one thousand nine hundred thirty-one page five) entitled "An act providing for the investigation and study of the effect of the diversion of water for water supply purposes upon the lower Delaware River and the industries using water therefrom imposing certain duties upon the Sanitary Water Board and making an appropriation" authorizing the Sanitary Water Board for the continuation of the investigation and study of the effect of the diversion of water for water supply purposes from the lower Delaware River and the industries using water therefrom and extending the scope of the investigation and study.

SENATE BILL No. 645.

An Act to amend section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances

SENATE BILL No. 720.

An Act to authorize certain corporations organized under the laws of Pennsylvania including railroad corporations organized under the laws of Pennsylvania and of any other state or states to increase or decrease the par value of the shares of their capital stock providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued prescribing the manner in which such change shall be made and repealing all acts and parts of acts inconsistent herewith

SENATE BILL No. 721.

An Act authorizing stock corporations with certain exceptions to make provisions for and to issue shares of capital stock of any class or classes or to change shares of authorzed or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualificatons as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith

SENATE BILL No. 843.

A Supplement to the act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred sixty-nine) entitled "An act providing for the

organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" as amended authorizing any major general in command of the National Guard with the approval of the Governor as Commander-in-Chief thereof to continue to hold such position until he reaches the age of sixty-nine years

SENATE BILL No. 498:

An Act authorizing counties, cities, boroughs, townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds, and fixing a penalty for the violation thereof.

SENATE BILL No. 679:

An Act to amend section twenty-nine of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; refining highways and State-aid highways; providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by relieving townships of the duty to contribute towards the maintenance of certain State-aid highways; and discharging certain existing obligations therefor.

SENATE BILL No. 898:

An Act authorizing municipalities and townships to provide work for unemployed persons by renewing, repairing and replacing sidewalks.

SENATE BILL No. 538:

An Act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies, associations, exchanges or persons not authorized to do business in this Commonwealth; requiring certificates from the Insurance Department before accepting insurance advertisements or broadcasting the same by radio; and fixing penalties.

(MR. HUTTON IN THE CHAIR)

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2305 (Senate Bill No. 206), entitled:

An Act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, division and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1120, entitled:

An Act providing a method for computing the time of imprisonment to be served by persons sentenced to pay any fine or costs in default of the payment thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1050, entitled:

An Act making it unlawful to give public moneys for the relief of the unemployed or the poor to any alien who entered the United States unlawfully.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2116 (Senate Bill No. 678), entitled:

An Act to amend sections four hundred and twenty-two and four hundred and twenty-three of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; removing the expenditure limit within which counties may contribute to the cost of the funerals of deceased service persons.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2306 (Senate Bill No. 262), entitled:

An Act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations confer-

ring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2310 (Senate Bill No. 802), entitled:

An Act to amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds"; by adding thereto section eight hundred twenty-four requiring certain vehicles to carry danger or caution signals and to display the same when the vehicle becomes disabled.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2287 (Senate Bill No. 825), entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," as amended; authorizing the officers of school districts to prepare, sign and make payment upon certain orders before approval of the orders by the board; relating to the payment of temporary indebtedness from current revenue; permitting the refunding of certain indebtedness and the depositing of collateral security by depositories, secretaries, treasurers and tax collectors of school districts in lieu of surety bonds; removing the right of certain boards of school directors to make agreements concerning the tuition of non-resident pupils; relieving certain school districts of the duty of providing special education for feeble minded children and placing such obligation upon the Department of Welfare; allowing certain pupils to attend schools in other districts; empowering the State Council of Education to regulate the issuance of certificates to students and graduates of State teachers colleges; authorizing boards of trustees of State teachers colleges to charge their pupils certain fees; designating certain persons as auditors of financial matters of certain school districts; relating to the filing of reports of audits, discontinuing teachers institutes and providing for meetings of teachers, the payment of the expenses thereof by the counties, and the compensation for the teachers in attendance; and repealing certain sections and parts of sections.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1770, entitled:

An Act requiring the licensing of portable grinding mills conferring powers and imposing duties on the Department of Agriculture and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1738, entitled:

An Act invoking the police power of this Commonwealth staying proceedings to sell real property on foreclosures of first mortgages for the period of eighteen months in certain cases.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2316 (Senate Bill No. 617), entitled:

An Act to amend section twenty-five of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions, debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies; including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devisd at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"; as amended, so as to limit the duration of the lien of legacies unless proceedings are brought to enforce their payment within ten years after the probate of the testator's will, or after said legacies become due and payable.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2096, entitled:

An Act imposing a State tax, payable by those herein defined as manufacturers and distributors, on non-intoxicating alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale of non-intoxicating alcoholic beverages at retail or wholesale; and providing penalties.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2334 (Senate Bill No. 420), entitled:

An Act concerning elections, including general, municipal, special and primary elections; and amending revising, consolidating and changing the laws relating thereto.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 89, as follows:

An Act relating to taxes for county purposes in counties of the third fourth fifth sixth seventh and eighth classes of this Commonwealth providing for the assessment of the potential annual income of every piece of real estate and the return of the actual net income of every natural person of the age of twenty-one years and upwards residing in the county and every co-partnerships unincorporated association company limited partnership and company doing business within the county providing a method of determining said actual net income providing that rates and levies for county purposes shall be based on the sum of said potential annual income of real estate and said actual net income and providing for the levying thereof giving the right of appeal and repealing all inconsistent laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That throughout this act unless the context clearly indicates a different intention the singular includes the plural and the masculine pronoun includes the feminine and the neuter As used in this act

"County" shall include all counties of the third fourth fifth sixth seventh and eighth classes of this Commonwealth

"Taxable district" means the township borough ward or district which is coextensive with the jurisdiction of an assessor In the case of an estate the taxable district shall be construed to be the one in which the decedent was resident

"Taxable" as applied to the sections and clauses of this act relating to potential annual income means every natural person and estate resident in the "taxable district" and every copartnership unincorporated association joint stock association company limited partnership and corporation doing business in the "taxable district" of the assessor and as applied to the sections and clauses of this act relating to gross income and actual net income means every natural person and estate resident in a taxing district

Section 2 The term "potential annual income" as used in this act means the gross annual income which any piece of real estate other than such as is actually necessary for the exercise of the corporate franchise of a public service company is capable of earning if the same were used for the most advantageous purpose for which it is available or with reasonable certainty will become available within the next three years without regard to whether it actually is so used or not taking into consideration the location thereof the improvements thereon and the means of access thereto but not taking into consideration the amount of money actually invested therein the market value thereof or any use for which it may become available in the future more than three years in advance of the date on which the assessment is made less only the annual expenses and costs necessary to maintain the property in as good condition as it is at the time of making the assessment but not the expenses and costs of permanent improvements or of improvements greater than are necessary to keep such property in the same state of repair in which it was at the time of making the assessment

Section 3 Not earlier than the first Monday of June in the year one thousand nine hundred and thirty-three and triennially thereafter the county commissioners or board for the assessment and revision of taxes of the county shall issue their precepts to the assessors of the respective taxable districts within their respective counties to make a triennial assessment of the potential annual income of all pieces of real estate within their respective taxable districts and said assessors hereby are required to complete said assessments and to make their return thereof to the said county commissioners or board for the assessment and revision of taxes not later than the thirty-first day of October one thousand nine hundred and thirty-three and triennially thereafter provided that the said commissioners or boards of the several counties subject to this act at the time of issuing their said precepts may direct the return thereof to be made on the first Monday of October in each such triennial year At the time of making assessments of potential income the assessor shall leave with each taxable a blank for the return of actual net income as provided in this act

Section 4 In all cases where any tract of land having erected thereon a mansion house is divided by county township borough or city lines the land lying in each city borough township or county shall be considered as a seperate piece of land except where the line passes through the mansion house in which event the owner thereof shall have the right to choose the municipal subdivision in which shall be considered the location of said mansion house for the taxtion of potential annual income by election filed in the office of the county commissioners or board for the assessment and revision of taxes on or before the first Monday of September in said triennial assessment years which said election shall be effective for the period of that triennial assessment only and on failure or default of the owner to make such election the mansion house shall be considered as located in the municipal subdivision wherein its main entrance is located

Section 5 The assessors aforesaid on receipt of the precepts above mentioned shall proceed at once to make and they hereby are authorized and required to make an assessment of the potential annual income of all pieces of real estate within their respective taxable districts giving the names and surnames of the several owners thereof together with a brief description of each piece of real estate giving also the approximate size and boundaries thereof and improvements thereon

Section 6 Upon the return of the assessments the county commissioners or board for the assessment and revision of taxes as the case may be shall send to each taxable through the assessor of the taxable district a notice stating the potential income for which he stands rated for each piece of real estate and the time and place fixed for appeal therefrom which notice shall be served at least five days before the appeal day

Section 7 Upon their own iniative or on complaint of any taxpayer as to his own assessment or of any taxable district of the county affected thereby or on complaint of any five taxpayers of the county as to any assessments not on their property and county commissioners or board for the assessment and revision of taxes shall have power and authority either to increase or to decrease the assessment of the potential annual income of any piece of real estate as fixed by the assessor as aforesaid

Section 8 Any owner of real estate being aggrieved by the decision of the county commissioners or board for the assessment and revision of taxes changing or refusing to change the assessment made by the assessor either on their own iniative or on complaint as aforesaid shall have the right of appeal from said decision to the court of common pleas of the county wherein the assessment is filed but not later than thirty days after notice of said decision Either the county commissioners or board for the assessment and revision of taxes on behalf

of the county or any other appellant in the court of common pleas shall have the right of appeal from the decision of said court to the Superior Court of Pennsylvania or the Supreme Court of Pennsylvania as in other cases

Section 9 At the time of making the assessment of the potential annual income of real estate as provided in section three of this act and at the same time of year in the year intervening between the triennial assessments the said assessors shall deliver to every taxable in his taxable district or to such officer agent or employee thereof as may be found in charge of the place of business thereof a blank prepared for that purpose on which to make under oath or affirmation a return of the actual annual income of such taxable and said assessor with his return as herein before provided for in this act also shall file with the county commissioners an alphabetical list of the taxables to which he delivered said blanks

Section 10 The term "gross income" as used in this act for the purpose of determining the entire "actual net income" of a taxable shall mean gains profits and income derived from salaries wages or compensation for personal service or whatever kind and in whatever form paid or from professions vocations trades businesses commerce or sale or dealings in property whatever real or personal growing out of the ownership or use of or interest in such property also from interest rent dividends securities or transactions of any business carried on for gain or profit or gains and or profits from other sources and income derived through estates by the beneficiaries thereof as distributed shares less the following items

(a) The proceeds of life insurance policies and contracts paid upon the death of the insured to individual beneficiaries or to the estate of the insured

(b) The amount received by the insured as a return of premium or premiums paid by him under life insurance endowment or annuity contracts either during the term or at the maturity of the term mentioned in the contract

(c) The value of property acquired by gift bequest devise or descent (but the income from such property shall be included in gross income)

(d) Interest upon the (1) obligations of the United States or its possessions (2) securities issued under the provisions of the Federal Farm Loan Act (3) bonds issued by the War Finance Corporation (4) obligations issued by the Reconstruction Finance Corporation

(e) Any amount received through accident insurance or under the Workmen's Compensation Laws as compensation for personal injuries plus the amount of any damages received whether by suit or agreement on account of such injuries or through the War Risk Insurance Act or on account of any law for the benefit or relief of injured or disabled members of the military or naval forces of the United States

(f) Salaries wages and other compensation received by officials and employes from the United States Government including persons in the military and naval forces of the United States

(g) Stock dividends received by a stockholder provided however if before or after the distribution of any stock dividend the corporation proceeds to cancel or redeem its stock at such time and in such manner as to make the distribution and cancellation or redemption in whole or in part essentially equivalent to the distribution of a taxable dividend then the amount so distributed in redemption or cancellation of the stock shall be treated as a taxable dividend and included in gross income provided further that any stock dividend shall be considered in computing gross income upon the sale exchange or other disposition of the stock upon which a stock dividend has been declared or of the stock included in such stock dividend

(h) The principal paid by a building and loan association to a member thereof upon the maturity of his or her shares or upon the withdrawal of such member from the association as used in this act means the gross income of a taxpayer

Section 11 The term "actual net income" as defined in section ten of this act less the following deductions

(a) All the ordinary and necessary expenses paid and incurred during the taxable year in carrying on any trade or business or in the production of income required to be included in gross income under this act including a reasonable allowance for salaries or other compensation for personal services actually rendered by persons other than the taxable and including rentals or other payments required to be made as a condition to the continued use or possession for the purposes of the trade or business or property to which the taxpayer has not taken or is not taking title or in which he has no equity

(b) All interest on indebtedness paid or accrued during the taxable year

(c) Taxes paid or accrued within the taxable year imposed by (1) the authority of the United States or of any of its possesions (2) by the Commonwealth of Pennsylvania (3) by any city borough town township school district or poor district of this Commonwealth (except those assessed against real estate as local benefits by the foot front rule or by viewers as now provided by law or (4) by the authority of any other state county or territory

(d) Losses sustained during the taxable year and not compensated for by insurance or otherwise if incurred in trade or business but not otherwise

(e) Losses sustained during the taxable year and not compensated for by insurance or otherwise if incurred in any transaction entered into for profit though not connected with the trade or business

(f) Losses sustained during the taxable year on property not connected with the trade or business if arising from fires storms shipwrecks or other casualty or from theft and not compensated for by insurance or otherwise

(g) Debts ascertained to be worthless and charged off within the taxable year and when satisfied that a debt is recoverable only in part the county commissioners may allow such debt to be charged off in part A worthless debt arising during the year from unpaid wages salary rent or any similar item of taxable income is not an allowable reduction unless the income which such item represents has been included as income by the taxpayer in the return filed

(h) The potential annual income of any real estate the actual income or rental from which is included in the gross income of the taxable

(i) In the case of mines oil and gas wells other natural deposits and timber a reasonable allowance for depletion and for depreciation or improvement according to the peculiar conditions in each case such reasonable allowances in all cases to be made under rules and regulations to be made by the county commissioners The county commissioners may apportion such deductions equitable between the lessor and the lessee

Section 12 In triennial and intervening years the taxables to whom said blanks for the return of actual net income are delivered by the assessors as aforesaid hereby are required to make return thereof to the county commissioners or board for the assessment and revision of taxes not later than the fifteenth day of February for the calendar year preceding

Section 13 On their own initiative or on complaint of any five taxables of the county and not more than thirty days after the return is filed the county commissioners or board for the assessment and revision of taxes after investigation and hearing of which hearing the taxable shall have at least five days written notice may add to the gross income as set out in such return income not included therein and /or may refuse to allow deductions and /or parts of deductions claimed therein or from the best information available the said county commissioners or board may fix an amount as the actual net income of any taxable that neglects or refuses to make a return

Section 14 Taxables aggrieved by the actions of the county commissioners or board for the assessment and revision of taxes in not allowing deductions claimed or in adding income not included by the taxable in his return as provided in section thirteen of this act within thirty days after written notice of such action may appeal to the court of common pleas of said county with the right to either the county or the taxable to appeal from the decree of the court of common pleas to the Superior Court or the Supreme Court of Pennsylvania as in other cases

Section 15 That the county commissioners of each county of the third fourth fifth sixth seventh and eighth classes of this Commonwealth on the first Monday of December of each year shall proceed to make an estimate for the ensuing year of the probable expenses of the county

Section 16 Upon receipt of said returns from the taxables as aforesaid and their correction as provided in section thirteen of this act the county commissioners or board for the assessment and revision of taxes shall cause a list of taxables to be made showing the potential annual income of real estate of each taxable if any and actual net income of each taxable as herein before defined and the sum of the two shall be the

valuation for each taxable on which all county taxes shall be computed according to the rates and levies determined upon by the county commissioners for county purposes

Section 17 The potential annual income of any piece of real estate shall not be changed between the years of the triennial assessment unless the potential annual income of said piece of real estate has been increased by the erection of buildings or other improvements thereon or its potential annual income has been reduced by the destruction of buildings formerly erected thereon or other casualty or the mining of minerals in which case and only in which case the assessors may reassess the potential annual income of any piece of real estate in the years between the triennial assessment and the assessors shall also note on their return any change in the ownership of any piece of real estate or any sub-division of any piece of real estate and in the case of sub-division of any piece of real estate the assessors are authorized to apportion the potential annual income between the several parts A precept directing them to do the things provided for in this section shall be issued to the assessors on the first Monday of August in each year intervening between the triennial years All acts authorized by this section are subject to appeals as herein befor provided for in the case of triennial assessments

Section 18 On the first Monday of March in each year the county commissioners shall levy a tax not exceeding two per centum (2%) on the valuation as fixed in this act and particularly in the sixteenth section thereof as shall be sufficient to pay the cost of collection and the probable expense of the county for the ensuing year according to their estimate as provided for in section fourteen of this act

Section 19 All taxes on real estate for county purposes other than the tax on the potential income thereof as provided in this act are hereby abolished within the counties to which this act applies

Section 20 All taxes imposed under this act shall be charged in duplicates by the taxing authorities as now provided by law for the taxation of property and the taxes so charged shall be collected by tax collectors in the manner and with like powers and authority as now provided by law In the case of taxes on potential annual income the land against which such taxes are charged shall be subject to return and county treasurers sale and to the filing of liens as now provided by law for taxes on real property

Section 21 The provisions of this act are severable and if any of its provisions are declared unconstitutional the decision so holding shall not be construed to impair any other provision of this act It hereby is declared as a legislative intent that this act would have been enacted had such unconstitutional provision not been included therein

Section 22 All acts and parts of acts general special or local inconsistent with this act are hereby repealed

Section 23 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. McELWEE. Mr. Speaker, I move that this bill be recommitted to the Committee on Boroughs and Townships for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1807, as follows:

An Act to amend section one of the act approved the twenty-seventh day of February one thousand eight hundred and sixty-five (Pamphlet Laws four) entitled "An act to increase the fees of mercantile appraisers in certain counties of this Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-seventh day of February one thousand eight hundred and sixty-five (Pamphlet Laws four) entitled "An act to increase the fees of mercantile appraisers in certain counties of this Commonwealth" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees of the appraisers of mercantile taxes for each certificate of license issued shall be fifty cents instead of thirty-seven and a half cents as now provided by law and the said mercantile appraisers shall also be allowed [six] five cents per mile [circular] for all necessary travel in the manner now provided by law in lieu of three cents per mile heretofore provided and that all laws inconsistent herewith are hereby repealed [Provided That this act shall not apply to the city of Philadelphia and county of Allegheny]

Section 2 This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1121, as follows:

An Act providing for the discharge or parole of persons serving imprisonment for failure to make restitution under sentence of any court

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person convicted of the violation of any felony or misdemeanor involving the fraudulent taking stealing embezzling or other unlawful obtaining of any money or other thing of value who has been sentenced in addition to any specific term of imprisonment or the payment of any fine to make restitution of the money or other thing or things of value so taken stolen embezzled or otherwise unlawfully obtained shall have served the term of imprisonment therefor as provided by law and is unable to make restitution as ordered and directed by the court imposing sentence such person may present his petition to the court which imposed such sentence and made such order of restitution setting forth his inability to comply with such sentence and order of restitution

Section 2 Upon the presentation of any such petition the court shall fix a day for hearing thereof of which hearing notice shall be served upon the district attorney of the county the prosecutor and the person or persons to whom such restitution is due at least five days prior to the day fixed for such hearing

Section 3 If it shall appear to such court at the hearing held on such petition that such person is unable to comply with the sentence directing restitution to be made the court may discharge such person under such terms and conditions as to the court may seem right and proper

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1299, as follows:

An Act to supplement the act approved the twenty-sixth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand three hundred seventy-nine) entitled "An act creating in counties of the third class a board

for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers ond clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by validating assessments made otherwise than as provided therein and authorizing county commissioners to pay for services of assessors making such assessments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the county commissioners of any county of the third class neglected during the year one thousand nine hundred and thirty-one to appoint the members of the Board for the Assessment and Revision of Taxes for such county as directed in the act to which this is a supplement and the assessment of persons property and occupations subject to taxation in such county was made at the direction of such county commissioners during said year by the regularly elected ward borough and township assessors instead of by such board as required by the provisions of said act such assessment and the levy of taxes thereon heretofore made are hereby ratified and validated and shall in all respects be as valid and binding as though made under and in accordance with the provisions of said act to which this is a supplement

Section 2 Whenever any assessment of persons property and occupations subject to assessment for taxation in any such county of the third class shall have been made by the regularly elected ward borough and township assessors at the request of the county commissioners in place of and in the manner provided by the act to which this is a supplement and under the provisions of which the terms of office of such assessors had been terminated such ward borough and township assesors shall be entitled to receive from the county the same compensation as would have been payable to them had said act not been passed and had their terms of office not been so terminated and the said county commissioners are hereby authorized to pay such assessors such compensation for their services as they would have been entitled to receive had such act not been passed

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1395, as follows:

An Act to stay writs of eviction distress or other writs of possession under certain circumstances and providing procedure therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That before any distress for rent or final writ to distress any individual lawfully occupying real property in this Commonwealth either as owner lessee or occupant under an agreement of sale shall be served by any sheriff constable or other officer or individual having the legal right to serve such writ a notice in writing of the intention to distrain or to serve such writ shall be given to such individual lawfully in possession as owner lessee or otherwise at least five days prior to the levy or service of the writ and within this period of five days if such individual can show that because of his inability to secure employment he is unable to pay the amount owing to the plaintiff issuing the distress or writ of eviction he may petition the court of common pleas of the county in which the premises are located to stay the said levy or writ until such time as the court may deem reasonable and just under all the circumstances

Section 2 The various courts of common pleas of this Commonwealth are hereby empowered to hear all petitions made under section one of this act and to pass on the questions of the petitioner's inability to secure employment and of his inability to pay the amount owing to the plaintiff issuing the distress or writ of eviction and in such cases as the courts may see fit they may grant stays of the levy or writ of eviction for such period of time as they may deem reasonable and just under all the circumstances and they may continue such stays from time to time as in the opinion of the courts may be necessary and just

Section 3 The form of petition to be made to the court of common pleas under section one of this act shall be substantially as follows

"IN THE COURT OF COMMON PLEAS .....
COUNTY

TO THE HONORABLE THE JUDGES OF THE SAID COURT

The petition of .....respectfully represents

That he is in possession of property located at .....
..... as .....,....thereof

That on .....notice was served upon your petitioner by .....,
that a writ of .....is about to be served upon your petitioner

That the family of your petitioner consists of the following persons .....

That your petitioner and the members of his family are out of work cannot secure work and are unable to pay the amount owing to the plaintiff about to issue the said writ (or distress)

Wherefore your petitioner prays that a rule be granted upon .....the plaintiff who is about to issue a writ of eviction (or distress) against him to show cause why a rule should not be granted to stay the issuance of the writ until such time as the court may deem reasonable and just
....."

Section 4 All acts or parts of acts inconsistent with this act are hereby repealed

Section 5 This act shall become effective immediately upon its enactment as law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1903, as follows:

An Act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs

Whereas The present economic emergency has brought increasing distress to home owners and farmers and

Whereas Foreclosures in this emergency work tremendous inequities to such persons yield a minimum of satisfaction to execution creditors and deprive families of shelter and means of subsistence thus endangering the health safety welfare and morals of the public

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

Section 1 Definitions That when used in this act the following words and phrases shall have the meanings respectively ascribed to them by this section unless the context clearly requires a different meaning

"Writ of execution" shall mean any writ of fieri facias venditioni exponas levari facias or any other writ or form of execution for the sale of any dwelling and the land appurtenant thereto or any farm where such dwelling or farm shall be occupied by an owner thereof as his or her residence

or any proceeding for the sale of real property as herein defined for failure to pay taxes

"Real property" shall mean any dwelling together with the land appurtenant thereto and any farm occupied by an owner of such dwelling or farm as a residence

Section 2 Every court of common pleas of this Commonwealth shall have authority under the conditions hereinafter set forth to stay any writ of execution from time to time and for such periods as the court in its discretion may deem proper Such stays shall be allowed only upon application of an owner lienholder or any other person in interest and unless the plaintiff consent thereto only upon the applicant's showing to the court such facts as the court may deem sufficient to warrant such relief In granting any such stay or continuance the court may impose such condition as it deems proper as to payment of costs taxes accruing interest repairs advertising and notice of sale insurance and any other pertinent matters

Section 3 In exercising the powers conferred by this act a court shall have the discretion of a chancellor sitting in equity It shall be a sufficient reason for the grant of a stay hereunder that immediate execution sale against the real property would work serious inequity by reason of the economic emergency hereinabove referred to

Section 4 The stay of any execution under this act shall continue the return day of the writ of execution to the first regular return day for such writs which shall occur after a sale held under such writ In the meantime the writ shall remain in full force and effect and sale may be made thereunder without the issuance of an alias or any other writ

Section 5 The powers herein conferred on courts of common pleas shall be in addition to all powers now possessed by such courts to stay and otherwise control writs of execution against real property as herein defined

Section 6 This act shall become effective immediately upon final passage by the Legislature and approval by the Governor and shall continue in force only until the thirty-first day of March one thousand nine hundred and thirty-five

Section 7 All acts and parts of acts inconsistent herewith are suspended while this act is in effect

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 800, as follows:

An Act providing for assistance by the Commonwealth to the cities of the second class second class A and third class for street and highway purposes and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five million dollars ($5,000,000) is hereby specifically appropriated out of the Motor License Fund for the two fiscal years beginning June first one thousand nine hundred and thirty-three Two million five hundred thousand ($2,500,000) thereof shall at the beginning of each fiscal year be allocated and paid by the State Treasurer to the treasurers of the second class second class A and third class cities of the Commonwealth in proportion to number of miles of streets improved and paved in each city quarterly on the first days of September December March and June Provided That before any quarterly payment except the first is made the city shall file with the Department of Highways on forms prepared and furnished by it a report of the expenditure of the moneys for the previous quarter Such reports shall be transmitted to the Auditor General for audit

Section 2 The money so appropriated and allocated to the cities of the second class second class A and third class shall be used by such cities first for maintenance and replacement of the paving of such streets as are connecting links in the State Highway System as designated by the State Department of Highways second for maintenance and replacement of the paving of all other streets or highways in said cities and in addition thereto may be used for payment of the cost of construction of pavement on streets and highways therein not subject to assessment according to benefits on abutting property owners

Section 3 The proper authorities of the various municipalities affected by this act shall immediately upon the passage hereof ascertain the mileage of improved paved streets and highways in such municipalities upon which the payments herein provided for are to be proportioned and shall file a statement thereof with the Department of Highways and that Department shall certify to the State Treasurer the mileage of the streets and highways in the various cities and the State Treasurer shall allocate and make payments as provided for in section one of this act on the basis of such certification

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2333, as follows:

An Act authorizing the Secretary of the Commonwealth with the approval of the Attorney General and Director of the Legisltaive Reference Bureau to correct certain errors in the original copies of laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any law shall have been finally enacted and it shall be ascertained that such law is technically defective in form or contains missepelled words or typographical errors or the plural or singular appears where the opposite should be used the Secretary of the Commonwealth in punctuating and editing such law shall have authority with the approval of the Attorney General and the Director of the Legislative Reference Bureau to correct the original copy of such law as filed in the Department of State if such correction will not in any manner affect or change the meaning intent or substance of such law

Section 2 Whenever any correction on any law is made as hereinbefore authorized a notation thereof shall be made on the original copy by the Secretary of the Commonwealth together with his signature followed by the approval and signatures of the Attorney General and the Director of the Legislative Reference Bureau

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1300, as follows:

An Act imposing an additional excise license tax on each store or mercantile establishment in excess of one operated or maintained within this Commonwealth under the same general management supervision or ownership

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person copartnership association and corporation opening establishing operating or maintaining two or more stores or mercantile establishments within this Commonwealth under the same general management supervision or ownership shall pay the excise license fees hereinafter prescribed for the privilege of opening establishing operating or maintaining such stores or mercantile establishments The excise license fees herein prescribed shall be paid annually and shall be in addition to all other taxes imposed by the laws of

this Commonwealth The excise license fees herein prescribed shall be as follows

(1) Upon two stores or more but not to exceed five stores the annual license fee shall be twenty-five dollars for each such store in excess of one

(2) Upon six stores or more but not to exceed ten stores the annual license fee shall be fifty dollars for each store in excess of five

(3) Upon eleven stores or more but not to exceed fifteen stores the annual license fee shall be seventy-five dollars for each store in excess of ten

(4) Upon sixteen stores or more but not to exceed twenty stores the annual license fee shall be one hundred dollars for each such store in excess of fifteen

(5) Upon twenty-one stores or more but not exceed twenty-five stores the annual license fee shall be one hundred and fifty dollars for each such store in excess of twenty

(6) Upon twenty-six stores or more the annual license fee shall be two hundred dollars for each store in excess of twenty-five

The excise license tax hereby imposed shall not apply to gasoline filling stations

Section 2 Each person copartnership association and corporation who or which shall open establish operate or maintain two or more stores or mercantile establishments within this Commonwealth under the same general management supervision or ownership shall on or before the first day of January one thousand nine hundred and thirty-four and on or before the first day of January of each year thereafter file with the Department of Revenue on forms prescribed and furnished by it a report on oath or affirmation setting forth the name and address or principal place of business of such person copartnership association or corporation the number of stores or mercantile establishments operated or maintained or to be operated or maintianed within this Commonwealth under the same general management supervision or ownership together with the specific address of each such store or mercantile establishment and such other relevant information as the Department of Revenue may require in connection with the settlement of the excise license tax hereinbefore imposed and shall at the same time pay into the State Treasury through the Department of Revenue the amount of the excise license fee appearing by said report to be due

Section 3 Any person copartnership association or corporation who or which shall open or establish one or more stores or mercantile establishments within this Cmmonwealth in excess of one under the same general management supervision or ownership at any time subsequent to the first day of January one thousand nine hundred and thirty-four and subsequent to the first day of January of any year thereafter shall before commencing business at such new store or mercantile establishment file with the Department of Revenue the report requird by the preceding section of this act which report shall in addition show the number of such stores or mercantile establishments at that time operated or maintained within this Commonwealth under the same general management supervision or ownership and shall pay into the State Treasury through the Department of Revenue the amount of the excise license fee or fees appearing from said report to be due for such additional establishments

Section 4 The said excise license tax shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and subject to the same penalties interest and the right of resettlement review appeal and refund as provided by law in the case of taxes on gross receipts

Section 5 From and after the first day of January one thousand nine hundred and thirty-four it shall be unlawful for any person copartnership association or corporation either foreign or domestic to open establish operate or maintain any store or mercantile establishment in this Commonwealth in excess of one under the same general management supervision or ownership without first having made the report and paid the excise license fees required by the provisions of this act Any person copartnership association or corporation violating the provisions of this act shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five thousand dollars ($5,000) Each store or mercantile establisment opened operated or maintained in violation of the provisions of this act shall constitute a separate offense

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WITKIN. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of a hearing.

On the question,

Will the House agree to the motion?

The SPEAKER declared the noes appear to have it,

Whereupon a division was called for, thirty-eight members voting in the affirmative and eighty-eight in the negative, the question was determined in the negative, and the motion was not agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1400, as follows:

An Act relating to the business of insurance providing for the organization merger and consolidation of insurance companies title insurance and mortgage insurance companies fraternal benefit societies for the reincorporation of certain beneficial societies for the conversion of stock life insurance companies to mutual life insurance companies and for the conversion of certain mutual fire insurance companies into stock fire insurance companies defining the rights powers duties liabilities and immunities of such companies and societies providing for the regulation supervision and protection of domestic foreign and alien insurance companies title insurance and mortgage insurance companies fraternal benefit societies benefical societies employers' mutual liability insurance associations Lloyds associations reciprocal and inter-insurance exchanges fire insurance rating bureaus and compensation insurance rating bureaus and the regulation and supervision of insurance carried by such companies societies associations and exchanges including insurance carried by the State Workmen's Insurance Fund and boiler insurance conducted within cities of the first class restricting the engaging in the insurance business by any other corporation or by individuals conferring powers and imposing duties upon the courts and certain State departments commissions and officers providing for the acceptance of the provisions of this act imposing penalties and repealing certain acts and parts of acts

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

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ARTICLE I

GENERAL PROVISIONS

Section Short Title This act shall be known and may be cited as the "Insurance Code"

Section 2 Definitions A The following words unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Alien" describing an insurer or other corporation organized under the laws of any country other than the United States or its territories

"Association" an individual partnership or association of individuals authorized to engage in the business of insurance on the Lloyds plan

"Beneficial Society" a corporation or society other than a fraternal society organized for conferring benefits upon its members from funds collected by it

(1) Which has any regular officer agent membership solicitor or employe who receives a salary or compensation of any nature whatsoever for work done or who receives more than a nominal commision for each new member that he secures or

(2) Which issues to its members any policy agreement voucher contract of insurance or certificate providing for sick accident or death benefits or provides by its constitution or by-laws for such sick accident or death benefits in return for periodic dues premiums assessments or payments or otherwise transacts any class of insurance

"Commissioner" the Insurance Commissioner of this Commonwealth

"Company" every incorporated stock or mutual insurance company including title insurance companies and mortgage insurance companies whether incorporated under the laws of this Commonwealth or of any other state or territory of the United States the District of Columbia or of a foreign country excepting companies operating on a mutual assessment plan

"Compensation" describing all insurance affected by virtue of statutes providing compensation to employes for personal injuries received irrespective of any fault of the employer

"Department" the Insurance Department of this Commonwealth

"Directors" individuals acting in the capacity of directors of any capital domestic stock or mutual insurance company whether designated as trustees managers or by any other term

"Domestic" describing an insurer or other corporation organized under the laws of this Commonwealth

"Earned Premiums" a term which includes gross premiums charged on all policies written by compensation and liability insurers including all determined excess and additional premiums other than premiums returned to policyholders as dividends less reinsurance premiums and premiums on policies

cancelled and less unearned premiums on policies in force however any participting company which has charged as part of its premiums a loading solely for the purpose of dividends shall not be required to include such loading in its earned pemiums provided a statement of the amount of such loading has been filed with and approved by the Department

"Employers' Mutual Liability Association" an incorporated association or company heretofore or hereafter formed by employers for the purpose of insuring themselves and such other employers as may become subscribers to the association against liability under the terms of "The Workmen's Compensation Act of one thousand nine hundred and fifteen" or any amendments or supplements or revisions thereof this term includes the term "employers' mutual liability association" as used in existing laws

"Entire Mortgage Guarantee" every policy of mortgage insurance other than a mortgage participation certificate which covers and refers to the entire indebtedness evidenced by a security

"Exchange" an individual partnership or corporation authorized to exchange with other individuals partnerships or corporations inter-insurance or reciprocal insurance contracts

"Fire Rating Bureau" an individual association or bureau engaging in making fire insurance rates or estimates for such rates in this Commonwealth

"Foreign" describing an insurer or other corporation organized under the laws of any state of the United States other than this Commonwealth or of any territory or insular possession of the United States or of the District of Columbia

"Fraternal Society" a corporation society order or voluntary association without capital stock organized and carried on solely for the mutual benefit of its members and their beneficiaries and not for profit having a lodge system with ritualistic form of work and a representative form of government and provisions for the payment of benefits

"Health or Accident" describing all insurance against loss from sickness or loss or damage from bodily injury or death of the insured by accident

"Incorporator" a signer of the original articles of incorporation

"Industrial" describing life or endowment insurance the premiums for which are payable monthly or more frequently

"Insurer" a company association exchange fraternal society or beneficial society as defined by this section

"Mortgage Insurance Company" a corporation which shall engage in the business of making and issuing policies of mortgage insurance in this Commonwealth

"Mortgage Participation Certificate" a policy of mortgage insurance which evidences the ownership by the insured of an undivided interest or the right to participate to a specified extent in a security or in a group consisting of several securities and which purports to guarantee the payment of such undivided or other partial share or interest therein or the amount of such participation as to principal interest or other sum agreed to be paid under the terms of any security

"Policy of Mortgage Insurance" a contract which purports to guarantee or insure the payment of the principal interest or other sum of any of them agreed to be paid under the terms of any security

"Promoter" any person partnership or corporation who or which as principal or agent directly or indirectly for the purpose of promoting or organizing any company proposed to be or being organized within or without this Commonwealth or of promoting the sale of stock of such company by it after organization sells or agrees or attempts to sell or secures subscriptions or applications for any shares of stock in such company

"Security" as used in relation to mortgage insurance companies one or more notes or bonds together with the mortgage by which it or they are secured which shall evidence a debt secured by a first lien on a marketable title in fee to real estate or to real estate with improvements thereon

"Share Certificate" a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the person or corporation therein named is the registered owner of the shares therein described This also includes the term "Certificate of Stock" as used in existing law

"Shareholder" a registered owner of shares in an insurance company

"Shares" the units into which the shareholders' rights to participate in the control of an insurance company in its surplus or profits or in the distribution of its assets are divided

"State" any state of the United States other than this Commonwealth or any territory or insular possession of the United States or the District of Columbia

"Surety" describing insurance which guarantees the fidelity of persons holding places of public or private trust which guarantees the performance of contracts other than insurance policies which guarantees or executes bonds and undertakings and which indemnifies the insured against loss describing also the companies which transact surety insurance

B Article or section headings shall not be construed to affect in any manner the scope or meaning of any article or section of this act

C The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter to include both the masculine and the feminine

Section 3 Applicability and Acceptance of Act A Except as in this act otherwise provided the provisions of this act in so far they are applicable shall apply

(1) To domestic insurance companies as follows

(a) All domestic companies incorporated under the provisions of this act

(b) All insurance companies incorporated under general or special laws since the thirteenth day of October one thousand eight hundred fifty-seven

(c) All domestic companies heretofore incorporated which have accepted the provisions of the Constitution and the general insurance laws enacted since the thirteenth day of October one thousand eight hundred fifty-seven

(d) All domstic companies incorporated under any general or special law prior to the thirteenth day of October one thousand eight hundred fifty-seven which by the terms of their charters or the acts under which they were incorporated hold charters subject to alteration or revocation

(e) All other domestic companies incorporated by general or special law prior to the thirteenth day of October one thousand eight hundred fifty-seven which accept the provisions of this act as hereinafter provided

(2) To all foreign and alien companies doing business in this Commonwealth

(3) To all domestic foreign and alien associations and exchanges doing an insurance business in this Commonwealth

(4) To all domestic foreign and alien fraternal benefit societies doing business in this Commonwealth

(5) To all beneficial societies doing business in this Commonwealth

(6) To all self-insuring employers under The Workmen's Compensation Act of one thousand nine hundred fifteen

(7) To all domestic foreign and alien rating bureaus doing business in this Commonwealth

B Any company to which this act applies and which has the required capital and reserve may transact any one or more of the classes of insurance authorized by this act in the same manner and to the same extent as insurance companies incorporated under the provisions of this act

B This act except as hereinafter otherwise specifically provided shall not be construed as attempting to deprive any existing company of any corporate power right privilege or franchise which such company now enjoys including the right to engage in any business other than insurance

D If the application of the provisions of this act to any company organized under a special act of the General Assembly shall be declared unconstitutional an acceptance or exercise by such company of any benefit right or power conferred or granted by this act including a change of its name or of its place of business an extension of its term of existence an increase or decrease of its capital any other amendment to its articles or a merger or consolidation with another company shall constitute an acceptance by such company of all the provisions of this act which by their terms are made applicable to it

E Any company heretofore organized under any general or special law of this Commonwealth to transact any of the classes of insurance authorized in this act and to which this act does not apply shall be entitled to exist under and shall be governed by the provisions of this act upon filing with the Department a resolution of the board of directors or trustees approved by the shareholders or members at a meeting specially called for that purpose accepting the provisions of the Constitution and of this act and agreeing to be governed thereby

as fully as though organized thereunder The charters of all companies accepting the provisions of this act shall after such acceptance be repealed and of no effect in so far as the same may be inconsistent with the provisions of this act

F This act does not relate to or affect societies or unincorporated associations which do not issue certificates or other contracts or do not make regular assessments for the payment of sick accident or death benefits or do not employ paid agents or members to solicit new members

Section 4 Saving Clauses A This act shall not impair or affect any act done offense committed or right accruing accrued or acquired or liability duty obligation penalty judgment or punishment incurred prior to the time this act takes effect but the same may be enjoyed asserted enforced prosecuted or inflicted as fully and to the same extent as if this act had not been passed

B The provisions of all acts or parts of acts which are repealed by this act or are reenacted in this act shall be considered as remaining continuously in force so far as concerns all rights vested and accrued and liabilities duties and obligations incurred under such provisions before the effective date of this act shall be enjoyed preserved or may be enforced as if this act had not been passed

C The provisions of this act as far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal of any acts by this act shall not affect the corporate existence of any corporation heretofore created Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

D All resolutions regulations and rules made pursuant to any act repealed by this act shall unless inconsistent with any provisions of this act continue with the same force as if such act had not been repealed

Section 5 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 6 Construction of References A Whenever in this act reference is made to any act by title such reference shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

B Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act as well as those then in existence

Section 7 Jurisdiction of Courts This act shall not be deemed to curtail in any manner whatsoever the law or equity jurisdiction of the courts of this Commonwealth

Section 8 Notices to Corporations Unincorporated Associations and Persons Unless expressly provided otherwise all written notices required by this act to be given to any company shall be

(1) Served in the manner now or hereafter established by law for the service of writs of summons except that such service need not be made by the sheriff or

(2) Mailed or sent by telegram charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a domestic corporation to its principal office and (c) in the case of a foreing or alien corporation to its registered office in Pennsylvania or if it has no registered office in Pennsylvania to its home office in the state of incorporation or in any other state

If a notice ns sent by mail or by telegraph such notice shall be deemed to have been given to the corporation unincorporated association or person addressed when it is deposited in the Unted States mail or with a telegraph office for transmission to such corporation or person

Section 9 Advertisement or Notice in Newspapers A Unless expressly provided otherwise any advertisement or notice in a newspaper of general circulation required by this act shall be published in a newspaper of general circulation in the county as defined by the Newspaper Advertising Act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four) its supplements and amendments in which the principal place of business of the company is or in the case of a proposed company will be located and which is published in the city borough or township in which such place of business is or will be located

If there is no newspaper of general circulation published in the city borough or township then the advertisement or notice shall be inserted in a newspaper of general circulation in the county published at the county seat If no newspaper of general circulation in the county is published at the county seat then such advertisement or notice shall be inserted in the newspaper of general circulation published nearest to the city borough or township in which the principal place of business of such company is located and within the county If there is no newspaper of general circulation published within the county then the advirtisement or notice shall be inserted in the newspaper of general circulation published nearest to such city borough or township in an adjoining county

B Unless expressly provided otherwise any advertisement or notice in a legal newspaper required by this act shall be published in the legal newspaper published within the county as defined by the Newspaper Advertising Act in which the principal place of business of the company is or in the case of a proposed company will be located

C Unless expressly provided otherwise if this act requires advertisment or notice to be made both in a newspaper of general circulation and in a legal newspaper and if there is no legal newspaper published within the county in which the principal place of business of the company is or in the case of a proposed company will be located the advertisement shall be made in two newspapers of general circulation in the county except that if two newspapers of general circulation are not published in the county then such advertisement or notice shall be made in only one newspaper of general circulation published in the county or if none is published there then in one newspaper published in an adjoining county as provided by this section in any case in which a newspaper of general circulation is not published in the county

D Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act

Section 10 Waiver of Notice Any notice required by this act or by the articles or by-laws of any company governed by the provisions of this act to be given to any corporation or person may be waived by such company or person either before or after the day prescribed for the giving of such notice Such waiver shall be in writing and signed by such corporation or person

Section 11 Effect of Filing Papers Required to be Filed The filing of the articles or of any other papers or documents pursuant to the provisions of this act is required for the purpose of affording all persons the opportunity of acquiring knowledge of the contents thereof but no person dealing with the corporation shall be charged with constructive notice of the contents of any such articles papers or documents by reason of such filing

Section 12 Powers of Department of State and Insurance Department The Department of State and Insurance Department shall have the power and authority reasonably necessary to enable them to administer this act efficiently and to perform the duties imposed upon them by this act All articles papers and other documents required by this act to be filed with the Department of State and Insurance Department shall be made in such form as shall be prescribed by those departments

Section 13 Certificates and Certified Copies of Certain Documents to be Received in Evidence All certificates issued by the Department of State in accordance with the provisions of this act and all copies of articles papers and other documents filed with the Department of State in accordance with the provisions of this act when certified by the Secretary of the Commonwealh shall be taken and received by all courts public offices and official bodies as prima facie evidence of the facts therein stated A certificate by the Department of State under the seal of the Commonwealth as to the existence or nonexistence of facts relating to companies which would not appear from the foregoing documents or certificates shall be taken and received by all courts public offices and official bodies as prima facie evidence of the existence or nonexistence of the facts therein stated

Section 14 Fees Except as otherwise specifically provided any prothonotary or recorder of deeds and any State department board commission or officer shall be entitled to receive for services performed as required by this act such fees as it lawfully charges for such or similar services

ARTICLE II

FORMATION OF INSURANCE COMPANIES

Section 201 Classes of Companies and Qualifications of Incorporators Any ten or more natural persons of full age and of either sex married or single who are citizens of this Commonwealth may form an incorporated insurance company under the provisions of this act of any of the following classes

(1) Stock life insurance companies

(2) Mutual life insurance companies

(3) Stock fire stock marine and stock fire and marine insurance companies

(4) Stock casualty insurance companies

(5) Mutual insurance companies other than mutual life insurance companies

(6) Title insurance companies

(7) Mortgage insurance companies

Section 202 The Corporate Name A The name of the company may be in any language but shall be expressed in English letters or characters and shall contain the word "corporation" "company" or "incorporated" or shall end with an abbreviation of one of these words except that the word "company" or the abbreviation "Co" may be used only if that word or abbreviation is not immediately preceded by the word "and" or any symbol or substitute therefor In the case of a mutual company the word "mutual" shall appear in the name or title thereof The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or of the United States or is subject to the supervision of any department other than the Insurance Department and shall not contain the word "bank" "banking" "bankers" "savings" "trust" "deposit" "public service" "building and loan" "cooperative" "State" "Commonwealth" "Pennsylvania" "government" "official" "Federal" "National" or "United States"

B The name of the company shall not be a name which in the opinion of the department is likely to confuse or mislead the public and it shall not be the same as or deceptively similar to

(1) The name of any other domestic company or any foreign or alien company authorized to transact business in this Commonwealth or the name of any other insurer whatsoever authorized to transact business in this Commonwealth unless such other domestic foreign or alien insurer is about to change its name or to cease to do business or is being wound up or such foreign or alien insurer is about to withdraw from doing business in this Commonwealth and the written consent of such other domestic foreign or alien insurer to the adoption of its name or a deceptively similar name has been given and is filed with the Department of State and with the Insurance Department

(2) The name of any administrative department board or commission or other agency of the Commonwealth

(3) A name the exclusive right to which is at the time reserved by any other corporation whatsoever in the manner provided in this act or any other Act of Assembly

C The provisions of this section shall not apply to any company which is in existence upon the effective date of this act but if such company shall desire to change its name in any manner whatsoever pursuant to the provisions of this act the new name shall comply in every detail with the requirements of this section

D This section shall not be construed to abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principles of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

E The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the Court of Common Pleas of Dauphin County may upon the application of the Attorney General acting on his own motion or at the instance of any administrative department of the Commonwealth and the court of common pleas of any county having jurisdiction over the corporation may upon the application of any insurer adversely affected enjoin the corporation from using or containing to use a name assumed in violation of this section

Section 203 Reservation of Corporate Name A The exclusive right to the use of a corporate name may be reserved by

(1) Any person intending to organize a company under this act or

(2) Any domestic company intending to change its name or

(3) Any alien or foreign company intending to make application for a certificate of authority to transact business in this Commonwealth or

(4) Any alien or foreign company authorized to transact business in this Commonwealth and intending to change its name

B Such reservation shall be made by filing in duplicate with the Department of State an application to reserve a specified name executed by the applicant The Department of State shall then send the copy of such application to the Insurance Department If the Insurance Department advises that such name is available it shall forthwith give its written assent to the Department of State If the Department of State likewise advises that such name is available it shall reserve the name for the exclusive use of such applicant for a period of sixty days The right to the exclusive use of a specified name so reserved may be transferred to any company or person who except for such prior reservation would be entitled under the provisions of this act to reserve such name Such transfer may be made by filing in duplicate with the Department of State a notice of such transfer which notice shall be executed by the applicant for whom such name was reserved and shall specify the name and address of the transferee

Section 204 Articles of Incorporation Articles shall be signed by each of the incorporators and ackowledged by at least six of them before any officer within this Commonwealth authorized to take acknowledgments and shall set forth in the English language

(1) The name of the company unless the name is in a foreign language in which case it shall be set forth in English letters or characters

(2) The location and post office address of its initial registered office in this Commonwealth

(3) A precise and accurate statement of the purpose or purposes for which the company is organized and that it is organized under this act

(4) The term for which it is to exist which may be perpetual

(5) In the case of a stock company the amount of its capital and the aggregate number of shares which the company shall have authority to issue and the par value thereof

(6) The amount of paid-in capital with which the company will begin business

(7) The plan or principle upon which the business is to be transacted

(8) The name occupation and post office address of each of the incorporators and a statement of the number of shares subscribed by each

(9) The name of the first officers and directors their post office addresses and their terms of office

(10) Any provisions which the incorporators may choose to insert granting to shareholders preemptive rights to subscribe to any or all issues of shares or securities of the company

(11) A statement of all expenses connected with the organization of the company and the sale of its shares including a declaration that no fees or commissions have been paid in violation of this act

(12) Any provisions not inconsistent with law which the incorporators may choose to insert for the regulation of the internal affairs of the company and the business of the company

Section 205 Advertisement of Articles The incorporators of a company shall advertise their intention to file articles of incorporation with the Department of State one time in a newspaper of general circulation and one time in a legal newspaper both of which shall be published in the English language Advertisements shall appear at least three days prior to the day the articles of incorporation are filed with the Department of State and shall set forth briefly

(1) The name of the proposed company

(2) A statement that the proposed company is to be organized under the provisions of this act

(3) The general character and class or classes of insurance to be transacted by the proposed company

(4) The time when the articles of incorporation will be filed with the Department of State

(5) The names occupations and addresses of the incorporators

Section 206 Filing of Articles A The incorporators shall deliver or cause to be delivered to the Department of State the articles of incorporation and proof of the advertisement required by the preceding section

B The Department of State shall examine the proof of publication and the articles to determine whether they contain all the information and are in the form required by this act and whether the name of the proposed company is the same as one already adopted or reserved by another corporation or person or is so similar thereto that it is likely to mislead the public

C After all the bonus fees and charges have been paid as required by law if the proof of publication and the articles contain the information and are in the form required by this act and if the name of the proposed company does not violate any provisions of this act the Department of State shall endorse its approval upon the articles shall forthwith transmit them to the Insurance Department and shall so notify the incorporators

D If the Department of State shall disapproved the articles pursuant to the provisions of this act it shall forthwith give notice thereof to the proposed incorporators stating in detail its reasons for doing so and indicating how the incorporators can remedy their nonconformance with the prvisions of this act Upon remedying the defect the proposed incorporators may file the same or amended articles

Section 207 Filing of Certificate of Progress with Department Upon receiving notice from the Department of State that the articles have been approved the incorporators shall proceed with the incorporation and file a certificate of progress with the Insurance Department in the following manner

A Whenever one-half of the capital of any stock company mentioned in the articles of incorporation has been subscribed and twenty per centum on each share paid into the hands of the treasurer of the company the president treasurer and a majority of the directors shall under their respective oaths or affirmations made a certificate to the department stating

(1) The number and par value of the shares of stock in said company

(2) The names and residences of the subscribers

(3) The number of shares subscribed by each

(4) The amount paid in on each share

(5) The amount of money in the hands of the treasurer on account of such payments and

(6) Where such money is deposited

B Whenever applications for insurance in the case of a mutual company have been received in sufficient number and amount the president treasurer and the majority of the directors of such company shall under their respective oaths or affirmations make a certificate to the department stating

(1) The names and residences of the persons applying for insurance in such company

(2) The amount agreed to be taken and the amount paid in by each

(3) The amount of money in the hands of the treasurer and

(4) Where such money is deposited

C In the case of mutual life companies in addition to the certificate required of all mutual companies by this section as soon as the guarantee capital has been subscribed and fifty per centum thereof has been paid in lawful money to the treasurer and the subscribers' obligations given for the remaining fifty per centum thereof the president treasurer and a majority of the directors shall under their respective oaths or affirmations make a certificate to the department stating

(1) The number and par value of the shares of guaranty stock in said company

(2) The names and residences of the subscribers

(3) The number of shares subscribed by each

(4) The amount paid in on each share

(5) The form of obligations taken for the unpaid moiety

(6) The amount of money in the hands of the treasurer and

(7) Where such money is deposited

Section 208 Approval of Articles by Insurance Department A The Department shall conduct such investigation as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the proposed company is likely to mislead the public as to its character or purpose

(2) Whether the convenience and advantage of the public will be served by the proposed company

(3) Whether the responsibility character and general fitness for the business of the incorporators and directors named in the articles are such as to command the confidence of the public and to warrant the belief that the business of the proposed company will be honestly and efficiently conducted in accordance with the intent and purpose of this act

(4) Whether any fee commission or compensation has been paid to any promoter corporation or person for the promotion organization of such company or whether any part of the money collected or to be collected from subscribers or shareholders has been or is to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting or opening such company and whether such fee commission or compensation is provided for by contract with the proposed company or by contract with the subscribers to the shares

B Within sixty days after the receipt of the certificate of progress the Insurance Department shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove the articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of incorporation it shall endorse its approval thereon

C If the Insurance Department disapproves the articles it shall return them to the Department of State stating in detail its reasons for doing so. The Department of State shall immediately give notice to the proposed incorporators of the action of the Insurance Department and of the reasons therefor as stated to it by that Department The proposed incorporators may within thirty day after the Department of State sends them notice of the disappproval of their articles appeal from such disapproval to the Governor who shall hear such appeal promptly and within thirty days thereafter decide the matter and certify his decision to the Insurance Department The dicision of the Governor shall be conclusive and not subject to any review The Insurance Department shall act in accordance therewith

Section 209 Issuance of Certificate of Incorporation Immediately upon receipt of the articles of a proposed company from the Insurance Department with its approval endorsed thereon the Department of State shall file the articles and issue to the incorporators or their representative a certificate of incorporation to which shall be attached a copy of the approved articles The articles upon being approved by the Insurance Department and filed by the Department of State shall constitute the charter of the company

Section 210 Effect of Issuance of Certificate of Incorporation Upon the issuance of the certificate of incorporation by the Department of State the corporate existence shall begin and those persons who subscribed for shares prior to the issuance of the certificate of incorporation or their assignees shall be shareholders in the company. The certificate of incorporation shall be conclusive evidence of the fact that the company has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate a company which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

Section 211 Fees for Investigation by Insurance Department In addition to any bonus fee and charge provided by law in the case of any business corporation the incorporators of a company organized under this act shall pay to the Department such reasonable fees as it shall establish by rule and regulation for the investigation made by it pursuant to the provisions of this act to determine whether the articles should be approved Such fee for the investigation by the Department shall be paid to it at the time of the filing of the articles with the Department of State Payment of such fee shall be a condition precedent to the issuance of a certificate of authority to do business

Section 212 Notice of Qualification to Commence Business Certificate of Authority A The president or secretary of any stock company incorporated under this act shall notify the Department in writing that the company is qualified to commence business after the authorized capital and required surplus of such company have been paid in and properly invested

B The president or secretary of any mutual life company incorporated under this act shall notify the Department in writing that the company is qualified to commence business after the necessary amount of insurance has been applied for and the guarantee capital has been paid in and properly invested

C The president or secretary of any mutual company other than a mutual life company incorporated under this act shall notify the Department that the company is qualified to commence business after the necessary amount of or applications for insurance have been received and the required amount of cash premiums has been received and properly invested

D If after receiving notice that a company is qualified to commence business the Department finds as a result of its examination that such company has registered in the office of the Department of Revenue and has otherwise complied with the provisions of this Act and other laws of this Commonwealth the Department shall issue to such company a certificate of authority to do business As soon as the company receives such certificate of authority it may issue policies and otherwise transact the business of insurance for which it was incorporated

E A company formed under this act shall not incur any indebtedness or begin the transaction of any business except such as shall be incident to its organization or to the obtaining of subscription to or payment for its shares until it has obtained from the Department its certificate of authority

F If a company shall transact any business in violation of this section the officers who participated therein and the directors except those directors who dissented therefrom and caused their dissent to be filed at the time in the Insurance Department or who being absent so filed their dissent upon learning of the action shall be severally liable for the debts and liabilities of the company arising therefrom

Section 213 Organization Meetings A After the issuance of the certificate of incorporation of an insurance company the first meeting of the shareholders or members shall be held within this Commonwealth at the call of the shareholders who were incorporators or a majority of them for the purpose of adopting by-laws if the articles of incorporation provide for the adoption thereof by the shareholders or members and for such other purposes as shall be stated in the notice of the meeting The persons so calling the meeting shall give at least ten days' written notice thereof to each shareholder or members which notice shall state the time place and purpose or purposes of the meeting

B After the issuance of the certificate of incorporation an organization meeting of the board of directors named in the articles shall be held within this Commonwealth at the call of a majority of the directors for the purpose of adopting by-laws if the articles authorize the directors to adopt by-laws for the purpose of electing officers and for the transaction of such other business as may come before the meeting The directors calling the meeting shall give at least five days' written notice of the time and place of the meeting to each director named in the articles

Section 214 Power of Legislature to Alter or Revoke Charters The General Assembly may alter revoke or annul the charter of any corporation formed under this act as provided by Article XVI Section ten of the Constitution

ARTICLE III

CORPORATE POWERS BY-LAWS FINANCIAL REQUIREMENTS AND INVESTMENTS

Section 301 Corporate Capacity and Authority A company formed under this act shall have the capacity to act possessed by natural persons but shall have authority to perform only such acts as are necessary or proper to accomplish the purpose or purposes for which it is organized and which are not repugnant to law

Section 302 General Powers Subject to the limitations and restrictions contained in this act or in its articles every company shall have power

(1) To continue as a company for the time specified in its articles subject to the power of the General Assembly under the Constitution of this Commonwealth

(2) To sue and be sued complain and defend in its corporate name

(3) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile of it to be impressed or affixed or in any manner reproduced

(4) To make alter amend and repeal by-laws not inconsistent with its articles or with law for the administration and regulation of the affairs of the company

(5) To elect or appoint and remove officers and agents of the company and to define their duties and fix their compensation

(6) To have and exercise all of the powers and means necessary to effect the purpose or purposes for which the company is formed

The powers herein enumerated shall not be construed as limiting or enlarging any grant of authority otherwise made by this act or as limiting the purpose or purposes for which a company may be organized as set forth in its articles It shall not be necessary to set forth any of such enumerated powers in the articles of the company Except as otherwise provided in this act or in the by-laws of a company the powers herein enumerated shall be exercised by the board of directors of the company

Section 303 Specific Powers and Financial Requirements of Stock and Mutual Life Companies A Stock and mutual life companies shall have the power to insure the lives of persons and to make contracts of insurance appertaining thereto to grant and dispose of annuities and to insure against personal injury disablement or death resulting from traveling or general accidents and against disablement resulting from sickness and to make contracts of insurance appertaining thereto

B Stock companies organized under this act to insure lives and to grant and dispose of annuities shall have a capital of not less than two hundred thousand dollars Stock companies organized for all of the powers mentioned in this section shall have a capital of at least three hundred thousand dollars Every stock life company shall in addition to the minimum capital required by this section have a surplus paid in at least equal to fifty per centum of the subscribed capital

C Companies organized under this act to insure lives on the mutual plan shall have applications for insurance to the amount of one million dollars by not less than four hundred persons and before commencing business must have a guarantee capital of not less than two hundred thousand dollars

Section 304 Specific Powers and Financial Requirements of Stock Fire Stock Marine and Stock Fire and Marine Companies A Stock fire companies shall have the powers enumerated in paragraphs (1) and (2) of this subsection stock marine companies shall have the powers enumerated in paragraphs (2) and (3) of this subsection and stock fire and marine companies shall have the powers enumerated in paragraphs (1) (2) and (3) of this subsection namely

(1) To make insurances on dwelling houses stores and all kinds of buildings household furniture and other property against loss or damage including loss of use or occupancy by fire smoke smudge lightning and explosion whether fire ensue or not except explosion of boilers pipes flywheels engines and machinery and by tornadoes cyclones windstorms earthquakes hail frost sleet snow or flood against loss or damage by water to any goods or premises arising from the breakage or leakage of sprinklers pumps or other apparatus erected for extinguishing fires and of water pipes against accidental injury to such sprinklers pumps or other apparatus against loss or damage caused by the caving in of the surface of the earth above coal mines against perils to property arising from the ownership or maintenance or from the use of aircraft automobiles or other motor vehicles and against loss or damage caused by bombardment invasion insurrection riot civil war or commotion and military or usurped power and to effect reinsurance of any risk provided for in this paragraph

(2) To make insurances upon vessels boats cargoes goods merchandise freight and other property against loss or damage by all or any of the risks of lake river canal and inland navigation and transportation upon automobiles airplanes seaplanes dirigibles or other aircraft whether stationary in transit or in operation against loss or damage by fire explosion transportation collision or by burglary larceny or theft not including in any case insurances against loss by reason of bodily injury to the person and to effect reinsurance of any risk provided for in this paragraph

(3) To make insurances upon vessels freight goods wares merchandise specie bullion jewels profit commissions bank notes bills of exchange and other evidence of debt bottomry and respondentia interests and every insurance appertaining to or connected with marine risks and risks of transportation and navigation and to effect reinsurance of any risk provided for in this paragraph

B In order for companies to exercise the powers enumerated in either paragraphs (1) or (2) of Subsection A of this section they shall have a paid-up capital of not less than one hundred thousand dollars in order to exercise the powers enumerated in paragraphs (1) and (2) or in paragraph (3) of Subsection A of this section they shall have a paid-up capital of not less than two hundred thousand dollars and in order to exercise the powers enumerated in paragraphs (1) (2) and (3) of Subsection A of this section they shall have a paid-up capital of not less than four hundred thousand dollars Every such company shall in addition to the minimum capital required by this section have a surplus paid in at least equal to fifty per centum of the subscribed capital

Section 305 Specific Powers and Financial Requirements of Stock Casualty Companies A Stock Casualty companies shall have the power to make insurances or contracts as follows

(1) To guarantee the fidelity of persons holding places of public or private trust the performance of contracts other than insurance policies the performance of insurance contracts where surety bonds are accepted from insurance contracts where surety bonds are accepted from insurance companies by states or municipalities in lieu of actual deposits to execute or guarantee bonds and undertakings required or permitted in all actions or proceedings or by law allowed to indemnify banks bankers brokers financial or moneyed associations or financial or moneyed corporations against the loss of any bills of exchange notes drafts acceptances of drafts bonds securities evidences of debt deeds mortgages documents currency and money except against loss caused by marine risks or risks of transportation or navigation provided that such contracts of indemnity may indemnify against loss of bills of exchange notes drafts acceptances of drafts bonds securities evidences of debts deeds mortgages documents currency and money transported in armored motor vehicles accompanied by one or more armed guards and to guarantee any Federal Land Bank against loss by reason of defective title or encumbrances on real property on which any such Federal Land Bank may make a loan secured by a mortgage

(2) To insure against injury disablement or death resulting from traveling or general accident and against disablement resulting from sickness and every insurance appertaining thereto including a funeral benefit to an amount not exceeding one hundred dollars

(3) To insure glass against breakage

(4) To insure anyone against loss or damage resulting from accident to or injury fatal or non-fatal suffered by an employe or other person for which the person insured is liable or against loss or damage to property caused by animals or by any vehicle drawn by animal power for which loss or damage the person insured is liable also against loss or damage resulting from negligence in rendering professional and expert service for which the insured is liable except loss or damage caused by risks or hazards of the kind mentioned in paragraphs (5) (8) (9) and (11) of this subsection

(5) To insure against loss or damage to any property of the insured and against legal liability for loss or damage on account of the bodily injury or death of any person or any damage to property of another caused by the breakage explosion or rupture of or any accidental injury to steam boilers and pipes and containers connected therewith any lighting heating or cooking apparatus or their connections flywheels power wheels and engines or other appartus for applying or transmitting motive or electrical power tanks or other receptacles under pressure or their connections or machinery of any kind and against loss of use and occupancy caused thereby and against loss or damage caused by the interruption by any cause of electric current or of water or gas supply furnished by a public utility company or municipality and to issue certificates of inspection upon such boilers pipes flywheels engines and machinery

(6 To insure against loss by burglary robbery larceny theft forgery vandalism or malicious mischief the wrongful conversion disposal or concealment of automobiles held under a conditional sale contract or subject to a chattel mortgage or any one or more of such hazards Any corporation authorized to transact business as hereinbefore mentioned in this subsection if possessed of a capital of at least two hundred thousand dollars may by taking the proceedings required by law amend its charter so as to include therein the insurance of jewelers and other persons engaged in the business or trade of manufacturing buying selling or dealing in cutting or setting of precious stones jewels jewelry gold silver and other precious metals whether as principals agents brokers factors or otherwise against any and all risks of loss damage injury deterioration loss of use or liability arising from or in connection with such business or trade Such insurance shall be known and designated as "jewelers' block insurance" and made under a policy upon the face and outside cover of which shall be printed in bold face type the words "jewelers' block policy"

(7) To carry on the business of credit insurance or guaranty either by agreeing to purchase uncollectible debts or otherwise and to insure against loss or damage from the failure of persons indebted to the insured to meet their liabilities

(8) To insure any goods or premises against loss or damage by water caused by the breakage or leakage of sprinklers pumps or other apparatus erected for extinguishing fires or of other conduits or containers or by casual water entering through leaks or openings in buildings and of water pipes and against accidental injury from causes other than fire or lightning to such sprinklers pumps water pipes or other apparatus and against damage from use or occupancy of premises by reason of such causes or any of them

(9) To insure against loss or damage to elevators or other property except loss or damage by fire caused by the maintenance operation or use of elevators and machinery loss or legal liability for damage to property resulting from such operation maintenance or use of elevators

(10) To insure horses cattle and other live stock

(11) To insure against loss or damage to automobiles and airplanes seaplanes dirigibles or other aircraft (except loss or damage by fire or while being transported in any conveyance by land or water) and against loss or damage to property caused thereby including loss by legal liability for damage to property resulting from the maintenance and use of automobiles and airplanes seaplanes dirigibles or other aircraft

(12) To effect reinsurance of any risk provided for in this section against which the company has power to insure

B (1) In order for stock casualty companies to exercise any of the powers enumerated in Subsection A of this section except credit insurance and fidelity and surety insurance they shall have a capital of not less than one hundred thousand dollars stock causalty companies organized for the purpose of credit insurance shall have a paid-up capital of not less than two hundred thousand dollars stock casualty companies organized to guarantee the fidelity of persons and contracts of suretyship shall have a capital of at least two hundred fifty thousand dollars

(2) Stock casualty companies organized under this act may exercise two or more classes of powers enumerated in Subsection A of this section by providing at least fifty thousand dollars additional capital for each additional class of insurance however if credit insurance is added to any other line or lines the additional capital shall be one hundred thousand dollars and if fidelity or surety insurance is added to any other line or lines the additional capital shall be two hundred thousand dollars

(3) Any such stock casualty company with a paid-up capital of three hundred thousand dollars may transact all of the classes of insurance mentioned in Subsection A of this section except credit live stock and fidelity and surety insuranc and a company with a paid-up capital of seven hundred fifty thousand dollars may transact all of the classes of insurance mentioned in this section

C Every stock casualty company shall in addition to the minimum capital required by this section have a surplus paid in at least equal to fifty per centum of the subscribed capital

Section 306 Specific Powers and Financial Requirements of Mutual Companies other than Mutual Life Companies A Mutual companies other than mutual life companies shall have the power to make contracts of insurance or to reinsure and accept reinsurance for any and all classes of insurance other than life title and mortgage insurance which classes of insurance are not prohibited by statute or at common law from being the subject of insurance and which may be transacted by a stock company writing the same classes of insurance

B Mutual companies other than mutual life companies organized under this act shall comply with the followin· conditions

(1) Each such company shall hold bona fide applications for insurance upon which it shall issue simultaneously or it

shall have in force at least twenty policies to at least twenty members for the same kind of insurance upon not less than two hundred separate risks each within the maximum single risk described herein

(2) The "maximum single risk" shall not exceed twenty per centum of the admitted assets or three times the average risk or one per centum of the insurance in force whichever is the greater

(3) It shall have collected a cash premium upon each application which premium shall be held in cash or securities in which insurance companies are authorized to invest and shall be equal to not less than five times the maximum single risk assumed nor less than twenty-five thousand dollars and in case of compensation insurance to not less than fifty thousand dollars

(4) For the purpose of transacting employers' liability and workmen's compensation insurance the application shall cover not less than five thousand employes each such employe being considered a separate risk for determining the maximum single risk

Section 307 Specific Powers and Financial Requirements of Title Insurance Companies A Title insurance companies shall have the power to make insurances of every kind pertaining to or connected with titles to real estate and to make execute and perfect such and so many contracts agreements policies and other instruments as may be required therefor such insurances to be made for the benefit of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and encumbrances

B In addition to the general power of companies to receive and hold real estate title insurance companies shall have the power to take receive and hold any and all such pieces of real property as may have been or may hereafter be the subject of any insurance made by such companies under the powers hereinabove recited whether given by law or by charter and the same to grant lease bargain sell convey and dispose of in any manner as they see proper

C Title insurance companies shall have a capital of not less than one hundred and twenty-five thousand dollars and in addition a surplus paid in at least equal to fifty per centum of the subscribed capital

Section 308 Specific Powers and Financial Requirements of Mortgage Insurance Companies A Mortgage insurance companies shall have the power to insure and guarantee the payment of the principal interest and other sums agreed to be paid under the terms of any notes or bonds secured by a mortgage upon real estate or other sums secured under the terms of any such mortgage and to make and execute such contracts and policies as may be required therefor

B Mortgage insurance companies shall have a capital of not less than two hundred and fifty thousand dollars and in addition a surplus paid in at least equal to fifty per centum of the subscribed capital

Section 309 Additional Powers and Limitations A Domestic companies other than life title insurance and mortgage insurance companies and if their charters permit foreign companies may transact any form of insurance not included in this act if such insurance is not contrary to law and is allied or in harmony with the classes of insurance herein provided Such additional insurance shall be transacted only on express license by the Department and upon such terms and conditions as are from time to time prescribed by it.

B Nothing in this act shall be interpreted to authorize a company to do any act in violation of the common law or the statutes of this Commonwealth or the United States with respect to monopolies and illegal restraint of trade

C No company which may be incorporated under this act shall hereafter be incorporated except under the provisions of this act

Section 310 Investment of Capital and Reserve A A sum equal to the capital and reserve of any domestic company shall be invested only as follows

(1) In such real estate as it is authorized by this act to hold

(2) In bonds of the United States Canada or any state and in farm loan bonds issued by Federal Land Banks

(3) In legally authorized bonds notes warrants or obligations of any city town county borough township municipality school district poor district or water sewer drainage road or other government district or division located in this Commonwealth or in any state

(4) In ground rents and in loans upon unencumbered real estate in any state which loans shall not exceed sixty per centum of the fair market value of the real estate at the time of making the loans

(5) In first encumbrances upon standard steam railroads street or interurban railways or upon their rolling stock equipment or of water gas or other public utility companies in bonds issued to retire a prior debt or bonds prior thereto or in other bonds or notes of the above named corporations upon which no default in interest exists at the time of purchase

B The Department may permit any company to invest sufficient of its capital and reserves in the securities of a foreign country in order to enable it to comply with the laws of such foreign country and transact business therein

C This section shall not be construed as preventing any company from acquiring or holding property taken in reorganization or foreclosure proceedings or porperty which may be obtained in satisfaction of any debt previously contracted

Sectin 311 Investment of Surplus Any domestic company may invest any money which it has in addition to its capial and reserve as follows

(1) In the securities enumerated in this act as proper investments for the capital and reserve of any domestic company or

(2) In the standard and listed shares of stock or other evidence of indebtedness of any solvent dividend paying corporation created under the laws of this Commonwealth or of any other state or

(3) In loans upon the pledge of any securities heretofore authorized in this section as investments except its own shares of stock or the shares of stock of any other company authorized to transact the same classes of insurance business The current market value of such securities shall at the time of making any loan be at least twenty per centum more than the sum loaned thereon

Secion 312 Restrictions on Investment of Capital Reserve and Surplus A A domestic company shall not invest any of its funds

(1) In any unincorporated business or enterprise or

(2) In the shares of stock or evidences of indebtedness of any corporation the owners or holders of which shares or evidences of indebtedness may in any event be or become liable on account thereof for any assessment except for taxes or

(3) In loans on personal security

B Not more than one-fifth of the capital of a domestic company shall be invested in a single mortgage No such company shall hereafter invest or acquire directly or indirectly more than ten per centum of the shares of stock of any corporation nor shall more than ten per centum of its capital and surplus be invested in the shares of stock of any corporation No such company shall enter into any agreement to withhold from sale any of its property

C If any domestic company makes an investment not authorized by this act the officers directors and trustees making or authorizing the investment shall be personally liable for any loss to the company or its members or policyholders occasioned thereby

Section 313 Real Estate Which May Be Purchased and Held A Any domestic company may lawfully purchase receive hold and convey real estate when such real estate is

(1) Required for the transaction of its business

(2) Conveyed to it in satisfaction of debts previously contracted in the course of its dealings

(3) Purchased for the purpose of protecting its lien thereon at a sale had pursuant to a judgment decree or mortgage

B Any real estate other than that required for the business of a domestic company which it has lawfully acquired and which it has held for a period of more than five years from the date of its acquisition shall be sold and disposed of within a period of six months after the Department has duly notified it to sell and convey such real estate The Department may extend the period of six months permitted for the disposition of real estate if it believes that the interests of the company will suffer materially by a forced sale

C The provisions of this section shall not apply to any real estate which is lawfully acquired under any other provision of this act

Section 314 Defense of Ultra Vires A No limitation upon the business purpose or purposes or powers of a company expressed or implied in its articles or implied by law shall be asserted in order to defend any action at law or in equity

between the company and a third person or between a shareholder and a third person involving any contract to which the company is a party or any right of property or any alleged liability of whatsoever nature but such limitation may be asserted

(1) In an action by a shareholder against the company to enjoin the doing of unauthorized acts or the transaction or continuation of unauthorized business If the unauthorized acts or the busines sought to be enjoined are being transacted pursuant to any contract to which the company is a party the court may if all of the parties to the contract are parties to the suit and if it deems the same to be equitable set aside and enjoin the performance of such contract and in so doing shall allow to the company or the other parties as the case may be compensation for the loss or damage sustained by either of them which may result from the action of the court in setting aside and enjoining the performance of such contract but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained

(2) In an action at law or in equity by the company whether acting through a receiver trustee or other legal representative or through shareholders in a representative suit against the officers or directors of the company for exceeding their authority

(3) In a proceeding in which the Department is defending any action taken by it against the company or is seeking to enforce an order against such company or to enjoin it from the transaction of unauthorized or unlawful business

B No conveyance or trasnfer by or to a company of property real or personal of any kind or description shall be invalid or fail because in making such conveyance or transfer or in acquiring the property real or personal the board of directors or any of the officers of the company acting within the scope of the actual or apparent authority given to them by the board of directors have in so doing exceeded any of its purposes or powers

Section 315 By-Laws Adoption Amendment or Repeal Approval by Department A Except as herein otherwise provided the shareholders and members shall have the power to make alter amend and repeal the by-laws of a company The by-laws may be adopted altered amended and repealed by a majority vote of the shareholders or members as the case may be at any regular or special meeting duly convened after notice to the shareholders or members of that purpose

B The by-laws may contain any provision for the regulation and management of the affairs of the company not inconsistent with law or its articles and may provide penalties for the breach thereof not exceeding twenty dollars

C Immediately upon the adoption of the by-laws or of any additions thereto or any alteration amendment or repeal thereof notice of such fact and a copy of such by-law or such alteration amendment or repeal shall forthwith be sent to the Department The Department shall have the power to disapprove any such by-law or any such alteration amendment or repeal thereof but such by-law alteration amendment or repeal shall be effective until the Department actually disapproves it and gives notice thereof to th company

Section 316 Parties Bound by By-Laws Execution of Instruments The by-laws of a company shall operate merely as regulations among its shareholders or members and shall not affect contracts or other dealings with other persons unless such persons have actual knowledge of such by-laws or unless the company has given to such persons a copy of such by-laws

Any form of execution provided in the by-laws to the contrary notwithstanding any note mortgage evidence of indebtedness contract or other instrument of writing or any assignment or endorsement thereof executed or entered into between a company and any other corporation or person when signed by the president or vice president and by the secretary or treasurer of such company shall be held to have been properly executed for and in behalf of the company

Section 317 Registered Officee Every company shall have and continuously maintain in this Commonwealth a registered office which shall be its principal place of business The address including street and number if any of the initial registered office shall be stated in the articles of the company as heretofore provided in this act

Section 318 Change of Registered Office After incorporation a change of the location of the registered office may be authorized at any time by a majority vote of the members of the board of directors before the change of location shall become effective the company shall file with the Department of State and the Insurance Department a statement signed and verified by two duly authorized officers of the company setting forth

(1) The name of the company

(2) The address including street and number if any of its then registered office

(3) The address including street and number if any to which the registered office is to be changed

(4) That such change was authorized by resolution duly adopted by at least a majority of the members of the board of directors The change of address of the registered office shall become effective upon the filing of such statement with the Department of State and the Insurance Department

Secion 319 Change of Name A Any company by resolution of its board of directors adopted by a majority of the members thereof and approved at a shareholders' or members' meeting by a majority thereof may apply to the Department for authority to change its name provided the proposed change does not violate the provisions of this act or of any other law as to the name of an insurance company

Such application shall bear the seal of the company and shall state under the oath or affirmation of the officers of the exact results of the votes of the directors and shareholders or members respectively

B The Department shall within thirty days after receipt of such application approve or disapprove the change of name If it shall disapproved such change it shall inform the company of its reasons in full If it shall approve such change it shall sign its approval thereon and send it to the Department of State for filing

When the application has been approved by the Insurance Department and filed by the Department of State the company may change its name as provided in its application

Section 320 Corporate Records Inspection A Every company shall keep at its registered office an original or duplicate record of the proceedings of the shareholders or members and of the directors and the original or a copy of its by-laws including all amendments or alterations thereto to date certified by the secretary of the company and shall keep at its registered office an original or a duplicate share register giving the names of the shareholders in alphabetical order and showing their respective addresses the number and classes of shares held by each the number and date of certificates issued for the shares and the number and date of cancellation of every certificate surrendered for cancellation Every such company shall also keep appropriate complete and accurate books or records of account which may be kept at its registered office or at its principal place of business

B Every shareholder shall have a right to examine in person or by agent or attorney at any reasonable time or times for any reasonable purpose the share register books or records of account and records of the proceedings of the shareholders and directors and make extracts therefrom

C A company shall be liable to the Commonwealth for a penalty of fifty dollars for each day it neglects to keep or maintain any or all of the books and records required by this section

ARTICLE IV
DIRECTORS OFFICERS AND EMPLOYES

Section 401 Board of Directors Term of Office Qualifications A The business and affairs of every company shall be managed by a board of at least seven directors which except as otherwise provided by this act or by the articles or by-laws of the company shall exercise all the powers and fulfill all the duties granted to or imposed upon the company by this act Each director shall hold office for the term for which he is elected and until his successor shall have been duly elected and qualified. The names and terms of office of the first directors shall be stated in the articles Except as otherwise provided in this act for the filling of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders or members

B Every director shall during his term of office be a citizen of the United States and a majority of the directors shall during their terms of service be bona fide residents in this Commonwealth

C Every director shall be a shareholder or member of the company

D Any mutual fire company may provide by its by-laws for written nominations by its members of candidates for election as directors or officers thereof for the time and manner of filing such nominations with the company prior to the meeting for the election of directors and officers and for the election as director or officer of only such members as are nominated in accordance with such by-laws

Section 402 Number and Election of Directors Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

(1) A director shall be elected for a term of one year

(2) The number of directors shall be the same as that stated in the articles

(3) Vacancies in the board of directors shall be filled by a majority of the remaining members of the board and each person so elected shall be a director until his successor is elected by the shareholders or members who may make such election at the next annual meeting of the shareholders or members or at any special meeting duly called for that purpose and held prior thereto

(4) The meetings of the board of directors shall be held at such place within this Commonwealth as a majority of the directors may from time to time appoint or as may be designated in the notice calling the meeting

(5) A majority of the directors shall be necessary to constitute a quorum for the transaction of business and except as otherwise provided in this act or in the articles or by-laws of a particular company the acts of a majority of the directors present at a meeting at which a quorum is present shall be the acts of the board of directors but if all of the directors shall severally or collectively consent in writing to any action to be taken by the company such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors

(6) The board of directors may by resolution duly adopted delegate to a committee or committees of their number the powers of the board in regard to the ordinary operations of the business of the company between the dates of the monthly meetings Every such committee shall keep full minutes of all business transacted by it and shall present detailed reports of all such transactions at each monthly meeting of the board

Section 403 Classification of Directors If the articles or by-laws of a company so provide the directors thereof may be classified in respect to the time for which they shall severally hold office In such case each class shall be as nearly equal in number as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for a shorter period than one year or for a longer period than four years

Section 404 Meetings of Board of Directors Notice Thereof A The board of directors of every community shall hold a regular meeting at least once in each month except that the board of directors of every mutual fire company shall meet at least once in each year Meetings of the board of directors shall be held upon such notice as the by-laws may prescribe Unless the by-laws provide otherwise written notice of every meeting of the board of directors shall be given to each director at least five days prior to the day named for the meeting When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

B The board of directors shall keep complete records of their proceedings in a minute book kept for that purpose alone When a director shall request it the vote of each director upon a particular question shall be recorded in the minutes

Section 405 Removal of Directors A The entire board of directors or any individual director may be removed from office without assigning any cause by a majority vote of the holders of the outstanding shares entitled to vote at an election of directors In case the board or any one or more directors be so removed new directors may be elected at the same meeting Unless the entire board be removed no individual director shall be removed in case the votes of a sufficient number of shares are cast against the resolution for his removal which if cumulatively voted at an election of the full board would be sufficient to elect one or more directors

B The board of directors may declare vacant the office of a director if he be declared of unsound mind by an order of court or convicted of felony or for any other proper cause or if within sixty days or such other time as the by-laws may specify after notice of his election he does not accept such office either in writing or by attending a meeting of the board of directors and fulfill such other requirements of qualification as the by-laws may specify

C The court of common pleas of the county where the registered office of the company is located may at the suit of any shareholder or shareholders holding at least ten per cent of the common or outstanding shares with or without voting rights remove from office any director or directors in case of fraudulent or dishonest acts or gross abuse of authority or discretion with reference to the company and may bar from reelection any director so removed for a period prescribed by the court the company shall be made a party to such actions

Section 406 Compensation of Directors The directors of a company shall be entitled to such compensation as is provided in the articles or the by-laws thereof Except as otherwise specifically provided in this act a director may also be a salaried officer of the company

Section 407 Oaths of Directors A Each director of a company shall within thirty days after his election and before assuming the duties of his office take an oath or affirmation that he will so far as the duty devolves upon him diligently and honestly administer the affairs of the company and will not knowingly or willingly permit to be violated any of the provisions of law applicable to the company of which he is a director and that he meets the requirements of this act and of the articles and by-laws of the company for directors

B Such oath or affirmation shall be signed by the director making it and shall be immediately transmitted to the Department where it shall be filed

Section 408 Officers and Agents Every company shall have a president a secretary and a treasurer and may have such other officers and assistant officers and agents as the needs of the company may require The officers assistant officers and agents shall be elected or appointed either by the board of directors or by the shareholders or members at such time in such manner and for such terms as the by-laws may prescribe It shall not be necessary for the officers to be directors if the by-laws so provide any two or more offices may be held by the same person except the offices of president and secretary The board of directors may secure the fidelity of any or all of such officers by bond or otherwise Unless otherwise provided in the by-laws the board of directors shall have power to fill any vacancies in any office occurring from whatever reason All officers and agents of the company as between themselves and the company shall have such authority and perform such duties in the management of the property and affairs of the company as may be provided in the by-laws or in the absence of controlling provisions in the by-laws as may be determined by resolution of the board of directors

Section 409 Removal of Officers Any officer or agent elected or appointed by the board of directors may be removed by the board of directors whenever in its judgment the best interests of the company will be served thereby but such removal shall be without prejudice to the contract rights if any of the person so removed

Section 410 Relation of Directors and Officers to Company Officers and directors shall be deemed to stand in a fiduciary relation to the company and shall discharge the duties of their respective positions in good faith and with that diligence care and skill which ordinarily prudent men would exercise under similar circumstances in like positions Before they are qualified to act they shall file with the secretary of the company a written acceptance of the trust which shall be filed in addition to the oath required by this act

Section 411 Women may be Directors or Officers Women married or single may serve as director and officers of companies

Section 412 Bonds of Officers and Employes A The officers of every company and such of its employes as may be designated by the board of directors shall before entering upon the performance of their duties furnish to the company bonds in such amount as the board of directors shall require with corporate surety approved by the board of directors conditioned for the faithful performance of their duties The cost of such bonds may be paid by the company

B The Department shall have power to require any such officer or employe at any time during the term of his office or employment to furnish a bond in an amount greater than that required by the board of directors of the company or it may require new or additional corporate surety

Section 413 Communications from Insurance Department Every official communication directed by the Department to a company or to any officer thereof shall be transmitted by the officer receiving it to the board of directors at the next meeting of such board and shall be duly recorded in the minutes of such meeting

Section 414 Purchases from and sales to Directors Penalty A A Company shall not contract for or purchase from any of its officers or directors or from a corporation or unincorporated association of which any of its officers or directors is a member any securities or other property unless such purchase is made in the regular course of business upon terms not less favorable to the company than those offered to any other corporation or person unless such purchase could not be made elsewhere at a more favorable price or upon more favorable terms and unless such purchase is authorized by the vote of a majority of the members of the board of directors of such company who are not interested in such transaction except in their capacity as officers or directors of the company

B Any company shall not sell securities or other property owned or held by it to any of its officers or directors or to a corporation or unincorporated association of which any of its officers or directors is a member unless such sale is made in the regular course of business upon terms not less favorable to the company than those offered to any other corporation or person unless such sale could not be made elsewhere at a more favorable price or upon more favorable terms and unless such sale is authorized by the vote of a majority of the members of the board of directors of such company who are not interested in such transaction except in their capacity as officers or directors of the company

C The department may require from any officer or director who has purchased from or sold to the company of which he is an officer or director any securities or other property a full disclosure under oath or affirmation of all the details of such transaction including a full statement as to any commission received or profit realized by such officer or director or by any other officer or director of the company

D Any officer or director of a company who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to an imprisonment not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine equal to any profit which he shall have made upon the transaction

Section 415 Payment of Salaries of Employes in Military Service Any company may continue the salaries of such of its employes as may have enlisted or enrolled or may hereafter enlist or enroll in any branch of the military or naval serviec of the United States or any state thereof or in any other organization established for the protection of the lives and property of citizens of the United Sates during the term of such enlisment or enrollment or during such part thereof as the said employes may by reason of such enlistment or enrollment be unable to perform their duties as employes of said company

Section 416 Pensions for Employes Any company may out of its earnings grant allowances or pensions to its directors officers or employes for faithful and long continued service who have in such service become old infirm or disabled

ARTICLE V

SHAREHOLDERS' AND MEMBERS' MEETINGS RIGHTS AND LIABILITIES

Section 501 Meetings of Shareholders or Members A Meetings of the shareholders or members of a company shall be held within this Commonwealth at such place as may be provided in the by-laws of the company Unless the by-laws provide otherwise all meetings of the shareholders or members shall be held at the registered office of the company

B The by-laws may provide for the number and the time of meetings of sharholders or members but at least one meeting of the shareholders or members shall be held in each calendar year on or before the first day of May for the election of directors If the annual meeting shall not be called and held within one month after the designated time any shareholder or member shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting

C Special meetings of shareholders or members may be called at any time by the president or by the board of directors or by such other officers or persons as may be provided in the articles or by-laws in the case of a stock company special meetings may be called by the holders of not less than one-fifth of all the shares outstanding and in the case of mutual companies by not less than twenty-five of the members

D At any time upon written request of any person or persons entitled to call a special meeting it shall be the duty of the secretary of the company to call a special meeting of the stockholders or members to be held at such time as the secretary may fix not less than ten nor more than sixty days after the receipt of the request If the secretary shall neglect or refuse to issue such a call the person or persons making the request shall have the power to call upon the Department to issue an order to compel the calling and holding of such meeting The Department may issue such order upon call of such person or persons

E Any annual of time but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected

Section 502 Notice of Meetings of Shareholders or Members Written notice of every meeting of the shareholders or members of a company shall be given by or at the direction of the person authorized to call the meeting to each shareholder of record or member at least three weeks prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act or by the by-laws in a particular case The notice shall specify the place day and hour of the meeting and in the case of a special meeting the general nature of the business to be transacted Such notice shall also be published once a week for three consecutive weeks before such meeting in the manner prescribed by this act When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting to which such adjournment is taken unless otherwise provided in the by-aws

Section 503 Quorum of Shareholders or Members A shareholders' or members' meeting duly called shall not be organized for the transaction of business unless a quorum is present Unless otherwise provided in the articles

(1) A quorum shall be constituted as follows

(a) In the case of a stock company when the holders of a majority of the outstanding shares are present

(b) In the case of a mutual company when that number of members provided by the by-laws for such purposes is present

(2) The shareholders or members present at duly organized meeting can continue to do business until adjournment notwithstanding the withdrawal of enough shareholders or members to leave less than a quorum

(3) If a meeting cannot be organized because a quorum has not attended those present may except as otherwise provided in this act adjourn the meeting to such time and place as they may determine but in the case of any meeting called for the election of directors those who attend the second of such adjourned meetings although less than a quorum as fixed in this section or in the articles shall nevertheless constitute a quorum for the purpose of electing directors

Section 504 Vote by shareholders or Members in Person or by Proxy Except as otherwise provided by this act every shareholder of record of a stock company and every member of a mutual company shall have the right at every shareholders' meeting to a vote as follows A shareholder of a stock company shall have one vote for every share standing in his name on the books of the corporation a member of a mutual company shall have one vote or a number of votes based upon the insurance in force the number of policies held or the amount of premiums paid Every shareholder or member may vote either in person or by proxy Every proxy shall be executed in writing by the shareholder or member or by his duly authorized attorney in fact and filed with the secretary of the company A proxy unless coupled with an interest shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary but the revocation of a proxy shall not be effective until notice thereof has been given to the secretary of the company An unrevoked proxy shall not be valid after eleven months from the date of its

execution unless a longer time is expressly provided therein but in no event shall a proxy unless coupled with an interest be voted on after three years from the date of its execution A proxy shall not be revocable by the death or incapacity of the maker unless before the vote is counted or the authority is exercised written notice of such death or incapacity is given to the secretary of the company A shareholder or member shall not sell a vote or execute a proxy to any person for any sum of money or anything of value

Section 505 Voting by Trustees and Pledgees A shares of a stock company standing in the name of a trustee appointed by court of common pleas shall be voted by such trustee either in person or by proxy in the manner and under the circumstances provided by law

B Shares standing in the name of an assignee for the benefit of creditors or by a receiver may be voted by such assignee or receiver either in person or by proxy

C A shareholder whose shares are pledged shall be entitled to vote thereon in person or by proxy until the shares have been transferred on the books of the company to the pledgee or nominee and thereafter the pledgee or nominee shall be entitled to vote the shares in person or by proxy

Section 506 Voting by Joint Holders of Shares Where shares of a stock company are held jointly or as tenants in common by more than one corporation or person such shares shall be voted and any proxy shall be given by the person or persons designated for that purpose in the agreement under which such shares are held jointly or by tenancy in common If the agreement does not terminate the question of which person or persons shall vote such shares or give any proxy in regard thereto the will of the majority of such joint holders or tenants in common shall control the manner of voting or the giving of a proxy If only one or more of such joint holders is present in person or by proxy he or they shall have the right to vote all such shares and all of the shares standing in the names of such corporations or persons shall be deemed to be represented for the purpose of determining a quorum Where in any case such persons are equally divided upon the manner of voting the shares held by them the vote of such shares shall be divided equally among such persons Except as hereinafter provided the same shall be true in the case of trustees appointed by last will the court of common pleas unless such trustees have been appointed under a decree of of court which directs otherwise Where in any case such turstees are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court of common pleas upon petition filed by any of the trusteees or by any beneficiary to direct the voting of such shares in the manner which in the opinion of the court will be for the best interests of the parties beneficially interested in the shares

Section 507 Voting Shares Held by a Corporation A company of other corporation owning shares in any company may vote them by its president or by proxy appointed by him unless some other person by resolution of its board of directors shall be appointed to vote such shares in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution Shares of its own capital stock belonging to a company shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares for voting purposes at any given time

Section 508 Determination of Shareholders of Record unless the by-laws otherwise provide the board of directors of a stock company may fix a time not less than ten or more than forty days prior to the date of any meeting of shareholders or the date fixed for the payment of any dividend or distribution or the date for the allotment of rights or the date when any change or conversion or exchange of shares will be made or will go into effect as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting or entitled to receive payment of any such dividend or distribution or to receive any such allotment of rights or to exercise the rights in respect to any such change conversion or exchange of shares In such case only such shareholders as shall be shareholders of record on the date so fixed shall be entitled to notice of and to vote at such meeting or to receive payment of such dividend or to receive such allotment of rights or to exercise such rights as the case may be notwithstanding any transfer of any shares on the books of the company after any record date fixed as aforesaid The board of directors may close the books of the company against transfers of shares during the whole or any part of such period and in such case written or printed notice thereof shall be given at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the company or supplied by him to such company for the purpose of notice When the stock transfer books of such company are cased to date is fixed by the by-laws or the board of directors for the detrmination of shareholders entitled to receive notice of or to vote at a shareholders' meeting transferees of shares which ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting

Section 509 Voting Lists A The officer or agent having charge of the transfer books for shares of a stock company shall make at least five days before each meeting of shareholders a complete list of the shareholders entitled to vote at the meeting arranged in alphabetical order with the address of and the number of shares held by each which list shall be kept on file at the principal place of business of such company and shall be subject to inspection by any shareholder at any time during usual business hours Such list shall also be produced and kept open at the time and place of the meeting and shall be subject to the inspection of any shareholder during the whole time of the meeting The original share ledger or transfer book or a duplicate thereof kept in this Commonwealth shall be prima facie evidence as to who are the shareholders entitled to examine such list or share ledger or transfer book or to vote in person or by proxy at any meeting of shareholders An officer or agent having charge of the transfer books who shall fail to prepare the list of shareholders or keep the same on file for a period of five days or produce and keep the same open for inspection at any meeting as provided in this section shall be liable to any shareholder suffering damages on account of such failure to the extent of such damages

B A complet list of the shareholders arranged in alphabetical order with the address and number of shares held by each shall be sent to the Department at least once in each year upon a date to be designated by the Department

Section 510 Election of Directors Cumulative Voting Unless otherwise provided in the by-laws elections for directors need not be by ballot except upon demand made by a shareholder or member at the election and before the voting begins In all elections for directors every shareholder or member entited to vote shall have the right in person or by proxy to multiply the number of votes to which he may be entitled by the number of directors to be elected and he may cast his whole number of such votes for one candidate or he may distribute them among any two or more candidates The candidates receiving the highest number of votes shall be elected

Section 511 Voting Trusts A Two or more shareholders of a stock company may by agreement in writing transfer their shares to any person or persons or to a corporation or corporations having authority to act as trustee within this Commonwealth for the purpose of vesting in the transferee or transferees all voting or other rights pertaining to such shares for a period not exceeding ten years and upon the terms and conditions stated in the agreement

B The share certificates of shares so transferred shall be surrendered and cancelled and new certificates therefor shall be issued to the transferee or transferees as voting trustees or trustees in which new certificates it shall appear that they are issued pursuant to the agreement In the registration of the transfer of the shares on the books of the company it shall be noted that the transfer is made purusant to the agreement The trustee or trustees may execute and deliver to the transferors voting trust certificates which shall be transferable in the same manner and with the same effect as certificates of shares under the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) and its amendments and supplements upon the transfer and registration of the shares The trustee or trustees shall possess all voting and other rights pertaining to the shares so transferred and registered subject to the terms and conditions of and for the period specified in the agreement

C Uness otherwise provided in the agreement

(1) The trustees may vote in person or by proxy

(2) If there are two or more trustees the manner of voting shall be determined as heretofore provided in this act for the voting of shares by joint holders

(3) Vacancies among the trustees shall be filled by the remaining trustees

(4) A trustee shall incur no responsibility as trustee except for his own individual neglect or malfeasance

Section 512 Judges of Election A In advance of any meeting of shareholders or members of a company the board of directors may appoint judges of election who need not be shareholders to act at such meeting or any adjournment thereof If judges of election be not so appointed the chairman of any such meeting may and on the request of any shareholder or member or his proxy shall make such appointment at the meeting The number of judges shall be one or three If appointed at a meeting on the request of one more shareholders or members or the proxies of either the majority of shares or of members present and entitled to vote shall determine whether one or three judges are to be appointed No person who is a candidate for office shall act as a judge

B In case any person appointed as judge fails to appear or fails or refuses to act the vacancy may be filled by appointment made by the board of directors in advance of the convening of the meeting or at the meeting by the person or officer acting as chairman

C The judges of election shall determine the number of shares outstanding and represented at the meeting or the number of members present the existence of a quorum the authenticity validity and effect of proxies receive votes or ballots hear and determine all challenges and questions in any way arising in connection with the right to vote count and tabulate all votes determine the result and do such acts as me be proper to conduct the election or vote with fairness to all shareholders or members The judges of electon shall perform their duties impartially in good faith to the best of their ability and as expeditiously as is practical If there be three judges of election the decision act or certificate of a majority shall be effective in all respcets as the decision act or certificate of all

D On request of the chairman of the meeting or of any shareholder or member or the proxy of either the judges shall make a report in writing of any challenge or question or matter determined by them and execute a certificate of any fact found by them Any report or certificate made by them shall be prima facie evidence of the facts stated therein

Section 513 Informal Action by Shareholders Except for the action required by this act for increasing or decreasing the capital of a stock company or effecting a merger with another company or going through voluntary liquidation any action required by this act to be taken at a meeting of the shareholders may be taken without a meeting if a consent in writing setting forth the action so taken shall be filed with the secretary of the company

Section 514 Liability of Shareholders for Debts A A shareholder of a stock company shall not be personally liable for any debt or liability of the company except salaries and wages due and owing to its laborers and employes for services rendered to the company In such even every shareholder shall be personally liable in an amount equal to the par value of the shares of the company owned by him but no shareholder shall be so liable unless suit for the collection of such salaries and wages shall be brought against him within six months after the same shall become due

B In any action brought to enforce the liability imposed by this section upon shareholders the plaintiff may include as defendants the company and any one or more shareholders of such company claimed to be liable therefor Service of summons or other process may be made upon the shareholders resident within such county in the same manner as writs of summons are now directed to be served and upon those resigning in other counties of this Commonwealth by the sheriff of the county in which they may respectively reside and upon those nonresidents of this Commonwealth in such manner as the court may direct If judgment be given in favor of the plaintiff for his claim or any part thereof the judgment shall be given against the company and any shareholders found liable The execution upon such judgment shall be first levied on the property of the company within the Commonwealth and in case such property sufficient to satisfy the judgment cannot be found then execution shall be levied on the property of such shareholders for the deficiency or so much thereof as the shareholder defendants in such judgment shall be be liable to pay The shareholders who satisfy any such judgment or any part thereof shall be entitled to contribution from the company in the first instance and if contribution is unobtainable from the company then pro rata from the other solvent shareholders originally liable for the claim on which the judgment was obtained

ARTICLE VI

SHARES OF CAPITAL STOCK

Section 601 Par Value of Shares Forfeitures Personal Property A The capital of a stock company shall be divided into shares shall be in all respects equal to every other share

B Any stock company may prescribe rules with regard to the forfeiture of partial payments on subscriptions and such rules hall be binding upon subscribers if made known at the time of the subscription

C Shares of a company shall be deemed personal property

Section 602 Consideration for Shares A Shares of a company shall not be issued except for money actually received nor for an amount less than the par value of such shares Ten per centum shall be paid on each share at the time of subscribing and the balance shall be paid at such times as the company may direct provided that full payments on all shares are made within a period of nine months from the date of organization

B Shares of a company shall not be issued except pursuant to subscriptions received therefor or pursuant to the declaration of shares by a company as a share dividend shall be that part of earned surplus or profits of such company which is transferred to capital upon the issuance of such shares

C Shares of a company issued or thereafter acquired by it in the manner authorized by law may be disposed of by such company in such manner as may be fixed from time to time by its board of directors

Section 603 Opening of Books for Subscriptions to Shares and Guarantee Capital and Application for Insurance A In any case where a stock company is being organized the incorporators shall open books for the subscription for shares of stock in the company at such times and places as they shall deem convenient and proper and shall keep such books open until the full amount of capital stock specified in the articles of agreement is subscribed

B In any case where any mutual company is being organized the incorporators shall open books to receive applications for insurance at such times and places as they shall deem convenient and proper and shall keep such books open until applications for insurance have been obtained in sufficient and amount to comply with the requirements of this act

C In the case of a mutual life company the incorporators shall also in the same manner as in the case of a stock company open books to receive subscriptions to the guarantee capiital hereinbefore required by this act

Section 604 Provisions of Contract of Subscription Every subscription for stock and every application for insurance made prior to the issuance by the Department of a certificate of authority to the company invilved shall contain

(1) A clause providing that no sum involved shall contain for commission promotion and organization expenses on account of any share of stock in the company in excess of ten per centum of the amount actually paid upon separate subscriptions for such shares and the remainder of such payments shall be deposited or invested as authorized by this act and shall be held by the incorporators and the directors and officers of such company after incorporation as bailees for the subscriber to be used only in the conduct of the business of insurance by such company after it has been incorporated and granted authority to transact business pursuant to the provisions of this act

(2) The names of the incorporators or the promoter who solicits the subscription or application which is the subject of the contract and their residences

(3) The par value of the shares of the company the prices at which shares have been are or are to be sold the number of shares at such prices and the total number of shares

(4) A stipulation that the money advanced by the applicant shall be returned to him without any deduction if the company fails to complete its organization procure a certificate of authority to do business in this Commonwealth or issue the policy applied for in the application

Section 605 Authority to Solicit Subscriptions to Capital or Applications for Insurance No person shall solicit subscriptions for the capital stock of or applications for insurance in any company unless he has been duly authorized by the company to act as its promoter and a certificate of his authority

duly signed by a principal officer of the company has been filed with the Department

Section 606 Special Agreements with Subscribers or Purchasers Any promoter who sells or agrees or attempts to sell any shares of stock at any time in consideration of or in connection with any sale or contracted of subscription shall not directly or indirectly make or offer to make any contract or agreement which differs from the terms of the contract of subscription nor shall any such contract or subscription contain any agreement for employment or for any deposit or for any special advantage to the person purchasing or agreeing to purchase such shares of stock

Section 607 Effect of Violations on Contract Penalties A In the event of any violation of the provisions of this article relating to contracts of subscription the subscriber or purchaser affected thereby may at his option rescind the contract and recover from the promoter or the company which he represents all payments with interest at the legal rate from time of payment or may elect to treat the contract as valid and enforceable in his favor Howvere such contract shall not in either case be valid or enforceable against such subscriber or purchaser

Any person violating any provision of this article relating to contracts of subscription shall be guilty of a misdemeanor and upon conviction there of shall be sentenced either to pay a fine of not less than one hundred dollars nor more than one thousand dollars or to undergo imprisonment for a period not exceeding six months or both

Section 608 Deposit of Funds Funds and securities held by promoters incorporators directors or officers as bailees shall be deposited in one or more state or national banks trust companies or savings banks until the company has been granted a certificate of authority to transact business in this Commonwealth

Section 609 Unnamed Persons Not to Receive Commission No person shall participate in receive or accept any part or promise of any part of any of the commission of any incorporator or promoter for the sale of any shares of stock unless the name of such person and the fact of his interest in such commission or reward shall appear upon such application or contract of subscription The omission of such statement from any such contract shall in addition to the penalty herein provided make such person liable to the purchaser or his assignees for all sums paid by such purchasers with interest at the legal rate from date of payment upon the assignment or tender of assignment of the shares of stock purchased in this manner

Section 610 Restrictions on Circulars Prospectuses and Advertisements No person shall issue deliver circulate or publish in this Commonwealth any advertisement in any newspaper or periodical published in this Commonwealth or any circular or prospectus or in any other manner for the sale of stock of any company whether organized or proposed to be organized within or without this Commonwealth for the purpose of soliciting or securing applications or subscriptions to or contract for the purchase of shares of stock in any such company unless a copy of such circular prospectus or other advertisement shall first have been filed in the office of the Department containing the name and address of the person issuing delivering circulating or publishing such circular prospectus or other advertisement with a consecutive serial number for each separate form of such circular prospectus or other advertisement

Section 611 Share Certificate A The shares of a company shall be represented by share certificates which shall state

(1) That the company is organized under the laws of this Commonwealth

(2) The name of the registered holder of the share represented thereby

(3) The number of shares which the certificates represents

(4) The par value of each share represented

B Every share certificate shall be signed by the president and secretary or by such officers as the by-laws may provide and sealed with the corporate seal which may be a facsimile signature has been placed upon any share certificate shall have ceased to be such officer because of death resignation or otherwise before the certificate is issued it may be issued by the company with the same effect as if the officer had not ceased to be such at the date of its issue

C Every shareholder of record shall be entitled to a share certificate representing the shares owned by him but a share certificate shall not be issued by a company to any shareholder until the shares represented thereby have been fully paid for

Section 612 Liability of Subscribers and Shareholders to Company A subscriber to or holder of shares of a stock company formed under this act shall not be under any liability to the company with respect to such shares other that the obligation of complying with the terms of the subscription for such shares Any person becoming an assignee or transferee of shares or of a subscription for shares in good faith and without knowledge or notice that the full consideration therefor has not been paid shall not be personally liable to the company or its creditors for any unpaid portion of such consideration has voluntarily invested the estate or trust funds in such No person holding shares as executor administrator guardian trustee received or in any other representative or fiduciary capacity shall be personally liable as a shareholder by reason of so holding such shares but the estate and funds in the hands of such fiduciary or representative shall be so liable No pledgee or other holder of shares as collateral security shall be personally liable as a shareholder but the person pledging such shares shall be considered the holder thereof and shall be liable as a shareholder

Section 613 Validity of Shares The fact that shares are issued in violation of or without full compliance with the provisions of this act shall not make the shares so issued invalid unless they are issued in violation of Article XVI Section 7 of the Constitution of this Commonwealth

Section 614 Transfer of Share Certificates and Shares The transfer of share certificates and the shares representd thereby may be regulated by the by-laws provided such by-laws are not inconsistent with the provisions of the Uniform Stock Transfer act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) and its amendments and supplements

ARTICLE VII

DIVIDENDS CAPITAL AND SURPLUS OF STOCK COMPANIES

Section 701 Declaration and Payment of Cash and Share Dividends A Except as otherwise provided in this act and subject to any restrictions contained in the articles of incorporation any stock company by its board of directors may declare and pay dividends upon its outstanding shares out of its earned surplus as hereinafter provided from time to time but not more frequently than once in every three months and to such extent as the board of directors may deem advisable A dividend shall not be declared or paid unless both upon the day such dividend is declared and upon the day it is to be paid the capital or any paid-in or contributed surplus and the reserve fund required by this act would despite such dividend be unimpaired

B Such dividends may be paid to the shareholders in cash or if such increase of capital has been authorized in the manner provided by this act it may be paid in shares of the company If the dividend is in the form of shares of the company it may if properly authorized be paid out of earned surplus provided that such share dividend shall include a surplus contribution equal to and not less than fifty per centum of the share dividend so declared and paid and provided further that the surplus at all times shall be not less than fifty per centum of the total capital stock for purposes of paying dividends

C No company may declare dividends o the shareholders exceeding ten per centum of its capital in any one year unless in addition to the amount of its capital such dividend all outstanding liabilities and the amount of all unearned premiums on unexpired risks and policies as aforesaid it shall have a surplus equalling thirty per centum of its unearned premiums or fifty per centum of its capital whichever shall be greater

D Such dividend declared shall not be paid to the share holders entitled thereto before sixty days subsequent to the declaration thereof

Section 702 Determination of Earned Surplus or Profit To determine the amount of earned surplus or profits of a company for any dividend purpose the following items shall first be charged as a liability

(1) The capital of the company

(2) Paid-in or contributed surplus

(4) All liabilities for reserve or unearned premiums on undetermined risks as required by law

(5) All sums due the company on bonds and mortgages book accounts and judgments on which the interest has not been

paid during the last calendar year or on the principal of which no payment if due has been made during such year or for which foreclosure or suit has not been commenced for collection

(6) All shares of stock on which no dividend has been paid during the last calendar year

(7) All other debts or obligations of the company

The blanace thus obtained shall constitute the earned surplus or profits of such company out of which dividends may be declared and paid

Section 703 Statement to Directors by Treasurer Prior to Declaration of Dividend Prior to the declaration of a dividend by a company the treasurer thereof shall furnish to the board of directors a detailed written statement under oath or affirmation of the condition of the company as of the last date of the period for which the dividend is to be declared Such statement shall set forth in detail all the items required by this act to be considered by the board of directors in determining whether to declare a dividend and if so to what amount

Section 704 Lien on Dividends A shareholder who is liable to the company either as principal debtor surety or otherwise for any obligation which is overdue and unpaid shall not be entitled to receive any dividend on such shares so long as such obligation to the company remains overdue and unpaid but all such dividends shall be retained by the company and applied to discharge such obligation

This section shall not be construed to affect the right of a shareholder who is indebted to the company to transfer his share or shares

Secton 705 Report to Department after Declaration of Dividen Penalty A Every company shall within ten days after the declaration of any dividend make a written report to the Department of the amount of the dividend declared and the amount of its earned surplus or profits determined in the manner provided by this act The report shall be made in the form prescribed by the Department and shall be attested by oath or affirmation of the president or the treasurer of the company

B Any company which fails to make the report required by this section shall pay to the Department a penalty of one hundred dollars for each day that it delays making such report but the Department may in its discretion relieve any company from the payment of such penalty in whole or in part if good cause be shown to it for the failure of such company to make such report If a company fails to pay a penalty from which it has not been relieved by the Department the Department may through the Department of Justice maintain an action at law to recover it

Section 706 Liability for Unlawful Dividends and Distributions A The directors of a company shall not declare or pay dividends or authorize or ratify the withdrawal or distribution of any part of its assets to shareholders except as authorized by this act If any dividend shall be paid or if any withdrawal or distribution of the assets shall be made except as provided in this act the directors under whose administration such payment withdrawal or distribution was made except those who shall have caused their dissent therefrom to be entered on the minutes of the meeting at which such action was authorized or who being absent at the time shall have promptly filed their written objection thereto with the secretaray of the company upon learning of such action shall be jointly and severally liable to the company in an amount equal to the amount of the unlawful dividend or the unlawful withdrawal or distribution of assets Any director against whom a claim shall be asserted under or pursuant to this section and who shall be held liable thereon shall be entitled to a contribution from the other directors who are likewise liable thereon pro rata according to the number of directors Any two or more directors may be sued in the same action

B Any shareholder who shall knowingly accept or receive any dividend or distribution of the assets of a company not authorized by this act to be made shall be individually liable to the company in an amount equal to the amount so accepted or received by him Any two or more shareholders may be sued in the same action

Section 707 Increases of Authorized Capital Increase of Capital Pursuant Thereto Sale of Increase of Capital A A stock company may amend its articles to increase its authorized capital in the same manner and with the same approvel as is required by this act for any amendment to the articles of a company except that written notice of a proposed amendment for increasing the authorized capital of the company shall be given to each shareholder entitled to vote thereon at least sixty days prior to such meeting

Such increase of authorized capital shall however become invali dand inoperative unless the actual increase of capital which is authorized shall be made within one year from the date of the issuance of the certificate of amendment If any portion of such authorized capital shall be created and issued within such one-year period only such portion as remains uncreated and unissued within such period shall become invalid and inoperative In the case of a company which upon the effective date of this act has an authorized capital which exceeds its actual capital such one-year period shall date from the effective date of this act Such actual increase of capital may be made from time to time within such period of one year but no such increase shall be made until paid for in full pursuant to the provisions of this act as to the creation or issuance of any share Such increase may however be made by the declaration of a share dividend in accordance with the provisions of this act concerning share dividends

B A share shall not be created or issued pursuant to such increase of capital for a cash consideration of less than the par value of such share plus fifty per centum thereof as a surplus contribution thereon

C Each shareholder shall have the right first to subscribe for the new shares in proportion to his interest in the company Notice to the shareholders to exercise their rights to subscribe for and to take the shares of stock at the price so fixed or waive such right shall be mailed to each shareholder at the last address of such shareholder appearing on the books or records of the company thirty days previous to the date fixed by the board of directors for the expiration of the right to subscribe and shall also be given by publication once a week for three weeks in a newspaper of general circulation published in the city or county in which the company has its principal office Any shares of stock not subscribed for and taken by the stockholders may be sold and disposed of by the board of directors in such manner as the shareholders may direct but no such stock shall be sold or disposed of at a price less than that originally fixed by the shareholders

D Upon effecting an actual increase in its capital a company shall issue to its shareholders new share certificates setting forth the changed capital of the company in exchange for the outstanding shares of such shareholders which shall then be cancelled The company shall withhold any cash or share dividend due on a share certificate which has not been exchanged within six months after the date upon which the increase in capital was created and issued but upon the shareholder's thereafter exchanging such certificate the company shall pay to him any dividends which were thus withheld

Section 708 Decrease of Capital A A stock company may amend its articles to decrease its capital either by reducing the number of its shares or by reducing the par value of each share or by both such methods in the same manner and with the same approval as is required by this act for any amendment ot the articles of a company but the capital of a company shall not be decreased to an amount below the minimum prescribed by this act for such company

B The responsibility for the contracts debts or engagements of the company to which its shareholders are subject upon the date when the certificate of amendment is issued shall continue for one year thereafter

C Any excess of capital created by such decrease of the capital of a company shall forthwith be transferred to the surplus of such company or it may with the approval of the Department be returned to the shareholders in the form of a cash dividend provided that the surplus of the company after the payment of such csah dividend equals at least fifty per centum of the capital as reduced

D Upon effecting a decrease in its capital a company shall issue to its shareholders new share certificates setting forth the changed par value of each share or the changed capital of the company in exchange for the outstanding shares of such shareholders which shall then be cancelled The company shall withhold any cash or share dividend due on a share certificate which has not been exchanged within six months after the date upon which the certificate of amendment authorizing the decrease in capital was issued but upon the shareholder's thereafter exchanging such certificate the company shall pay to him any dividends which were thus withheld

Section 709 Surplus for Stock Companies Impairment Thereof Every stock company subject to the provisions of this act

shall maintain at all times a surplus at least equal to fifty per centum of its capital If the surplus of such a company becomes impaired below such fifty per centum minimum it shall at the close of each dividend period or at least annually if no dividend is paid credit to its surplus an amount which shall not be less than one-half of its net earnings for such period until its surplus shall equal at least fifty per centum of its capital

ARTICLE VIII

AMENDMENT OF ARTICLES

Section 801 Amendment of Articles Authorized Except as specifically provided otherwise in this act a company may by the method provided hereafter in this act for the adoption of amendments make any amendment whatsoever in its articles provided that the articles as so amended would be authorized by this act as original articles of incorporation

Section 802 Proposal of Amendments Except as otherwise specifically provided in this act every amendment to the articles of a company shall first be proposed by the board of directors by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to a vote of the shareholders entitled to vote thereon or members at a designate dmeeting which may be either an annual meeting of the shareholders or members of a special meeting of the shareholders or members entitled to vote on the amend- The resolution of the board of directors shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provisions thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

Section 803 Adoption of Amendments A Except as otherwise specifically provided in this act every proposal of an amendment to the articles of a company made by its board of directors shall be adopted at the shareholders' meeting designated for that purpose pursuant to the provisions of this act in the case of a stock company by the holders of at least a majority of the outstanding shares entitled to vote at such meeting unless the articles require a greater number and in the case of a mutual company by a majority of the members present unless the by-laws otherwise provide

B Any number of amendments may be voted upon by the shareholders or members at one meeting

Section 804 Notice of Meetings to Adopt Amendments to Articles A Except as otherwise specifically provided in this act written notice shall not less than three weeks before the shareholders' or members' meetings called by the board of directors for the purpose of considering any proposed amendment to the article of a company be given to each shareholder of record entitled to vote or members

B Such notice to the shareholders or the members respectively shall state the place the day and the hour of the meeting and shall set forth the proposed amend or a summary of the changes to be effected thereby Notice of such meeting shall also be published once a week for three consecutive weeks before such meeting in the manner prescribed by this act

Section 805 Articles of Amendment A After an amendment to the articles of a company has been adopted in the manner provided by this act articles of amendment shall be executed under oath or affirmation and under the seal of the company by two duly authorized officers thereof and shall set forth

(1) The name and location of the registered office or the principal place of business of the company

(2) The Act of Assembly under which the company was formed and the date when and the place where the original articles were recorded

(3) The time and place of the meeting of the shareholders or of the members of the company at which the amendment was adopted and the kind and period of notice given to such shareholders or members

(4) In the case of a stock company the number of shares outstanding and the number of shares entitled to vote on the amendment

(5) In the case of a mutual company the number of members of the company the number present and the number voting for or against such amendment

(6) The amendment adopted which shall be set forth in full

Section 806 Filing of Articles of Amendment Approval by Department of State A The articles of amendment and the proof of advertisement required by this act shall be delivered to the Department of State

B In addition to any bonus fees taxes and charges provided by law in the case of any corporation a company shall pay to the Department such reasonable fees as shall be established by rule and regulation by the Insurance Department for the investigation made by it pursuant to the provisions of this act to determine whether the articles of amendment should be approved Such fee for the investigation by the Insurance Department shall be paid to the Department at the time of the filing of the articles of amendment with it and shall be paid by the Department to the Department of Revenue

C The Department of State shall examine such articles of amendment and such proof of publication to determine whether they contain all the information and are in the form required by this act After all the bonus fees taxes and other charges have been paid as required by law if the articles of amendment and the proof of publication contain the information and are in the form required by this act the Department of State shall endorse its approval upon the articles of amendment and shall forthwith transmit them to the Insurance Department

D If the Department of State shall disapprove the articles of amendment pursuant to the provisions of this act it shall forthwith give notice thereof to the company stating in detail its reasons for doing so and stating how such company can remedy the nonconformance with the provisions of this act Upon remedying the defect such company may in the same manner file the same or amended articles whichever the particular case may require

Section 807 Approval of Articles of Amendment by Insurance Department A The Insurance Department shall immediately upon the receipt of the articles of amendment from the Department of State conduct such examination as it may deem necessary to ascertain from the best sources of information at its command whether such amendment or amendments will be lawful and beneficial and not injurious to the community and in accordance with the purposes of the articles of incorporation

B Within sixty days after the receipt of the articles of amendment from the Department of State the Insurance Department shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of amendment it shall endorse its approval thereon

C If the Insurance Department disapproves the articles of amendment it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the company of the action of the Insurance Department and of the reasons therefor as stated to it by that Department The company may within thirty days after the Department of State sends it notice of the disapproval of the articles of amendment appeal from such disapproval to the Governor who shall hear such appeal propmptly and within thirty days thereafter decide the matter and certify a decision to the Insurance Department The decision of the Governor shall be conclusive and not subject to any review The Insurance Department shall act in accordance therewith

Section 808 Issuance of Certificate of Amendment Immediately upon receipt of the approved articles of amendment of a company from the Insurance Department the Department of State shall file the articles and issue to the company or its representative a certificate of amendment to which shall be attached a copy of the approved articles

Section 809 Effective Date of Amendment Upon the issuance of the certificate of amendment by the Department of State the amendments shall become effective and the articles of incorporation shall be deemed to be amendd accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any existing cause of action in favor of or against the company or any pending suit in which such company shall be a party or the existing rights of persons other than shareholders in the case of a stock company and in the event the corporate name shall be changed by the amendment no suit brought by or against the company under its former name shall be abated for that reason

ARTICLE IX
MERGER AND CONSOLIDATION

Section 901 Merger and Consolidation Authorized A Any two or more domestic companies or any one or more domestic companies and any one or more foreign companies doing the same or similar class of business may in the manner hereinafter provided in this article be merged into one of such domestic companies hereinafter designated as the surviving companies hereinafter designated as the surviving company or consolidated into a new company to be formed under this act provided such foreign companies are authorized by the law or laws of the state in which they were formed to effect such merger or consolidation

B Any one or more domestic companies and any one or more foreign companies doing the same or similar class of business may in the manner hereinafter provided in this act be merged into one of such foreign companies hereinafter designated as the surviving company or consolidated into a new company to be formed under the law or laws of the state in which one of the foreilgn companies was formed provided the laws of such state authorize such merger or consolidation and the insurance supervising official of such state approves it and further provided the domicile of the surviving or new company is located in this Commonwealth unless the Department shall consent in writing endorsed on the merger or consolidation agreement that the surviving or new company may be domiciled in some other staee

C Nothing in this article shall be construed or interpreted as permitting or authorizing the merger of a stock company with a mutual company

Section 902 Approval of Joint Plan of Merger or Consolidation A In the case of a proposed merger or consolidation of two or more companies the board of directors of each of the companies shall by resolution adopted by vote of at least a majority of all the members of each board of directors approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and the mode of carrying the same into effect and such other details and provisions as are deemed necessary

B The board of directors of each company upon approving such plan of merger or plan of consolidation in accordance with the provisions of this act shall by resolution direct that the plan be submitted to a vote of the shareholders or members of such company entitled to vote thereon at an annual or special meeting of the shareholders or members Written notice shall not less than three weeks before such meeting b given respectively to each shareholder of record or to each mmber unless the plan of merger or the plan of consolidation contemplates an increase in the aggregate of the authorized capital stock of the constituent companies in which event sixty days' notice of such meeting shall be given to each shareholder The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice

C The plan of merger or consolidation shall be ratified upon receiving in the case of stock companies the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote of each of the merging or consolidating companies and in the case of mutual companies the affirmative vote of a majority in interest of the members of each of such merging or consolidating companies

Section 903 Articles of Merger or Consolidation Upon the approval pursuant to the provisions of this act of the plan of merger or the plan of consolidation by the shareholders or members of the companies desiring to merge or consolidate articles of merger or the articles of consolidation as the case may be shall be executed under the seal of each company and verified by two duly authorized officers thereof and shall set forth

(1) The name and the location of the registered office of the surviving or new incorporated company

(2) The time and place of the meeting of the shareholders or members of each company at which the plan or merger or consolidation as the case may be was adopted the kind and period of notice given to the shareholders or members and the total vote by which the plan was adopted

(3) In the case of a merger any changes desired to be made in the articles of the surviving company or in the case of a consolidation all of the statements required by this act to be set forth in the original articles in the case of the formation of a company

(4) The number names and addresses of the persons to be the first directors of the surviving or new company

(5) The plan of merger or consolidation

Section 904 Advertisement The campany shall advertise its intention to file articles of merger or articles of consolidation as the case may be with the Deparment of State in a manner similar to that heretofore prescribed in this act in the case of the formation of a company Advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set for briefly

(1) The name and the location of the registered office of each of the companies intending to merge or consolidate

(2) The name and the location of the registered office of the surviving or new company

(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(4) The purpose or purposes of the surviving or new company

(5) The time when the articles of merger or consolidation will be delivered to the Department of State

Section 905 Filing of Articles of Merger or Consolidation Payment of Fees Approval by Department of State A On or before the day specified in the advertisement the articles of merger or articles of consolidation as the case may be and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B In addition to any bonus fees taxes and charges provided by law in the case of any corporation a company shall pay to the Department such reasonable fees as shall be established by rule and regulation by the Department for the investigation made by it pursuant to the provisions of this act to determine whether the articles of merger or articles of consolidation as the case may be should be approved Such fee for the investigation by the Insurance Department shall be paid to the Department at the time of the filing with it of the articles of merger or articles of consolidation and shall be paid by the Department to the Department of Revenue

C The Department of State shall examine such articles of merger or articles of consolidation and such proof of publication to determine whether they contain all the information and are in the form required by this act and also whether the name of the surviving or new company as the case may be conforms with the requirements of law for the name of such a company or if the name is not the same as either or any of the merging or consolidating companies whether it is the same as one already adopted or reserved by another company or person or is so similar thereto that it is likely to mislead the public

D After all the bonus fees taxes and other charges have been paid as required by law if the articles of merger or articles of consolidation and the proof of publication contain the information and are in the form required by this act the Department of State shall endorse its approval upon the articles of merger or articles of consolidation and shall forthwith transmit them to the Insurance Department

E If the Department of State shall disapprove the articles of merger or the articles of consolidation pursuant to this act it shall forthwith give notice thereof to the company stating in detail its reasons for doing so and stating how such company can remedy the nonconformance with the provisions of this act Upon remedying the defect such company may in the same manner file the same or amended articles whichever the particular case may require

Section 906 Approval of Articles of Merger or Consolidation by Insurance Department A The Insurance Department shall immediately upon the receipt from the Department of State of the articles of merger or articles of consolidation conduct such examination as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the surviving or new company is likely to mislead the public as to its character or purpose

(2) Whether the consolidation or merger is made for legitimate purposes

(3) Whether the interests of the creditors and the shareholders are adequately protected

(4) Whether the surviving or new company meets all the requirements of this act and violates none of its prohibitions

B Within sixty day after the receipt of the articles of merger or articles of consolidation from the Department of State the Insurance Department shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify

the Department of State in writing of its action If it shall approve the articles of merger or articles of consolidation it shall endorse its approval thereon

C If the Insurance Department disapproves the articles of merger or the articles of consolidation it shall return them to the Department of State stating in detail the reasons for doing so The Department of State shall immediately give notice to the companies desiring to merge or consolidate of the action of the Insurance Department and of the reasons therefor as stated to it by that Department of State sends them notice of the disapproval of their articles of merger or articles of consolidation appeal from such disapproval to the Governor who shall hear such appeal promptly and within sixty days thereafter decide the matter and certify a decision to the Insurance Department The decision of the Governor shall be conclusive and not subject to review The Insurance Department shall act in accordance therewith

Section 907 Issuance of Certificate of Merger or Certificate of Consolidation Immediately upon receipt of the articles of merger or articles of consolidation of a company from the Insurance Department the Department of State shall file the approved articles and shall issue a certificate of merger or a certificate of consolidation The remaining triplicate of the articles of merger or articles of consolidation and the certificate of merger or consolidation shall be sent by the Department of State to the surviving or new company as the case may be which shall then have them recorded in the office of the recorder of deeds in the county in which the registered office of the company is situated The triplicate original of the articles of merger or articles of consolidation and the certificate upon being recorded by the recorder of deeds shall be returned to the company to which shall be attached a copy of the approved articles

Section 908 Effective Date of Merger or Consolidation Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existense of a new or surviving company except as against the Commonwealth

Section 909 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several companies parties to the plan of merger or consolidation shall be a single company which in the case of a merger shall be that company designated in the plan of merger as the surviving company and in the case of a consolidation shall be the new company provided for in the plan of consolidation The separate existence of all companies parties to the plan of merger or consolidation shall cease except in the case of a merger that of the surviving company The surviving or new company as the case may be shall not thereby acquire authority to engage in any business or exercise any right which is forbidden to such a company when originally incorporated under this act The surviving or new company shall be subject to all the restrictions limitations or duties imposed upon such companies when originally incorporated under this act. All the property real personal and mixed of each of the companies parties to the plan of merger or consolidation and all debts or obligations due to any of them shall be taken and deemed to be transferred to and vested in the surviving or new company as the case may be without further act or deed The surviving or new company shall thenceforth be responsible for all the liabilities and obligations of each of the companies so merged or consolidated surviving or new company had itself incurred such liabilities but the liabilities of the merging or consolidating companies or of their shareholders members directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such companies or any liens upon the property of such companies be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such companies may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new company may be proceeded against or substituted in its place In the case of a merger the articles of incorporation of the surviving company shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation and which are required or permitted to be set forth in the articles of incorporation of companies formed under this act shall be deemed to be articles of incorporation of the new company The aggregate amount of the net assets of merging or consolidating companies which was available for the payment of dividends immediately prior to such merger or consolidation to the extent that the value thereof is not transferred to capital by the issuance of shares or otherwise or to surplus or reserve shall continue to be available for the payment of dividends by such surviving or new company

Section 910 Rights of Dissenting Shareholders or Members A If any shareholder of a stock company or member of a mutual company which becomes a party to a plan of merger or consolidation shall file with such company prior to or at the meeting of shareholders or members at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder or member within twenty days after the merger or consolidation was effected shall make written demand on the surviving or new company for the payment of the fair value of his shares of a shareholder or of his interest if a member as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new company if a stock company shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or certificates representing his shares and if a mutual company shall pay to such member the value of his interest after which the interest of such member in the company shall cease The demand of the shareholder or member shall state the number of the shares owned or the interest held by him Any shareholder or member failing to make demand within the twenty-day period shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares or interest shall be agreed upon by the dissenting shareholder or member and the surviving or new company payment thereof shall be made within ninety days after the date on which such merger or consolidationl was effected upon the surrender of the share certificate or certificates representing his shares or the interest hld by him Upon payment of the agreed value the dissenting shareholder or member shall cease to have any interest in such shares or in the company

B If within such period of thirty days the shareholder or member and the surviving or new company do not so agree then the dissenting shareholder or member may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas within the county in which the registered office of the surviving or new company is situated for the appointment by the court of three disinterested persons to appraise the fair value of his shares or interest without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them shall be subject to the court for determination and the judgement of the court thereon shall be final and conclusive The costs of such appraisal including a reasonable fee to the appraiser shall be fixed by the court and shall be borne by the surviving or new company unless the opinion of the court the action of any shareholder or member in refusing the offer of the company has been arbitrary vexations or in bad faith in which case the costs shall be assessed in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new company of the share certificate or certificates repreesnting the shares of the dissenting shareholder or the cancellation of the member's interest in such company If the award shall not be paid by the surviving or new company within thirty days after the order of the court thereon the amount of the award shall be a judgment against the surviving or new company as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award or judgment the dissenting shareholder or member shall cease to have any interest in such shares or in the surviving or new company Such shares or interest may be held and disposed of by the surviving or new comapny as it may see fit Unless the dissenting shareholder or member shall file a petition within the time herein limited such shareholder or member and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof

ARTICLE X

STOCK AND MUTUAL LIFE INSURANCE COMPANIES

A General Provisions Relating to Domestic Companies

Section 1001 Compensation of Officers Directors Trustees and Employes No domestic life company shall make any agreement with any officer director trustee or salaried employe whereby the company agrees that for services rendered or to be rendered the salary or compensation or emolument will extend for a period beyond twelve months from the date of such agreement The directors or trustees shall not receive any compensation or emolument other that a fee for attendance at committee or board meetings and reimbursement for proper expenses actually incurred in travel and for maintenance for the purpose of attending such meetings No salary compensation or emolument exceeding five thousand dollars in any one year shall be paid to any officer director trustee person partnership or corporation unless such salary compensation or emolument is first authorized by a vote of the board of directors The provisions of this section shall not apply to commissions accruing on agents' contracts or any agreement between the company and its agents for the payment of renewal commissions

Any officer who is paid by any domestic life company a salary exceeding twelve hundred dollars a year for his services shall not receive compensation or emolument from any source other than such salary or renewal commissions which may become due to him from time to time on business obtained by him as agent prior to the time of his election to office

Section 1002 Vouchers for Payment of Moneys A domestic life company shall not make any expenditure of one hundred dollars or more unless the expenditure is evidence by a voucher signed by or on behalf of the person partnership or corporation receiving the money and correctly describing the consideration for the payment If the expenditure is both for service and disbursements the voucher shall set forth the services rendered and an itemized statement of the disbursements made If the expenditure is in connection with any proceeding pending before any legislative body any department or officer of any state or government or any court the voucher shall correctly describe in addition to the foregoing information the nature of the proceeding and the interest of such company therein When such voucher cannot be obtained the expenditure shall be evidence by an affidavit describing the character and object of the expenditure and stating the reason for not obtaining such voucher

Section 1003 Pecuniary Interests of Directors Trustees and Officers Assisting in Transactions with Company Penalty The directors trustees and officers of any domestic life company shall not receive any money or remuneration in return for negotiating procuring recommending or aiding in the sale or purchase of any property by or the securing of any loan from such company and they shall not be pecuniarly interested directly or indirectly as principal partner agent or beneficiary in any such sale purchase or loan Any person violating any provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or undergo imprisonment not exceeding one year or both in the discretion of the court

Section 1004 Loans upon Security of Policies A domestic life company may invest part of its capital surplus and reserve funds in addition to the investments hereinbefore in this act authorized for domestic companies in loans upon the security of its own policies not exceeding the net value of the policies at the time of making the loans

Section 1005 Life Company May Hold Real Estate as Trustee Any domestic life company heretofore organized and having power to receive and execute trusts may receive and hold in addition to the real estate which it is hereinbefore in this act authorized to receive and hold all estates and property real and personal which are transferred or committed to it in trust with its consent by any person partnership or corporation or by any court of the United States or of this Commonwealth

Section 1006 Proceeds of Annuities and Policies Retained at Maturity Part of General Corporate Funds Whenever the proceeds of any contract of annuity or policy of life insurance are retained by a domestic life company pursuant to the terms of such contract or policy or any written agreement supplemental thereto such company shall not be required to segregate such proceeds but may hold them as part of its general corporate funds

B Conversion of Stock Companies into Mutual Companies

Section 1007 Conversion into Mutual Companies Authorized Any domestic stock life company may be converted and transformed into a mutual life company in the manner hereinafter provided in this article and for this purpose such stock company may lawfully acquire all the shares of its capital stock and hold them in trust for the benefit of its policyholders

Section 1008 Plan of Conversion Approval Any domestic stock life company may carry out a plan for the acquisition of the shares of its capital stock for the purpose of being converted into a mutual company if such plan

(1) Has been adopted by a resolution passed by the vote of a majority of the entire number of the directors of such stock company

(2) Has been submitted to the Department and approved by it in writing

(3) Has been approved by a vote of the shareholders representing a majority in amount of the entire capital stock of such company at a special meeting of shareholders called pursuant to the provisions of this act for the purpose of holding an election for or against such plan

(4) Has been approved by the vote of a majority of those policyholders of such company who attend a meeting of policyholders called as hereinafter provided for the purpose of holding an election for or against such plan

Section 1009 Meeting of Policyholders for Approving Plan of Conversion A meeting of the policyholders of any domestic stock life company for the purpose of approving the plan of converting such company into a domestic mutual life company shall be called by the directors as soon as possible after such plan has been approved by a vote of the shareholders as hereinbefore provided in this article Notice of the time place and object of such meeting shall be given to the policyholders by publication once a week for three successive weeks before the meeting in at least two daily or weekly newspapers and in the legal periodical if any designated by the rules of court of the proper county for the publication of legal notices published in the county city or borough wherein such stock company has its principal office and in at least one daily or weekly newspaper published in the capital city of every state in which such stock company is transacting business

At such meeting called in this manner or any adjournment thereof an election of policyholders as aforesaid shall be held for or against such plan Such election shall be conducted by three judges who are policyholders of such stock company appointed by the Department to hold said election If one or more of these judges is absent the judge or judges present shall appoint a judge or judges who shal lact in the place of the judge or judges absent Every judge shall take and subscribe to an oath or offirmation before an officer authorized by law to administer oaths that he will well and truly and according to law conduct such election to the best of his ability

All votes shall be cast by ballot Each policyholder whose insurance is then in force shall be entitled to cast one vote in person or by proxy A proxy shall not entitle its holder to vote unless it has been dated and executed within two months immediately preceding such meeting The judges shall decide upon the qualifications of voters

When the election is closed the judges shall count the number of votes cast for and the number of votes cast against such plan and declare whether a majority of policyholders voting at such meeting have approved or disapproved such plan and they shall make out and certify triplicate returns of said election stating therein the number of policyholders who voted for such plan and the number of policyholders who voted against it and deliver the returns to an officer of such stock company

It shall be the duty of such stock company to furnish the judges such of its books records and papers as the judges may request for the purpose of assisting them in the proper conduct of such meeting

Section 1010 Articles of Conversion Upon the approval pursuant to the provisions of this article of the plan of conversion articles of conversion shall be executed under the seal of the stock life company which proposes to become converted into a mutual life company by two of its duly authorized officers and shall set forth

(1) The proposed name of the mutual life company

(2) The exact location of the principal office of the stock life company and of the mutual life company into which it plans to become converted

(3) A copy of the plan of conversion

(4) A copy of the resolution of the board of directors adopting such plan

(5) The time and place of the meeting of the shareholders at which the plan was approved the kind and period of notice given to the shareholders and the return of the vote of the shareholders by which the plan was adopted

(6) The time and place of the meeting of the policyholders at which the plan was approved proof of publication of the notices hereinbefore required in this article for such meetings and the vote of the policyholders by which the plan was adopted

(7) The number names and addresses of the persons to be the first directors of the mutual life company

Section 1011 Filing of Articles of Conversion Payment of Fees Approval by Department of State A The articles of conversion of a stock life company into a mutual life company shall be delivered to the Department of State

B The Department of State shall examine such articles of conversion to determine whether they contain all the information and are in the form required by this act and also whether the name of the proposed mutual life company conforms with the requirements of law for the name of such companies or whether it is the same as one already adopted by another mutual company or is so similar thereto that it is likely to mislead the public

It all the bonus fees taxes and other charges have been paid as required by law and if the articles of conversion contain the information and are in the form required by this act the Department of State shall endorse its approval upon the articles of conversion and shall forthwith transmit them to the Insurance Department

C If the Department of State shall disapprove the articles of conversion pursuant to this act it shall forthwith give notice of its disapproval to the stock life company stating in detail the reasons for its disapproval and stating how such company can remedey the noncompliance with the provisions of this act Upon remedying the defect such company may in the same manner file the same or amended articles of conversion which ever the particular case may require

Section 1012 Approval by the Insurance Department of Articles of Conversion A The Insurance Department shall immediately upon receipt from the Department of State of the articles of conversion of a stock life company into a mutual life company conduct such examination as it may deem necessary to ascertain from the possible sources of information at its command

(1) Whether the name of the proposed mutual life company is likely to mislead the public as to its character or purpose

(2) Whether the conversion is made for legitimate purposes

(3) Whether the interests of the creditors policyholders and shareholders are adequately protected

(4) Whether the proposed mutual life company meets all the requirements of this act and violates none of its prohibitions applicable to mutual life companies

B Within sixty days after the receipt of the articles of conversion from the Department of State the Insurance Department shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such article It shall immediately notify the Department of State in writing of its action If it shall approve the articles of conversion it shall endorse its approval thereon

C If the Insurance Department disapproves the articles of conversion it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the mutual life company desiring to become converted into a mutual life company of the action of the Insurance Department and of the reasons therefor as stated by that Department Such stock life company may within thirty days after the Department sends the notice of the disapproval of its articles of conversion appeal from such disapproval to the Governor who shall hear such appeal promptly and shall within thirty days thereafter decide the matter and certify his decision to the Department The decision of the Governor shall be conclusive and not subject to review The Department shall act in accordance therewith

Section 1013 Issuance of Certificate of Conversion Effect Thereof A Immediately upon receipt of the approved articles of conversion of a stock life company into a mutual life company from the Insurance Department the Department of State shall file the articles and issue a certificate of conversion to which shall be attached a copy of the approved articles

B Upon the issuance of the certificate of conversion by the Department of State the corporate existence of the converted company as a domestic mutual life company shall begin and its corporate existence as a stock life company shall end The certificate of conversion shall be evidence that such mutual life company is a duly incorporated mutual life company under the laws of this Commonwealth in the same manner and effect as a certificate of incorporation of a mutual life company is evidence that such company has been duly incorporated pursuant to the provisions of this act

Section 1014 Rights of Dissenting Shareholders of Stock Life Company Converted into Mutual Life Company The mutual life company into which the stock life company has been converted shall be liable to any shareholder of the stock life company who has objected to the plan of conversion according to the method provided by this act in the case of a merger or consolidation for any amount due him as the dissenting shareholder under the provisions of this act which relate to the dissenting shareholders of a company which merges or consolidates

Section 1015 Cancellation of Stock in Converted Life Companies When any domestic mutual life company which has been converted from a stock life company pursuant to the provisions of this article has acquired all of the shares of the capital stock of such stock life company as hereinbefore provided in this article the shares shall be duly cancelled by such mutual life company Notice of such cancellation shall be given by duplicate certificates executed by the secretary and under the seal of the company One duplicate certificate shall be filed with the Insurance Department and the other shall be filed with the Department of State When such duplicate certificates have been filed all the rights of the shareholders of the former stock company in the property or assets thereof shall be terminated

Section 1016 Notice of Qualification to Commence Business Certificate of Authority to do Business A The president or secretary of any domestic mutual life company which has been converted under this act from a domestic stock life company shall notify the Department in writing that the mutual company is qualified to commence business after a certificate of cancellation of all shares in the former stock company has been filed with the Department and after proper reserves required by this act of all domestic mutual life companies have been established by such mutual company

B If after receiving notice as hereinbefore provided that a company is qualified to commence business the Department as a result of its examination finds that the company has complied with the provisions of this act it shall issue to such a company a certificate of authority to do business in this Commonwealth as a domestic mutual life company As soon as the company receives such certificate of authority it may issue policies and otherwise transact the business of insurance as a domestic mutual life company

C Provisions Relating to Mutual Companies

Section 1017 Assessments on Unpaid Subscriptions to Guarantee Capital Every person subscribing to the guarantee capital of any domestic mutual life company organized under this act shall give to the company his promissory note in such form as its by-laws prescribe for the unpaid moiety of the guarantee capital so subscribed which note shall be liable to any assessment or assessments from time to time as are deemed necessary by the directors or trustees of the company for the successful transaction of its business Such assessments may be made to meet the losses expenses insurance reserve and other obligations of such company until the total amount specified in such note is paid All assessments shall be made pro rata upon the entire amount of unpaid subscriptions and if any assessments are not paid they shall be collected by suit at law as similar debts may be collected

Section 1018 Interest on Subscriptions to Guarantee Capital The subscribers to the guarantee capital of any domestic mutual life company shall be entitled to receive from such company interest payable semiannually at any rate not exceeding six per centum as is agreed upon at the time of making the subscription The company may pay interest on such subscriptions only out of the net surplus in excess of the requisite reservation for liabilities and contingencies If the net surplus is not sufficient to pay the amount of interest originally agreed upon the amount by which the net surplus was deficient shall be paid to the subscribers when the profits of the company are sufficient

Section 1019 Retirement of Guarantee Capital Whenever the lawful invested assets of any domestic mutual life company shall exceed the reserve and other liabilities by an amount equal to the amount of the guarantee capital subscribed the directors at their option may retire or return all or such portion of the guarantee capital to the subscribers thereof as the interest of the company may warrant but no sum in cash shall be returned to any subscriber in excess of that amount actually paid in by him together with the interest due and unpaid

Section 1020 Surplus or Safety Fund A Any domestic mutual life company may establish and maintain or if it is already established may continue to maintain a surplus or safety fund in an amount not in excess of either ten per centum of its reserve or one hundred thousand dollars whichever is greater and in addition thereto the excess if any of the market value of its securities over their book value

B Where the surplus or safety fund existing at the present time exclusive of all accumulations held on account of the outstanding deferred dividend policies exceeds the limit hereinbefore designated the company shall be entitled to retain such surplus or safety fund at its present amount but shall not be entitled to add thereto so long as it exceeds such limit

C The Department may at any time permit any company which presents reasons therefor to accumulate and maintain a surplus or safety fund in excess of the limit hereinbefore mentioned for a prescribed period not exceeding one year The decision of the Department granting permission to maintain such fund and the reasons therefor shall be filed in the office of the Department

D Previously Organized Companies

Section 1021 Certain Companies Heretofore Organized May Come within Provisions of Act Stock companies heretofore organized under the act of April twenty-eighth one thousand nine hundred and three (Pamphlet Laws three hundred twenty-nine) entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death therein limiting the amount for which such corporations may issue policies and providing the manner in which certain existing corporations may become not less than three hundred thousand dollars and a paid-up not less than three hundred thousand dolars and a paid-up surplus at least equal to fifty per centum of the subscribed capital shall have the same powers to insure lives and make contracts of insurance and annuity as are hereinbefore in this act granted to stock life companies

ARTICLE XI

LIFE INSURANCE

A Reserve Liability for Life Insurance

Section 1101 Computation of Reserve Liability A The reserve liability of every life company authorized to transact business in this Commonwealth shall be computed in accordance with the terms of its policies or contracts and the rules hereinafter set forth

B The net value of a policy of life insurance at any time shall be taken to be the single net premium which will at that time effect the insurance less the value at that time of the future net premiums called for by the table of mortality and rate of interest designated for each of the following groups of policies

(1) The net value of all outstanding policies of life insurance issued by the company prior to the first day of January one thousand eight hundred ninety shall be computed upon the basis of the American experience table of mortality with interest at not less than four and one-half and not more than six per centum per annum

(2) The net value of all outstanding policies issued between the first day of January one thousand eight hundred ninety and the first day of January one thousand nine hundred three shall be computed on the combined experience or actuaries table of mortality with interest at four per centum per annum

(3) The net value of all outstanding policies of life insurance issued on and after the first day of January one thousand nine hundred three shall be computed on the American experience table of mortality with interest at three and one-half per centum per annum however any company may value its group term insurance policies under which premium rates are not guaranteed for a period in excess of five years according to the American men ultimate table of mortality with interest at three and one-half per centum per annum

(4) The net value of all policies of life insurance issued on and after January first one thousand nine hundred twenty-one where the premiums are payable monthly or oftener shall be valued according to the American experience table of mortality with interest at three and one-half per centum per annum however any company may voluntarily value its industrial policies according to the standard industrial mortality table with interest at three and one-half per centum per annum

Any life company may however at any time elect to calculate the value of its policies on the basis of the American experience table of mortality with a lower rate of interest but at a rate not less than three per centum and its policy obligation shall thereafter be valued accordingly

C The legal minimum standard for valuation of annuities issued after January one one thousand nine hundred twelve shall be McClintock's table of mortality among annuitants with interest at three and one-half per centum per annum or the valuation standard for annuities if any company so elects may be the combined annuity tables at four per centum but annuities deferred ten or more years and written in connection with life or term insurance may be valued upon the same mortality table from which the consideration or premiums were computed with interest not higher than three and one-half per centum per annum

D The aggregate net value of the insurance policies and annuity contracts of any life company ascertained pursuant to the provisions of this section shall be the reserve liability of such company Each life company shall provide for its reserve liability by holding in proper legal investments as hereinbefore provided by this act a balance equal to the amount by which such net value exceeds all the other liabilities of such company

E The provisions of this section shall not apply to companies or assications transacting business on the mutual assessment plan

Section 1102 Separate Liability of Companies Charging Less than Ne Premiums Computed on Mortality Tables Unlawful to issue Policies Below Rate Fixed in Mortality Tables When the actual premium charged for an insurance policy by any life company doing business in the Commonwealth is less than the net premium for such policy computed according to the table of mortality and rate of interest hereinbefore prescribed in this article such company shall be charged as a separate liability with the value of an annuity the amount of which shall equal the difference between the actual premium charged and the net premium and the term of which in years shall equal th number of future annual payments due on such insurance at the date of the valuation The actual premium charged for an insurance policy in this Commonwealth shall not be less than the net premium for such policy computed according to the American experience table of mortality with interest at four per centum per annum however in the case of group term insurance policies valued according to the American men ultimate table of mortality with interest at three and one-half per centum per annum as hereinbefore permitted by this article premiums may be charged in any amount not less than the net premium according to the American men ultimate table of mortality with interest at three and one-half per centum per annum

Section 1103 Amortization in Valuation of Securities All bonds or other evidences of debt held by life companies authorized to do business in this Commonwealth may if amply secured and if not in default as to principal or interest be valued as follows If purchased at par at the par value if purchased above or below on the basis of the purchase price adjusted so as to bring the value at maturity and so as to yield meantime the the effective rate of interest at which the purchase was made but the purchase price shall in no case be taken at a greater value than the actual market value at the time of purchase Any such company may return in its financial statements and reports to the Department such bonds or other evidences of debt at their market value or their book value but in no case at an aggregate value exceeding the aggregate of the values calculated according to the foregoing rule

This section shall not be construed to require any life company authorized to do business in this Commonwealth which shall not elect to value its bonds and other evidences of debt by amortization as herein provided to do so but any company or society electing to adopt the amortized basis shall continue to have its bonds valued upon that basis

Section 1104 Procedure in Case of Impairment of Reserve Liability Any life company which has received notice from the Department that its reserve liability after all other debts and claims against it including fifty per centum of its capital have been deducted has been impaired shall not issue new policies under its authority to do business in this Commonwealth until its funds have become equal to its liabilities and it has obtained from the Department a certificate to that effect with authority to resume business

B Life Insurance Policies

Section 1105 Form of Policies to be Filed with Department No policy of life or endowment insurance or annuity contract shall be issued or delivered by any life company in this Commonwealth until a copy of the form thereof has been filed with the Department nor shall any life company issue or deliver any such policy if the company receives notice in writing from the Depratment that in its opinion the form of such policy or contract does not comply with the requirements of the laws of this Commonwealth for the reasons specified therein

Section 1106 Uniform Policy Provisions A A policy of life or endowment insurance or annuity contract except policies of industrial insurance shall not be issued or delivered in this Commonwealth by any life company unless it contains in substance the following provisions

(1) A provision that all premiums shall be payable in advance either at the home office of the company or to an agent of the company upon delivery of a receipt signed by one or more of the officers of the company who shall be named in the policy

(2) A provision that the insured is entitled to a period of grace of thirty days or one month within which the payment of any premium after the first year may be made subject at the option of the company to a maximum interest charge of six per centum per annum for the number of days of grace elapsing before the payment of the premium during which period of grace the policy shall continue in full force but in case the policy becomes a claim during the said period of grace before the overdue premium or the deferred premiums of the current policy year if any are paid the amount of such premiums with interest on any overdue premiums may be deducted in any settlement under the policy

(3) A provisions that the policy shall be incontestable after it has been in force during the lifetime of the insured two years from its date of issue except for non-payment of premiums and for engaging in military or naval service in time of war without the consent in writing of an effecutive officer of the company

(4) A provision that the policy shall constitute the entire contract between the parties but if the company desires to make the application a part of the contract it may do so provided a copy of such application shall be endorsed upon or attached to the policy when issued in which case the policy shall contain a provision that the policy and the application therefor shall constitute the entire contract between the parties

(5) A provision that if the age of the insured has been misstated the amount payable under the policy shall be such as the premium would have purchased at the correct age

(6) A provision that the policy shall participate in the surplus of the company and that beginning not later than the end of the third policy year the company will annually determine the portion of the divisible surplus accruing on the policy and that the owner of the policy shall have the right to have the dividend arising from such participation paid in cash or applied to the payment of premium or the purchase of paid-up additions to the policy as the policyholder may elect

In lieu of the foregoing provisions in this subsection the policy may contain a provision that the policy shall participate in the surplus of the company and that beginning not later than the end of the tenth policy year the company will determine the portion of the divisible surplus accruing on the policy and that the owner of the policy shall have the right to have the current dividend arising from such participation paid in cash and that at periods of not more than five years thereafter such apportionment and payment at the option of the policyholder shall be had

Renewable term policies of ten years or less may provide that the surplus accruing to such policies shall be determined and apportioned each year after the second policy year and accumulated during each renewal period and that at the end of any renewal period or renewal of the policy by the insured the company shall apply to accumulated surplus as an annuity for the next succeeding renewal term in the reduction of premiums

(7) A provision specifying the options to which the policyholder is entitled in the event of default in a premium payment after three full annual premiums shall have been paid

(8) In the case of a policy issued by a domestic company a provision that after three full years premiums have been paid the company at any time while the policy is in force will advance on proper assignment or pledge of the policy and on the sole security thereof at a specified rate of interest a sum equal to or at the option of the owner of the policy less than the reserve at the end of the current policy year on the policy and on any dividend additions thereto less a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto and that the company will deduct from such loan value any existing indebtedness on the policy and any unpaid balance of the premium for the current policy year and may collect interest in advance on the loan to the end of the current policy year which provision may further provide that such loan may be deferred for not exceeding six months after the application therefor is made A company may in lieu of the provision hereinabove permitted for the deduction from a loan on the policy of a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto insert in the policy a provision that one-fifth of the entire reserve may be deducted in case of a loan under the policy or may provide therein that the deduction may be the said two and one-half per centum or the one-fifth of the said entire reserve at the option of the company

(9) A provision which in event of default in premium payments after premiums shall have been paid for three years shall secure to the owner of the policy a stipulated form of insurace the net value of which shall be at least equal to the reserve at the date of default on the policy and on any dividend additions thereto specifying the mortality table and rate of interest adopted for computing such reserves less a sum not more than two and one-half per centum of the amount insured by the policy and of any existing dividend additions thereto and less any existing indebtedness to the company on the policy Such provision shall stipulate that the policy may be surrendered to the company at its home office within one month from date of default for a specified cash value at least equal to the sum which would otherwise be available for the purchase of insurance as aforesaid and may stipulate that the company may defer payment for not more than six months after the application therefor is made This provision shall not be required in term insurance of twenty years or less

(10) A table showing in figures the loan value if any and the options available under the policy each year upon default in premium payments during at least the first twenty years of the policy and if the proceeds of the policy are payable in installments or as an annuity a table showing the amount of the installment or annuity payments

(11) A provision that the holder of a policy shall be entitled to have the policy reinstated at any time within three years from the date of default in premium payments unless the policy has been duly surrendered or the extension period expired upon the production of evidence of insurability satisfactory to the company and the payment of all overdue premiums and any other indebtedness to the company upon said policy with interest at the rate of not exceeding six per centum per annum

(12) A provision that when a policy shall become a claim by the death of the insured settlement shall be made upon receipt of due proof of death

B Any of the foregoing provisions or parts thereof not applicable to single premium or non-participating or term policies shall to that extent not be incorporated in such policies

C The policies of a foreign or alien company may contain when issued in this Commonwealth any provision which is required by the laws of the state or country under which the company was organized The policies of a domestic company may when issued in any other state or foreign country contain any provision required by the laws of such state or foreign country to be contained in policies issued therein

Section 1107 Prohibited Policy Provisions A policy of life or endowments insurance or annuity contract shall not be issued or delivered except policies of industrial insurance if it contain any of the following provisions

(1) Any provision for forfeiture of the policy for failure to repay any loan on the policy or to pay interest on any such loan while the total indebtedness on the policy is less than the cash value thereof In ascertaining the indebtedness due upon the policy loan the interest if not paid when due shall be added to the principal of such loan and shall bear interest at the rate specified in the note or loan agreement

(2) Any provision limiting the time within which any action at law or equity may be commenced to less than two years after the cause of action shall accrue

(3) Any provision by which the policy shall purport to be issued or to take effect more than six months before the original application for the insurance was made

(4) Any provision for a mode of settlement at maturity of less value than the amount insured on the face of the policy plus dividend additions if any less the indebtedness to the company on the policy and less any premiums that may by the terms of the policy be deducted

Section 1108 Exchange Alteration and Conversion of Policies Any life company may at the request of a policyholder exchange alter or convert any policy of life or endowment insurance issued by it for or into any policy conforming with the laws in force either when the original policy was issued if the rewritten policy bears the date thereof or when the exchange alteration or conversion is effected if the rewritten policy bears the current date thereof If a rewritten policy bears the date of the original policy the amount of insurance specified in such rewritten policy shall not exceed the amount of insurance in effect under such original policy or the amount of insurance which the premium required by the original policy would have purchased if the rewritten policy had been originally applied for whichever is greater Nothing contained in this act shall be construed as prohibiting the exchange alteration or conversion of policies provided by this section

Section 1109 Industrial Policies A Every policy of industrial insurance issued in this Commonwealth after the effective date of this act shall designate the name of the beneficiary to whom the proceeds of the policy are to be paid when the insured dies and the relationship of such beneficiary to the insured

B No policy of industrial life insurance wherein the premiums are payable monthly or more frequently shall be issued in this Commonwealth after the effective date of this act if it containes any provisions by which the company may deny liability under the policy for the reason that the insured has previously obtained other insurance from the same company

Section 1110 Antedating of Policies Prohibited No policy of life insurance shall be issued or delivered in this Commonwealth if it shall purport to be issued or to take effect before the application for the insurance was made if in this manner the applicant would obtain a rate at an age younger than at the date when the application was made according to his age at the nearest birthday

Section 1111 Certain Corporations and Associations May Be Made Beneficiaries Any life company doing business in this Commonwealth may issue policies of insurance predicated upon the life or lives of any person or persons which are payable at maturity to any educational ecclesiastical benevolent charitable or eleemosynary corporation which can legally take and receive testamentary legacies irrespective of a financial interest on the part of such corporation in the life of the person or persons insured

C Group Life Insurance

Section 1112 Definition of Group Life Insurance A Group life insurance is hereby declared to be that form of life insurance covering not less than fifty employes with or without medical examination written under a policy issued to the employer the premium on which is to be paid by the employer or by the employer and employes jointly and insuring only all of his employes or all of any class or classes thereof determined by conditions pertaining to the employment for amounts of insurance based upon some plan which will perclude individual selection for the benefit of persons other than the employer When the premium is to be paid by the employer and employe jointly and the benefits of the policy are offered to all eligible employes not less than seventy-five per centum of such employes may be so insured

B The following forms of life insurance are hereby declared to be group life insurance within the meaning of this act

(1) Life insurance covering the members of one or more companies batteries troops batalions divisions or other units of the National Guard or naval militia of any state written under a policy issued to the commanding general of the National Guard or commanding officer of the naval militia as the case may be who shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the members of such units for the benefit of persons other than the employer however when the benefits of the policy are offered to all eligible members of the unit of the National Guard or naval militia not less than seventy-five per centum of the members of such a unit may be so insured

(2) Life insurance covering the members of one or more troops or other units of the State troopers or state police of any state written under a policy issued to the commanding officer of the state troopers or state police who shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the members of such units for the benefit of persons other than the employer however when the benefits of the policy are offered to all eligible members of a unit of the state troopers or state police not less than seventy-five per centum of the members of such a unit may be so insured

(3) Life insurance covering the members of any labor union or organization of police employed by any municipal county or state authority any organization or association of state employes or public school teachers or nurses written under a policy issued to such union or organization which shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the union or organization or by the union or organization and its members jointly and insuring its members for the amounts of insurance based upon some plan which will preclude individual selection for the benefit of persons other than the union or organization or the officials of either however when the premium is to be paid by the union or organization and its members jointly and the benefits are offered to all eligible members not less than seventy-five per centum of such members may be so insured When members apply and pay for additional amounts of insurance a smaller percentage of members may be insured for such additional amounts if they pass satisfactory medical examinations

Section 1113 Standard Provisions for Policies of Group Life Insurance A No policy of group life insurance shall be issued or delivered in the Commonwealth unless a copy of the form thereof has been filed with the Department and formally approved by it nor shall such policy be issued or delivered unless it contains in substance the following provisons

(1) A provision that the policy shall be incontestable after two years from its date of issue except for nonpayment of premiums and except for violation of the conditions of the policy relating to military or naval service in time of war

(2) A provision that the policy the application of the employer and the individual applications if any of the employes insured shall constitute the entire contract between the parties and that all statements made by the employer or by the individual employes shall in the absence of fraud be deemed representations and not warranties and that no such statement shall be used in defense to a claim under the policy unless it is contained in a written application

(3) A provision for the equitable adjustment of the premium or the amount of insurance payable in the event of a misstatement of the age of an employe

(4) A provision that the company will issue to the employer for delivery to the employe whose life is insured under such policy an individual certificate setting forth a statement as to the insurance protection to which he is entitled to whom payable together with provision to the effect that in case of the termination of the employment for any reason whatsoever the employe shall be entitled to have issued to him by the company without evidence of the insurability and upon application made to the company within thirty-one days after such termination an dupon the payment of the premium applicable to the class of risks to which he belongs and to the form and amount of the policy at his then attained age a policy of life insurance in any noe of the forms customarily issued by the company except term insurance in an amount equal to the amount of his protection under such group insurance policy at the time of such termination

(5) A provision that to the group or class thereof originally insured shall be added from time to time all new employes of the employer eligible to insurance in such group or class

B Except as provided in this act it shall be unlawful to make a contract of life insurance covering a group in this Commonwealth

C Policies of group life insurance issued in this Commonwealth by any foreign or alien company may also contain

when issued any provision required by the law of the state or foreign country under which the company was organized and policies issued in other states or foreign countries by domestic companies may also contain any provision required by the laws of the state or foreign country in which such policies are issued

D Any policy of group life insurance may be issued or delivered in this Commonwealth which in the opinion of the Department contains provisions on any one or more of the several foregoing requirments more favorable to the employer or to the employe than hereinafter required by this section

Section 1114 Premium for Group Records of Experience of Company Life companies shall not issue any policy of group life insurance in this Commonwealth the premium for which shall be less than the net permium based on the American men ulitmate table of mortality with interest at three and one-half per centum per annum plus a loading the formula for the computation of which shall be determined by the Department All policies of group insurance shall be segregated into a separate class and the mortality experience kept separate Any such policy may however anything in this act to the contrary notwithstanding provide for a readjustment of the rate based on experience at the end of the first or any subsequent year of insurance which reaadjustment may be made retroactive for such policy year only

The number of policies amount of insurance reserves premiums and payments to policyholders thereunder together with the mortality table and interest assumption adopted by the company shall be reported separately in the company's annual statement

Section 1115 Voting Power under Policies of Group Life Insurance In every group policy issued by a domestic life company the employer shall be deemed to be the policyholder for all purposes within the meaning of this act and if entitled to vote at a meeting of the company shall be entitled to one vote at such meeting

D Rights of Creditors in Proceeds of Policies and Annuities

Section 1116 Exemeptions of Group Insurance from Execution No policy of group insurance nor the proceeds thereof which have been paid to any employe or employes thereunder shall be liable to attachment garnishment or other process or liable to be seized taken appropriated or applied by any legal or equitable process or by operation of law to pay any debt or liability of such employe or his beneficiary or any other person who may have a right under such policy either before or after payment The proceeds of such policy of group insurance when not made payable to a named beneficiary shall not constitute a part of the estate of the employe for the payment of his debts

Sectino 1117 Retaining Proceeds Under Policy Anticipating or Alienating Rights of Creditors Whenever under the terms of any contract of annuity or policy of life insurance or under any written agreement supplemental thereto issued by any life company lawfully doing business in this Commonwealth the proceeds are retained by such company at maturity or otherwise the person entitled to any part of such proceeds or any installment of interest due or to become due thereon shall not be permitted to commute anticipate encumber alienate or assign such proceeds or any part thereof if permission to do so is expressly denied by the terms of such policy or supplemental agreement Payments of interes tor of principal under such policy or supplemental agreement shall not be in any way subject to such persons's debts or contracts or to any judicial process issued because of them if such payments are exempted in this manner by the provisions of the policy or supplemental agreement

Section 1118 Exemption of Insurance Policies and Annuities and the Proceeds Thereof A Any contract of annuity or policy of life insurance hereafter issued to any solvent citizen in this Commonwealth by any life company lawfully doing business in this Commonwealth whereby the insured or purchaser of the annuity shall be the beneficiary or annuitant shall be exempt and free and clear from the claims of all the creditors of such beneficiary or annuitant and from all legal and judicial processes of execution attachment or otherwise whatsoever if the income or return does not exceed one hundred dollars per month

B The net amount payable under any policy of life insurance or under any annuity contract upon the life of any person heretofore or hereafter made for the benefit of or assigned to the wife or children or dependent relative of such person shall be exempt from all claims of the creditors of such person arising out of or based upon any obligation created after the passage of this act whether or not the right to change the named beneficiary is reserved by or permitted to such person

C This section shall not be construed to affect modify or repeal in any manner any exemption laws of this Commonwealth which are now in force or may hereafter be passed

E Miscellaneous Provisions Relating to Life Insurance

Section 1119 Application for Insurance Insurable Interest No policy or agreement for insurance shall be issued by any life company in this Commonwealth unless upon the application of the person insured A person liable for the support of a child may take out a policy of insurance on such child and persons partnerships business associations and corporations may insure the lives and health of officers directors principals partners and employes without the signing of a personal application as hereinbefore in this section required Any person may insure his own life for the benefit of any person partnership business association or corporation but no person shall cause the life of another to be insured unless the beneficiary named in such policy or agreement of life insurance whether himself or a third person has an insurance interest in the life of the insured An insurable interest within the meaning of this section is that interest which in the case of persons related with the insured by blood or in law is engendered by love and affection and in the case of other persons is a lawful economic interest in having the life of the insured continue as distinguished from an interest which arises only after the death of the insured

Section 1120 Minors May Enter into Insurance Contracts and Have Full Rights Powers and Privileges Thereunder All minors in this Commonwealth of the age of eighteen years and upwards shall have full power and authority to make all needful contracts to become members of any life company authorized to do business in this Commonwealth and shall have all the powers rights and privileges of ownership of any and all life insurance policies or annuity contracts applied for or issued to them together with full power to surrender assign pledge or receive dividends or modify or change such contracts and any other powers which persons who are twenty-one years of age have relative to similar policies and contracts

Section 1121 Misrepresentation or False Statements for the Purpose of Securing Insurance Penalty Any agent of a life company or any physician or other person whatsoever who shall knowingly make or be concerned or interested in making any misrepresentation or false statement for the purpose of securing from any life company a policy of insurance upon his own life or the life of any other person shall be guilty of a misdemeanor and upon conviction thereof be fined not exceeding one thousand dollars or undergo imprisonment not exceeding one year or both

ARTICLE XII

STOCK FIRE STOCK MARINE AND STOCK FIRE AND MARINE INSURANCE COMPANIES

Section 1201 Procedure When Capital Impaired A Any stock fire stock marine and stock fire and marine company which has received notice from the Department that its capital is impaired shall not issue new policies under its authority to do business in this Commonwealth until its admitted assets have become equal to its liabilities and it has obtained from the Department a certificate to that effect with authoriy to resume business

E Such company shall immediately give notice to its shareholders in a manner approved by the Department that they are required to pay a designated amount per share The total amount required of the shareholders shall be sufficient to restore its capital to the amount fixed by its articles In case any shareholder neglects or refuses to pay the amount called for the company shall require the return of the original share certificate held by such shareholder and in lieu thereof issue new certificates in the proportion that the ascertained value of the assets of the company may as determined by the Department bear to the original capital The directors may create new capital stock issue share certificates therefor and dispose of them at not less than par for an amount sufficient to make up the original capital The Department may in its discretion permit the company in lieu of the creation of new stock to reduce its capital and the par value of its shares in proportion to the extent of the impairment but the capital and the par value of its shares shall at no time be reduced in this manner to an amount less than that required by law for the or-

ganization of any such company In fixing such reduced capital no part of the assets on hand deducted from the original capital shall be distributed to shareholders

Section 1202 Unearned Premium Reserve Liability A Every fire marine and fire and marine insurer transacting business in this Commonwealth shall at all times maintain reserves equal in amount to its unearned premium liability unless it is provided otherwise by this act

B In determining its unearned premium liability such insurer shall charge for fire insurance the unearned portions of the gross premiums due or paid upon all policies which cover unexpired risks and such unearned portions shall be computed on a monthly pro rata basis The Department may in its discretion require that such unearned portions of the gross premiums shall be computed on each respective risk from the date of the issuance of the policy covering such risk If the Department believes that either of these methods of computing the unearned portions of gross premiums is not practicable or advisable it may in its discretion permit such insurer to compute its unearned premium liability by charging one-half of the premiums on all policies covering risks for one year or less and by charging on policies covering risks for more than one year one-half of the premium for the first year together with the whole of the premiums for subsequent years Under any method of calculation the insurer shall charge for perpetual fire insurance the difference between the cash deposit received and a surrender charge not exceeding ten per centum of such deposit

C In determining its unearned premium liability such insurer shall charge for marine and inland insurance the unearned portions of the gross premiums due or paid upon all policies which cover unexpired risks and such unearned portions shall be computed on a monthly pro rata basis The Department may in its discretion require that such unearned portions of the gross premiums shall be computed on each respective risk from the date of the issuance of the policy covering such risk If the Department believes that either of these methods of computing the unearned portions of gross premiums is not practicable or advisable it may in its discretion permit such insurer to compute its unearned premium liability by charging one-half of the premiums on all policies covering risks for one year or less and risks covering more than one passage not terminated and by charging the full amount of the premiums on all policies upon all other marine and inland risks not terminated

Section 1203 Additional Investment for Surplus A domestic stock fire stock marine or stock fire and marine company may invest any of its surplus funds in addition to the investments hereinbefore in this act authorized for domestic companies in the capital of any similar company organized under the laws of this Commonwealth or of any other state solely to transact the same class of business in countries outside of the United States if the company which makes the investment has one million dollars of capital and one million dollars of surplus investment shall be limited to an amount not exceeding thirty per centum of the surplus of the company which makes the investment

ARTICLE XIII
FIRE INSURANCE

A Provision Relating to Domestic Mutual Fire Companies Organized Before May First One Thousand Eight Hundred Seventy-six

Section 1301 Reinsurance and Reserve of Certain Mutual Fire Companies It shall be lawful for mutual fire companies organized prior to May first one thousand eight hundred seventy-six which by their charters are authorized to issue policies for cash premiums and without premium notes to accumulate out of the profit of their cash business a reinsurance fund or reserve but no such mutual company shall be deemed insolvent nor shall the Department require such company to make an assessment upon its mutual policyholders so long as its premium notes in hand subject to assessment amount in gross to three per centum of the entire amount of insurance of said company in effect

Section 1302 Conversion of Certain Domestic Mutual Fire Companies into Stock Fire Companies A Any domestic mutual fire company incorporated prior to May first one thousand eight hundred seventy-six which has accumulated in the course of its business not less than twenty thousand dollars over and above all liabilities including the cash reserve required by law on cash risks and which desires to set up capital stock may be converted and transformed into a stock fire company in the manner hereinafter provided in this article if such conversion

(1) Has been adopted by a resolution passed by the vote of a majority of the entire number of directors of such mutual company

(2) Has been submitted to the Department and approved by it in writing

(3) Has been approved by the vote of a two-thirds majority in interest of those policyholders of such company who attend a meeting of the policyholders called for the purpose of holding an election for or against such plan Such interest shall be determined by the amount of premiums paid or premium notes given at such meeting Six weeks' previous notice of such meeting shall be given by the publication of an advertisement in a newspaper of general circulation published in the county in which the principal offic eof the mutual company is located and also by written or printed notice addressed and mailed to each policyholder

B If the approval of a vote of a two-thirds majority in interest of the policyholders is obtained and due proof of such approval is made to the Department the directors of the mutual company shall open books and receive subscriptions to the capital stock of the company and otherwise proceed in the manner provided by this act for the incorpration of stock fire companies No share of stock shall be disposed of or certificate issued therefor unless the actual par value has been paid to the company in cash The policyholders of such mutual company shall have the first right to subscribe to its shares subject to its equitable regulations prescribed by the directors or trustees The surplus of such mutual company shall not be distributed but shall remain intact as the surplus of the stock company The mutual policies and all the rights and liabilities attached thereto and all the powers and obligations of such mutual company relating thereto shall survive and be obligations of the stock company as long as such policies remain in force When such policies have expired the company shall be subject in all respects to the provisions of this act in the same manner as if it were originally incorporated under this act No fire company shall insure upon both the stock and mutual plan except as is provided in this section

Section 1303 Articles of Conversion Upon the approval pursuant to the provisions of this article of the plan of conversion articles of conversion shall be executed under the seal of the mutual fire company which proposes to become converted into a stock fire company and verified by two of its duly authorized officers and shall set forth

(1) The proposed name of the stock fire company

(2) The exact location of the principal office of the mutual fire company and of the stock fire company into which it plans to become converted

(3) A copy of the plan of conversion

(4) A copy of the resolution of the board of directors adopting such plan

(5) The time and place of the meeting of the policyholders at which the plan was approved proof of publication of the notices hereinbefore required in this article for uch meetings ad the vote of the policyholders by which the plan was adopted

(6) Th number names and addresses of the persons to be the first directors of the stock fire company

Section 1304 Filing of Articles of Conversion Payment of Fees Approval by Department of State A The articles of conversion of a mutual fire company into a stock fire company shall be delivered to the Department of State

B The Department of State shall examine such articles of conversion to determine whether they contain all the information and are in the form required by this act and also whether the name of the proposed stock fire company conforms with the requirements of law for the name of such companies or whether it is the same as one already adopted by another stock company or is so similar thereto that it is likely to mislead the public

If all the bonus fees taxes and other charges have been paid as required by law and if the articles of conversion contain the information and are in the form required by this act the Department of State shall endorse its approval upon the articles of conversion and shall forthwith transmit them to the Insurance Department

C If the Department of State shall disapprove the articles of conversion pursuant to this act it shall forthwith give notice of its disapproval to the mutual fire company stating in detail the reasons for its disapproval and stating how such

company can remedy the noncompliance with the provisions of this act Upon remedying the defect such company may in the same manner file the same or amended articles of conversion whichever the particular case may require

Section 1305 Approval by the Insurance Department of Articles of Conversion A The Insurance Department shall immediately upon receipt from the Department of State of the articles of conversion of a mutual fire company into a stock fire company conduct such examination as it may deem necessary to ascertain from the possible sources of information at its command

(1) Whether the name of the proposed stock fire company is likely to mislead the public as to its character or purpose

(2) Whether the conversion is made for legitimate purposes

(3) Whether the interests of the creditors policyholders and members are adequately protected

(4) Whether the proposed stock fire company meets all the requirments of this act and violates none of its prohibitions applicable to stock fire companies

B Within sixty days after the receipt of the articles of conversion from the Department of State the Insurance Department shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of conversion it shall endorse its approval thereon

C If the Insurance Department disapproves the articles of conversion it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the mutual fire company desiring to become converted into a stock fire company of the action of the Insurance Department and of the reasons therefor as stated by the Department Such mutual fire company may within thirty days after the Department of State sends the notice of the disapproval of its articles of conversion appeal from such disapproval to the Governor who shall hear such appeal promptly and shall within thirty days thereafter decide the matter and certify his decision to the Insurance Department The decision of the Governor shall be conclusive and not subject to review The Insurance Department shall act in accordance therewith

Section 1306 Issuance of Certificate of Conversion Effect Thereof A Immediately upon receipt of the approved articles of conversion of a mutual fire company into a stock fire company from the Insurance Department the Department of State shall file the approved articles and issue a certificate of conversion to which shall be attached a copy of the approved articles

B Upon the issuance of the certificate of conversion by the Department of State the corporate existence of the converted company as a domestic stock fire company shall begin and its corporate existence as a mutual fire company shall end The certificate of conversion shall be evidence that such stock fire company is a duly incorporated stock fire company under the laws of this Commonwealth in the same manner and effect as a certificate of incorporation of a stock fire company is evidence that such company has been duly incorporated pursuant to the provisions of this act

Section 1307 Notice of Qualification to Commence Business Certificate of Authority to do Business A The president or secretary of any domestic stock fire company which has been converted under this act from a domestic mutual fire company shall notify the Department in writing that the stock fire company is qualified to commence business after a certificate of cancellation of all shares in the formed mutual company has been filed with the Department and after proper reserve required by this act of all domestic stock fire companies have been established by such converted stock company

B If after receiving notice as hereinbefore provided that a company is qualified to commence business the Department as the result of its examination finds that the company has complied with the provisions of this act it shall issue to such a company a certificate of authority to do business in this Commonwealth as a domestic stock fire company As soon as the company receives such certificate of authority it may issue policies and otherwise transact the business of insurance as a domestic stock fire company

B Fire Insurance Policies

Section 1308 Joint Fire Insurance Policies Two or more stock fire companies authorized to transact business in this Commonwealth may issue a joint policy executed by the officers of each of such companies which policy shall have a distinctive title indicating the titles of the several companies obligated thereby Such policy shall state that it is a joint contract and that each company is liable for only a specific percentage of any loss or damage occurring thereunder Before any companies shall issue such joint policy they shall first obtain the express approval of the Department to the issuance of such policy and the title thereof

Section 1309 Cash Premium Policies of Certain Mutual Fire Companies without Contingent Liability for Assessment and Instead of Cash Deposits A Any domestic mutual fire company organized prior to May first one thousand eight hundred seventy-six having a surplus not less than the minimum capital required by this act for the organization of a domestic stock fire company and unearned premium reserve computed upon the same basis as that required by this act of domestic stock fire companies may issue policies for a cash premium without any contingent liability for assessment

B Any such domestic mutual fire company incorporated by a special act of the Legislature which has a surplus and unearned premium reserve as hereinbefore required in this section and whose charter provides for a premium deposit which shall remain as a pledge for the performance of the depositor's convenants which deposit under a provision of such charter shall be returned to the depositor at the expiration of the policy together with a proportional dividend of the profits after deducting losses and incidental charges and whose charter further provides that the next profit arising by interest or otherwise shall be ascertained and allocated yearly to every member in proportion to his her or their deposit for which each member shall have credit on the company's books payable at the cancellation of the policy may instead of collecting such deposit money as above provided under such charter charge a cash premium in advance on which no dividend or return shall be due or accrue other than return premiums on cancelled policies

C The surplus of any domestic mutual fire companies issuing policies in accordance with the provisions of this section shall be held as a reserve for the payment of losses and expenses and in the event of dissolution of the company shall be divided pro rata among the policyholders whose policies are in force at the time of dissolution but no policyholder other than loss claimants shall receive more than the amount of the unearned cash premium last paid to the company for the current term of such policy Any balance remaining shall escheat to this Commonwealth

Section 1310 Permitted Provsiions in Standard Fire Policies Stock fire companies shall not issue fire insurance policies except policies of perpetual insurance on property in this Commonwealth other than those of the standard form hereinafter in this article set forth except as follows

(1) A company may print on its policies its name location and date of incorporation plan of operation the amount of its paid-up capital stock the names of its officers and agents the number and date of the policy and if it is issued through an agent the words "This policy shall not be valid until countersigned by the duly authorized agent of the company at ....."

(2) The company may print or use in its policies printed forms of descriptions and specifications of the property insured

(3) A domestic company may print in its policies any provisions which it is authorized or required by law to insert therein and any foreign or alien company may with the approval of the Department in like manner print any provisions required by its charter or deed of settlement or by the laws of its own state or country not contrary to the laws of this Commonwealth but the Department shall require any provision which in its opinion modifies the contract of insurance in such way as to affect the question of loss to be appended to the policy by a slip or rider as hereinafter provided

(4) The blanks in said standard form may be filed in print or writing

(5) A company may print upon policies issued in compliance with the preceding provisions of this section the words "Pennsylvania Standard Policy" and may include the name of any state or states which may adopt this form of policy

(6) A company may write upon the margin or across the face of the policy or print in type not less than seven point upon separate slips or riders to be attached thereto provisions adding to or modifying those contained in the standard form and all such slips and provisions must be signed by the officers or agents of the company so issuing them

Secton 1311 Standard Fire Policy Form The standard form of policy to be issued by any stock fire company shall be plainly printed and no portion thereof shall be in type smaller than the type used in printing the form on file in the office of the Department The standard fire policy form shall be as follows

No.....

(Insertion of name of company or companies issuing the policy and other matter permitted to be stated at the head of the policy)

Amount $..... Rate..... Premiums $.....

In consideration of the stipulations herein named and of ..... dollars premium does insure ..... and legal representatives to the extent of the actual cash value (ascertained with proper deductions for depreciation) of the property at the time of loss or damage but not exceeding the amount which it would cost to repair or replace the same with material of like kind and quality within a reasonable time after such loss or damage without allowance for any increased cost of repair or reconstruction by reason of any ordinance or law regulating construction or repair and without compensation for loss resulting from interruption of business or manufacture for the term of ..... from the ..... day of ..... 19 ..... at noon against all direct loss and damage by fire and by removal from premises endangered by fire except as herein provided to an amount not exceeding ..... dollars to the following described property while located and contained as described herein or pro rata for five days at each proper place to which any of the property shall necessarily be removed for preservation from fire but not elsewhere namely

DESCRIPTION OF PROPERTY

This policy is made and accepted subject to the foregoing stipulations and conditions and to the stipulations and conditions printed on the back hereof which are hereby made a part of this policy together with such other provisions stipulations and conditions printed on the back hereof which are hereby made a part of this policy together with such other provisions stipulations and conditions as may be endorsed hereon or added hereto as herein provided

In witness whereof this company has executed and attested these presents

(Date and signatures and titles of officers and agent)

FRAUD MISREPRESENTATION ET CETERA

This entire policy shall be void if the insured has concealed or misrepresented any material fact or circumstances concerning this insurance or the subject thereof or in case of any fraud or false swearing by the insured touching any matter relating to this insurance or the subject thereof whether before or after a loss

PROPERTY UNINSURABLE AND EXCEPTED

This policy shall not cover accounts bills currency deeds evidences of debt money notes or securities nor unless specifically named hereon in writing bullion manuscripts mechanical drawings dies or patterns

HAZARDS NOT COVERED

This company shall not be liable for loss or damage caused directly or indirectly by invasion insurrection riot civil war or commotilon or military or usurped power or by order of any civil authority or by theft or by neglect of the insured to use all reasonable means to save and preserve the property at and after a fire or when the property is endangered by fire in neighboring premises

This entire policy shall be void unless otherwise provided by agreement in writing added hereto

OWNERSHIP ET CETERA

(a) If the interest of the insured be other than unconditional and sole ownership or (b) if the subject of insurance be a building on ground not owned by the insured in fee simple or (c) if with the knowledge of the insured foreclosure proceedings be commenced or notice given of sale of any property insured hereunder by reason of any mortgage or trust deed or (d) if any change other than by the death of an insured take place in the interest title or possession of the subject of insurance (except change of occupants without increase of hazard) or (e) if this policy be assigned before a loss

Unless otherwise provided by agreement in writing added hereto this company shall not be liable for loss or damage occurring

OTHER INSURANCE

(a) While the insured shall have any other contract of insurance whether valid or not on property covered in whole or in part by this policy or

INCREASE OF HAZARD

(b) While the hazard is increased by any means within the control of the insured or

REPAIRS ET CETERA

(c) While mechanics are employed in building altering repairing the described premises beyond a period of fifteen days or

EXPLOSIVES GAS ET CETERA

(d) While illuminating gas or vapor is generated on the described premises or while (any usage or custom to the contrary notwithstanding) there is kept used or allowed on the described premises fireworks Greek fire phosphorous explosives benzine gasoline naptha or any other petroleum product of greater inflammability than kerosene oil gunpowder exceeding twenty-five pounds or kerosene oil exceeding five barrels or

FACTORIES

(e) If the subject of insurance be a manufacturing establishment while operated in whole or in part between the hours of ten post meridian and five ante meridian or while it ceases to be operated beyond a period of ten days or

UNOCCUPANCY

(f) While a described building whether intended for occupancy by owner or tenant is vacant or unoccupied beyond a period of ten days or

EXPLOSION LIGHTNING

(g) By explosion or lightning unless fire ensue and in that event for loss or damage by fire only

CHATTEL MORTGAGE

Unless otherwise provided by agreement in writing added hereto this company shall not be liable for loss or damage to any property insured hereunder while encumbered by a chattel mortgage and during the time of such encumbrance this company shall be liable only for loss or damage to any other property insured hereunder

FALL OF BUILDING

If a building or any material part thereof fall except as the result of fire all insurance by this policy on such building or its contents shall immediately cease

ADDED CLAUSE

The extent of the application of insurance under this policy and of the contribution to be made by this company in case of losse or damage and any other agreement not inconsistent with or a waiver of any of the conditions or provisions of this policy may be provided for by agreement in writing added thereto

WAVIER

No one shall have power to waive any provision or condition of this policy except such as by the term of this policy may be the subject of agreement added thereto nor shall any such provisoins or condition be held to be waived unless such waiver shall be in writing added hereto nor shall any provisoins or conditions of this policy or any forfeiture be held to be waived by any requirement act or proceeding on the part of this company relating to appraisal or to any examination herein provided for nor shall any privilege or permission affecting the insurance hereunder exist or be claimed by the insured unless granted herein or by rider adder hereto

CANCELLATION OF POLICY

This policy shall be cancelled at any time at the request of the insured in which case the company shall upon demand and surrender of this policy refund the excess of paid premuim above the customary short rates for the expired time This policy may be cancelled at any time by the company by giving to the insured a five days' written notice of calcellation with or without tender of the excess of paid premium above the pro rate premium for the expired time which excess if not tendered shall be refunded on demand Notice of cancellation shall state that said excess premium (if not tendered) will be refunded on demand

PRO RATA LIABILITY

This company shall not be liable for a greater proportion of any loss or damage than the amount hereby insured shall bear to the whole insurance covering the property whether valid or not and whether collectible or not

NOON

The word "noon" herein means noon of standard time at the place of loss or damage

MORTGAGE INTERESTS

If loss or damage is made payable in whole or in part to a mortgagee not named herein as the insured this policy may be cancelled as to such interest by giving to such mortgagee a ten days' written notice of cancellation Upon failure of the insured to render proof of loss such mortgagee shall as if named as insured hereunder but within sixty days after such failure render proof of loss and shall be the subject to the provisions hereof as to appraisal and time of payment and of bringing suit On payment to such mortgagee of any sum for loss or damage hereunder if this company shall claim that as to the mortgagor or owner no liability existed it shall to the extent of such payment be subrogated to the mortgagee's right to recovery and claim upon the collateral to the mortgagee debt but wthout impairing the mortgagee's right to sue or it may pay the mortgage debt and require an assignment thereof and of the mortgage other provisions relating to the interest and obligatiosn of such mortgagee may be added hereto by agreement in writing

REQUIREMENTS IN CASE OF LOSS

The insured shall give immediate notice in writing to this company of any loss or damage protect the property from further damage forthwith separate the damaged and undamaged personal porperty put it in the best possible order furnish a complete inventory of the restroyed damaged and undamaged property stating the quantity and cost of each article and the amount claimed thereon and the insured shall within sixty days after the fire unless such time is extended in writing by this company render to this company a proof of loss signed and sworn to by the insured stating the knowledge and belief of the insured as to the time and origin of the fire the interest of the insured and of all others in the property the cash value of each item thereof and the amount of loss or damage thereto all encumbrances thereon all other contracts of insurance whether valid or not covering any of said property and a copy of all the descriptions and schedules in all policies any changes in the title use occupation location possession or exposure of said property since the issuing of this policy and by whom and for what purpose any building herein described and the several parts thereof were occupied at the time of fire and shall furnish if required verified plans and specifications of any building fixtures or machinery destroyed or damaged The insured as often as may be reasonably required shall exhibit to any person designated by this company and all that remains of any property herein described and submit to examinastions under oath by any person named by this company and subscribe the same and as often as may be reasonably required shall produce for examination all books of accounts bills invoices and other vouchers or certified copies thereof if originals be lost at such reasonable time and place as may be designated by this company or its representative and shall permit extracts and copies thereof to be made.

APPRAISAL

In case the insured and this company shall fail to agree as to the amount of los or damage each shall on the written demand of either select a competent and disinterested appraiser The appraisers shall first select a competent and disinterested umpire and failing for fifteen days to agree upon such umpire then on request of the insured or this company such umpire shall be selected by a judge of a court of record in the county in which the property insured is located The appraisers shall then appraise the loss aid damage stating separately sound value and loss or damage to each item and failing to agree shall submit their differences only to the umpire An award in writing so itemized of any two when filed wth this company shall determine the amount of sound value and loss or damage Each appraiser shall be paid by the party selecting him and the expenses of appraisal and umpire shall be paid by the parties equally

COMPANY'S OPTIONS

It shall be optional with this company to take all or any part of the articles at the agreed or appraised value and also to repair rebuild or replace the property lost or damaged with other of like kind and quality within a reasonable time giving notice of its intention iso to do prior to thirty days after ascertainment of loss or damage is made as herein provided

ABANDONMENT

There can be no abandonment to this company of any property

WHEN LOSS PAYABLE

The amount of loss or damage for which this company may be liable shall be payable sixty days after proof of loss as herein provided is received by this company and ascertainment of the loss or damage is made either by agreement between the insured and this company expressed in writing or by the filing with this company of an award as herein provided

SUIT

No suit or action on this policy for the recovery of any claim shall be sustainable in any court of law or equity unless the claimant shall show compliance with all the requirements of this policy nor unless commenced within twelve months next after the fire

SUBROGATION

This company may require from the insured an assignment of all right of recovery against any party for loss or damage to the extent that payment therefor is made by this company

Section 1312 Penalty for Issuing other than Standard Fire Policies A Upon satisfactory evidence that any person corportaion or stock fire company has issued or caused to be issued any policy or contract of fre insurance on property situated in this Commonwealth contrary to the provisions of the two preceding sections of this act the Department may in its discretion take against the offending party any one or more of the following courses of action

(1) Suspend or revoke the license or certificate of authority of such offending person corporation or stock fire insurance company

(2) Refuse for a period of not to exceed one year thereafter to issue a new license to such offending person corporation or stock fire insurance company

(3) Impose a penalty of not more than one thousand dollars for each act of violation of any of said sections When the Department has taken any action as above set forth the party aggrieved may appeal to the Court of Common Pleas of Dauphin County

B Any person corporation or stock fire company that shall either as principal or agent wilfully issue or cause to be issued any policy or contract of fire insurance on property situated within this Commonwealth contrary to the provisions of the two preceding sections of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

C Any policy issued in violation of this act shall nevertheless be construed in accordance with the provisions of this act Perpetual policies of fire insurance shall not be required to conform to the requirements of the two preceding sections of this act

C Fire Insurance Rates and Rating Bureaus

Section 1313 Scope of Sections of this Article Relating to Fire Rates and Rating Bureaus The sections hereinafter contained in this article which relate to fire rates and fire rating bureaus shall apply to

(1) All stock fire companies doing business in this Commonwealth and

(2) All other fire insurers which have filed an application for or which have membership in a fire rating bureau and which have agreed in their application for such membership to become subject to the sections hereinafter contained in this article which relate to fire rates and fire rating bureaus

Section 1314 Stock Fire Companies to File Schedule of Rates or be Members of Fire Rating Bureaus A Every stock fire company authorized to effect insurance against the risk of loss or damage by fire or lightning in this Commonwealth before being permitted to write fire insurance in this Commonwealth shall either file with the Department a schedule of rates or be a member of a fire rating bureau Such company shall not be a member of more than one fire rating bureau for the purpose of obtaining rates for the same risk

B A fire insurer other than a stock fire company shall not be required to file a schedule of rates or become a member of a fire rating bureau

Section 1315 Membership of Fire Rating Bureaus A fire rating bureau may consist of one or more fire insurers and when it consists of two or more fire insurers it must admit to membership any authorized fire insurer applying therefor who shall agree to abide by the rules and regulations of such bureau The expenses of the bureau shall be shared by each member in proportion to the gross premiums which it received in this Commonwealth during the preceding year In addition to these expenses a reasonable annual fee which shall not exceed fifty dollars may be levied by the fire rating bureau

Section 1316 Fire Insurers to Notify Department of Memberships in Fire Rating Bureaus Every fire insurer shall in its annual application for a certificate of authority specify each fire rating bureau if any of which it is a member and during the year file with the Department written notice of any other fire rating bureaus of which it becomes a member

Section 1317 Variations from Fire Rating Bureau Rates Every member fire insurer shall at least fifteen days in advance of any variation by it from the fire rating bureau rate file with the bureau of which it is a member a schedule showing such variations Any deviation of any insurer from the schedule of rates established by such fire rating bureau shall be uniform in its application to all of the risks in the class from which the deviation is made and no such uniform deviation shall be made unless notice thereof and the reason therefor shall be filed with the Department

Section 1318 Discrimination in Fire Rates Prohibited No fire insurer nor any fire rating bureau shall fix or charge any rate for fire insurance upon property in this Commonwealth which discriminates unfairly between risks in the application of like charges and credits or which discriminates unfairly between risks of essentially the same hazards territorial classification and having substantially the same degree of protection against fire

Section 1319 Inspection of Fire Risks Every fire rating bureau or other fire insurer engaged in making rates or estimates for rates for fire insurance on property in this Commnowealth shall inspect every risk specifically rated by it upon schedule and make a written survey of such risk which shall be filed as a permanent record in the office of such bureau or insurer A copy of such survey shall be furnished upon request to the owner of the property rated therein

Section 1320 Agreements for Fire Insurance Rates Filing Approval Prohibited Contracts A No fire insurer and no fire rating bureau or any representative of any such insurer or rating bureau shall enter into or act upon any agreement with regard to the making fixing or collecting of any rate for fire insurance upon property within this Commonwealth except in compliance with those sections of this article which relate to fire insurance rates and fire rating bureaus

B Any fire rate agreement may be made and enforced provided it is not contrary to the laws of this Commonwealth and is in writing if prior to its taking effect a copy thereof is filed with the Department and with every fire rating bureau of which anyone of the parties thereto is a member

C The Department may after due notice and hearing upon complaint or upon its own motion make an order disapproving any fire rating agreement or any part of such agreement No such agreement shall be in force nor shall any rights be based thereon after service of a copy of such order upon each of the parties to such agreement and upon each bureau with which such agreement is required to be filed Service may be made by mail and shall be deemed to be completed upon the expiration of a reasonable period of time for transmission fixed in such order The action of the Department in making or refusing to make any such order may besubject to summary review before the Court of Common Pleas of Dauphin County

D Except as contained in the policy and the usual agreement for other insurance no fire insurer or fire rating bureau shall make any contract or agreement with any person insured or to be insured that the whole or any part of any fire insurance shall be written by or placed with any particular fire insurer agent or any group of fire insurers or agents

Section 1321 Fire Rating Bureaus to Supply Pennsylvania State Police with information Every fire rating bureau which now exists or hereafter may be formed for the purpose of suggesting establishing or maintaining rates of fire insurance on property located in this Commonwealth shall supply to the Pennsylvania State Police on request or permit the Pennsylvania State Police to copy from its files reasonable data relating to the physical condition of insurance property in this Commonwealth and relating to physicial fire hazards in the various communities thereof as required by the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (Pamphlet Laws four hundred fifty) number two hundred ninety-one entitled "An act relating to fire and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties" and its amendments or supplements

D Miscellaneous Provisions

Section 1322 Reports of Fires to Pennsylvania State Police A every fire insurer transacting business in this Commonwealth shall file with the Pennsylvania State Police annual and monthly reports in writing containing such information as is required to be reported by such fire insurers by the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (Pamphlet Laws four hundred fifty) number two hundred ninety-one entitled "An act relating to fires and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties" and its amendments or supplements

B Failure to make the reports required by this section shall subject such insurer to the penalties prescribed in the act hereinbefore cited and in addition thereto such insurer shall forfeit its right to do business in this Commonwealth

ARTICLE XIV
STOCK CASUALTY INSURANCE COMPANIES

Section 1401 Reduction and Withdrawal of Capital Stock Any domestic stock casualty company now in existence or incorporated under the provisions of this act which has a paid-up capital in excess of the minimum hereinbefore required by this act may reduce the excess in whole or in part in the manner hereinbefore provided in this act for the reduction of capital stock by all companies Any domestic stock casualty company which has undertaken two or more classes of insurance and which desires to discontinue a particular class may withdraw the entire additional capital previously paid in because of the discontinued class

Section 1402 Procedure When Capital Impaired A Any domestic stock casualty company which has received notice from the Department that its capital is impaired shall not issue new policies under its authority to do business in this Commonwealth until its admitted assets have become equal to its liabilities and it has obtained from the Department a certificate to that effect with authority to resume business

B Such company shall immediately give notice to its shareholders in a manner approved by the Department that they are required to pay a designated amount per share The total amount required of the shareholders shall be sufficient to restore its capital to the amount fixed by its articles In case any shareholder neglects or refuses to pay the amount called for the company shall require the return of the original share certificate held by such shareholder and in lieu thereof issue new certificates in the proportion that the ascertained value of the assets of the company may as determined by the Department bear to the original capital The directors may create new capital stock issue share certificates therefor and dispose of them at not less than par for an amount sufficient to make up the original capital The Department may in its discretion permit the company in lieu of the creation of new stock to reduce its capital and the par value of its shares in proportion to the extent of the impairment but the capi-

tal and the par value of its shares shall at no time be reduced in this manner to an amount less than that required by law for the organization of any such company In fixing such reduced capital no part of the assets on hand deducted from the original capital shall be distributed to shareholders

Section 1403 Additional Investment for Surplus A domestic stock casualty company may invest any of its surplus funds in addition to the investments hereinbefore in this act authorized for domestic companies in the capital of any similar company organized under the laws of this Commonwealth or of any other state solely to transact the same class of business in countries outside of the United States if the company which makes the investment has one million dollars of capital and one million dollars of surplus Such investment shall be limited to an amount not exceeding thirty per centum of the surplus of the company which makes the investment

Section 1404 Powers of Certain Stock Health and Accident Companies Increased Any stock company incorporated under the provisions of the act approved the twenty-eighth day of April one thousand nine hundred and three (Pamphlet Laws three hundred twenty-nine) entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death therein limiting the amount for which such corporations may issue policies and providing the manner in which certain existing corporations may become reincorporated under this act" may nothwithstanding the provisions of such act or any other Act of Assembly or the provisions of its charter issue policies agreeing to pay not more than twenty dollars per week in the event of sickness accident or disablement

Section 1405 Applicability of Act to Stock Casualty Companies All domestic stock casualty companies heretofore or hereafter incorporated or formed by the authority of any general or special law shall be subject to the provisions and requirements of this act except

(1) Those companies incorporated under the provisions of the act approved April twenty-eighth one thousand nine hundred and three entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death therein limiting the amount for which such corporations may issue policies and providing the manner in which certain existing corporations may become reincorporated under this act" such companies which have a paid-up capital of not less than one hundred thousand dollars may issue policies of insurance against injury disability or death resulting from traveling or general accident and against disablement resulting from sickness and every insurance appertaining thereto including a funeral benefit and an indemnity for death arising from natural causes to an amount not exceeding one hundred dollars

(2) Those companies heretofore incorporated under the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" and the several supplements thereto for the purpose of guaranteeing the fidelity of persons in positions of trust and to act as surety on official bonds such companies may transact business under the provisions of this act if [the] they duly accept the provisions of this act in accordance with the procedure hereinbefore set forth an acceptance of the provisions of this act by any one of such companies shall exempt any such company from the provisions and requirements of said act approved April twenty-nine one thousand eight hundred and seventy-four and of the act approved May nine one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred fifty-nine) entitled "An act supplementary to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four amending the twenty-ninth section of said act so as to provide for the further regulation of and granting additional powers to all corporations now or hereafter incorporated under the provisions of said act for the insurance of owners of real estate mortgages and others interested in real estate and loss by reason of defective titles liens and encumbrances" and the several supplements thereto

ARTICLE XV

RESERVES FOR CASUALTY INSURANCE

Section 1501 Casualty Insurers Required to Maintain Reserves Every casualty insurer transacting business in this Commonwealth shall at all times provide for its reserve liability by holding in proper legal investments as hereinbefore provided by this act funds equal in amount to the sum of the unearned premium reserve liablity and the reserve liability and the reserve against unpaid losses of such insurer computed in accordance with the provisons of this article

Section 1502 Unearned Premium Reserve Liability Every casualty insurer in determining its unearned premium liability shall charge for casualty insurance the unearned portions of the gross premiums due or paid upon all policies which cover unexpired risks and such unearned portions shall be computed on a monthly pro rata basis The Department may in its discretion require that such unearned portions of the gross premiums shall be computed on each respective risk from the date of the issuance of the policy covering such risk If the Department believes that either of these methods of computing the unearned portions of gross premiums is not practicable or advisable it may in its discretion permit such insurer to compute its unearned premium liability by charging one-half of the premiums on all policies covering risks for one year or less and by charging on policies covering risks for more than one year one-half of the premium for the first year together with the whole of the premiums for subsequent years

Section 1503 Reserve against Unpaid Losses in Casualty Insurance other than Compensation or Liability Insurance Each casualty insurer in calculating its reserve against unpaid losses in casualty insurance other than liability and compensation policies shall make a careful estimate in each case of the loss likely to be incurred by reason of every claim presented or that may be presented pursuant to notice from the insured of the occurrence of an event that may result in a loss The probable accuracy of such estimate shall be investigated and approved by the Department after such examination as it deems necessary The sum of the items so estimated and approved shall be the total amount of the reserve against unpaid losses of the insurer Each casualty insurer engaged in writing credit insurance shall in addition charge as a part of the loss reserve fifty per centum of the premiums on all credit policies expiring in the months of October November and December of the current year less the amount of losses paid on such policies

Section 1504 Reserve against Upaid Losses in Liability Insurance The reserve required of casualty insurers for outstanding losses under liability insurance and for which the insured is liable shall be computed as follows

(1) For all liability suits being defended under policies written more than ten years prior to the date as of which the statement is made such reserve shall be one thousand five hundred dollars for each suit

(2) For all liability suits being defended under policies written more than five and less than ten years prior to the date as of which the statement is made such reserve shall be one thousand dollars for each suit

(3) For all liability suits being defended under policies written more than three and less than five years prior to the date as of which the statement is made such reserve shall be eight hundred fifty dollars for each suit

(4) For all liability policies written during the three years immediately preceding the date as of which the statement is made such reserve shall be sixty per centum of the earned liability premiums for each of such three years less all loss and loss expense payments made under liability policies written in the corresponding years but in any event such reserve shall for the first of such three years be not less than seven hundred fifty dollars for each outstanding liability suit on the policies issued in such first year

Section 1505 Reserve against Unpaid Losses in Compensation Insurance The reserve required of casualty insurers for outstanding losses under compensation insurance and for which the insured [or the employer] is liable shall be computed as follows

(1) For all compensation claims under policies written more than three years prior to the date as of which the statement is made such reserve shall be the present value at four per centum interest of the determined and estimated future payments

(2) For all compensation claims under policies written in the three years immediately preceding the date as of which the statement is made such reserve shall be sixty-five per centum of the earned compensation premiums for each of such three years less all loss and loss expense payments made in connection with such claims under policies written in the corresponding years but in any event in the case of each year of any such three-year period such reserve shall not be less than the present value at four per centum interest of the determined and estimated unpaid compensation claims under policies written during such year

Section 1506 Distribution of Unallocated Liability Loss Expense Payments All unallocated liability loss expense payments made in each of the first four calendar years in which an insurer issues liability policies shall be distributed as follows In the first calendar year one hundred per centum shall be charged to the policies written in that year in the second calendar year fifty per centum shall be charged to the policies written in that year and fifty per centum to the policies written in the preceding year in the third calendar year forty per centum shall be charged to the policies written in that year forty per centum to the policies written in the preceding year and twenty per centum to the policies written in the second year preceding and in the fourth calendar year thirty-five per centum shall be charged to the policies written in that year forty per centum to the policies written in the preceding year fifteen per centum to the policies written in the second year preceding and ten per centum in the policis written in the third year preceding

All unallocated liability loss expense payments made in a given calendar year subsequent to the first four years in which an insurer has been issuing liability policies shall be distributed as follows Thirty-five per centum shall be charged to the policies written in that year forty per centum to the policies written in the preceding year ten per centum to the policies written in the second year preceding ten per centum to the policies written in the third year preceding and five per centum to the policies written in the fourth year preceding

Section 1507 Distirbution of Unallocated Compensation Loss Expense Payments All unallocated compensation loss expense payments made in each of the first three calendar years in which an insurer issues compensation policies shall be distributed as follows In the first calendar year one hundred per centum shall be charged to the policies written in that year in the second calendar year fifty per centum shall be charged to the policies written in that year and fifty per centum to the policies written in the preceding year in the third calendar year forty-five per centum shall be charged to the policies written in that year forty-five per centum to the policies written in the preceding year and ten per centum to the policies written in the second year preceding

All unallocated compensation loss expense payments made in a given calendar year subsequent to the first three years in which an insurer has been issuing compensation policies shall be distributed as follows Forty per centum shall be charged to policies written in that year forty-five per centum to the policies written in the preceding year ten per centum to the policies written in the second year preceding and five per centum to the policies written in the third year preceding

Section 1508 Additional Liability or Compensation Loss Reserves Whenever the Department notifies a liability or compensation insurer that its loss reserves are inadequate it shall be the duty of such insurer to maintain additional loss reserves upon the basis and in the amount required by the Department

Section 1509 Information in Annual Reports of Liability and Compensation Insurers Each insurer that writes liability or compensation policies shall include in the annual statement required by this act a schedule of its experience under such policies in such form as the Department may prescribe a schedule showing the distribution of unallocated liability loss expense payments and a schedule showing the distribution of unallocated compensation loss expense payments

ARTICLE XVI

HEALTH AND ACCIDENT INSURANCE

Section 1601 Copies of Policies to be Filed with Department No policy of health or accident insurance shall be issued or delivered by any casualty insurer or any life company issuing such policies to any person in this Commonwealth until a copy of the form thereof and of the classification of risks and the premium rates pertaining thereto have been filed with and not disapproved by the Department nor shall any such policy be issued or delivered until the expiration of thirty days after it has been so filed unless the Department previously gives its written approval thereto If the Department shall notify in writing the insurer which has filed such copy of the form that it does not comply with the requirements of law specifying the reasons for its opinion it shall be unlawful thereafter for any such insurer to issue any policy in such form The refusal by the Department to approve any form of such policies shall be subject to review by the Court of Common Pleas of Dauphin County

Section 1602 Conditions for the Issuance of Health or Accident Policies No health or accident policy shall be issued in this Commonwealth unless it is issued subject to the following conditions

(1) The entire money and other consideration for the policy shall be expressed therein

(2) The time at which the insurance thereunder takes effect and terminates shall be stated in a portion of the policy preceding its execution by the insurer

(3) The policy shall not purport to insure more than one person

(4) Every printed portion of the policy and of any endorsements or papers attached thereto shall be plainly printed in type of which the face shall not be smaller than ten point

(5) A brief description of the policy shall be printed on its first page and on its filing back in type of which the face shall not be smaller than fourteen point this shall not be required of railroad ticket policies sold only at railroad stations or at railroad ticket offices by railroad employes

(6) Exceptions of the policy shall be printed with the same prominence as the benefits to which they apply however any portion of the policy which purports by reason of circumstances under which a loss is incurred to reduce any indemnity promised therein to an amount less than that provided for the same loss occurring under ordinary circumstances shall be printed in bold face type and with greater prominence than any other portion of the text of the policy

(7) The applicant for the insurance shall personally sign an application with each policy issued except railroad ticket policies sold only at railroad stations or at railroad ticket offices by railroad employes requiring the following information

(a) Name age address and occupation of the applicant

(b) Other insurance carried with the names of the companies and the amounts

(c) Previous record of disability from health or accident

(d) Whether or not the applicant has been refused insurance or has had insurance cancelled by any company

(8) A copy of such application shall be attached to or made a part of the policy

Section 1603 Standard Policy Provisions Every health or accident policy issued in this Commonwealth subject to the conditions imposed by the previous section shall contain certain standard provisions which shall be in the words and in the order hereinafter set forth and be preceded in every policy by the caption "Standard Provisions" In each such standard provision wherever the word "insurer" is used in this section there shall be substituted therefor in the policy the word "company" or "corporation" or "association" or "society" whichever is appropriate Such standard provisions shall be

A A standard provision relative to the contract which may be in either of the following two forms Form (a) to be used in policies which do not provide for reduction of indemnity on account of change of occupation and Form (b) to be used in policies which do so provide If Form (b) is used and the policy provides indemnity against loss from sickness the words "or contracts sickness" may be inserted therein immediately after the words "in the event that the insured is injured"

"(a) 1 This policy includes the endorsements and attached papers if any and contains the entire contract of insurance No reduction shall be made in any indemnity herein provided by reason of change in the occupation of the insured or by reason of his doing any act or thing pertaining to any other occupation"

"(b) 1 This policy includes the endorsements and attached papers if any and contains the entire contract of insurance except as it may be modified by the insurer's classification of risks and premium rates in the event that the insured is injured after having changed his occupation to one classified by the insurer as more hazardous than that stated in the policy

or while he is doing any act or thing pertaining to any occupation so classified except ordinary duties about his residence or while engaged in recreation in which event the insurer will pay only such portion of the indemnities provided in the policy as the premium paid would have purchased at the rate but within the limits so fixed by the insurer for such more hazardous occupation"

"If the law of the State in which the insured resides at the time this policy is issued requires that prior to its issue a statement of the premium rates and classification of risks pertaining to it shall be filed with the State officials having supervision of insurance in such State then the premium rates and classification of risks mentioned in this policy shall mean only such as have been last filed by the insurer in accordance with such law but if such filing is not required by such law then they shall mean the insurer's premium rates and classification or risks last made effective by it in such State prior to the occurrence of the loss for which the insurer is liable"

B A standard provision relative to changes in the contract which may be omitted from railroad ticket policies sold only at railroad stations or at railroad ticket offices by railroad employes and which shall be in the following form

"2 No statement made by the applicant for insurance not included herein shall avoid the policy or be used in any legal proceeding hereunder No agent has authority to change this policy or to waive any of its provisions No change in this policy shall be valid unless approved by an executive officer of the insurer and such approval be endorsed hereon"

C A standard provision relative to reinstatement of policy after lapse which may be omitted from railroad ticket policies —sold only at railroad stations or at railroad ticket offices by railroad employes and which may be in either of the three following forms Form (a) to be used in policies which insure only against loss from accident to be used in policies which insure only against loss from sickness and Form (c) to be used in policies which insure against loss from both accident and sickness

"(a) 3 If default be made in the payment of the agreed premium for this policy the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy but only to cover loss resulting from accidental injury thereafter sustained"

"(b) 3 If default be made in the payment of the agreed premium for this policy the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy but only to cover such sickness as may begin more than ten days after the date of such acceptance"

"(c) 3 If default be made in the payment of the agreed premium for this policy the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy but only to cover accidental injury thereafter sustained and such sickness as may begin more than ten days after the date of such acceptance"

D A standard provision relative to time of notice of claim which may be in either of the three following forms Form (a) to be used in policies which insure only against loss from accident Form (b) to be used in policies which insure only against loss from sickness and Form (c) to be used in policies which insure against loss from both accident and sickness If Form (a) or Form (c) is used the insurer may at its option add thereto the following sentence "In event of accidental death immediate notice thereof must be given to the insurer"

"(a) 4 Written notice of injury on which claim may be based must be given to the insurer within twenty days after the date of the accident causing such injury"

"(b) 4 Written notice of sickness on which claim may be based must be given to the insurer within ten days after the commencement of the disability from such sickness"

"(c) 4 Written notice of injury or of sickness on which claim may be based must be given to the insurer within twenty days after the date of the accident causing such injury or within ten days after the commencement of disability from such sickness"

E A standard provision relative to sufficiency of notice of claim which shall be in the following form and in which the insurer shall insert in the blank space such office and its location as it may desire to designate for such purpose of notice

"5 Such notice given by or in behalf of the insured or beneficiary as the case may be to the insurer at .... or to any authorized agent of the insurer with particulars sufficent to identify the insured shall be deemed to be notice to the insurer Failure to give notice within the time provided in this policy shall not invalidate any claim if it shall be shown not to have been reasonably possible to give such notice and that notice was given as soon as was reasonably possible"

F A standard provision relative to furnishing forms for the convenience of the insured in submitting proof of loss as follows

"6 The insurer upon receipt of such notice will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss If such forms are not so furnished within fifteen days after the receipt of such notice the claimant shall be deemed to have complied with the requirements of this policy as to proof of loss upon submitting within the time fixed in the policy for filing proofs of loss written proof covering the occurence character and extent of the loss for which claim is made"

G A standard provision relative to filing proof of loss which shall be in such one of the following forms as may be appropriate to the indemnities provided

"(a) 7 Affirmative proof of loss must be furnished to the insurer at its said office within ninety days after the date of the loss for which claim is made"

"(b) 7 Affirmative proof of loss must be furnished to the insurer at its said office within ninety days after the termination of the period of disability for which the company is liable"

"(c) 7 Affirmative proof of loss must be furnished to the insurer at its said office in case of claim for loss of time from disability within ninety days after the termination of the period for which the insurer is liable and in case of claim for any other loss within ninety days after the date of such loss"

H A standard provision relative to examination of the person of the insured and relative to autopsy which may be omitted from railroad ticket policies sold only at railroad stations or at railroad ticket offices by railroad employes and which shall be in the following form

"8 The insurer shall have the right and opportunity to examine the person of the insured when and so often as it may reasonably require during the pendency of claim hereunder and also the right and opportunity to make an autopsy in case of death where it is not forbidden by law"

I A standard provision relative to the time within which payments other than those for loss of time on account of disability shall be made which provision may be in either of the following two forms and which may be omitted from any policy providing only indemnity for loss of time on account of disability The insurer shall insert in the blank space either the word "immediately" or appropriate language to designate such period of time not more than sixty days as it may desire Form (a) to be used in policies which do not provide indemnity for loss of time on account of disability and Form (b) to be used in policies which do so provide

"(a) 9 All indemnities provided in this policy will be paid .....after receipt of due proof"

"(b) 9 All indemnities provided in this policy for loss other that that of time on account of disability will be paid ....after receipt of due proof"

J A standard provision relative to periodical payments indemnity for loss of time on account of disability which provision shall be in the following form and which may be omitted from any policy not providing for such indemnity The insurer shall insert in the first blank space of the form appropriate language to designate the proportion of accrued indemnity it may desire to pay which proportion may be all or any part not less than on-half and in the second blank space shall insert any period of time not exceeding sixty days

"10 Upon request of the insured and subject to due proof of loss .....accrued indemnity for loss of time on account of disability will be paid at the expiration of each ..... during the continuance of the period for which the insurer is liable and any balance remaining unpaid at the termination of such period will be paid immediately upon receipt of due proof"

K A standard provsion relative to indemnity payments which may be in either of the two following forms Form (a) to be used in policies which designate a beneficiary and Form (b) to be used in policies which do not designate any beneficiary other than the insured

"(a) 11 Indemnity for loss of life of the insured is payable to the beneficiary if surviving the insured and otherwise to the estate of the insured All other indemnities of this policy are payable to the insured"

"(b) 11 All the indemnities of this policy are payable to the insured"

L A standard provision for cancellation of the policy at the instance of the insured which may be omitted from railroad ticket policies sold only at railroad stations or at railroad ticket offices by railroad employes and which shall be in the following form

"12 If the insured shall at any time change his occoupation to one classified by the insurer as less hazardous than that stated in the policy the insurer upon written request of the insured and surrender of the policy will cancel the same and will return to the insured the unearned premium"

M A standard provision relative to the right of the beneficiary under the policy which shall be in the following form and which may be omitted from any policy not designating a beneficiary

"13 Consent of the beneficiary shall not be requisite to surrender or assignment of this policy or to change of beneficiary or to any other changes in the policy"

N A standard provision limiting the time within which suit may be brought upon the policy as follows

"14 No action at law or in equity shall be brought to recover on this policy prior to the expiration of sixty days after proof of the loss has been filed in accordance with the requirements of this policy nor shall such action be brought at all unless brought within two years from the expiration of the time within which proof of loss is required by the policy"

O A standard provision relative to time limitations of the policy as follows

"15 If any time limitation of this policy with respect to giving notice of claim or furnishing proof of loss is less than that permitted by the law of the State in which the insured resides at the time this policy is issued such limitation is hereby extended to agree with the minimum period permitted by such law"

Section 1604 Optional Standard Policy Provisions The provisions hereinafter set forth in this section are hereby designated as optional standard provisions No health or accident policy which contains any provisions similar in substance and content to any one of the optional standard provisions shall be issued in this Commonwealth unless such policy provisions are in order and in the words hereinafter set forth The insurer which issues such policy may at its option omit from the policy any one of such optional standard provisions Such optional standard provisions if inserted in the policy shall immediately succeed the standard provisions named in the preceding section of this act"

A An optional standard provision relative to cancellation of the policy at the instance of the insurer as follows

"16 The insurer may cancel this policy at any time by written notice delivered to the insured or mailed to his last address as shown by the records of the insurer together with cash or the insurer's check for the unearned portion of the premiums actually paid by the insured and such cancellation shall be without prejudice to any claim originating prior thereto"

B An optional standard provision relative to reduction of the amount of indemnity to a sum less than that stated in the policy as follows

"17 If the insured shall carry with another company corporation association or society other insurance covering the same loss without giving written notice to the insurer then in that case the insurer shall be liable only for such portion of the indemnity promised as the said indemnity bears to the total amount of like indemnity in all policies covering such loss and for the return of such part of the permium paid as shall exceed the pro rata for the indemnity thus determined"

C An optional standard provision relative to deduction of premium upon settlement of claim as follows

"18 Upon the payment of claim hereunder any premium then due and unpaid or covered by any note or written order may be deducted therefrom"

D An optional standard provision relative to other insurance by the same insurer which shall be in such one of the following forms as may be appropriate to the indemnities provided and in the blank spaces of which the insurer shall insert such upward limits of indemnity as are specified by the insurer's classication of risks filed as required by this act

"(a) 19 If a like policy or policies previously issued by the insurer to the insured be in force concurrently herewith making the aggregate indemnity in excess of ..... the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured"

"(b) 19 If a like policy or policies previously issued by the insurer to the insured be in force concurrently herewith making the aggregate indemnity for loss of time on account of disability in excess of $..... weekly the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured"

"(c) 19 If a like policy or policies previously issued by the insurer to the insured be in force concurrently herewith making the aggregate indemnity for loss other than that of time on account of disability in excess of $..... or the aggregate indemnity for loss of time on account of disability in excess of $..... weekly the excess insurance of either kind shall be void and all premiums paid for such excess shall be returned to the insured"

E An optional standard provision relative to the age limits of the policy which shall be in the following form and in the blank spaces of which the insurer shall insert such number of years as it may elect

"20 The insurance under this policy shall not cover any person under the age of ..... years nor over the age of ..... years Any premium paid to the insurer for any period not covered by this policy will be returned upon request"

Section 1605 Policy Provisions Required by Foreign Laws Health or accident policies issued in this Commonwealth by a foreign or alien insurer may contain any provision which the law of the State or country under which the insurer is organized prescribes for insertion in such policies Health or accident policies issued by a domestic insurer may contain when issued or delivered in any other State or country any provision required by the laws of the State or country in which they are issued

Section 1606 Contradictory Policy Provisions Prohibited No health or accident policy shall be issued in this Commonwealth if it contains any provision contradictory in whole or part of any of the provisions hereinbefore in this article designated as "Standard Provisions" or as "Optional Standard Provisions" No endorsements or attached papers shall vary alter extend or be used as a substitute for or in any way conflict with any of the said "Standard Provisions" or the said "Optional Standard Provisions" No such policy shall be issued in this Commonwealth if it contains any provision purporting to make any portion of the charter constitution or by-laws of the insurer a part of the policy unless such portion of the charter constitution or by-laws shall be set forth in full in the policy but this prohibition shall not be deemed to apply to any statement of rates or classification of risks filed with the Department in accordance with the provisions of this act

Section 1607 False Statements in Applications The falsity of any statement in the application for any health or accident policy shall not bar the right of the insured or the beneficiary to recover under such policy unless the false statement was made with actual intent to deceive or unless it materially affected either the aceptance of the risk or the hazard assumed by the insurer

Section 1608 Alterations of Written applications No alteration of any written application for health or accident insurance by erasure insertion or otherwise shall be made by any person other than the applicant without the written consent of the applicant and the making of any such alteration without his consent shall be a misdemeanor If an alteration shall be made by any officer of the insurer or by any employe of the insurer with the insurer's knowledge or consent then such act shall be deemed to have been performed by the insurer thereafter issuing the policy upon such altered application The Department may suspend the certificate of authority of any insurer which violates this section

Section 1609 Rights of Insurer Not Waived The acknowledgment by any insurer of the receipt of notice given under any health or accident policy or the furnishing of forms for filing proofs of loss or the acceptance of such proofs or the

investigation of any claim thereunder shall not operate as a waiver by the insurer of any of its rights in defense of any claim arising under such policy

Section 1610 Policies Unlawfully Issued Any health or accident policy issued in violation of this article shall be held valid but shall be construed as though it actually conformed with this article and when any provision in such a policy is in conflict with any provision of this article such policy provision shall be invalid and the policy shall be deemed to contain all of the standard provisions hereinbefore required by this article

Section 1611 Approval of Policies Any health or accident policy the form of which has received the approval of the Department may hereafter be issued or delivered in this Commonwealth

Section 1612 Definition of Group Health and Accident Insurance A Group health and accident insurance is hereby declared to be that form of life insurance covering not less than fifty employes with or without medical examination written under a policy issued to the employer the premium on which is to be paid by the employer or by the employer and employes jointly and insuring only all of his employes or all of any class or classes thereof determined by conditions pertaining to the employment for amounts of insurance based upon some plan which will preclude individual selection for the benefit of persons other than the employer When the premium is to be paid by the employer and employe jointly and the benefits of the policy are offered to all eligible employes not less than seventy-five per centum of such employes may be so insured

B The following forms of health and accident insurance are hereby declared to be group health and accident insurance within the meaning of this act

(1) Health and accident insurance covering the members of one or more companies batteries troops battalions divisions or other units of the National Guard or naval militia of any state written under a policy issued to the commanding general of the National Guard or commanding officer of the naval militia as the case may be who shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the members of such units for the benefit of persons other than the employer however when the benefits of the policy are offered to all eligible members of the unit of th National Guard or naval militia not less than seventy-five per centum of the members of such a unit may be so insured

(2) Health and accident insurance covering the members of one or more troops or other units of the state troopers or state police of any state written under a policy issued to the commanding officer of the state troopers or state police who shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the members of such units for the benefit of persons other than the employer however when the benefits of the policy are offered to all eligible members of a unit of the state troopers or state police not less than seventy-five per centum of the members of such a unit may be so insured

(3) Health and accident insurance covering the members of any labor union or organization of police empolyed by any municipal county or state authority any organization or association of state employes public school teachers or nurses or volunteer firemen written under a policy to such union or organization which shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the union or organization or by the union or organization and its members pointly and insuring its members for the amounts of insurance based upon some plan which will preclude individual selection for the benefit of persons other than the union or organization or the officials of either however when the premium is to be paid by the union or organization and its members jointly and the benefits are offered to all eligible members not less than seventy-five per centum of such members may be so insured When members apply and pay for additional amounts of insurance a smaller percentage of members may be insured for such additional amounts if they pass satisfactory medical examinations

Section 1613 Group Health or Accident Policies Records of Experience A No policy of group health or accident insurance shall be issued or delivered in this Commonwealth unless a copy of the form thereof has been filed with the Department and formally approved by it

B The Department may in its discretion refuse to approve a group health or accident policy if it does not contain any of the standard provisions hereinbefore in this act required of group life insurance policies or if such policy does not conform in other respects to the applicable provisions of this act relating to group life insurance or if such policy contains provisions which are contrary to the public interest

C All policies of group insurance shall be segregated into a separate class and the experience kept separate Any such policy may however anything in this act to the contrary notwithstanding provide for a readjustment of the rate based on experience at the end of the first or any subsequent year of insurance which readjustment may be made retroactive for such policy year only

D The number of policies of insurance reserves premiums and payments to policyholders thereunder together with the interest assumption adopted by the company shall be reported separately in the company's annual statement

Section 1614 Voting Power under Policies of Group Health or Accident Insurance In every group health or accident policy issued by a domestic life company the employer shall be deemed to be the policyholder for all purposes within the meaning of this act and if entitled to vote at a meeting of the company shall be entitled to one vote at such meeting

Section 1615 Fines and Penalties A Any company or other insurer or any officer or agent thereof or any broker which or who issues or delivers to any person in this Commonwealth any health or accident policy or alters any written application therefor in violation of the provisions of this article shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than three hundred dollars for each offense

B The Department may in its discretion take against the offending party any one or more of the following courses of action

(1) Revoke the certificate of authority of any insurer or the license of any agent or broker which or who violates any of the provisions of this article

(2) Impose a penalty of not more than one thousand dollars for each act of violation of any of the provisions of this article

C Before the Department shall take any action pursuant to this section it shall give written notice to the agent broker or insurer accused of violating the law stating specifically the nature of such alleged violation and fixing a time and place at least ten days thereafter when a hearing of the matter shall be held After such hearing or upon failure of the accused to appear at such hearing the Department shall impose such of the above penalties as it deems advisable When the Department has taken any action pursuant to this section the party aggrieved may appeal to the Court of Common Pleas of Dauphin County

Section 1616 Exemption of Health or Accident Policies and the Proceeds Thereof A Any policy of health or accident insurance hereafter issued to any solvent citizen in this Commonwealth by any company lawfully doing business in this Commonwealth whereby the insured or purchaser of the annuity shall be the beneficiary shall be exempt and free and clear from the claims of all the creditors of such beneficiary and from all legal and judicial processes of execution attachment or otherwise whatsoever if the income or return does not exceed One Hundred Dollars ($100.00) per month

B The net amount payable under any policy of health or accident insurance upon the life of any person heretofore or hereafter made for the benefit of or assigned to the wife or children or dependent relative of such person shall be exempt from all claims of the creditors of such person arising out of or based upon any obligation created after the passage of this act whether or not the right to change the named beneficiary is reserved or permitted to such person

C This section shall not be construed to affect modify or repeal in any manner any exemption laws of this Commonwealth which are now in force or may hereafter be passed

Section 1617 Limitations of this Article A Nothing in this article shall apply to or affect any policy of workmen's compensation insurance

B Nothing in this article shall apply to or in any way affect contracts supplemental to contracts of life or endowment insurance where such supplemental contracts contain no provisions except such as operate to safeguard such insurance against lapse or to provide a special surrender value therefor in the event that the insured shall be totally and permanently disabled by reason of accidental bodily injury or by sickness but no such supplemental contract shall be issued or delivered

to any person in this Commonwealth unless a copy of the form thereof has been submitted to and approved by the Department under such reasonable rules and regulations as it shall make concerning the provisions in such contracts and their submission to and approval by it

C Nothing in this article shall be applicable to policies issued by companies organized under the provisions of the act approved April twenty-eight one thousand nine hundred and three (Pamphlet Laws three hundred twenty-nine) entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death therein limiting the amount for which such corporations may issue policies and providing the manner in which certain existing corporations may become reincorporated under this act".

ARTICLE XVII

EMPLOYERS' MUTUAL LIABILITY INSURANCE ASSOCIATIONS

Section 1701 Examination of Premises and Records of Subscribing Employers The board of directors of any employers' mutual liability association shall be entitled to inspect the plant workroom shop farm or other premises of any subscribing employer and for such purpose may appoint inspectors who shall have free access to all such premises during the regular working hours The board of directors shall from time to time be entitled to examine by their auditor or other agent the books records and payrolls of any subscribing employer for the purposes of determining the amount of premium chargeable to such employer

Section 1702 Rules and Regulations Refusal and Forfeiture of Insurance The board of directors of any employers' mutual liability association shall make reasonable rules and regulations for the prevention of injuries upon the premises of subscribing employers The board of directors may refuse to insure or may terminate the insurance of any subscribing employer who refuses to permit such examination or disergards such rules and regulations and may forfeit one-half of the unearned premiums previously paid by him Such termination of the insurance of any subscribing member shall not release him from liability for the payment of assesments then or thereafter made by the board of directors to make up deficiencies existing at the termination of his insurance

Section 1703 Premiums A The board of directors of any employers' mutual liability association shall determine the amount of the premiums which the subscribing employers shall pay for their insurance in accordance with the nature of the business in which such employers are engaged and the probable risk of injury to their employes under existing conditions They shall fix premiums at such amounts as in their judgment shall be sufficient to enable the association to create and maintain the surplus hereinafter required in this article and to pay to its subscribing employers all sums which may become due and payable to their employes under the provisions of article three of the Workmen's Compensation Act of one thousand nine hundred and fifteen or any amendment or revision thereof and also the expenses of conducting the business of the association Such premium shall not be levied upon the subscribing members until they have been approved by the Department

B In fixing the premium payable by any subscribing employer the board of directors may take into account the condition of all the property or premises of such employer in respect to the safety of those employed thereon as shown by the report of any inspector appointed by such board

C The board of directors may from time to time change the amount of premiums payable by any of the subscribing employers as circumstances may require and the condition of the property or premises of such employers in respect to the safety of their employes may justify Such board may increase the premiums of any subscribing employer neglecting to provide safety devices required by law or disobeying the rules or regulations made by the board of directors in accordance with the provisions of the preceding section

D No policy of insurance issued to any subscribing employer shall be effective until he shall have paid the premium so fixed and determined

Section 1704 Division of Subscribers into Groups A The board of directors of employers' mutual liability associations may divide the subscribing employers into groups in accordance with the nature of their business and the probable risks of injury to their employes They shall fix all premiums for each business in such group and for the various classes of employment therein in accordance with the probable risks of injury to the employes in such business and in each class of employment therein and they shall make all assessments and determine and pay all dividends by and for each group in accordance with the experience thereof

B All funds of the employers' mutual association and the contingent liability of all the subscribing employers shall be available for the payment of any claim against the association prior to any payment of dividends however the general funds of the association and the contingent liability of the members of other groups shall not be available as between the association and its subscribing employers for the payment of losses and expenses incurred by a particular group in excess of the earned premiums paid by the members thereof until the whole of the contingent liability of the members of such group shall be exhausted

Section 1705 Dividends The board of directors of any employers' mutual liability association may from time to time fix and determine the amount to be paid as dividends upon policies expiring each year after retaining the unearned premiums upon undetermined risks and sufficient sums to pay all the compensation then payable or which may become payable on account of injuries theretofore received by employes of the subscribing employers and to pay the expenses incurred in the operation of the business of the association and such percentage of the premiums as have been paid or are payable to create and maintain the surplus hereinafter provided in this article

Section 1706 Surplus The board of directors of an employers' mutual liability association may set aside such part of all premiums collected as it may deem necessary for the creation of an adequate surplus to cover the catastrophe hazard of all of its subscribing employers and to guarantee the solvency of the association

Section 1707 Contingent Mutual Liability of Subscribing Employers Every subscribing employer of any employers' mutual liability association shall be subject to a contingent mutual liability for the payment of losses and expenses in excess of the cash funds of the association to an amount at least equal to the premium paid by him during the current year

Section 1708 Assessments If any employers' mutual liability association is not possessed of cash funds over and above its unearned premiums on undetermined riks sufficient for the payment of incurred losses and expenses it shall make an assessment for the amount needed to pay such losses and expenses upon the subscribing employers liable to assessment therefor in proportion to their several liabilities

Section 1709 Approval by Department of Premiums Assessments Dividends and Groupings Every employers' mutual liability association shall file a statement of any proposed premium assessment dividend or distribution of subscribing employers into groups with the Department which shall not take effect until approved by the Department

Section 1710 Withdrawal of Subscribing Employers Any subscribing employer of any employers' mutual liability association who has complied with all of its rules and regulations may withdraw therefrom by written notice to that effect sent by such employer by registered mail to the association Such withdrawal shall become effective on the first day of the month immediately following the tenth day after the receipt of such notice Such withdrawal shall not release such employer from liability for the payment of assessments thereafter made by the board of directors to make up deficiencies existing at the date of his withdrawal provided assessment therefor is made within one calendar year from date of withdrawal and such employer shall be entitled to his share of any dividend earned at the date of his withdrawal

Section 1711 Penalty If any officer of an employers' mutual liability association shall falsely make oath to any statement report or certificate required to be filed with the Department he shall be guilty of perjury

ARTICE XVIII

WORKMEN'S COMPENSATION INSURANCE

Section 1801 Policy Provisions Every policy of insurance against liability under the Workmen's Compensation Act of nineteen hundred fifteen its amendments and supplements

shall contain the agreement of the insurer to pay all compensation and provide all medical surgical and hospital attendance for which the insured employer may become liable under such act during the term of such insurance and the further agreement that as between the insurer and any claimant under such act notice to or knowledge of the employer of an injury constituting the basis of a claim under such act shall be deemed notice to and knowledge of the insurer Such agreements shall be construed to be direct promises to the injured employe or to the dependants of a deceased employe having a claim under the act and shall be enforceable by an action brought in the name of such injured employe or in the name of such dependants The obligations of the insurer shall not be affected by any default of the insured after the accident in the payment of premiums or in the giving of any notices required by such policy or otherwise

Section 1802 Suits for Premiums no suit shall be maintained for the collection of premiums upon any policy of insurance under the Workmen's Compensation Act of nineteen hundred fifteen its amendments and supplements which violates any of the provisions of this act

Section 1803 Prohibited Policy Provisions No policy of insurance against liability under the Workmen's Compensation Act of nineteen hundred fifteen its amendments and supplements shall contain any limitation of the liability of the insurer to an amount less than that for which the insured employer may become liable under the act during the term of such insurance No such policy nor any agrement to deliver such policy shall be issued except upon a form approved by the Department as complying with all the terms and provisions of this act But a policy may be issued to a self-insured employer providing for the payment of any stated loss in excess of ten thousand dollars falling upon such self-insured employer under the terms of the said act by reason of any single accident

Section 1804 Classification of Risks Underwriting Rules Premium Rates and Schedule and Merit Rating Plans The classification of risks underwriting rules premium rates and schedule or merit rating plans for insurance of employers and employes under The Workmen's Compensation Act of nineteen hundred fifteen its amendments and supplements shall be established by one or more rating bureaus situate within this Commonwealth subject to supervision and to examination by the Department and approved by it as being adequately equipped to compile rates on an equitable and impartial basis Such schedule or merit rating plans shall be applied only by the approved rating bureau or bureaus and in the preparation of schedules no employer shall be discriminated against or penalized because of physical impairment of any employe or because of the number of dependents of any employe

No risk classification underwriting rule premium rate or schedule or merit rating plan shall take effect without the consent and approval of the Department which may withdraw its approval whenever it deems any one of them as inadequate or discriminating unfairly between risks of essentially the same hazard.

Neither the State Workmen's Insurance Fund nor any insurer or employers' mutual liability association shall issue renew or carry any policy or contract of insurance against liability under The Workmen's Compensation Act of one thousand nine hundred fifteen its amendments and supplements except in accordance with the classifications underwriting rules premium rates and schedules or merit rating promulgated by the rating bureau hereinbefore provided in this section for the risk insured and approved by the Department for the State Workmen's Insurance Fund or such insurer or association

A complete copy of every policy or a true copy of the substantive provisions of any policy of insurance against liability under The Workmen's Compensation Act of one thousand nine hundred fifteen its amendments and supplements and a true copy of every endorsement upon any such policy and of every agreement pertaining thereto shall be filed with such rating bureau within a reasonable time after the effective date of any such policy endorsement contract or agreement

Section 1805 Annual Report of Premiums and Loss Experience Penalties A The State Workmen's Insurance Fund and every insurance company and every employer's mutual liability association which insure employers or employes under The Workmen's Compensation Act of one thousand nine hundred fifteen its amendments and supplements shall annually on or before the thirtieth day of June file with the Department a sworn report of its premium and loss experience in such detail and form as may be prescribed by the Department Every self-insured employer shall in the same manner file with the Department an annual report of its loss experience Any such insurance carrier or employer which neglects to make and file such statement in the form or within the time herein provided shall forfeit one hundred dollars for each day during which such neglect continues and upon notice by the Department its authority to do business shall cease while such default continues

B The Department shall have the power to suspend or revoke the license of any compensation insurer which violates any of the provisions of this article or has failed to meet any obligation imposed upon it under the terms of The Workmen's Compensation Act of one thousand nine hundred fifteen its amendments and supplements or has in any way failed to comply with any of the provisions of such act

ARTICLE XIX
SURETY COMPANIES

Section 1901 Surety Companies May Become Approved Sureties Whenever any person individually or in any public or private trust is required or permitted by law to execute or give a bond or undertaking with security conditioned for the faithful performance of any duty or for the doing or not doing of anything in said bond or undertaking specified any head of a department of this Commonwealth judge of the Supreme Court or prothonotary thereof judge of a court of common pleas or the prothonotary thereof judge of an orphans' court register of wills sheriff magistrate or any other officer who is required by law to approve the sufficiency of any such bond or undertaking shall approve it whenever the conditions of such bond or undertaking are guaranteed by a surety company duly authorized by the Department to do business in this Commonwealth and authorized to guarantee the fidelity of persons holding positions of public or private trust and whenever such company has filed in the office of the prothonotary of the county in which the bond is to be approved a certificate issued by the Department authorizing it to become surety on all bonds obligations and undertakings until such certificate has been revoked by the Department

Section 1902 Restrictions on Amount of Surety Risks Penalties A Any surety company which is authorized to do business in this Commonwealth shall not expose itself to any loss or hazard on any one fidelity or surety risk in an amount exceeding ten per centum of its capital and surplus or similar funds required of such company in the place of capital and surplus unless it shall be protected in excess of that amount by

(1) Reinsurance in a company authorized to transact the fidelity or surety business in this Commonwealth if such reinsurance is in a form which enables the obligee or beneficiary to maintain an action thereon against the company reinsured jointly with such reinsurer and upon recovering judgment against such reinsured to have recovery against such reinsurer for payment to the extent in which it may be liable under such reinsurance and in discharge thereof or

(2) The co-suretyship of a surety company authorized to transact business in this Commonwealth or

(3) A deposit of property with it in pledge or conveyance to it in trust for its protection or

(4) A conveyance or mortgage for its protection or

(5) When a surety-ship obligation is made on behalf or on account of a fiduciary holding property in a trust capacity a deposit or other disposition of a portion of the property so held in trust that as a result no future sale mortgage pledge or other disposition can be made thereof without the consent of such company except by decree or order of a court of competent jurisdiction

B No such company shall execute suretyship obligations guaranteeing the deposits of any single financial institution in an aggregate amount in excess of ten per centum of the capital and surplus of such surety company unless it shall be protected in excess of that amount by credits in accordance with the previous provisions of this section

C When the penalty of the suretyship obligation exceeds the amount of a judgment described therein as appealed from and thereby secured or exceeds the amount of the

subject matter in controversy or of the estate in the hands of the fiduciary for the performance of whose duties it is conditioned the bond may be executed if the actual amount of the judgment or the subject matter in controversy or estate not subject to supervision or control of the surety is not in excess of the limitations imposed upon the amount of bonds by this section When the penalty of the suretyship obligation executed for the performance of a contract exceeds the contract price the latter shall be taken as the basis for estimating the limit of risk within the meaning of this section

D The foregoing restrictions of this section imposed upon the amount of surety risks shall not prevent any surety company authorizing to transact business in this Commonwealth from executing what are known as transportation or warehousing bonds for United States internal revenue taxes to an amount equal to fifty per centum of its capital and surplus

E Upon satisfactory evidence of the violation of this section by any company its officers directors or attorney-in-fact the Department shall in its discretion take against the offending party any one or more of the following courses of action (1) Revoke the certificate of authority of such offending company (2) refuse for a period of not to exceed one year thereafter to issue a new license to such offending company (3) impose a penalty of not more than one thousand dollars for each act of violation of said section When the Department takes any action as above set forth the party aggrieved may appeal to the Court of Common Pleas of Dauphin County

F Any company or the officers directors members or attorney-in-fact of any company or any other person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars for each and every violation or to imprisonment in the jail of the county in which the offense is committed for a period of not more than six months or both

Section 1903 Effect of Certificate of Authority to do Business The certificate of authority to transact business within this Commonwealth issued by the Department to a surety company and the copies of such certificate issued to each agent of such company shall set forth that such company is authorized to become and be accepted as sole surety on all bonds undertakings and obligations required or permitted by law or the charter ordinances rules or regulations of any municipality board body organization or public officer Such certificate shall be proof of the solvency and credit of such company for all purposes and of its right to be accepted and its sufficiency as sole surety

Section 1904 Power to Execute Bonds Recognizances or Obligations Any surety company which is authorized to do business in this Commonwealth in accordance with the provisions of this act is authorized to execute any bond recognizing or other obligatinos which is required by law or by the character ordinances rules or regulations of any municipality board body or public officer to be given with surety or sureties The execution by such company of any such bond recognizance or obligation shall be a full and complete compliance with every requirement of such law character ordinance or rule and obligation that such bond recognizance or obligation shall be executed by one or more sureties or that such sureties shall be residents householders freeholders or possess any other qualifications

Section 1905 Liability of Companies Any surety company which has signed a bond or obligation shall not be permitted to deny its corporate power to execute such bond or obligation or to incur any liability in any proceeding to enforce liability against it thereunder

Section 1906 Financial Condition of Surety Companies A A surety company shall not be permitted to transact business within this Commonwealth at any time during which its liabilities exceed its assets The amount of its liabilities shall be determined by adding together its capital stock its outstanding debts and its unearned premium reserve liability calculated in accordance with the rules hereinbefore in this act set forth for the computation of unearned premium reserve of casualty companies

B Any surety company which has received notice from the Department that its liabilities have become greater than its assets shall not issue any new policies under its authority to do business in this Commonwealth until its assets have become equal to its liabilities and it has obtained from the Department a certificate to that effect with auhority to resume business

Section 1907 Annual Statement of Surety Companies The annual statement of every surety company authorized to transact business in this Commonwealth shall contain in addition to other information required by this act to be contained in annual statements of casualty companies the following information

1 The amount of its paid-up cash capital

2 Each particular item of investment of its funds

3 The amount of premium on existing bonds upon which it is surety

4 The amount of unearned premium reserve liability computed in accordance with the requirments of this act

5 The amount of its entire outstanding debt

ARTICLE XX
STEAM BOILER INSURANCE

Section 2001 Insurance Powers of Companies All casualty companies authorized to do business in this Commonwealth which have the power to insure against loss by the explosion of steam boilers may insure all loss or damage which the owner or owners of said boiler or their employes or other persons may suffer or be liable for in case of an explosion of the boiler mentioned in any policy of insurance issued by such company for the amount specified therein

Section 2002 Authority to Inspect and Insure Boilers in First Class Cities A Whenever any steam boiler insurance company shall have complied with the provisions of this act relating to casualty companies it shall be authorized to inspect and insure boilers in all cities of the first class upon the terms and conditions hereinafter imposed by this article and upon no others

B The provisions hereinafter included in this article shall apply only to insurance and inspection of steam boilers located in cities of the first class

Section 2003 Interest in Manufacture of Steam Boilers Inspectors to be Sworn Neither a steam boiler insurance company nor its executive officers shall directly or indirectly be interested in the manufacture or sale of steam boilers or of any of the appliances connected with steam engines and boilers The company shall employ skillful and competent persons for the inspection of steam boilers who before entering upon their duties shall be duly sworn or affirmed that they will not accept for the performance of their duties any money gift gratuity or consideration whatsoever from any person or persons other than the company which employs them and that they will not directly or indirectly be interested in the manufacture or sale of steam boilers or of any of the appliances connected with steam engines and boilers

Section 2004 Issuance of Steam Boiler Policies Any policy of steam boiler insurance shall not cover a longer period than three years and steam boiler insurance shall not be effected until the boiler has been inspected and tested and its inspection test conditions attachments and indicators have been found to conform in all respects to the provisions of the existing city ordinance for the inspection of steam engines and boilers and such ordinance or ordinances as may hereafter be enacted and the details of such inspection test attachments and indicators have been furnished the city inspector in the form hereinafter provided

Section 2005 Rate of Premium Any policy of steam boiler insurance by such company shall not be valid unless the premium upon such policy including the fee paid to the city inspector shall be equal to or exceed in amount one and one-half times the charges prescribed by the city ordinance for the inspection of steam boilers Such policy shall not be concelled or modified if as a result of such cancellation or modification the premium is less than the amount herein provided for unless the company immediately notifies the city inspector in writing of such cancellation or modification together with the reasons therefor

Section 2006 Companies to Issue Certificates of Inspection Whenever a steam boiler insurance company has inspected a boiler or boilers as hereinbefore in this article provided and has issued a policy of insurance thereupon it shall be the duty of such company at the same time to issue a certificate of inspection which shall set forth that the inspection tests attachments and indicators have been found to be in accordance with the requirements of the city ordinances Such certificate shall also state the number of pounds pressure to which the amount of pressure the user is authorized by city

ordinance to carry within the boilers It shall further state that the boilers so inspected have been insured in such company and that the holder of the certificate is required to maintain it in a conspicuous place near the boiler or boilers to which it refers

Section 2007 Cancellation or Modification of Policy to Render Certificate Invalid If for any cause a steam boiler insurance company shall cancel a policy of insurance issued in accordance with the provisions of this act or shall so modify the policy that the premiums shall be less than the amount hereinbefore in this article provided for such cancellation or modifications shall render the certificate of inspection previously issued invalid and notice of such cancellation shall be communicated to the city inspector immediately

Section 2008 Companies to Execute Printed Forms It shall be the duty of every steam boiler insurance company or its authorized agents to complete and execute the printed forms furnished by the inspector of steam engines and boilers for any city of the first class which provide for the insertion of the details of inspection and in addition thereto to complete and execute the forms of certificate furnished by such inspector which set forth that the premium upon the policy of insurance to be issued in connection with the certificate of inspection equals or exceeds the amount of premium hereinbefore in this article provided

Section 2009 Notice of Withdrawal of Certificate of Inspection If the inspector of steam engines and boilers for first class cities withholds or withdraws a certificate of inspection by reason of the incompetence or unreliability of the engineer or because he considers the boiler or boilers unsafe the written notice of his withdrawal which he gives to the user of the boiler or boilers and the company issuing the policy thereon shall be equivalent to the removal of the certificate and shall render the policy of insurance upon all boilers to which said certificate had reference void and of no effect

Section 2010 Violation of Act a Misdemeanor If any inspector of a steam boiler insurance company shall aid in procuring an insurance of any stationary steam engine or boiler which does not comply with the conditions or stand the test provided for in the ordinance of all cities of the first class relative to boiler inspection or which is not provided with the attachments and indicators required by such ordinance or by such ordinance or ordinances as may hereafter be enacted or shall knowingly permit an insurance policy to continue upon any stationary steam engine or boiler in said city not furnished as aforesaid he shall be deemed guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions for the said county shall for each offense be sentenced to pay a fine not exceeding five thousand dollars and to undergo imprisonment in the jail of said county either with or without labor as the court may direct for a term not exceeding two years

ARTICLE XXI
MUTUAL COMPANIES OTHER THAN MUTUAL LIFE COMPANIES

Section 2101 Policy Provisions Mutual companies other than mutual life companies may insert in any form of insurance policy prescribed by this act any provisions or conditions required by its plan of insurance which are not inconsistent or in conflict with any law of this Commonwealth Any policy issued by such companies may in lieu of conforming to the language and form of policies prescribed by this act conform thereto in substance if such policy includes a provision or endorsement which stipulates that the policy shall be construed as having the same effect as if it were written in the language and form prescribed by this act No such company shall issue any policy unless a copy of such policy and endorsements if any has been first filed with and shall have been approved by the Department

Section 2102 Premiums The maximum premium payable by any member of a mutual company other than a mutual life company shall be expressed in the policy or in the application for the insurance if attached to the policy Such maximum premium shall be a cash premium and an additional contingent premium not less than the cash premium or may be solely a cash premium No policy shall be issued for a cash premium without an additional contingent premium unless the company has a surplus which is at least equal in amount to the unearned premiums on the policies without contingent premiums or which is not less in amount than the capital required of domestic stock companies transacting the same classes of insurance

Section 2103 Reserves A mutual company other than a mutual life company shall maintain unearned premium and other reserves separately for each kind of insurance upon the same basis as that required of domestic stock companies transacting the same classes of insurance however the Department may by written order fix a different basis of reserve for losses and claims in compensation insurance Any reserve for losses or claims based upon the premium income shall be computed upon the net premium income after deducting any so-called dividend or premium returned or credited to the member A domestic mutual fire company shall be required to maintain unearned premium reserves only for those policies which by their provisions or by the provisions of the promissory note attached to such policies exclude the policyholder from liability to assessment

Section 2104 Assessments A mutual company other than a mutual life company which is not possessed of assets at least equal to the unearned premium reserve and other liabilities shall make an assessment upon its members liable to assessment for the purpose of providing for such deficiency Such assessment shall be against each member in proportion to his liability as it is expressed in his policy The Department may by written order relieve the company from an assessment or other proceedings to restore such assets during the time fixed in such order Any domestic company which shall be deficient in providing the unearned premium reserve required hereby may notwithstanding such deficiency come under this act on the condition that it shall each year thereafter reduce such deficiency at least fifteen per centum of the original amount thereof and in such case it may increase its assessments accordingly

Section 2105 Loans to Companies Any director officer or member of any mutual company other than a mutual life company may advance to such company any sum or sums of money necessary for the purpose of its business or to enable it to comply with any of the requirements of the law Such moneys and such interest thereon as may have been agreed upon not exceeding ten per centum per annum shall not be a liability or claim against the company or any of its assets and shall be repaid only out of the surplus earnings of such company No commission or promotion expenses shall be paid in connection with the advance of any such money to the company and the amount of such advance shall be reported in each annual statement

ARTICLE XXII
TITLE INSURANCE COMPANIES

Section 2201 Power to Insure Titles to Real Estate Loss of Power A Every corporation which upon the effective date of this act shall lawfully possess and which has within one year prior to such date exercised the power to insure owners of real property mortgages and others interested in real property from loss by reason of defective titles liens and encumbrances shall subject to the conditions herein prescribed continue to possess such power

B Every corporation which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances but which does not hereafter exercise such power for any consecutive period of one year shall be forever barred from the exercise of such power

Section 2202 Power to Accept Deposits Loss Thereof If any corporation which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances and also the further powers to receive deposits or otherwise to engaeg in a banking business shall not have exercised within one year preceding the effective date of this act any of such further powers then every such corporation shall be forever barred from the exercise of such further powers to receive deposits or otherwise engage in a banking business If any such corporation shall not hereafter exercise any of such further powers for any consecutive period of one year then each such corporation shall be forever barred from the exercise of such powers to receive deposits or otherwise engage in a banking business

Section 2203 Power to Act as a Fiduciary If any corporation shall possess the power to insure owners of real property mortgagees and other interested in real property from loss by rea-

son of defective titles liens and encumbrances and also the further powers to act as trustee guardian executor administrator or in any other similar fiduciary capacity shall not have exercised within one year preceding the effective date of this act any of such further powers then every such corporation shall be forever barred from the exercise of any of such further powers which it shall not have exercised during such year If any such corporation shall not hereafter exercise any of such further powers for any consecutive period of one year then each such corporation shall be forever barred from the exercise of any of such further powers which it shall not have exercised during such year

Section 2204 Establishment and Maintenance of Reserve Fund Each company which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances shall establish and maintain a reserve fund by setting aside a sum equal to ten per centum of the premium paid on each policy of insurance which such company shall issue until the total amount of the reserve fund shall equal two hundred and fifty thousand dollars For the purposes of this article the word "premium" shall mean the sum charged by the company for such insurance it shall not include any sums charged for examinations or settlements However in lieu of thus accumulating the reserve fund any such company may after having secured the consent of the Department set aside the total reserve fund at any one time or from time to time out of the earned surplus

The investments of the reserve fund shall be carried at their cost price but in no case at an amount greater than their market price

Such reserve fund shall be maintained as herein provided so long as there shall be any possible liability on any outstanding policy

Section 2205 Cancellation of Policy When the holder of any policy of title insurance which shall have been issued since the twenty-sixth day of April one thousand nine hundred twenty-nine shall have surrendered such policy or if any policy of title insurance which shall have been issued since such date shall be cancelled or liability thereon completely discharged the company which shall have issued such policy of title insurance may withdraw the reserve of such policy or credit such reserve against any reserve that may be due

Section 2206 Separation of Investments Income from Reserve Fund A Each such company shall earmark the investments of the reserve fund and keep them separate from its other investments

B The income from the reserve fund shall become a part of the general assets of the company

Section 2207 Trust Fund Depletion of Reserve Fund A The principal of such reserve fund shall be a trust for the protection of the policy holders and shall be applied only to the payment of losses and expenses incurred by reason of the policies of title insurance

B If by reason of losses depreciation in the market price of any investments or other cause the reserve fund of any such company should on any date be less than the minimum amount herein required to be maintained in such reserve fund on such date such company shall forthwith give written notice thereof to the Department and shall make no further contracts or policies or insurance until the reserve fund has been restored or until it shall have received a certificate from the Department authorizing it to issue such policies

ARTICLE XXIII
MORTGAGE INSURANCE COMPANIES

Section 2301 Restrictions A mortgage insurance company shall not do any of the following acts

(1) Issue any policy of mortgage insurance guaranteeing the payment of any security except that which shall be a first lien upon a marketable title in fee to the property covered thereby

(2) Issue any policy of mortgage insurance guaranteeing the payment of any portion of the principal of any security when the principal of such security shall exceed fifty per centum of the market value of the real estate and improvements covered by such security

(3) Issue any policy of mortgage insurance which would cause the aggregate amount of the unpaid principals of all of the securities guaranteed by outstanding policies of such company to exceed an amount equal to twenty times the amount of the company's paid-in capital

(4) Issue any mortgage participation certificate which would cause the aggregate amount of the outstanding mortgage participation certificates which are based on the same security or group of securities to exceed the amount of the unpaid principal of the debt or debts evidenced by such particular security or group of securities

(5) Reduce its capital stock to an amount less than one hundred twenty-five thousand dollars

(6) Grant any loan directly or indirectly to any of its officers directors or employes

Section 2302 Reserve Fund Each mortgage insurance company before issuing any policy of mortgage insurance shall set aside the sum of one hundred thousand dollars as a reserve fund for the protection of its policyholders

Each such company shall set aside a sum equal to ten per centum of all fees received by it in the course of its business until the total amount of the reserve fund including the original one hundred thousand dollars herein provided shall equal two hundred and fifty thousand dollars However in lieu of thus accumulating the reserve fund any such company may after having secured the consent of the Department set aside the total reserve fund at any one time or from time to time out of the earned surplus

The investments of the reserve fund shall be carried at their cost price but in no case at an amount greater than their market price

Such reserve fund shall be maintained as herein provided so long as there shall be any possible liability on any outstanding policies

As used in this section the word "fees" shall mean the compensation or charge which a mortgage insurance company shall receive for its guaranteeing or insuring the payment of the principal interest or other sum or any of them agreed to be paid under the terms of any security

Section 2303 Trust Fund Depletion of Reserve Fund The principal of such reserve fund shall be a trust for the protection of the policyholders and shall be applied only to the payment of losses and expenses incurred by reason of the policies of mortgage insurance

If by reason of losses depreciation in the market price of any investments or other cause the reserve fund of any mortgage insurance company should on any date be less than the minimum amount herein required to be maintained in such reserve fund on such date such company shall forthwith give written notice thereof to the Department and shall make no further contracts or policies of mortgage insurance until the reserve fund has been restored nor until it shall have received a certificate from the Department authorizing it to issue such policies

Section 2304 Separation of Investments Income from Reserve Fund Each such company shall earmark the investments of the reserve fund and keep them separate from its other investments

The income from the reserve fund shall become a part of the general assets of the company

Section 2305 Annual Statements Every mortgage insurance company shall annually on dates to be determined by the Department make a report in writing to the Department Such statement shall be verified by the oath of its president or vice-president and of its secretary or treasurer or of any two of its principal officers and shall concerning each new policy of mortgage insurance issued by such company since the last preceding report specifically set forth whether such policy constitutes an entire mortgage guarantee or a mortgage participation certificate

Section 2306 Information Concerning Policies of Entire Mortgage Guarantee When any such company shall have issued during the period covered by any such statement one or more new policies of an entire mortgage guarantee such statement shall set forth separately the following facts regarding the security on which each such policy is based

(1) The aggregate amount of the unpaid principal of the indebtedness evidenced by such security

(2) A description of the property covered by such security

(3) The market value of the land and the market value of the improvements thereon if any as shown by an appraisement which shall have been made as herein provided

(4) The book and page of the record of the mortgage which is a part of such security

Section 2307 Information Concerning Policies Which are Mortgage Participation Certificates When any such company

shall have issued during the period covered by any such statement one or more new policies which are mortgage participation certificates such statement shall separately set forth directly or by reference to a previous statement the following facts regarding the security of securities on which each such policy is based

(1) The aggregate amount of the unpaid principal of the indebtedness evidenced and secured by such security or securities and if there be more tha none security the amount of the unpaid principal of the indebtedness evidenced and secured by each security

(2) A description of the property covered by each such security

(3) The market value of the land covered by each such security and the market value of the improvements thereon if any as shown by an appraisement made as provided herein

(4) The aggregate value of all such land and improvements

(5) The book and page of the record of each mortgage which is a part of such security or securities

(6) The aggregate amount of the mortgage participation certificates issued outstanding and based upon the particular security or group of securities on which each mortgage participation certificate so reported is based

Section 2308 Appraisements Each such mortgage insurance company shall file with each such statemeht an appraisement of each separate parcel of property mentioned in the report Each such appraisement shall have been made by a corporation or person approved by the Department Each such appraisement shall state the market value of each parcel of land and of the improvements if any thereon together with a general statement of the character of such land and of the kind and condition of such improvements

Each such appraisement shall be signed and verified by such appraiser or by an officer of the corporation which shall have made such appraisement Each such appraisement shall be accompanied by a certificate signed and verified by at least three officers of such mortgage insurance company to the effect that in the opinion of the affiants and each of them

(1) The appraisement is correct

(2) The amount of the appraisement does not exceed the market value of the property

(3) The principal amount loaned on such property does not exceed fifty per centum of the market value of such property

(4) The mortgage insurance company has in its possession or control evidence of title consisting of a full abstract of title a full certificate of guarantee of tile or a policy of title insurance showing that the mortgage securing such loan is a first lien upon a marketable title in fee to the property covered thereby

Section 2309 Penalty for Failure to File Statement If any such mortgage insurance company shall neglect or fail to make any such annual statement as herein required such company shall forfeit to the Commonwealth the sum of ten dollars for each day during which such neglect or failure shall continue

Section 2310 Effect of Violations of Statutory Restrictions A violation of any of the restrictions imposed in this article upon mortgage insurance companies shall not make any security or any policy of mortgage insurance void or voidable but any officer director agent or employe of any mortgage insurance company who knowingly participates in or consents to any violation of any of the terms or provisions of this article shall be guilty of a misdmeanor and on conviction thereof shall be fined not less than fifty dollars nor more than five hundred dollars or be sentenced to imprisonment for not less than thirty days nor more than one year or both at the discretion of the court

ARTICLE XXIV
LLOYDS ASSOCIATIONS

Section 2401 Insurance on Lloyds Plan Authorized Associations as defined by this act may be authorized to engage in the business of insurance in this Commonwealth as insurers on the Lloyds plan in accordance with the provisions of this act but not otherwise

Section 2402 Powers Associations when authorized as hereinafter provided shall have the power to transact the same classes of insurance which domestic stock fire and marine companies are authorized by this act to transact and in addition thereto shall have the power to make any other insurances except life insurance if not contrary to law and if allied or in harmony with the classes of insurance in which stock fire and marine companies may engage Such additional insurance shall be transacted only on express license by the Department and upon such terms and conditions as are from time to time prescribed by it

Section 2403 Filing of Declaration Contents Associations shall file with the Department a declaration signed and sworn to by one or more of their duly authorized attorneys-in-fact setting forth

(1) The name or title under which the business is to be conducted which name shall not be so similar to any existing association or exchange or to that of any company as in the opinion of the Department is calculated to confuse or deceive

(2) The location of the principal office at which the business is to be conducted

(3) A copy of the form of power of attorney agreement or other authority of each attorney-in-fact setting forth the character of each representative his authority and the agreement between the parties forming the association

(4) Copies of the forms of policy contracts or agreements under or by which insurance is to be effected

(5) The names and addresses of all the underwriters proposing to engage in such business

(6) The class or classes of insurance to be written

(7) That a fund for the protection of policyholders is in the possession within the United States of one or more attorneys-in-fact or a committee for such association and is in cash or is invested as required by the laws of the state in which the principal office of the underwriters is located in respect to securities deposited by companies authorized to transact similar classes of insurance Such fund shall be not less than one hundred thousand dollars if the applicants desire to be authorized to transact any one class of insurance which domestic stock fire and marine companies are by this act authorized to transact and such fund shall be not less than two hundred thousand dollars if the applicants desire to be authorized to transact any two or all of the classes of insurance which stock fire and marine companies are authorized to transact

(8) The number of members of the association which shall not be less than twenty-five and that each member is worth in his own right not less than twenty thousand dollars over and above all his debts and liabilities

(9) A statement showing a list of all cash and invested assets owned by the members of the association and their estimated value

The Department may in its discretion by a writing to be filed and kept in the Department waive the filing of any part of the declaration mentioned on the part of the members of the association as are lawfully doing business in this Commonwealth at the time this act takes effect and who have heretofore filed such duly verified information with the Department

Section 2404 Certificate of Authority to Do Business A If following receipt of the documents hereinbefore specified it shall appear to the Department as a result of its examination that all the statements made in the said declaration are true and that the rights of the policyholders will be protected thereunder and that the financial responsibility of the association is sufficient to assure the performance of their contracts the Department may issue a certificate of authority to such association under the name chosen and approved stating that it is authorized to transact the business of insurance specified in said declaration

B Such certificate of authority shall be renewed annually and no member of the association attorney-in-fact agent or other person shall transact the business of insurance in this Commonwealth for such association until such certificate has been issued nor during its suspension revocation or lapse

C Upon violation of any of the provisions of this article the Department may revoke or suspend such certificate of authority

Section 2405 Deposits by Alien Underwriters If any underwriter applying for a certificate of authority hereunder is not a citizen of the United States each such alien underwriter shall at the time of the making of the aforesaid application for certificate of authority deposit with the Department the sum of five thousand dollars in cash or in securities such as are now required for the investment of the capital of companies authorized to do similar kinds of insurance business in this Commonwealth The provisions of this section as to deposits shall

not apply if such alien underwriter is one of an association of underwriters having on deposit with the insurance department of any state of the United States a cash deposit or approved securities worth not less than one hundred thousand dollars held in trust for the benefit of all their policyholders in the United States nor shall this section as to deposits apply if such alien underwriter is one of an association of underwriters nine-tenths of whom are at all times citizens of the United States and who have complied with all other provisions of this act

Section 2406 Return of Deposits After the conditions of any deposits made under the provisions of this act have been fulfilled and the certificate of authority granted to such underwriters has been cancelled or they have voluntarily withdrawn from and have ceased doing business in this Commonwealth the Department shall return to said underwriters or their duly authorized representative for this purpose specifically designated by them or their principal attorney or attorneys-in-fact all securities and cash so deposited in this Commonwealth

Section 2407 Additional and Substituted Underwriters Whenever underwriters applying for certificates of authority hereunder after the issue of such certificate are joined by other underwriters additional or substituted such additional or substituted underwriters must comply with the provisions of this act and shall be held to be bound by the documents on file with the Department concerning such authorized underwriters in the same manner and to the same extent as though they had been original applicants for the certificates of authority

Section 2408 Information to be Furnished to Department Any association authorized hereunder shall from time to time furnish to the Department under oath of one or more of its attorneys-in-fact such information as the Department may require respecting the conduct of its affairs changes in the name under which said business is done the establishment of branch offices and their location and any change in the membership of the association and in its attorneys-in-fact including any amendment to the powers of attorney agreements or articles of association

Section 2409 Maximum Amounts of Risks No association authorized to do business in this Commonwealth under the terms hereof shall expose itself to loss on any one risk to an amount in excess of one-fifth of its cash and invested assets including therein the underwriting liability of the individual members unless any excess shall be promptly reinsured by said association

Section 2410 Supervision by and Reports to Department Taxation All associations authorized hereunder and their representatives shall respectively be subject to the same supervision by and required to make the same reports to the Department as is required of foreign companies and their representatives transacting the same or similar classes of insurance in this Commonwealth and they shall pay the same taxes and license fees as are required to be paid by such companies and their representatives

Setcion 2411 Penalty Any person who as principal attorney agent broker or other representatives shall engage in the business contemplated by this article or any variety or part thereof without complying with the requirements thereof or who shall violate any provisions of this article shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars

ARTICLE XXV
RECIPROCAL AND INTER-INSURANCE EXCHANGES

Section 2501 Exchange of Contracts Authorized Individuals partnerships and corporations of this Commonwealth herein designated subscribers are hereby authorized to exchange reciprocal or inter-insurance contracts with each other or with individuals partnerships and corporations of other states and countries providing indemnity among themselves from any loss which may be insured against under any provision of the insurance laws excepting those losses covered by life insurance

Section 2502 Corporations Authorized to Exchange Contracts Any corporation now or hereafter organized under the laws of this Commonwealth shall in addition to the rights powers and franchises specified in its articles of incorporation have full power and authority to exchange insurance contracts of the kind and character mentioned in this article The right to exchange such contracts is hereby declared to be incidental to the purpose for which such corporations are organized and as much granted as the rights and powers expressly conferred

Section 2503 Execution of Contracts Contracts may be executed by an attorney agent or other representative duly authorized and acting for such subscribers and any one so acting is hereby designated as attorney for the purposes of this article

Section 2504 Declaration to be Filed with Department Contents Such subscribers so contracting among themselves shall through their attorney file with the Department a declaration verified by the oath of such attorney setting forth

(1) The name or title of the office at which such subscribers propose to exchange such indemnity contracts Such name or title shall not be so similar to that previously adopted by a similar exchange or association or by any insurance company as in the opinion of the Department is calculated to confuse or deceive

(2) The location of the office or ofices from which such contracts or agreements are to be issued

(3) A copy of the form of policy contracts or agreement under or by which such insurance is to be effected or exchanged

(4) A copy of the form of power of attorney or other authority of such attorney under which such insurance is to be effected or exchanged and which shall provide that the liablity of the subscribers exchanging contracts of indemnity shall make provision for contingent liablity equal to not less than one additional annual premium or deposit charged

(5) The kind or kinds of insurance to be effected or exchanged

(6) That applications have been made for indemnity upon at least one hundred separate risks aggregating not less than one and one-half million dollars as represented by executed contracts or bona fide applications to become concurrently effectively or in case of employes' liability or compensation insurance covering a total payroll of not less than one and one-half million dollars

(7) That there is in the possession of such attorney and available for the payment of losses the sum of not less than one hundred thousand dollars

Section 2505 Certificate of Authority Each attorney by or through whom are issued any policies of or contracts for indemnity of the character referred to in this article shall procure from the Department annually a certificate of authority stating that all the requirements of this act have been complied with

Section 2506 Statements to be Filed by Attorney Such attorney on or before the first day of March of every year and at such other time or times as required by the Department shall file with it statements under his oath showing

(1) The maximum amount of indemnity upon any single risk

(2) That he has examined the commercial rating of all subscribers as shown by the reference book of a commercial agency having at least one hundred thousand individuals or firms subscribing thereto and that from such examination or from other information in his possession it appears that no subscriber has assumed on any single risk an amount greater than ten per centum of the net worth of such subscriber

Section 2507 Reports by Attorney Such attorney shall make a report to the Department for each calendar year on or before the first day of the following March showing the financial condition of affairs at the office where such contracts are issued and shall furnish any additional information and reports which the Department may require Such attorney shall not be required to furnish the names and address of any subscribers nor the loss ratio

Section 2508 Reserves A There shall at all times be maintained as a reserve a sum in cash or in securities of the character permitted by the laws of the jurisdiction under which the exchange is organized for the investment of the capital and funds of an insurer equal to fifty per centum of the aggregate net annual deposits collected and credited to the account of the subscribers on policies having one year or less to run and pro rata on those for langer periods Net annual deposits shall be construed to mean the advance payments of subscribers after deducting therefrom the amounts specifically provided in the subscribers' agreements for expenses If said reserves at any time do not amount to one hundred thousand dollars then there shall be maintained on depsoit at the exchange at all times additional funds in cash on such securi-

ties which together with said reserves will equal one hundred thousand dollars In calculating the foregoing reserves there shall be included as part thereof the funds or amounts required by this article to be in the hands of the attorney before the exchange can be authorized to transact business within this Commonwealth

B There shall also be maintained as a claim or loss reserve cash or such securities as authorized sufficient to discharge all liabilities on all outstanding losses arising under policies issued If at any time the amounts on hand are less than the foregoing requirements the subscribers or their attorney for them shall make up the deficiency under penalty of a revocation of the license Such advances shall be repaid only out of the surplus fund of the exchange

Section 2509 Fees and Taxes Such attorney shall pay to the Commonwealth the same fees and taxes as are now required by law to be paid by stock and mutual companies transacting like kinds of business in this Commonwealth In the payment of taxes he may deduct from the gross premiums or deposits received during the calendar year all amounts returned to subscribers or credited to their accounts other than for losses

Section 2510 Penalty Any attorney who shall except for the purpose of applying for a certificate of authority as herein provided exchange any contracts of indemnity of the kind and character specified in this article or directly or indirectly solicit or negotiate any applications for such contracts without first complying with the foregoing provisions shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars nor more than one thousand dollars

ARTICLE XXVI
FRATERNAL BENEFIT SOCIETIES

Section 2601 What Constitutes Lodge System and Representative Form of Government. A Any fraternal society having a supreme governing or legislative body and subordinate lodges or branches by whatever name known into which members shall be elected initiated and admitted in accordance with its constitution by-laws rules and regulations prescribing ritualistic ceremonies and providing n ts constitution and by-laws for regular or stated meetings of its subordinate lodges or branches shall be deemed to be operating on the lodge system

B Any such society shall be demmed to have a representative form of government when it shall provide in its constitution and by-laws for a supreme legislative or governing body composed of members elected either by the membership at large or by delegates elected directly or indirectly by the membership together with such other members as may be prescribed by its constitution and by-laws

C The elective members shall however constitute a majority in number and have not less than the votes required to amend its constitution and by-laws The meetings of every such supreme or governing body and the election of officers representatives or delegates shall be held not less than once in four years No officer representative delegate or member of any fraternal benefit society shall vote by proxy

Section 2602 Formation and conduct of Fraternal Societies Generally A Fraternal societies shall be incorporated under the same procedure and subject to the same restrictions as are hereinbefore in this act set up as the procedure for and the restrictions upon the incorporation of mutual insurance companies except in so far as the specific provisions hereinafter contained in this article augment or alter such procedure and restrictions

B The adoption of the by-laws of a fraternal society the amendment of its articles the holding of the meetings of its members the election of its officers and other matters relating to its corporate existence which are not hereinafter in this article specifically provided for shall be conducted in the same manner as it is hereinbefore provided for the conduct of the affairs of mutual insurance companies

Section 2603 Qualifications for Incorporators Any fifteen o rmore natural persons of full age and of either sex married or single ten of whom are citizens and residents of this Commonwealth may form an incorporated fraternal society under the provisions of this act

Section 2604 Purpose to be Included in Articles of Incorporaiton The articles of incorporation shall include in addition to the items hereinbefore in this act required to be set forth in the articles of incorporation of companies a precise and accurate statement of the purpose or purposes for which the fraternal society is organized which shall not include more liberal powers than are granted by this article however any lawful social intellectual educational charitable beneficial moral or religious advantages may be set forth in the articles of incorporation among the purposes of the society

Section 2605 Copies of Certain Documents together with Bond to be Filed Immediately after the articles of incorporation have been filed with the Department of State the incorporators shall file with the Insurance Department

(1) Duly certified copies of the constitution by-laws rules and regulations of the proposed society

(2) Copies of all proposed forms of benefit certificates applications therefor and circulars to be issued by such society

(3) a bond in the sum of five thousand dollars with a surety approved by the Department conditioned upon the return to applicants of the advanced payments if the organization of the society is not completed within one year

Section 2606 Preliminary Certificate Solicitation of Members Return of Payments A If the purpose of the fraternal society conforms to the requirements of this act and all provisions of law have been complied with the Department may furninsh the incorporators of the society with a preliminary certificate authorizing them to solicit members as hereinafter in this section provided A preliminary certificate shall be valid only for one year from the date of its issue or for any further period not exceeding one year as may be authorized by the Department for reasons satisfactory to it

B If a fraternal society receives a preliminary certificate from the Department such society may solicit members for the purpose of completing its organization It shall collect from each applicant the amount of not less than one regular monthly payment in accordance with its table of rates as provided by its constitution and by-laws and shall issue to each such applicant a receipt for the amounts collected in this manner No part of any advance payment may be used at any time for the expenses of the society Such advance payments shall be held in trust during the period of organization and if the organization is not completed within one year such payments shall be returned to the applicants

Section 2607 Conditions Precedent to Beginning Business A fraternal society shall not incur any liability other than for such advance payments not issue any benefit certificates or pay or allow or offer or promise to pay or allow to any person any death or disability benefit until

(1) Actual bona fide applications for death benefit certificates have been secured upon at least five hundred lives for at least five hundred dollars each and all such applications for death benefits shall have been regularly examined by a legally qualified practicing physician and certificates of such examinations have been duly filed and approved by the chief medical examiner of such society

(2) there shall be established five subordinate lodges or branches into which said five hundred applicants have been initiated

(3) there has been submitted to the Department under oath of the president and secretary or corresponding officer of such society a certificate or progress which shall contain a list of its applicants giving their names addresses date examined date approved date initiated name and number of the subordinate branch of which each applicant is a member amount of benefits to be granted rates of stated periodical contributions which shall be sufficient to provide for meeting the mortuary obligations contracted when valued for death benefits the valuation shall be upon the basis of the American Experience Table of Mortality with interest assumption of four per centum or any higher standard at the option of the society and for disability benefits the valuation shall be computed by tables based upon reliable experience and for combined death and permanent total disability benefits the valuation shall be computed by tables based upon reliable experience the interest assumption shall not be higher than four per centum per annum

(4) a certificate of authority to transact business has been issued to it by the Department

Section 2608 Notice of Qualification to Commence Business Certificate of Authority A The president or secretary of a fraternal society incorporated under this act shall notify the Department in writing and under oath that the society is qualified to commence business that not less than five hundred

applicants have each paid in cash at least one regular monthly payment as hereinbefore in this article provided which payments in the aggregate amount to at least five hundred dollars have been credited to the mortuary or disability fund on account of such applicant and that no part of it has been used for expenses

B If after receiving notice that a society is qualified to commence business the Department as a result of its examination finds that the society has complied with the provisios of this act it shall issue to such society a certificate of authority to do business in this Commonwealth As soon as the society receives such certificate of authority it may issue benefit certificates and otherwise transact the business for which it was incorporated

Section 2609 General Corporate Powers Subject to the limitations and restrictions contained in this act or in its articles every incorporated fraternal society shall have the authority

(1) To have succession by its corporate name perpetually subject to the powers of the General Assembly under the Constitution of the Commonwealth

(2) To maintain and defend judicial proceedings

(3) To make and use a common seal and alter it at pleasure

(4) To be capable of taking receiving purchasing holding and transferring real and personal property for the purpose of its incorporation

(5) To elect or appoint for a term of years and to remove its officers and agents for the management of its business and the carrying out of its objects and to allow them a suitable compensation for such term of years

(6) To make a constitution and general laws for the government of the society the management of its affairs the admission and classification of its members and the control and regulation of the terms and conditions governing the issue of its benefit certificates as authorized and provided for by this act

(7) To provide for the payment of benefits to its members and their beneficaries in such manner and for such amounts as may be authorized and directed by its constitution or by-laws not inconsistent with the provisions of this act to collect from its members by admission fees per capita tax dues or rates of contribution the funds necessary to carry on its business and provide for the payment of its obligations to enter into any obligations necessary for the transaction of its affairs

(8) To carry on its operations through a supreme or governing body board of directors or executive committee and subordinate lodges councils or branches Meetings of its supreme legislative or governing body may be held in any state district province or territory wherein such society has subordinate branches and all business transacted at such meetings shal be as valid in all respects as if the same were held in this Commonwealth but its principal office shall be located in this Commonwealth

Section 2610 Merger Consolidation Reinsurance or Transfer of Members or Funds A A domestic fraternal society shall not merge with consolidate with reinsure with or accept the transfer of the membership or funds of any other fraternal society unless such merger consolidation reinsuance or transfer is evidenced by written articles which set forth in full the terms and conditions of such merger consolidation reinsurance or transfer and a statement describing the character of business which the new society desires to transact

B The plan of merger consolidation reinsurance or transfer shall be approved by a vote of two-thirds of the members of the supreme legislative or governing body of each of the societies involved or by a referendum vote whereby a majority of the subordinate bodies of each of the several societies indicate their approval to such merger consolidation reinsurance or transfer

C The articles of merger consolidation reinsurance or transfer shall be filed with the Department of State and approved by it and the Insurance Department in the same manner as hereinbefore in this act provided for the filing and the approval of articles of merger or consolidation of insurance companies When the articles are filed with the Department of State where there shall also be filed with the Insurance Department a sworn statement of the financial condition of each society executed by its president and secretary and a certificate of such officers that the merger consolidation reinsurance or transfer has been approved in the manner hereinbefore in this section required

Section 2611 Constitution and By-Laws Filing with Department A The supreme government or legislative body of every fraternal society shall have power to make alter and amend its constitution and by-laws for its government the management of its affairs the admission and classification of its members the control and regulation of the terms and conditions governing the issue of its benefit certificates the character or kind of benefits or privileges payable or allowable thereunder the fixing and adjustment or the rates of contribution fees or dues payable by its members and the allotment thereof to the different funds of the society

B Such constitution and by-laws when made and as altered and amended shall be the law governing the society and its officers board of directors or managers subrodinate or constituent lodges councils or branches and all members and beneficiaries in their relation thereto Each society shall file with the Department a duly certified copy of its constitution and laws as enacted and as changed added to or amended within ninety days after enactment Printed copies of the same duly certified by the secretary or corresponding officer thereof shall be prima facie evidence of the legal adoption thereof

Section 2612 Waiver or Modification of Constitution and By-Laws or Violation Thereof Individual Liability of Officers and Members Unless the constitution and by-laws of the society expressly so provide no subordinate lodge nor any of its subordinate officers or members shall have power or authority on behalf of the society to waive or modify any of the provisions thereof nor to waive any violation or forfeiture of such provisions or default thereunder No officer or member of any supreme grand or subordinate body of any such society shall be individually liable for the payment of any of the benefits provided for in its constitution and by-laws but the same shall be payable only out of the funds of the society and in the manner provided by its by-laws

Section 2613 Membership Beneficial General and Social Members Any fraternal society may submit to beneficial membership any person not less than sixteen years of age and it shall be lawful for minors who have attained the age of sixteen years to make all needed contracts and assume all needful obligations to become members Each applicant shall be examined by a legally qualified physician and the examination supervised and approved in accordance with the laws of the society or in lieu of a medical examination persons may be admitted to beneficial membership upon such showing of eligibility as the laws of the society may provide However such additional reserve upon contracts issued in this manner shall be set up as the Department requires if any of all societies writing life insurance without medical examination Any beneficial member applying for a certificate providing for disability benefits need not be required to pass an additional medical examination therefor Nothing herein contained shall prevent such society from accepting general or social members

Section 2614 Benefit Certificates Power to Issue Copies as Evidence Amendment to Charter Constitution or By-Laws A Every fraternal society shall have power to issue whole life old age or whole life combined with old age limited payment life and endowment insurance policies term sick or relief and dependent benefit certificates and make the specified payment in a single cash payment or in instalments or in a term or life annuity

B Benefit certificates of every such society shall provide for the payment of death benefits of specific amounts and may provide for any one or more of the following

(1) For the erection of monuments to mark the graves of deceased members

(2) For the payment of old age benefit certificates which mature for payment to the member at not under sixty years of age

(3) For the payment of permanent and temporary disability benefits

(4) For the payment of benefits under endowment insurance contracts

(5) For the payment of all or a portion of the face value of such certificate upon the surrender thereof when a member is permanently disabled or attains the age of sixty years

C The benefit certificates of such societies shall contain a provision that the certificate the charter or articles of in-

corporation or if a voluntary association the articles of association the constitution and by-laws of the society and the application for membership and medical examination signed by the applicant and all amendments to each thereof shall constitute the obligation of the society

D Copies of the certificates articles constitution by-laws and applications certified by the secretary of the society or corresponding officer shall be received in any proceedings in law or at equity as evidence of the terms and conditions thereof

E Any changes additions or amendments to said charter or articles of incorporation or articles of association if a voluntary association constitution or by-laws made or enacted subsequent to the issuance of the benefit certificate shall bind the member and his beneficiaries in all respects the same as though such changes additions or amendments had been made prior to and were in force at the time of the application for membership

Section 2615 Certificates of Insurance and Annuities on Children A Any fraternal society authorized to do business in this Commonwealth may provide in its by-laws in addition to other benefits provided in this article for certificates of insurance or annuities upon the lives of children at any age upon the application of some adult person as the by-laws of such society may provide Any such society may at its option organize and operate branches for such children and operate branches for such children and membership in local lodges and initian therein shall not be required of such children nor shall they have any voice in the management of the society

B The contributions to be made upon such certificate shall be based upon the "Standard Industrial Mortality Table Three and One Half Per Cent" or the "English Life Table Number Six" or such other mortality table as may be approved by the Department

C Any fraternal society issuing such benefit certificates shall maintain on all such certificates the reserve required by the standard of mortality and interest adopted by the society for computing contributions as hereinbefore provided in this section

D A fraternal society shall have full power to provide for means of enforcing payment of contributions for designation of beneficiaries and changing such designations and in all other respects for the regulation government and control of such certificates and all rights obligations and liabilities incident thereto and connected therewith provided that any such power exercised by a society is not at variance with the provisions of this act

Section 2616 Beneficiaries Power to Change A Any member of such society may name as his beneficiary any person or persons natural or artificial permitted by the by-laws thereof or if such by-laws permit benefits may be made payable to his estate Any member may change the beneficiary named in his certificate in the manner provided by the laws of the society

B If any benefiviary under a certificate shall die before the member and no new designation shall have been made by him and the constitution and by-laws of the society shall have made no provision for such contingency the benefits under the certificate or certificates shall then be paid to the surviving beneficiary or beneciaries if any and if none of the beneficiaries named in the certificate shall survive the member the benefits shall then be paid to the executor or administrator of the deceased member to be by him paid over to or divided among the person or persons entitled to the personal estate of such deceased member under the intestate laws of the place of domocile of such member

Section 2617 Provision for Additional or Increased Rates of Contribution by Members The laws of every fraternal society from the date of the passage of this act shall provide that if the stated periodical contributions of the members are insufficient to pay all matured claims in full and to provide for the payment of its benefit fund obligations valued by one of the standards herein authorized and for the creation and maintenance of the funds required by its by-laws additional or increased rates of contribution shall be collected from the members to meet such deficiency or each certificate shall be charged with its proportion of any deficiency disclosed by the valuation herein specified with lawful interest thereon

Section 2618 Liens Against Benefit Certificates in Lieu of Cash Payments Extended and Paid-Up Protection Any fraternal society may provide for the acceptance of liens against benefit certificates with interest at not less than four per centum per annum in lieu of cash payments but the total of such liens against any benefit certificate shall not exceed its share of the accumulation thereunder Any such society collecting a level rate of contribution under any of its benefit certfiicates based upon any table of mortality allowed for valuation purposes in this act may grant to members holding such certificates extended and paid-up protection or such withdrawal equities as may be allowed under its constitution and by-laws but no such grants or privileges shall exceed in value the portion of the accumulations to the credit of such certificate at the time such grant or privilege is allowed

Section 2619 Funds Derivation and Use A Any society may create maintain invest disburse and apply a benefit fund expense fund or emergency or other fund in accordance with its constitution and by-laws and shall not by reason thereof be held to be organized or carried on for profit Unless otherwise provided in the constitution and by-laws such funds shall be held invested and disbursed for the use and benefit of the society and no member or beneficiary shall have or acquire any individual rights therein or become entitled to any apportionment of or the surrender of any part thereof

B All funds of the society for benefits and expenses shall be derived from regular monthly or other periodical rates of contribution paid by the members and accretions of said funds No part of any funds set aside for the payment of benefits shall be used for expenses other than exepnses incurred in investigating or defending claims against such benefit funds

Section 2620 Investment of Funds Safekeeping in the Commonwealth A Except as herein otherwise permitted every domestic society shall invest its funds only in securities designated by this act for the investment of reserves of life insurance companies

B Unless the Department shall give its written consent to do otherwise every domestic society shall keep and maintain within this Commonwealth all of its assets except such as are necessary for the collection of current dues or may be required by the laws of another state or county for the purpose of qualifying to transact business therein

Section 2621 Exemption of Funds from Taxation and Attachment Every fraternal society is hereby declared to be a cheritable and benevolent institution and all of its funds shall be exempt from all and every state county district municipal and school tax other than taxes on real estate No money or other benefit charity relief or aid to be paid provided or rendered by any such society shall be liable to attachment garnishment or other process or be seized taken appropriated or applied by any legal or equitable process or operation of law to pay any debt or liability of a member or beneficiary or any other person who may have a right thereunder either before or after payment

Section 2622 Annual Statements Every fraternal society authorized to transact business within this Commonwealth shall annually on or before the first day of March file with the Department in such form as it may require a statement under oath of its president and secretary or corresponding officers of its transactions for the calendar year ending December thirty-first preceding and of its condition and standing on that date and shall include therein all accrued liability under unpaid claims where notice was received by the society at its home office on or before the date of filing the annual statement and on which liability was incurred prior to the end of the calendar year It shall also furnish such other information as the Department may deem necesary to a proper exhibit of its business and plan of working The Department may at other times require any further statement it deems necessary to be made relating to such society

Section 2623 Annual Valuation Reports Minimum Standards of Valuation Distribution to Members A In addition to the annual statement hereinbefore in this article required each fraternal society shall make an annual report to the Department showing the valuation of its benefit fund obligations in force on December thirty-first of the preceding year excluding those entered into within the year for which the report is filed in cases where the contributions for the first year in whole or in part are used for current expenses Such report of valuation shall show as contingent liabilities the present mid-year value of the promised benefits provided in the constitution and by-laws of such society under certificates then subject to valuation at not more than the aerage rate of interest earned on its invested assets during five calendar years preceding the date of such annual report less such por-

tion thereof as may have been assumed by other associations societies or companies and as contingent assets the present mid-year value at the same rate of interest of the future net contributions provided in its constitution and by-laws as the same are in practice actually collected

In lieu of the above valuation any society at its option may show the net value of its benefit fund obligations subject to valuation at the rate of interest as hereinbefore provided and said net value when computed in the case of monthly contribution may be the means of the terminal value for the end of the preceding and of the current certificate years from which said tabular values shall be deducted such portion thereof as may have ben assumed by other associatios societies or companies and in addition there may be deducted the present worth of the probable future annual savings in death losses as specified in the preceding paragraph

Every such valuation report shall include as a contingent liability an estimate made by or on behalf of the society of the probable future payments under unpaid claims notice of which was received by the society at its home office before the end of the calendar year covered by the annual statement but which has not been approved for payment at the date of such statement

Deferred payments or instalments of claims whether involving a life contingency or not shall be included in the valuation report as contingent liabilities on the happening of the contingency upon which such payments or instalments are thereafter to be paid All such liability shall be the present worth of such future payments or instalments at the average rate of interest earned by the society during the five calendar years preceding the date of such annual report

B Each valuation report shall be certified by a competent accountant or actuary or at the request and expense of the society verified by the actuary of the Insurance Department or similar supervisory department of the state wherein the society is incorporated and shall be filed with the Department on or before the first day of March for the calendar year ending December thirty-first preceding

C The minimum standard of valuation for all benefit fund obligations except for disability and dependent benefits shall be the National Fraternal Congress Table of Mortality or at the option of the society any other standard table or a table based upon the society's own experience of at least twenty years and covering not less than one hundred thousand lives with an interest assumption or not more than the average rate of interest earned on its invested assets during the five calendar years preceding such annual report

Every valuation report shall set forth clearly and fully the mortality and interest basis and the method of valuation Any society providing for disability benefits shall keep a separate account of them in its valuation report and shall charge as a liability the balance to the credit of such fund or funds at the date of such valuation Where a combined contribution table is used by a society for both death and permanent and total disability benefits the valuation may be of death benefits only and in such cast a separate accounting shall not be required

D A report of such valuation with such explanation as the society may deem advisable shall be printed and mailed to each beneficial member of the society not later than July first of each year or in lieu thereof may be published in the society's official paper and the issue containing the same mailed to each beneficial member of the society

Section 2624 Valuation On Accumulation Basis and Tabular Basis Carry Forward Valuation Charges Annual Loss Deficiency A In lieu of the valuation hereinbefore required any fraternal society may value its certificates on a basis herein designated "accumulated basis" by crediting each member with the net amount contributed for each eyar and with interest at approximately the net rate earned and by charging him with his share of the losses for each year herein designated "cost of insurance" and carrying the balance if any to his credit The charge for the cost of insurance may be according to the actual experience of the society as applied to a table of mortality recognized by the law of this Commonwealth and shall take into consideration the amount at risk during each year which shall be the amount payable at death less the credit to the member.

B Unless specifically provided in the constitution or by-laws no charge shall be carried forward from the first valuation hereunder against any member for any past share of losses exceeding the contributions and credit If after the first valuation any member's share of losses for any year exceeds his credit including the contributions for the year the contributions shall be increased to cover his share of the losses

C Any such excess share of losses chargeable to any member may be paid out of a fund or contributions especially created or required for such purpose Any member may transfer to any plan adopted by the society with net rates on which tabular reserves are maintained and on transfer shall be entitled to take such application of his credit as provided in the by-laws of the society Certificates issued rates with adequate reserves to mature such certificates upon assumption for mortality and interest recognized by the law of this Commonwealth shall be valued on such basis herein designated the "tabular basis" however if on the first valuation under this section a deficiency in reserve shall be shown for any such certificate the same shall be valued on the accumulation basis

D Whenever in any society having members upon the tabular basis and upon the accumulation basis the total of all costs of insurance provided for any year shall be insufficient to meet the actual death and disability losses for the year the deficiency may be met for the year from the available funds after setting aside all credits in the reserve or from increased contributions or by an increase in the number of assessments applied in the society as a whole or to classes of members as may be specified in it by-laws Savings from a lower amount of death losses may be returned in like manner as may be specified in its by-laws

Section 2625 Reserves Table of Credits Surplus A If the by-laws of the society so provide the assets representing the reserves of any separate class of members may be carried separate for such class as if in an independent society and the required reserve accumulation of such class so set apart shall not thereafter be merged with the assets of other classes of the society .

B A table showing the credits to individual members for each age and year of entry and showing opposite each credit the tabular reserve required in the whole life or other plan of insurance specified in the contract according to assumptions for mortality and interest recognized by the laws of this Commonwealth and adopted by the society shall be filed by the society with each annual statement and also be furnished to each member before July first of each year

In lieu of a copy of such table there may be furnished to each member within the same time a statement giving the credit for such member and giving the tabular reserve and level rate required for the transfer carrying out the plan of insurance specified in the contract No table or statement need be made or furnished where the reserves are maintained on the tabular basis For this purpos individual bookkeeping accounts for each member shall not be required and all calculations may be made by actuarial methods

C Nothing herein contained shall prevent the maintenance of such surplus over and above the credits on the accumulation basis and the reserves on the tabular basis as any society may provide by or pursuant to its by-laws nor be construed as giving to the individual member any right or claim to any such reserve or credit other than in manner and as expressed in its constitution and by-laws

Section 2326 Additional Assessments or Increase of Rates If the valuation of the certificates of a fraternal society as hereinbefore in this article provided shall show that the present value of future net contributions together with the admitted assets is less than the present value of the promised benefits and accrued liabilities such society shall either collect additional assessments or increase the rates of contribution from the members to meet such deficiency or classify its members according to the adequacy of the rates they are contributing and charge each class with its proportion of any deficiency disclosed by any such valuation

Section 2627 False Statements Perjury Penalties A Any person or officer member or examining physician of any fraternal society authorized to do business in this Commonwealth who shall knowingly or wilfully make any false or fraudulent statement or representation in or with reference to any application for membership or for the purpose of obtaining money from or benefit in any society transacting business in this Commonwealth shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars or undergo imprisonment for not less than thirty days or more than one year or both

B Any person who shall wilfully make a false statement of any material fact or thing in a sworn statement as to the death or disability of a certificate holder in any such society for the purpose of procuring payment of a benefit named in the certificate of such holder and any person who shall wilfully make any false statement in any verified report or declaration under oath required or authorized by this act shall be guilty of perjury and shall be proceeded against and punished as provided by law

Section 2628 Change of Location of Principal Place of Business Any fraternal society within this Commonwealth may change the location of its principal office or place of business to any other place within this Commonwealth if a majority of its subordinate lodges or branches consent thereto upon petition to and approval by the Department A notice that such location has been changed shall be filed by the secretary of the society under the corporate seal in the prothonotary's office in the county to which said office or place of business has been removed in the prothonotary's office in the county from which said office or place of business has been removed in the office of the Insurance Department and in the office of the Department of State ten days before the change shall take effect

Section 2629 Existing Societies Paying Accident Benefits Any fraternal society organized and incorporated prior to the twentieth day of May one thousand nine hundred and twenty-one which provide for benefits in case of death or disability resulting solely from accidents but which does not obligate itself to pay death or sick benefits generally may be authorized by the Department to operate within this Commonwealth and shall have all the privileges and shall be subject to all the provisions of this article except the provisions relating to valuation of benefit fund obligations and specification in the certificate of the amount of benefit

Section 2630 Scope of Article A This act shall not be construed as attempting to deprive any existing fraternal society or any coroporate power right privilege of franchise which such society now enjoys

B Any fraternal society heretofore organized under any general or special law of this Commonwealth and too which this act does not apply shall be entitled to exist under and shall be governed by the provisions of this act upon filing with the Department a resolution of the board of directors approved by the shareholders or members at a meeting specially called for that purpose accepting the provisions of the Constitution and of this act and agreeing to be governed thereby as fully as though organized thereunder The charters of all fraternal societies accepting the provisions of this act shall after such acceptance be repealed and of no effect in so far as the same may be inconsistent with the provisions of this act

Section 2631 Penalty for Violation of Article Any Officer agent solicitor or employe of any society who neglects or refuses to comply with or violates any of the provisions of this act the penalty for which violation is not herein specified shall be deemed guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars

ARTICLE XXVII

BENEFICIAL SOCIETIES

Section 2701 Previously Organized Beneficial Societies May Pay Limited Sickness Accident or Death Benefits Any beneficial society incorporated prior to the twentieth day of May one thousand nine hundred twenty-one under the provisions of the ninth paragraph section two relating to corporations of the first class as amended of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" for the purpose of maintaining a society for beneficial or protective purposes to its members from funds collected therein may pay or enter into contracts to pay money or benefits not exceeding ten dollars per week in the event of sickness accident or disability and not exceeding two hundred and fifty dollars in the event of death

Section 2702 Limits of Payment Penalty for Violations A It shall be unlawful for any beneficial society to pay or enter into contracts to pay more than ten dollars per week in the event of sickness accident or disability or more than two hundred and fifty dollars in the event of death

B Any beneficial society paying or entering into contracts to pay money or benefits in excess of the limitations prescribed by the provisions of this section shall be guilty of a misdemeanor and upon coviction thereof shall be sentenced to pay a fine or not less than one hundred dollars for each payment or contract so made or entered into

C Upon satisfactory evidence of the violation of this section by any beneficial society the Department may in its discretion pursue any one or more of the folowing courses of action

(1) Suspend or revoke the certificate of authrity of such offending beneficiary society

(2) Refuse for a period of not to exceed one year thereafter to issue a new certificate of authority to such beneficial society

(3) Impose a penalty of not more than one thousand dollars for each and every act in violation of this act

Before the Department shall take any action as above set forth it shall give written notice to the beneficial society accused of violating the law stating specifically the nature of such alleged violation and fixing a time and place at least ten days thereafter when a hearing of the matter shall be held After such hearing or upon failure of a duly authorized representative of the accused beneficial society to appear at such hearing the Department shall impose such of the above penalties as he deems advisable The beneficial society may appeal from any action by the Department pursuant to this section to the Court of Common Pleas of Dauphin County

Section 2703 Reincorporation of Beneficial or Protective Societies Any beneficial society now formed or organized under the provisions of the ninth paragraph section two of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" for the purpose of maintaining a society for beneficial or protective purposes to its members from funds collected therein may be reincorporated for the purpose of making insurance either upon the stock or mutual principle upon the health of individuals and against personal injury or disablement and against death resulting from natural or accidental causes but such beneficial society after reincorporation pursuant to the provisions of this article shall not issue policies agreeing to pay more than twenty dollars per week in the event of sickness accident or disablement nor more than two hundred and fifty dollars in event of death

Section 2704 Procedure for Reincorporation Certificate of Authority A Any beneficial society desiring to reincorporate under the provisions of this article shall hold a meeting of its members and if a majority of all of its members shall vote in person or by proxy in favor of the reincorporation a resolution to that effect shall be adopted Such resolution shall be recorded in the office for the recording of deeds in the county where such beneficial society has its principal office

B When the resolution of reincorporation has been recorded the directors of the beneficial society shall draw up articles of association which shall conform as nearly as possible to the provisions of this act relating to articles of incorporation of companies Such articles of association shall be filed with the Department of State in the same manner as are articles of incorporation and the beneficial society shall be reincorporated in the same manner as is hereinbefore in this act provided for the incorporation of companies

C Upon the issuance of a certificate of incorporation by the Department of State the corporate existence of the reincorporated beneficial society shall begin and such beneficial society shall have the corporate power to transact the business of insurance in the same manner and upon the same conditions as insurance companies are by law empowered to do subject to the provisions of this article

Section 2705 Capital Stock and Surplus Requirements of Reincorporated Stock Beneficial Societies Investment of Funds A The capital stock of a reincorporated stock beneficial society shall be not less than twenty-five thousand dollars Every such society shall in addition to the capital required by this section have a paid-in surplus equal at least to the amount of its authorized capital stock

B The funds of a reincorporated stock beneficial society equal to its authorized capital stock and its paid-in surplus

shall be invested in accordance with the requirements herebefore in this act set forth for the investment of the capital and surplus of life companies

Section 2706 Par Value of Shares Consideration Forfeiture of Payments Personal Property A The capital of a reincorporated stock beneficial society shall be divided into shares of not less than five dollars and each share shall be in all respects equal to every other share

B Subscriptions for such shares shall not be paid for in whole or in part by an other consideration than cash nor in an amount less than the par value of such shares Ten per centum shall be paid on each share at the time of subscribing and the balance shall be paid at such times as the beneficial society may direct provided that full payment on all shares is made not later than nine months from the date of organization

C Any such benezcial society may prescribe rules with regard to the forfeiture of partial payments on subscriptions but such rules shall be binding upon subscribers only if made known at the time of the subscription Shares of a beneficial society shall be deemed personal property

Section 2707 Financial Requirements and Deposits of Reincorporated Mutual Beneficial Societies Any reincorporated mututal beneficial society shall not be authorized to do the business of insurance unless

(1) it has received from not les sthan one thousand persons applications for insurance against death amounting to not less than two hundred and fifty thousand dollars upon which applications one-twelfth of the total annual premiums has been paid

(2) it has deposited with the Department the sum of fifty thousand dollars in cash or in securities approved by the Department which deposit the Department is hereby authorized and empowered to receive and hold for the benefit of the members of such beneficial society and its creditors The right to participate in the proceeds of such deposit shall be in the following order of preference first claims under policies second salaries of employes third general creditors

Section 2708 Notice of Qualification to Commence Business Certificate of Authority A The president or secretary of any beneficial society reincorporated as a stock beneficial society under this act shall notify the Department in writing that the society is qualified to commence business after the authorized capital and required surplus of such society have been paid in and properly invested

B The president or secretary of any beneficial society reincorporated under this act as a mutual beneficial society shall notify the Department in writing that the society is qualified to commence business after the necessary amount of insurance has been applied for and the deposits hereinbefore required in this articl have been made with the Department

C If after receiving notice as hereinbefore provided that a reincorporated beneficial society is qualified to commence business the Department as a result of its examination finds that the reincorporated beneficial society has complied with the provisions of this act it shall issue to such society a certificate of authority to do business in this Commonwealth As soon as the society receives such certificate of authority it may issue policies and otherwise transact the business for which it was reincorporated

Section 2709 Number Election Term and Classification of Directors Vacancies A The annual meeting of shareholders or members for election of directors of a reincorporated beneficial society shall be held at such time prior to the first day of May in every year as the by-laws of the society may direct Notice of the time and place of meeting shall be given to the shareholders or members in accordance with the provisions of the by-laws At such annual meeting the shareholders or members shall elect by ballot the number of directors state in the articles of association which shall be not less than five nor more than thirteen Each director shall hold office for the term for which he is elected and until his successor shall have been duly elected and qualified

B Except as otherwise provided in the by-laws each director shall be elected for a term of one year If the articles or by-laws of a company so provide the directors thereof may be classified in respect to the time for which they shall severally hold office In such case each class shall be as nearly equal in number as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for a shorter period than one year or for a longer period than three years At each ensuing election of directors equal to the number of the class whose terms expire at the time of the election shall be elected and such directors shall be elected for the longest term for which any class may have been elected as provided in this section

C Except as otherwise provided in the by-laws vacancies in the board of directors shall be filled by the remaining members of the board and each person so elected shall be a director until his successor is elected by the shareholder or members who may make such election at the next annual meeting of the shareholders or members or at any special meeting duly called for that purpose and held prior thereto

D Except as otherwise provided in this article the business and affairs of every reincorporated beneficial society shall be run and regulated in accordance with the provisions of this act relating to companies

Section 2710 Reserves A A beneficial society or a reincorporated beneficial society doing business in this Commonwealth shall at all times maintain reserves as follows

(1) On the life portion contained in all policies or contracts issued reserves shall be based upon a standard table of mortality approved by the Department with interest at three and one-half per centum per annum and such reserves shall be computed in accordance with the requirements provided in tis act for te computation of te reserve liability for life insurance

(2) On the disability portion contained in all policies or contracts issued reserves shall be computed in accordance with the requirements provided in this act for the computation of the unearned premium reserve liability for casualty insurance

(3) For all definite and outstanding claims reserves shall be calculated in accordance with the requirements provided in this act for the computation of reeserves against unpaid losses in casualty insurance other than compensation or liability insurance

B A sum equal to the amount of the reserves required by this section shall be invested in those investments hereinbefore in this act authorized for the investment of the reserve funds of life companies

Section 2711 Annual Statements Penalties A Every beneficial society doing business in this Commonwealth shall annually on or before the first day of March file in the office of the Department a statement which shall exhibit its financial condition as of the thirty-first day of December of the previous year and its business of that year Such statement shall be in the form prescribed or on forms furnished by the Department and shall contain such information as shall seem to the Department best adapted for the purpose of eliciting from the beneficial society a true exhibit of its financial condition

B Any beneficial society which neglects to make and file its annual statement in the form or within the time required by this section shall forfeit the sum of one hundred dollars for each day during which its failure ot file a statement continues and upon notice from the Department its authority to transact new business shall cease while its default continues

C A beneficial society and the persons who make an oath severally be punished for wilfully making a false annual statement or subscribe to a false annual statement in its behalf shall ment by a fine of not less than five hundred dollars or more than five thousand dollars A person who makes oath to such false statement with the knowledge that it is false shall be deemed guilty of perjury

Section 2712 Copies of Certificates of Membership to be Filed with Department A certificate of membership shall not be issued or delivered by any beneficial society to any persons on this Commonwealth until a copy of the form thereof has been filed with and approved by the Department If the Department shall give written notice to a beneficial society that its form of certificate does not comply with the requirements of law specifying therein the reasons for such non-compliance it shall be unlawful for any such beneficial society to issue any certificate of membership in such form The refusal by the Department to approve any form of certificate of membership shall be subject to review by the Cour of Common Pleas of Dauphin County

Section 2713 Scope of Article Provisions of this article shall not apply to

1) Beneficial associations which are formed by or for the exclusive benefit of those who at the time of becoming

members of such associations are engaged in educational work in any department or district of the public school system of the Commonwealth of Pennsylvania or in any college or university therein and which issues beneficiary certificates only to such members

(2) Fraternal benevolent charitable or secret societies issuing beneficial certificates and paying benefits to their membership through the lodge system

(3) Insurance or relief associations formed by or for the exclusive benefit of employes of corporations or firms or formed by or for the exclusive benefit of members of any religious corporation or association

(4) Associations whose benegts are limited to post-mortem assessments of the members

ARTICLE XXVIII

FOREIGN AND ALIEN INSURERS

Section 2801 Admission of Foreign and Alien Insurers A Foreign and alien insurers which comply with the conditions hereinafter set forth may be admitted to transact in this Commonwealth any of the classes of insurance business authorized by this act subject to the provisions of the laws of this Commonwealth now or hereafter in force

B A foreign or alien insurer before transacting any business in this Commonwealth shall procure a certificate of authority to do business from the Department in a manner hereinafter provided in his article

Section 2802 Conditions Precedent to Procuring Certificate of Authority A A foreign or alien insurer in order to procure a certificate of authority to do business in this Commonwealth shall file with the Department

(1). An application for a certificate of authority to do business which shall conform to the requirements hereinafter set forth in this article

(2) Duplicate copies of its charter articles of incorporation articles of association or deed of settlement duly certified by the proper public officer of the state or country of its incorporation or if the insurer is created by a special law and has no charter or articles duly certified duplicate copies of such law

(3) A copy of its by-laws or regulations if any ceritfied by the secretary or similar officer of the insurer

(4) Copies of forms of all policies which the insurer proposes to issue in this Commonwealth and also copies of the forms of application for such policies or in the case of a foreign or alien fraternal society a copy of its certificate of membership which must show that benefits are provided for by periodical or other payments of persons holding similar certificates

(5 A duly executed power of attorney in a form prescribed by the Department which constitutes and appoints the Commisioner or his successor its true and lawful attorney upon whom all lawful processes in any action in law or equity against it shall be served Such power of attorney shall contain an agreement by the insurer that any lawful process against it which may be served upon the Commissioner as its attorney shall be of the same force and validity as if served upon the insurer and that such power of attorney shall continue in force and be irrevocable so long as any liability of the insurer remains outstanding in this Commonwealth Such power of attorney shall be executed by the president and secretary of the company or other officers duly authorized thereto under its corporate seal and shall be accompanied by a certified copy of the resolution of the board of directors of the company making said appointment and authorizing the execution of said power of attorney

(6) A statement of its financial condition and business in the form prescribed by law for annual statements signed and sworn to by the president and secretary or similar principal officers of the insurer and duly verified by an examination made by the supervising insurance ofcfiial of the state of its organization or of any other state satisfactory to the Department In the case of an alien insurer the statement shall comprise only the financial condition and other requisite details of its business transacted in the United States ad shall be signed and sworn to by its United States manager

(7) A certificate from the proper official of the state or foreign country under whose laws it professes to be organized that it is duly organized under those laws and authorized thereunder to transact the classes of business which it proposes to transact in this Commonwealth

(8) Proof which satisfies the Department that it has complied with the financial requirements hereinafter imposed in this article upon foreign and alien insurers which transact business in this Commonwealth that it is entitled to public confidence and that its admission to transact business in this Commonwealth will not be prejudicial to the public interest

(9) An instrument setting forth the name and post office address of its duly authorized resident agent in this Commonwealth

(10) A letter from the Department of Revenue acknowledging receipt of the statement of the insurer which it is required by law to file

B In addition to the papers and documents required in this section to be filed each insurer shall also file a verified translation of each paper or document or any part thereof which is in a foreign language

Section 2803 Application for Certificate of Authority An application by a foreign or alient insurer for a certificate of authority to do business in this Commonwealth shall be executed in duplicate under the seal of the insurer and signed and verified by at least two duly authorized officers thereof and it shall set forth

(1) The name of the insurer

(2) If the name of the insurer does not contain one of the words "corporation" "company" or "incorporated" or does not end with an abbreviation of one of such words then the name of the insurer with the word or abbreviation which it elects to add thereto for use in this Commonwealth

(3) The name of the state or country under the laws of which it is formed

(4) The address including street and number if any of its principal office in the state or country under the laws of which it is formed

(5) The address including street and number if any of its proposed registered Office in this Commonwealth

(6) The character and nature of the business it proposes to do within this Commonwealth

(7) A statement of the aggregate number and par value of shares which it has authority to issue and the aggregate number of shares which it has issued

(8) Such further and additional information as the Department may from time to time require

Section 2804 Financial Requirements of Foreign and Alien Insurers A Every foreign insurer authorized to do business in this Commonwealth shall have in the case of a stock company a paid-up capital and surplus and in the case of a mutual company assets or surplus at least equal to the financial requirements imposed by this act upon similar domestic insurers engaged in the same classes of business and invested in accordance with the requirements of the laws of the state wherein it was incorporated or organized

B Every alien insurer authorized to do business in this Commonwealth shall maintain at all times within the United States a deposit of securities at least equal in amount to the requirements of capital surplus and other financial requirements imposed by this act upon similar domestic insurers transacting the same classes of business It shall be the duty of each such alien insurer to furnish to the Department upon demand a certificate from the proper officer or department of the state wherein its deposit has been made enumerating and describing the securities on deposit The securities on deposit shall be only those investments in which a company incorporated under the laws of the state wherein the deposit is maintained may lawfully invest its capital

C A foreign or alien mutual life company may be authorized to do business in this Commonwealth if it has the requisite funds of a domestic mutual life company and in the opinion of the Department is in a sound financial condition and has policies in force upon not less than five hundred lives for an aggregate amount of not less than one million dollars

D A stock fire stock marine or stock fire and marine company either foreign or alien may be authorized to do in this Commonwealth any one of the classes of business which similar domestic companies are permitted to transact by this act if it has a paid-up capital or deposit of not less than two hundred thousand dollars and it may be authorized to do all of the classes of business which similar domestic companies are premitted to transact by this act if it has a paid-up capital or deposit of not less than four hundred thousand dollars

E A mutual fire mutual marine or mutual fire and marine insurance company of another state may be authorized to transact any one of the classes of business which similar domestic companies are permitted to transact by this act if it has a surplus over all liabilities including unearned premiums computed in accordance with the laws of this Commonwealth of not less than one hundred fifty thousand dollars It may be authorized to transact any two of the classes of business which similar domestic companies are permitted to transact by this act if its surplus over all liabilities is not less than four hundred thousand dollars

F Every foreign or alien surety company authorized to do business in this Commonwealth shall maintain at all times a deposit of at least one hundred thousand dollars invested in accordance with the requirements of the laws of the state wherein it was incorporated deposited with the Insurance Commissioner or other corresponding official of a state wherein it is authorized to do business in trust for the bentfit of the holders of the obligations of such company

I Any foreign or alien insurer authorized at the effective date of this act to transact business in this Commonwealth which has less capital surplus or assets than those hereinbefore in this act required for similar domestic insurers transacting the same classes of business may have its certificate of authority to do business in this Commonwealth renewed so long as in the opinion of the Department it is in a sound financial condition and complies in all other respects with the requirements of law

Section 2805 Annual Statements and Certificates of Deposit of Foreign and Alien Insurers A Every foreign and alien insurer authorized to transact business in this Commonwealth shall file an annual financial statement subject to the same requirements and penalties that this act imposes upon domestic insurers An alien insurer authorized to do business in this Commonwealth shall be required to include in its statement only the business which it transacted in the United States and the assets held by and for it within the United States for the protection of its policyholders therein An alien insurer may in its annual statement return as paid-up capital that amount of its deposit required by the provisions of this article which is equal to the capital required of similar domestic companies which transact the same classes of business

B A foreign or alien surety company may be required to furnish the Department in addition to the annual statement a certificate from the officer with whom the deposit hereinbefore provided in this article has been made describing the securities deposited and stating that he is satisfied that such securities are fully worth one hundred thousand dollars

Section 2806 Additional Annual Reports from Foreign and Alien Insurers Every foreign or alien insurer authorized to do business in this Commonwealth shall make a report to the Department on or before March first of each year verified by the oath of its president secretary or attorney showing the gross premiums of every character and description received from its business transacted in the Commonwealth during the year or fraction of year ending with the thirty-first day of December preceding whether such premiums were received in money or in the form or notes credits or any other substitute for money or whether such premiums were collected in this Commonwealth or elsewhere Such insurers shall also pay to the Department of Revenue the requisite tax upon all such premiums Such insurers in making such report may deduct from the gross premiums received all premiums returned on policies cancelled or not taken and all premiums actually paid for reinsurances where the reinsurances are effected in insurers duly authorized to do business in this Commonwealth Foreign or alien stock companies with participating features in addition to the aforesaid deductions may deduct that portion of the premiums returned to the policy-holders Foreign or alien life companies may deduct dividends declared and actually used by the policyholders in payment of renewal premiums Foreign or alien mutual insurers may deduct that proportion of the advance premium or deposit returned to members upon the expiration or termination of their contracts "Gross Premiums" within the meaning of this section are hereby defined to be the amount of dues fees or premiums stated in the policies or contracts of insurance

Section 2807 Annual Returns of Business by Foreign or Alien Fire Insurers Every foreign and alien fire insurer shall annually and at such other times as the Department may require in addition to all returns now by law required of it or its agents or managers make a return to the Department in such form and detail as may be prescribed by him of all insurance reinsurance or cessions of risks or liability contracted for or effected by it whether by issue of policy entry on bordereau or general participation agreement or by excess loss reinsurance or in any other manner whatsoever upon property located in this Commonwealth or covering whether specified or otherwise any risk or liability upon property so located Such return shall be certified by the oath of its president and secretary or attorney if a foreign insurer if an alien insurer such return shall be certified by the oath of its managers in the United States as to such reinsurance or cessions effected through its branch office in the United States and by the oath of its president and secretary or by officers corresponding thereto at its home office wherever located as to reinsurance or cessions as aforesaid contracted for or effected through the alien office

Section 2808 Penalties Revocation of Certificate of Authority Any foreign or alien insurer authorized to do business in this Commonwealth violating or failing to observe and comply with any of the provisions of this article applicable to it shall be subject to a penalty of five hundred dollars for each violation Such penalty upon satisfactory evidence of the violation of any of the preceding sections by any foreign stock or mutual fire insurance company association or exchange may be imposed by the Department Any such insurer which shall neglect and refuse for thirty days after the imposition of any penalty by the Department to pay and discharge the amount thereof shall have its certificate of authority to transact business in this Commonwealth suspended by the Department pursuant to the laws of this Commonwealth and such suspension shall continue for at least one year from its effective date An insurer whose authority to transact business in this Commonwealth shall have been suspended in this manner shall not be again authorized or permitted to transact business herein until it shall have paid the amount of any such penalty and shall have filed in the office of the Department a certificate signed by its president or other chief officer to the effect that the terms and obligations of the provisions of this act are accepted by it as a part of the conditions of its right and authority to transact business in this Commonwealth

Section 2809 Foreign and Alien Insurers to Do Business Through Resident Agents Exceptions A A foreign or alien insurer which is authorized to transact business in this Commonwealth shall not make write place or cause to be made written or placed or any policy duplicate policy or contract of insurance of any kind or character or any general or floating policy upon property situated or located in this Commonwealth until the risk has been approved in writing by an agent who is a resident of or whose principal place of business is in this Commonwealth who is regularly licensed to transact insurance business herein who shall countersign all policies so issued and receive the commission thereon when the premium is paid in order that the Commonwealth may receive the taxes required by law to be paid on the premiums collected for insurance effective in this Commonwealth

B Policies of life insurance issued in this Commonwealth shall not be required to have the counter-signature of a resident agent thereon if the resident agent is required to sign the application for insurance and if such application or an exact copy thereof is attached to the policy when it is issued

C Nothing in this section shall be construed to prevent any such foreign or alien insurer from issuing policies or bonds at its principal or department offices effective in this Commonwealth if such policies are issued upon applications procured and submitted to such insurer by agents who are residents of this Commonwealth and licensed to transact the business of insurance herein and who shall receive the commission thereon when paid

D The provisions of this section shall not apply to direct insurance covering the rolling stock of railroad corporations or property in transit while in the possession and custody of railroad corporations or other common carriers or to the property of such common carriers used or employe by them in their business as common carriers of freight merchandise or passengers

E The provisions of this section except as to payment of taxes shall not apply to foreign exchanges and fraternal

benefit societies authorized to transact business in this Commonwealth which maintain no office in this Commonwealth and pay no commissions to agents or representatives in this Commonwealth

F The Department may under such regulations and restrictions as may be deemed necessary issue licenses to nonresident agents who are licensed in the state in which they reside but such agents shall not countersign any policy or contract of insurance All such policies and contracts shall be signed only by resident agents

Section 2810 Acquisition of Real Property by Foreign and Alien Insurers Titles Confirmed A Any foreign or alien insurer authorized to transact business within this Commonwealth may acquire hold mortgage lease and transfer real property in this Commonwealth in the same manner and subject to the same limitations as domestic insurers All the rights privileges and duties now by law accorded to and imposed upon lien creditors purchasing at judicial sales are hereby extended to such foreign and alien insurers

B Nothing herein contained shall be deemed to prevent or relieve real estate acquired held mortgaged leased or conveyed by an insurer under the provisions of this act from being taxed in the same manner as other real estate within this Commonwealth is taxed

C The title to any real estate acquired held mortgaged leased or conveyed by any foreign or alien insurer pursuant to the provisions of any of the laws of this Commonwealth repealed by this act is hereby validated and such real estate now held by any such insurer shall be taken held mortgaged leased or conveyed with the same effect as if acquired pursuant to the provisions of this act

Section 2811 Issuance of Certificate of Authority Filing A After a certificate of authority to do business in this Commonwealth has been issued by the Department to any foreign or alien insurer the insurer may transact in this Commonwealth any of the business referred to in the certificate of authority and no other subject however to the right of the Commonwealth to cancel or revoke such certificate of authority as provided by law

B Upon the issuance of such certificate of authority the Insurance Department shall transmit a certified copy of the certificate of authority together with a duplicate copy of the charter which has been filed with it pursuant to the provisions of this article to the Department of State which shall file and record such copies of the charter and certificate of authority

Section 2812 General Powers of Foreign and Alien Insurers A foreign or alien insurer which shall have received a certificate of authority under this act so long as such certificate of authority shall not be revoked or cancelled shall enjoy the same rights and privileges as a domestic insurer but no more and except as in this act otherwise provided shall be subject to the same liabilities restrictions duties and penalties now in force or hereafter imposed upon domestic insurers to the same extent as if it had been organized under this act to transact the business set forth in its certificate of authority

Section 2813 Amendments to Charters of Foreign or Alien Companies Upon amendment of the charter of any foreign or alien company authorized by a certificate of authority to transact business in this Commonwealth such insurer shall forthwith file with the Insurance Department duplicate copies of such amendment duly authenticated by the proper official of the state or country under the laws of which such company is organized The Insurance Department shall transmit one duplicate copy of such amendment to the Department of State which shall file and record it The filing of any such amendment shall not of itself enlarge or alter the nature or kind of business which such company is authorized to transact in this Commonwealth nor authorize such company to transact business in this Commonwealth under any other name than the name set forth in its certificate of authority unless such company shall apply for and receive from the Department a new certificate of authority

Section 2814 Merger of Foreign or Alien Companies Whenever a foreign or alien company authorized by a certificate of authority to transact business in which Commonwealth shall be a party to a statutory merger permitted by the laws of the state or country under which it is organized and such company shall be the surviving company it shall forthwith file with the Insurance Department duplicate copies of the articles of merger duly authenticated by the proper officer of the state or country under the laws of which such statutory merger was effected The Insurance Department shall transmit one duplicate copy of the articles of merger to the Department of State which shall file and record it It shall not be necessary for such company to procure a new certificate of authority to transact business in this Commonwealth unless the name of such company be changed thereby or unless the company desires to transact in this Commonwealth other or additonal business than that which it is then authorized to transact in this Commonwealth

Section 2815 Surrender of Certificate of Authority A Any foreign or alien insurer may withdraw from doing business in this Commonwealth and surrender its certificate of authority by filing with the Department an application for a certificate of withdrawal executed under the seal of the insurer and signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the insurer

(2) The state or country of its incorporation or organization

(3) The date on which it received a certifictae of authority to do business in the Commonwealth

(4) A statement that it surrenders its certificate of authority to do business in this Commonwealth

(5) A statement that it consents that process against it in an action or proceeding upon any liability or obligation incurred or any policy or contract of insurance issued within this Commonwealth before the issuance of the certificate of withdrawal may be served upon the Commissioner after the filing of such certificate

(6) The post office address to which the Commissioner may mail a copy of any process against it that may be served upon him

B Upon the filing of such application and the return for cancellation of the insurer's certificate of authority or the filing of proof that it has been lost or destroyed the Insurance Department after all bonus taxes fees and charges have been paid as required by law shall canced the certificate of authority if any and shall issue in duplicate a certificate of withdrawal The Insurance Department shall return one of such certificates of withdrawal to the insurer or its representative and shall send the other to the Department of State which shall record and file the same Upon the issuance of the certificate of withdrawal the authority of the insurer to do busines in this Commonwealth shall cease and determine and no such insurer doing business in this Commonweadth after the issuance of such certificate shall maintain any action in this Commonwealth upon any contract made by it in this Commonwealth subsequent to the issuance of such certificate of withdrawal The issuance of such certificate shall not however affect any action pending at the time thereof or affect any right of action on any policy or contract made by such insurer in the Commonwealth before the issuance of the certificate Progress against the insurer in an action upon any liability or obligation incurred within this Commonwealth upon any policy or contract made before the issuance of such certificate may be served therafter upon the Commissioner

ARTICLE XXIX

MISCELLANEOUS PROVISIONS PROHIBITIONS AND PENALTIES

Section 2901 Forfeiture of Articles of Incorporation A The articles of incorporation of an incorporated insurer shall be automatically forfeited by operation of law when

(1) The capital surplus and expense fund required by law have not been paid in within two years after the issuance of its certificate of incorporation

(2) The incorporated insurer has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation within one year after the issuance thereof

(3) The incorporated insurer which has formerly exercised any of the powers conferred upon it by its articles of incorporation has not exercised for a period of two years at least one of such powers

(4) The Commissioner has taken possession of the business and property of an incorporated insurer as receiver and has commenced to liquidate its assets

B Whenever it shall appear to the Department that any of the conditions exist which under the provisions of this

section shall effect the forfeiture of the articles of an incorporated insurer it shall issue a certificate of forfeiture of the articles of incorporation and of the certificate of authority in quadruplicate originals One quadruplicate original shall be filed with the Insurance Department one sent to the last known address of the incoropated insurer one to the Department of State and one to the recorder of deeds of the county in which the place of business of the insurer is or was located to be recorded without charge by such recorder of deeds

C If the articles of incorporation of a company have been forfeited in the manner provided by this section the corporate powers may whenever necessary to effect the liquidation and winding up of the business and property of such company continue for a period of three years but they shall not be considered in existence for any other purposes whatsoever

Section 2902 Books Records and Accounts of Insurers Penalties A The total liabilities of each insurer shall be set out in full upon its books or other records and in all reports and statements required by law It shall be unlawful for any insurer to reduce such liabilities for the purpose of concealing unadjusted losses expense charges or loans All such losses expense charges or loans shall be set up in separate accounts on the books or other records of the insurer until adjusted or charged off

B An insurer shall not conceal any of its assets in any manner whatsoever upon its books or other records or in any report or statement required by law but an accurate and complete record shall be kept of such assets An insurer shall not by any system of accounting or any device of bookkeeping directly or indirectly enter any of its assets upon its books in the name of any other corporation or person or under any title or designation that is not truly descriptive thereof

C An insurer shall not except with the written approval of the Department enter or at any time carry on its books any real or personal property owned by it at a valuation exceeding its actual cost to such insurer

D Any officer director or employe of an insurer who knowingly violates any provision of this section shall be guilty of a misdemeanor and shall upon covniction thereof be subject to imprisonment not exceeding one year or a fine not exceeding one thousand dollars or both

Section 2903 Relationship of Company with Employes of Department A An insurer shall not grant or give any sum of money or other property whether as a gift credit loan or otherwise either directly or indirectly to the Commissioner or to any deputy examiner clerk or other employe of the Department

This section shall not be construed to prohibit the Commissioner or any deputy examiner clerk or other employe of the Department from becoming a member of policyholder of any insurer

B Any officer director agent or employe of an insurer who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount of the gift credit loan or other sum of money or the value of any other property given in violation of this section

Section 2904 Use of Unapproved Policies Contracts or Certificates Prohibited A An insurer shall not issue sell or dispose of any policy contract or certificate covering life health and accident fire liability and casulaty insurance or use applications riders or endorsements in connection therewith until the forms of the same have been submitted to and approved by the Department and filed therein except riders or endorsements relating to the manner of distribution of benefits and to the reservation of rights and benefits under any such policy and used at the request of individual policyholders

B Any person corporation or insurer that shall either as principal or agent issue or cause to be issued any policy or contract of insurance within this Commonwealth contrary to this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

Section 2905 Execution of Insurance Policies Policies of Insurance of any stock or mutual company shall be subscribed by the president or such officer as may be designated by the directors for that purpose shall be attested by the secretary or other designated officer and when so subscribed and attested shall be obligatory on the company The corporate seal need not be affixed thereto

Section 2906 Application Constitution By-Laws and Rules as Part of Policy and Contract All insurance policies and contracts issued by insurers in which the application of the insured the constitution by-laws or other rules of the insurer form part of the policy or contract between the parties thereto or have any bearing thereon shall contain or have attached thereto correct copies of the application as signed by the applicant or the constitution by-laws or other rules referred to and unless so attached and accompanying the policy such application constitution or by-laws or other rules shall not be received in evidence in any controversy between the parties to or interested in the policy or contract nor shall such application constitution by-laws or other rules be considered a part of the policy or contract between such parties

Section 2907 Reinsurance Regulated A A domestic insurer shall not reinsure its entire schedule of policies unless it first secures the approval of the Department

B Any insurer authorized to transact business in this Commonwealth may reinsure all or any part of its liability under one or more of its policy contracts with any other insurer doing the same or a similar class of business authorized to transact business in this Commonwealth or authorized to transact business in any of the United States if the insurer with which the reinsurance is effected is and remains of the same standard of solvency and meets other requiremnets fixed by the laws of this Commonwealth for insurers transacting the same class or classes of business within this Commonwealth

C Any domestic foreing or alien insurer authorized to transact business in this Commonwealth shall pay to this Commonwealth taxes required on all business taxable within this Commonweatlh and reinsured as provided herein with any foreign or alien insurer not authorized to transact business in this Commonwealth

Section 2908 Actions by and against Insurers It shall be lawful for any insurer to maintain and defend judicial proceedings In every judicial proceeding to which an incorporated insurer is a party its incorporation shall be taken to be admitted unless it is put in issue by the pleadings Any person or persons body politic or corporate who or which has a cause of action against any domestic insurer or against any foreign or alien insurer that has an agency established in this Commonwealth may bring suit in a court of common pleas or before any justice of the peace alderman or magistrate in any county where such company transacts business or the property insured is located or in cases of live stock insurance where the owner resides and to direct any process to the sheriff or constable of any of the counties in this Commonwealth

Section 2909 Copies of Lost Policies and Contracts A Whenever any policy or contract of insurance issued in this Commonwealth has been lost or destroyed the insurer bound thereunder shall on proof of the loss or destruction thereof by affidavit furnish to the person or persons whose policy has been so lost or destroyed a copy thereof together with the transfers which have been approved and recorded on the books of such insurer if any which may have been made by the original or any subsequent grantee of such policy to the person or persons having the same at the time of the loss or destruction therof

B The copy so made shall be as effectual for the security and indemnification of the person or persons holding it as the original and it shall be subject to transfer in the same manner as the original

C Upon refusal of the insurer to comply with the request for a copy of such policy or contract application may be made to the Department for an order on the insurer to provide such copy in the event the Department determines the facts warrant such order

Section 2910 Limitation on Acting as Insurer and Penalties Except as herein provided the doing of any insurance business in this Commonwealth as prescribed in this act by any private individual association partnership or corporation other than an insurance company is prohibited Any person who solicits or obtains within this Commonwealth applications for insurance by any such private indivdual association partnership or corporation contrary to the provisions of this act shall be liable to a penalty of one hundred dollars for the use of the Commonwealth for every application ob-

tained to be used for and recovered by the Department of Justice or by the district attorney of the proper county either by action of debt or criminal prosecution Any person who has paid to any agent of such unauthorized individual association partnership or corporation any premium moneys for insurance granted or to be granted shall be entitled to recover such moneys by an action at law from such agent or from the person association partnership or corporation for which he acted This section does not prohibit the doing of an insurance business by Lloyds associations nor the exchange of inter-insurance or reciprocal contracts of insurance authorized by this act nor shall the same prevent any individual from becoming and being accepted as personal surety or guarantor including mortgage guarantor or self-insured employer

Section 2911 Annual Statements Penalties A Every insurer transacting business in this Commonwealth shall annually on or before the first day of March file in the office of the Department a statement which shall exhibit its financial condition on the thirty-first day of December of the previous year and its business of that year

B Any insurer which neglects to make and file its annual statement in the form or within the time herein provided shall forfeit one hundred dollars for each day during which such neglect continues and upon notice by the Department its authority to do new business shall cease while such default continues

C Any person company corporation or association wilfully making a false annual or other statement or making oath to or subscribing such statement required by law shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars nor more than five thousand dollars A person who wilfully makes oath to such false statement shall be guilty of perjury

Section 2912 Discrimination Prohibited A Discrimination between individuals of the same class in the amount of premiums or rates charged for any policy of life health or accident fire liability or casualty insurance except fidelity or surety bonds covered by this act or in the benefits payable thereon or in any of the terms or conditions of such policy or in any other manner whatsoever is prohibited

B Any person corporation or insurer that shall either as principal or agent issue or cause to be issued any policy or contract of insurance within this Commonwealth contrary to this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

Section 2913 Purchase of Proxies Prohibited A It shall be unlawful for any person firm or corporation or the officers directors employes attorneys or representatives of any domestic foreign or alien insurer authorized to transact business in this Commonwealth to give or promise money or anything of value to the owners or holders of shares of any domestic stock company or to the members of any domestic mutual company with intent to secure the voting proxy of any share or shares or of any member and no proxy or proxies so obtained shall be voted at any stockholders' or members' meeting of any domestic insurer

B Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or undergo imprisonment for a period not exceeding one year or both

Section 2914 Rebates and Inducements Prohibited A An insurer by itself or by its officers or members attorney-in-fact or by any other party shall not offer promise allow give set off or pay directly or indirectly any rebate of or part of the premium payable on the policy or on any policy or agent's commission thereon or earnings profit dividends or other benefit founded arising accruing or to accrue thereon or there from or any special advantage in date of policy or age of issue or any paid employment or contract for services of any kind or any other valuable consideration or inducement to or for insurance on any risk in this Commonwealth now or hereafter to be written which is not specified in the policy or contract of insurance nor shall any such insurer personally or otherwise offer promise give option sell or purchase any stocks bonds securities or property or any dividends or profits accruing or to accrue thereon or other thing of value whatsoever as inducement to insurance or in connection therewith which is not specified in the policy Any person corporation or insurer that shall violate the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars for each violation or undergo imprisonment for a period not exceeding six months or both

B Nothing in this section shall be construed to prevent the taking of a bona fide obligation with legal interest in payment of any premium nor prevent a company transacting industrial insurance from returning to policy-holders who have made a premium payment for a period of at least one year the percentage of premium which the company would otherwise have paid for the weekly collection of such premium

Section 2915 Embezzlement by Directors Officers Agents A If any director officer agent or other person connected with or doing business for or with any domestic foreign or alien insurer shall fraudulently embezzle or appropriate to his use or the use of any other person or persons any money or other property belonging to such insurer or left with or held by it in trust he or they on conviction thereof shall be fined in the amount so appropriated or embezzled or be sentenced to undergo an imprisonment in the penitentiary for a term not exceeding five years or by both such fine and imprisonment

B In the indictment and trial of any case under this section it shall not be necessary in order to establish a prima facie case for the Commonwealth to set forth or prove the incorporation of any incorporate insurer except by the verbal testimony of any competent witness

Section 2916 Fraud in Procuring Insurance or in Collecting Claims A Any person who is knowingly concerned in or who for profit gain benefit favor or otherwise makes any false oral statement misrepresents substitutes persons or realty or goods subscribes to or prepares or helps to prepare any fraudulent letter document application affidavit inventory financial or other statement or in any method or manner attempts to deceive for the purpose of obtaining for himself herself or others any of the classes of insurance provided for by this act and any person knowingly concerned for profit gain benefit favor or otherwise in preparing or forwarding any fraudulent application affidavit proof of loss or claim or attempting to collect or collecting any wholly or partly fraudulent claim or money demand from any insurer whether any policy or agreement of insurance was lawfully procured or procured by fraud shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment for not more than one year or less than six months and in addition to pay a fine not exceeding five hundred dollars or less than one hundred dollars b

B The provisions of this section shall apply whether or not offending person or persons received profit gain benefit or favor from the attempt to defraud or from the consummation of the fraud

Section 2917 Misrepresentation for Purpose of Securing Life Insurance Prohibited Any agent of a life insurance company or any physician or other person whatsoever who shall knowingly make or be concerned or interested in making any misrepresentation or false statement for the purpose of securing from any life insurance company a policy of insurance upon his own life or the life of any other person shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars or to undergo imprisonment for a term not exceeding one year or both

Section 2918 Misrepresentations to Induce Change in Insurers Prohibited An insurer and any member officer director or attorney-in-fact thereof or any other person in its behalf shall not make any misrepresentation or incomplete comparison of policies oral written or otherwise to any person insured in any insurer for the purpose of inducing or tending to induce a policyholder in any insurer to lapse forfeit or surrender his insurance therein and to take out a policy of insurance in another insurer insuring against similar risks

Section 2919 Misrepresentations of Policy Terms Future Dividends Et Cetera Prohibited A An insurer and any member officer director or attorney-in-fact thereof or any other person in its behalf shall not issue circulate or use or cause or permit to be issued circulated or used any written or oral statement or circular misrepresenting the terms of any policy,

issued or to be issued by such insurer or make an estimate with intent to deceive of the future dividends payable under any such policy

B Any person corporation or insurer that shall violate the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars fo reach violation or undergo imprisonment for a period not exceeding six months or both

Section 2920 Automobile Protection Contracts Prohibited A It shall be unlawful for any person corporation or protective or co-operative company or association organized or formed for the purpose of doing business within this Commonwealth to solicit and accept premiums of dues and sell policies or contracts guaranteeing to owners of automobiles motorcycles or trucks the services of attorneys in event of damage to persons or property arising out of the operation of automobiles motocycles or trucks or providing for the towing of any damaged automobile motorcycle or truck or to hold himself or itself out or to represent himself or itself to the public as being engaged in the insurance business or as being an insurer authorized to engage in any kind of insurance business or to do the kind of business uusally transacted by insurers although transacted under some other name or description unless such person company or association is legally incorporated or organized and doing business under the laws of this Commonwealth as an insurer

B Any person company corporation or association violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars or more than one thousand dollars or such person or the members or officers of any corporation company or association responsible for the violation of this act shall undergo imprisonment for a term of not less than six months or more than one year or both

C The provisions of this section shall not apply to automobile clubs duly incorporated in this Commonwealth and not conducted for profit

Section 2021 Testimony Production of Books Et Cetera A person shall not be excused from testifying or from producing any books papers contracts agreements or documents at any hearing held by the Commissioner or at the trial or hearing before any magistrate justice of the peace or judge of any person or company charged with violating any of the provisions of this act on the ground that such testimony or evidence may tend to incriminate himself but he shall not be prosecuted for any act concerning which he shall be compelled so to testify or produce evidence documentary or otherwise except for perjury committed in so testifying

Section 2922 Revocation of Certificate of Authority and Imposition of Penalties by Department for Violation or Acs A Upon satisfactory evidence of the violation of this act by any insurer authorized to transact business in this Commonwealth the Department may in its discretion pursue any one or more of the following courses

(1) Suspend or revoke the certificate of authority of such offending insurer

(2) Refuse for a period not to exceed one year thereafter to issue a new certificate of authority to such person partnership or corporation

(3) Impose a penalty of not more than one thousand dollars for each act in violation of this act

B Before the Department shall take any action as above set forth it shall give written notice to the insurer accused of violating the law stating specifically the nature of such alleged violation and fixing a time and place at least ten days thereafter when a hearing on the matter shall be held After such hearing or upon failure of the accused or its representative to appear at such hearing the Department shall impose such of the above penalties it is deems advisable When the Department shall take action in any of the ways above recited the insurer aggrieved may appeal therefrom to the Court of Common Pleas of Dauphin County

ARTICLE XXX

EFFECTIVE DATE AND REPEALER

Section 3001 Effective Date This act shall become effective on the first day of August one thousand nine hundred and thirty-three

Section 3002 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed

Section six of the act approved the fifth day of April one thousand eight hundred forty-two (Pamphlet LaLws two hundred forty-five) entitled "An act to reduce the capital stock of the Atlantic Insurance Company of Philadelphia and for other purposes" in so far as it relates to tile insurance and mortgage insurance companies

Section ten of the act approved the twenty-fourth day of January one thousand eight hundred forty-nine (Pamphlet Laws nine hundred twenty-one) (eighteen hundred fifty) entitled "An act to authorize Amanda M Richmond of M'Kean county the trustees of the Church of God in Fredericksburg Lebanon county and Thomas Heyl junior guardian to sell certain real estate empowering William H Holstein guardian to draw and appropriate certain moneys in relation to insurance companies and the agencies of insurance companies not chartered by this state and to liens in Lycoming and Clinton counties" in so far as it relates to title insurance ad mortgage insurance companies

The act approved the forth day of March one thousand eight hundred fifty (Pamphlet Laws one hundred twenty-six) entitled "An act to supply lost policies of insurance" absolutely

Section six of the act approved the eighth day of April one thousand eight hundred fifty-one (Pamphlet Laws three hundred fifty-three) entitled "An act relating to County Prisons to the Foster Home Association and Cawanesque Plank Road Company to apportion the rent of wharves and docks in the port of Philadelphia and relative to the service of process on foreign insurance companies and other corporations" in so far as it relates to title insurance and mortgage insurance companies

The act approved the ninth day of April one thousand eight hundred fifty-six (Pamphlet Laws two hundred ninety-tthree) (Number three hundred eight) entitled "Supplement to the acts relating to incorporations by the Courts of Common Pleas" in so far as it relates to title insurance and mortgage insurance companies

The act approved the twenty-first day of April one thousand eight hundred fifty-eight) (Pamphlet Laws three hundred ninety) entitled "A supplement to an act authorizing Courts of Common Pleas to incorporate Scientific Agricultural and other Associations approved twentieth of February Anno Domini one thousand eight hundred and fifty-four" in so far as it relates to tile insurance and mortgage insurance companies

The act approved the twenty-sixth day of March one thousand eight hundred sixty-seven (Pamphlet Laws forty-four) entitled "An act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth relative to granting charters of incorporation and confirming those heretofore granted" in so far as it relates to title insurance and mortgage insurance companies

The act approved the fourth day of April one thousand eight hundred seventy-two (Pamphlet Laws forty) entitled "An act supplemental to an act entitled 'A supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" in so far as it relates to title insurance and mortgage insurance companies

The act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations'" in so far as it relates to insurance companies title insurance and mortgage insurance companies

The act approved the twenty-fifth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred eight-one) entitled "An act to authorize certain corporations to become sole surety for the faithful performance of any trust or dutw and to authorize certain officers to approve the same" absolutely

The act approved the seventh day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred two) (Number one hundred eight) entitled "An act defining evidence of stock ownership in corporations and for determining the right to vote thereon" in so far as it relates to title insurance and mortgage insurance companies

The act approved the ninth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred fifty-nine) entitled "An act supplementary to an act entitled 'An act to provide for the incorporation and regulation of certain

corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four amending the twenty-ninth section of said act so as to provide for the further regulation of and granting additional powers to all corporations now or hereafter incorporated under the provisions of said act for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective tiles liens and incumbrances" absolutely

The act approved the eleventh day of March one thousand eight hundred ninety-one (Pamphlet Laws five) entitled "An act to regulate the issue of policies of insurance and certificates of inspection made by steam boiler insurance companies in all cities of the first class" absolutely

The act approved the eleventh day of May one thousand eight hundred ninety-three (Pamphlet Laws forty-two) (Number forty) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" in so far as it relates to title insurance and mortgage insurance companies

The act approved the twenty1sixth day of May one thousand eight hundred ninety-three (Pamphlet Laws one hundred forty-one) entitled "An act amending an act entitled 'An act defining evidence of stock ownership in corporations and for determining the right to vote thereon' approved May seventh one thousand eight hundred and eighty-nine further defining evidence of stock ownreship and the right to vote thereon" in so far as it relates to title insurance and mortgage insurance companies

The act approved the eighth day of June one thousand eight hundred ninety-three (Pamphlet Laws three hundred fifty-one) entitled "An act to provide for the manner of reducing the capital stock of corporations" in so far as it relates to title insurance and mortgage insurance companies

The act approved the eighth day of June one thousand eight hundred ninetq-three (Pamphlet Laws three hundred fifty-five) entitled "An act to regulate the change of location of the principal office the place of annual and other meetings of stockholders and the time of such annual meetings of corporations of this Commonwealth" in so far as it relates to title insurance and mortgage insurance companies

The act approved the tenth day of June one thousand eight hundred ninety-three (Pamphlet Laws four hundred seventeen) (Number three hundred sixteen) entitled "An act to authorize corporations to increase their capital stock for corporate purposes" in so far as it relates to insurance companies title insurance and mortgage insurance companies

The act approved the tenth day of June one thousand eight hundred ninety-three (Pamphlet Laws four hundred thirty-five) entitled "An act amending an act entitled 'A supplement to an act approved April twenty-ninth one thousand eight hundred a nd seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations' approved April seventeenth one thousand eight hundred and seventy-six authorizing the incorporation of drainage companies" in so far as it relates to insurance companies title insurance and mortgage insurance companies

The act approved the twenty-ninth day of May one thousand eight hundred ninety-five (Pamphlet Laws one hundred twenty-seven) (Number ninety-six) entitled "An act to amend the fourth section of an act entitled 'An act supplementary to an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four amending the twenty-ninth section of said act so as to provide for the further regulation of and granting additional powers to all corporations now or hereafter incorporated under the provisions of said act for the insurance of owners of real estate mortgagees and others interested in real estate from loss by reason o fdefective titles liens and encumbrances' enlarging the powers of such corporations and providing that courts into which moneys may be paid or brought may by order direct the same to be deposited with anl corporation" absolutely

The act approved the twenty-fourth day of June one thousand eight hundred ninety-five (Pamphlet Laws two hundred fifty-eight) (Number one hundred seventy-two) entitled "An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth" in so far as it relates to title insurance and mortgage insurance companies

The act approved the twenty-seventh day of June one thousand eight hundred ninety-five (Pamphlet Laws three hundred ninety-nine) entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" aboslutely

Sections one two and three of the act approved the ninth day of February one thousand nine hundred one (Pamphlet Laws three) entitled "An act to provide for increasing the capital stock and indebtedness of corporations" in so far as they relate to title insurance and mortgage insurance companies

The act approved the twenty-fourth day of March one thousand nine hundred three (Pamphlet Laws fifty) (Number fifty-two) entitled "An act relating to the taking of stock votes upon subjects presented to stockholders of corporations of this Commonwealth for their action" in so far as it relates to title insurance and mortgage insurance companies

The act approved the twenty-first day of April one thousand nine hundred three (Pamphlet Laws two hundred twenty-three) entitled "An act supplementary to an act entitled 'An act supplementary to an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of corporations incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved the twenty-seventh day of June one thousand eight hundred and ninety-five" absolutely

The act approved the twenty-second day of April one thousand nine hundred three (Pamphlet Laws two hundred fifty-one) entitled "An act regulating the change of corporate titles"in so far as it relates to title insurance and mortgage insurance companies

The act approved the twenty-second day of April one thousand nine hundred five (Pamphlet Laws two hundred sixty-four) (Number one hundred eighty-three) entitled "An act to amend the first section of an act entitled 'An act to provide for the manner of reducing the capital stock of corporations' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three (1893) extending the provisions of the said act to all corporations created by general or special law and repealing all acts or parts of acts inconsistent therewith" in so far as it relates to title insurance and mortgage insurance companies

The act approved the twenty-second day of April one thousand nine hundred five (Pamphlet Laws two hundred eighty) entitled "An act to amend section one of the act entitled 'An act to povide for increasing the capital stock ad indebtedness of corporations' approved the ninth day of February Anno Domini one thousand nine hundred and one authorizing corporations to increase their capital stock and indebtedness and secure the payment of principal and interest of their indebtedness" in so far as it relates to title insurance and mortgage insurance companies

The act approved the first day of June one thousand nine hundred seven (Pamphlet Laws three hundred eigrty-two) (Number two hundred seventy-five) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four empowering companies incorporated under the provisions of said act for the insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens et cetera to guarantee the payment of the principal and interest of bonds secured by mortgage upon real estate" absolutely

The act approved the seventh day of June one thousand nine hundred seven (Pamphlet Laws four hundred fifty-four) entitled "An act amending clause four of section twenty-nine of section one of an act entitled 'An act conferring upon

certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved the twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and ninety-nine)" absolutely

The act approved the third day of May one thousand nine hundred nine (Pamphlet Laws four hundred eight) entitled "An act authorizing the merger and consolidation of certain corporations" in so far as it relates to title insurance and mortgage insurance companies

The act approved the third day of June one thousand nine hundred eleven (Pamphlet Laws six hundred fifty-two) (Number two hundred fifty) entitled "An act requiring each and every director of a bank of discount banking company co-operative banking association trust company safe deposit company real estate company mortgage company title insurance company guarantee company surety and indemnity company and savings bank which has been or may hereafter be incorporated under the laws of this Commonwealth with the right to receive moneys on deposit to take an oath of office and prescribing the form thereof said oath t be filed with the Commissioner of Banking" in so far as it relates to title insurance and mortgage insurance companies

The act approved the twenty-ninth day of April one thousand nine hundred fifteen (Pamphlet Laws two hundred five) entitled "An act to amend the third section of an act entitled 'An act authorizing the merger and consolidation of certain corporations' approved the third day of May Anno Domini one thousand nine hundred and nine" in so far as it relates to title insurance and mortgage insurance companies

The act approved the nineteenth day of April one thousand nine hundred seventeen (Pamphlet Laws eighty-five) entitled "An act to enable foreign fraternal beneficiary associations and corporations to hold real estate in this Commonwealth and validating certain titles" absolutely

The act approved the seventeenth day of May one thousand nine hundred seventeen (Pamphlet Laws two hundred twenty-eight) entitled "An act to authorize the payment by corporations to their directors of compensation for services rendered by them" in so far as it relates to title insurance and mortgage insurance companies

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred eighty-one) (Number two hundred forty-eight) entitled "An act permitting corporations to invest their surplus funds in bonds of the United States issued for war purposes" in so far as it relates to title insurance and mortgage insurance companies.

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred ninety-eight) (Number two hundred fifty-eight) entitled "An act to authorize corporations organized or profit under the laws of Pennsylvania to continue the salaries of employes enlisting or enrolling in any branch of the military or naval service of the United States or other protective organization" in so far as it relates to title insurance and mortgage insurance companies

The act approved the eleventh day of July one thousand nine hundred seventeen (Pamphlet Laws eight hundred four) (Number three hundred nine) entitled "An act relating to domestic and foreign insurance companies and corporations holding and dealing in insurance stock and certificates regulating the sale of stock and evidences of indebtedness of such companies and corporations and of subscriptions and applications therefor and prescribing penalties" absolutely

The act approved the seventeeth day of May one thousand nine hundred nineteen (Pamphlet Laws two hundred eight) entitled "An act prohibiting under certain conditions the commutation encumbrances or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" absolutely

The act approved the eleventh day of June one thousand nine hundred nineteen (Pamphlet Laws four hundred forty-one) entitled "An act authorizing corporations incorporated under the laws of any other State of the United States to acquire erect and maintain buildings and manufacturing establishments and to take hold mortgage lease and convey real estate necessary and proper for such corporate purposes" in so far as it relates to title insurance and mortgage insurance companies

The act approved the twentieth day of April one thousand nine hundred twenty-one (Pamphlet Laws one hundred seventy-five) entitled "An act to permit any corporation with capital stock and transacting the business of life insurance on the mutual plan or any life insurance corporation having capital stock incorporated under the provisions of any general or special law of this Commonwealth to acquire its capital stock for the benefit of its policyholders and to convert such corporation into a mutual life insurance corporation and to provide a method therefor" absolutely

The act approved the fifth day of May one thousand nine hundred twenty-one (Pamphlet Laws three hundred fifty) entitled "An act making it unlawful to give or offer money to secure proxies for use at meetings of insurance companies" absolutely

The act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the corporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and five insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund, providing penalties and repealing existing laws" absolutely

The act approved the twentieth day of May one thousand nine hundred twenty-one (Pamphlet Laws nine hundred sixteen) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioners and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commisisoner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" absolutely

The act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred twenty-four) (Number four hundred nineteen) entitled "An act permitting certain domestic mutual fire insurance companies to issue cash premium policies without assessment liability and providing for the distribution and escheat of the surplus of certain domestic mutual fire insurance companies in event of dissolution" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred and twenty-three (Pamphlet Laws ninety-nine) entitled "An act to amend section thre hundred four of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associatios reciprocal and inter-insurance exchanges and fire insurance rating bureaus and regulation and supervision of insurance carried by such companies by the State Workmen's Insurance Fund providing penalties and repealing existing laws" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred and twenty-three (Pamphlet Laws one hundred four) entitled "An act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight) entitled 'An act prohibiting under certain conditions the commutation encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of

such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds' by extending the same to the proceeds and income from policies issued by both domestic and foreign companies" absolutely

The act approved the twenty-eighth day of June one thousand nine hundred twenty-three (Pamphlet Laws eight hundred eighty-two) entitled "An act to amend section six hundred and three of an act approved the seventeenth day of May nineteen hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreing insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" absolutely

The act approved the twenty-ninth day of June one thousand nine hundred twenty-three (Pamphlet Laws nine hundred forty-three) entitled "An act to amend section one of the act approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and eighty-one) entitled 'An act to authorize certain corporations to become sole surety for the faithful performance of any trust or duty and to authorize certain officers to approve the same' by requiring the approval thereof when the certificates issued by the Insurance Department to said corporations have been filed in the prothonotary's office" absolutely

The act approved the tenth day of March one thousand nine hundred twenty-five (Pamphlet Laws thirty) entitled "An act to amend section six hundred and three of an act approved the seventeenth day of May nineteen hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' as amended providing for the investment of the surplus of domestic stock casualty insurance companies" absolutely

The act approved the sixth day of April one thousand nine hundred twenty-five (Pamphlet Laws one hundred fifty-two) entitled "An act to further amend clause five of section twenty-nine of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations'" absolutely

The act approved the twelfth day of May one thousand nine hundred and twenty-five (Pamphlet Laws five hundred eighty-four) entitled "An act to amend sections one thousand four and one thousand eight of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws'" absolutely

The act approved the twelfth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred one) entitled "An act to amend section five hundred and eighteen of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws'" absolutely

The act approved the twelfth day of May one thousand nine hndred and twenty-five (Pamphlet Laws six hundred eighteen) entitled "An act increasing the powers of certain stock health and accident insurance companies" absolutely

The act approved the seventh day of April one thousand nine hundred twenty-seven (Pamphlet Laws one hundred seventy-seven) entitled "An act authorizing fraternal benefit societies to provide for insurance and annuities upon the lives of children" absolutely

The act approved the twentieth day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred seventeen) (Number one hundred ninety) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death regulating such corporations and limiting the amount for which corporations may issue policies and imposing a tax on gross premiums of companies reincorporated under the provisions of this act" absolutely

The act approved the twenty-second day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred forty-three) entitled "An act to amend sections seventeen twenty and twenty-two of an act approved the twentieth day of May Anno Domini one thousand nine hundred twenty-one (Pamphlet Laws nine hundred sixteen) entitled 'An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws' by providing for the practice and procedure to be followed by the Insurance Commissioner in refusing to license any foreign society and in revoking the license of such society and providing for jurisdiction practice and procedure upon appeals from the action of the Insurance Commissioner in such cases" absolutely

The act approved the fifth day of May one thousand nine hundred twenty-seven (Pamphlet Laws seven hundred seventy-seven) entitled "An act to amend clause five of section twenty-nine of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' as amended" absolutely

The act approved the twenty-first day of March one thousand nine hundred twenty-nine (Pamphlet Laws forty-eight) entitled "An act to amend sections five hundred and two five hundred and three and five hundred and four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by correcting the section references therein" absolutely

The act approved the fourth day of April one thousand and nine hundred twenty-nine (Pamphlet Laws one hundred thirty-seven) (Number one hundred forty-one) entitled "An act to amend section fifteen of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred sixteen) entitled 'An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regu-

lating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies fro mits provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" absolutely

The act approved the fourth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred forty-two) (Number one hundred forty-six) entitled "An act providing for the approval of the names and changes of names of title insurance companies trust companies and title insurance and trust companies by the Secretary of Banking" in so far as it relates to title insurance companies

The act approved the fourth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred forty-three) entitled "An act to amend section one of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred fifty-two) entitled 'An act requiring each and every director of a bank of discount banking company co-operative banking association trust company safe deposit company real estate company mortgage company title insurance company guarantee company surety and indemnity company and savings bank which has been or may hereafter be incorporated under the laws of this Commonwealth with the right to receive moneys on deposit to take an oath of office and prescribing the form thereof said oath to be filed with the Commissioner of Banking and providing for the disqualification of the directors who do not own sufficient capital stock or dispose hypothecate or pledge the same during their term" in so far as it relates to title insurance companies

The act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws four hundred sixty-four) entitled "An act to amend section one thousand and four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' as amended" absolutely

The act approved the eleventh day of April one thousand nine hundred twenty-nine (Pamphlet Laws five hundred twelve) entitled "An act to further amend clause five of section twenty-nine of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regualtion of certain corporations' by providing the manner in which trust companies may use trust funds awaiting investment or distribution" absoluetly

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws seven hundred eighty-one) (Number three hundred thirty-three) entitled "An act to amend section two hundred and five of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws'" absolutely

The act approved thetwenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws seven hundred eighty-two) entitled "An act to amend section three hundred twenty-two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Llyods associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' further regulating the amendment of the charters of insurance companies and repealing existing laws" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws seven hundred eighty-four) entitled "An act to amend Article III of an act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by adding thereto a new section to be known as 'Section three hundred fifty-two Proceedings to file amended charter and certification thereof'" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws seven hundred eighty-five) entitled "An act to amend article four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' defining an dregulating group life insurance and exempting policies of group life insurance and the proceeds thereof from execution" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws seven hundred ninety) entitled "An act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance fund providing penalties and repealing existing laws' by adding thereto section four hundred twenty" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws seven hundred ninety-four) entitled "An act relating to mutual fire insurance companies incorporated under any general or special laws of the Commonwealth of Pennsylvania empowering any such company to regulate the number of and the manner of nominating directors managers or trustees thereof and providing a method for fixing the time of annual meetings of members of any such company" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws seven hundred ninety-six) entitled "An act to amend sections three and ten section twenty-two as amended and sections twenty-three and twenty-three B to add section twenty-three C and to amend section twenty-five of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and sixteen) entitled 'An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing

for the organization and incorporation of such societies for their supervision regulation and examination of the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws eight hundred five) entitled "An act authorizing the payment of benefits by certain beneficial societies in the event of sickness accident disability or death or in the event of any or all such contingencies and limiting the amount of such benefits providing for reserves of such societies providing penalties and repealing existing laws" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws eight hundred twenty) (Number three hundred fifty-one) entitled "An act authorizing State banks to guarantee the payment of principal and interest of bonds secured by mortgage on real estate" in so far as it relates to title insurance and mortgage insurance companies

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (Pamphlet Laws eight hundred thirty-four) entitled "An act requiring all title insurance companies to create and maintain a reserve fixing the amount thereof and regulating the same" absolutely

The act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws for hundred sixty-six) entitled "An act providing for the purchase of reinsurance for the benefit of holders of outstanding policies issued by any company authorized to insure titles of which possession may be taken by the Secretary of Banking and providing further for the use for that purpose of reserve funds accumulated by such companies to protect such policyholders providing also for the form of such reinsurance and defining the extent of the liability thereunder and also for suits at law to recover thereon" absolutely

The act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred seventy-four) entitled "An act prohibiting certain persons corporationes associations and companies from engaging in the business of soliciting and occepting premiums or dues and selling policies or contracts guaranteeing to owners of motor vehicles the services of attorneys or providing for the towing of motor vehicles or to hold themselves out to the public as authorized to engage in insurance business or in the kind of business usually transacted by insurance companies associations or exchanges although transacted under some other name as description unless such corporations associations and companies are incorporated or organized as insurance companies associations or exchanges and registered and licensed companies associations Department and providing penalties" absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred thirteen) entitled "An act to amend section six hundred and sixty-one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by providing limitation on the amount of hazard that can be assumed on any risk and prescribing penalties" absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred twenty-four) entitled "An act to amend section four of the act approved the twenty-sixth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred five) entitled 'An act authorizing the payment of benefits by certain beneficial sacieties in the event of sickness accident disability or death or in the event of any or all such contingencies and limiting the amount of such benefits providing for reserves of such societies providing penalties and repealing existing laws' by providing for the imposition of penalties following hearing by the Insurance Commissioner for violations of the act" absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundrey twenty-five) entitled "An act to repeal section four hundred and thirty of and to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending revising and concolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by adding thereto section four hundred and twenty A authorizing minors of the age of eighteen years and upwards to become members of any life insurance company and giving them full powers rights and privileges in contracts relative to insurance with the same force and effect as if they were of age" absolutely

The act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred four) entilted "An act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' adding certain new sections providing for the imposition of penalties by the Insurance Commissioner further clarifying the kinds of insurance which are exempted from provisions relating to health and accident insurance increasing the surplus required of foreign fire and marine insurance companies to be licensed to do business in this Commonwealth and forbidding discrimination and the use of policies or forms unless approved by the Insurance Commissioner providing for issuing of insurance covering loss occasioned by smoke smudge and perils arising out of ownership of aircraft and motor vehicles providing for filing of amended charters and certifications thereof in merger proceedings giving the Insurance Commissioner authority to permit stock fire stock marine or stock fire and marine insurance companies to invest reserves in securties of foreign governments defining rights and responsibilities of fire insurance companies in the payment of dividends to stockholders and providing further deductions for tax purposes" absolutely

The act approved the twenty-third day of June one thousand nine hundred thirty-one (Pamphlet Laws nine hundred fifteen) entitled "An act to amend section three hundred thirty-two of and add section three hundred and thirty-seven to the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by providing for merger of domestic and foreign fire and marine insurance companies and/or surety companies" absolutely

The act approved the twenty-fifth day of June one thousand nine hundred thirty-one (Pamphlet Laws one thousand three hundred sixty-two) entitled "An act to amend clause (b) section four hundred and fifteen article four of the act approved the seventeenth day of May one thousand nine hun-

dred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' as added further defining and regulating group life insurance and exempting policies of group life insurance and the proceeds thereof from execution" absolutely

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Section 3003 General Repeal of Acts All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 876, as follows:

An Act to amend sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight one thousand seven hundred and fifteen one thousand eight hundred and six two thousand sixty-three two thousand seventy two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one to repeal sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred and two three thousand two hundred and three three thousand two hundred and four three thousand two hundred and five and three thousand two hundred and six and to add sections two hundred nine two hundred nine a three thousand two hundred and two and three thousand two hundred and three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" regulating advertising fixing the voting powers at county conventions of township officers correcting certain section headings providing the security to be given by depositories prescribing penalties for delinquent taxes permitting certain municipal claims to be embraced in one claim and providing that the width of sidewalks may be fixed by resolution regulating the carrying of Workmen's Compensation Insurance providing for the laying out and ordaining of sidewalks for the removal of shrubbery and obstructions within highways for the filling of vacancies in office for the reestablishment of a first class township as a second class township and defining the powers and duties of the planning commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight sections one thousand seven hundred and fifteen two thousand and sixty-three two thousand and seventy two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" are hereby amended to read as follows

Section 110 Legal Advertising Whenever under the provisions of this act notice is required to be published in one newspaper such publication shall be made in a newspaper of general circulation as defined by the Newspaper Advertising Act approved May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eight-four) printed [in the township if there is such a newspaper and if not then in a newspaper] or circulating generally in such township If such notice is required to be published in more than one newspaper it shall be pubished in at least one newspaper of general circulation defined as aforesaid printed [if there be such a newspaper] or circulating generally as above provided in the township When such notice relates to any proceeding or matter in any court or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation such notices shall also in counties of the second third fourth and fifth classes be published in the legal newspaper if any designated by the rules of court of the proper county for the publication of legal notices and advertisements unless such publication be dispensed with by special order of court Provided however That ordinances auditors' statements summaries of auditors' statements advertisements inviting proposals for public contracts and for bid for material and supplies or lists of delinquent taxpayers shall be published only in newspapers of general circulation defined as aforesaid

Section 407 Schedule for Election of Commissioners in Townships First Divided Into Wards When a township is first divided into wards the township commissioners then in office shall continue in office until the expiration of their respective terms.

At the first municipal election occurring at least ninety days after such division into wards there shall be elected by the qualified electors of each ward of the township one township commissioner who [need not] shall reside in the ward for which he is elected At such election the township commissioners elected in even-numbered wards shall be elected for terms of two years each and those in odd-numbered wards for terms of four years each or vice versa as the case may be in order that the expiration of such terms will harmonize with the expiration of term of township commissioners elected for such numbered wards under the provisions of this act Thereafter successors to such commissioners elected by ward shall be elected for term of four years each at the municipal election immediately preceeding the expiration of the terms of ward commissioners

If the number of wards into which the township has been divided is less than five then at the municipal election preceding the expiration of the terms of any commissioner or commissioners theretofore elected at large if such expiration of terms will leave the township with less than five township commissioners there shall be elected at large a sufficient number of township commissioners so that the total number of commissioners elected by wards and at large in the township shall thereafter be five If one township commissioner is elected at large at such election he shall be elected for a term of four years If two township commissioners are elected at large at such election one shall be elected for a term of two years and one for a term of four years If three township commissioners are elected at large at such election two shall be elected for terms of four years each and one for a term of two years Successors to such township commissioners elected at large at such election shall be elected for terms of four years each

All terms of office of township commissioners elected at large or by wards shall commence on the first Monday of January next following their election

Section 408 Schedule of Election of Commissioners in Newly Created Wards Whenever in a township previously divided into wards a new ward is created and the number of wards thereafter in such township including the new ward is less than five then at the municipal election next following the expiration of the term of the commissioner or commissioners elected at large whose terms shall first expire after such creation there shall be elected by the qualified electors of such new ward one township commissioner who [need not] shall reside in the ward for which he is elected for a term of two or fours years so that the expiration of

his term will harmonize with the expiration of terms of commissioners for such numbered wards under the provisions of this act Successors to such township commissioners shall be elected for term of four years The number of commissioner thereafter elected at large in any such township shall be the difference between the number of wards and five and a sufficient number of commissioners shall be elected at large at each municipal election preceding the expiration of terms of commissioners at large so that the total number of commissioners in the township will at all times be five

Whenever in any township previously divided into wards a new ward is created and the number of wards thereafter in such township is five then at the municipal election preceding the expiration of the term of office of any commissioner or commissioners elected at large a township commissioner shall be elected for such ward who [need not] shall reside in the ward Such election shall be for a two or four year term so that the expiration of his term will harmonize with the expiration of terms of commissioners for such numbered wards under the provisions of this act The successor to such ward commissioner shall be elected for a four-year term No township commissioner shall thereafter be elected at large in such township

If the number of wards in such township including the new ward shall be more than five the court of quarter sessions shall appoint a township commissioner for such new ward who shall hold office until the first Monday in January succeeding the first municipal election at which township commissioners are elected in such numbered wards under the provisions of this act at which election and every four years thereafter a township commissioner who [need not] shall reside in the ward shall be elected by the qualified electors of said ward for a term of four years

All township commissioner selected under this section shall take office on the first Monday of January next succeeding their election

Section 530 Township Commissioners When a vacancy occurs in the office of township commissioners in any township by reason of death resignation removal from the township or ward or otherwise the court of quarter sessions upon the petition of twenty qualified voters of the ward or township as the case may be in which the vacancy occurs may appoint a qualified voter of the township to fill such vacancy If such petition is not presented to the court within thirty days after such vacancy occurs the board of township commissioners of the township may appoint a qualified voter of the township to fill the vacancy In either event the person so appointed shall hold office until the next municipal election at which election a township commissioner shall be elected for the unexpired term of the person whose place he is elected to fill

Section 612 Officers of Association Ex-Officio Membership The officers of the association shall consist of a president two vice presidents a secretary and a treasurer all of who except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen If desirable the secretary may be a person not a regular member of the association and may be paid for his service such compensation not exceeding ten dollars per annum as the other officers may determine Every township [oiffcer attending such convention may vote in the election of officers] shall have one vote in the convention The mayor of any city the burgess of any borough or their duly appointed representative the county commissioners and the judges of the court in the county the township engineer of the State Highway Department the assistant engineers of the division of township highways and the superintendent of State highways in charge of such county shall be eligible to membership but shall not be entitled to vote nor to hold office

Section 621 Delegates from [County Associations] Townships Each township shall send one township officer as a delegate to each annual meeting of said State association who shall be selected by the commissioners of the township of which he is a commissioner or an officer

Section 622 Expenses of Delegates Paid by [County Associations] Townships The expenses of the delegates and other officers attending the annual meeting shall not exceed seven dollars and fifty cents per day for each officer attending for not more than three days together with the actual mileage at the prevailing rate of railroad fare and shall be paid by the respective townships

Section 808 Depositories of Township Funds Selection [of] Bonds The Board of commissioners shall from time to time designate by resolution a depository or depositories for township funds and tax collectors' funds Such depository or depositories shall be banks barking institutions or trust companies located in the Commonwealth.

Depositories so designated shall upon receipt of notice of their selection as a depository of township funds either furnish a bond to secure payment of deposits of township and tax collectors funds and any interest to the township with a proper warrant to confess judgment in favor of the township secured by a surety company or individual sureties to be approved by the board of commissioners or deposit United States municipal or county bonds to be approved by the board of commissioners to secure the payment of township deposits and any interest thereon Such surety bonds shall be in a sum to be fixed by ordinance or resolution at least equal to the probable greatest amount of such deposit at any one time The current market value of deposit bonds shall be at all times at least equal to the amount of township funds then on deposit with such depository Such deposit bonds shall be accompanied by proper assignments or powers of attorney to transfer the same In the event of the failure of the depository to pay to the township the full amount of such deposit and interest thereon such bonds and the proceeds of sale thereof shall belong to the township until it shall receive therefrom the full amount of such deposits and interest thereon and the township shall have a prior standing as respects such bonds and be in all respects preferred to any and all claims except such as have heretofore been preferred by law

The township treasurer shall upon the designation and qualification of such depository or depositories immediately transfer thereto the township funds and shall thereafter keep such deposits solely in such depository or depositories in the name of the township

No township treasurer or tax collector complying with the provisions of this section nor his surety or sureties shall be chargeable with losses in township funds caused by the failure or negligence of such depository or depositories

Section 1715 Penalties All persons who fail to make payment of any tax charged against them in the duplicate within the period of sixty days from the date of notice thereof by the township treasurer shall be charged with a penalty of two per centum additional on the amount of tax and thereafter an additional penalty of [one] one-half per centum for each month or fractional part thereof [during the remainder of the fiscal year for which the tax is levied] until paid which penalties shall be added to the tax by the treasurer and collected by him [or his deputy] for the benefit of the township Provided however That said penalty of one-half of one per centum per month shall cease at any time when and if interest is added to such taxes under laws providing for the return of unpaid taxes or the filing of liens therefor

Section 1806 Workmen's Compensation Insurance All contracts executed by any township which involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept in so far as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and that the said contractor will insure his liability thereunder or file with the township with which the contract is made a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Every officer of any township who shall sign on behalf of the township any contract requiring in its performance the employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of the said act or that the said contractor has had issued to him a certificate of exemption from insurance by the Bureau of Workmen's Compensation of the Department of Labor and Industry.

[Any] In any contract executed in violation of the provisions of this act [shall be null and void] the township which is a party thereto shall be regarded as the employer and liable to pay compensation to any person entitled to compensation under the laws of the Commonwealth as the result of employment pursuant to such contract

Section 2063 Collection of Assessments If any assessment shall remain unpaid at the expiration of the notice it shall be the duty of the township solicitor to collect the same with interest from the time of completion of the improvement by action of assumpsit or by a lien to be filed and collected in the same manner as municipal claims When an owner has two or more lots against which there is an assessment of the same improvement all of such lots [shall] may be embraced in one claim

(k) Trees [and] Shrubbery and Obstructions within Limits of Highways

Section 2070 [Saving Trees and Shurbbery Where any highway passes through or along forested lands wild lands or uncultivated lands no trees growing within the limits of such highway at a distance beyond fifteen feet on either side of the center line thereof and which measure four inches or over in diamter at a point two feet from the surface of the ground shall be cut down or destroyed by the commissioners or persons employed by them or any other person without first obtaining the consent of the abutting owners

Whenever any highway running through improved or cultivated lands has been opened and there are growing along the roadside and within the road limits shrubs or trees not interfering with public travel no commissioners or other persons in their employ shall remove cut injure or destroy or in any other manner interfering with such shrubs or trees If such removal or cutting is absolutely necessary for the purpose of maintaining the highway at its highest efficiency the commissioners or other persons in their employ may so cut or remove such shrubs or trees after notifying the abutting property owners and entering into an agreement with them relating to the removal cutting or interference with said shrubs or trees]

In order to provide for easy and convenient traveling upon the public highways the township commissioners may cut alter or remove any trees shrubbery underbrush refuse or obstructions within the legal width of any public road street lane or alley or any part thereof All logs cordwood or other forms of wood derived from the destruction or removal of any trees growing along such highways become the property of the abutting owners provided that such abutting owners shall within ten days after notice from the township remove such logs cordwood or other forms of wood from the legal width of the highway In the event of their failure to do so they shall forfeit all interest therein and the same may be disposed of as the township commissioners deem proper

Section 2301 Power to Lay Out Ordain and Establish Grades Townships may lay out ordain and establish sidewalks along any [of the roads streets lanes and alleys of the township] public road street lane or alley including State and State-aid highways and county roads and may establish grades for such sidewalks which grades may be separate and apart from the grade established for the highway and for this purpose any township may acquire land by purchase gift or by the right of eminent domain

Section 2302 Width The width of any sidewalk shall be fixed by the township commissioners either by ordinance or resolution

Section 3201 Power to Create Planning Commission Residence of Commissioners Employes Rules and Regulations The township commissioners may create by ordinance and appoint a Planning Commission consisting of five persons in the first instance one member of said commission shall be appointed for one year one for two years one for three years one for four years and one for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a vacancy shall be for the unexpired portion of the term All members of the commission shall reside within the [zone of jurisdiction of said commission as hereinafter defined] township [The Planning Commission may make and alter rules and regulations for their own organization and procedure consistent with the ordinance of the township and the laws of the Commonwealth] They shall serve without compensation and make annually to the township commissioners a report of their transactions The Planning Commission may with the consent of the township commissioners [employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for through proper appropriation by the township commissioners] retain the services of an engineer or engineers as well as other necessary employes. The township commissioners shall appropriate such sum as they deem necessary for defraying the expenses of the Planning Commission and in no event shall the expenses of the Planning Commission including the salaries of the engineer or other employes exceed the amount of the appropriation

Section 2 That sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred two three thousand two hundred three three thousand two hundred four three thousand two hundred five and three thousand two hundred six of said act are hereby repealed

Section 3 That said act is hereby amended by adding thereto the following sections

(bb) Reestablishment of Townships of the Second Class

Section 209 Ascertainment of Population At any time not less than one year before the time fixed for taking a decennial census of the United State whenever the owners of twenty-five per centum of the assesed valuation of the real estate of any township of the first class shal present their petition to the court of quarter sessions averring that the township no longer has a population of three hundred inhabitants to the square mile and shall give such security as the court may prescribe for the payment of all costs and expenses which may be incurred in any procedure had upon said petition the court shall appoint a commissioner to perform the duties hereafter prescribed

The said commissioner shall make an enrollment of the inhabitants of such township and make report thereof to the court at the next ensuing term Upon the filing of the report the same shall be confirmed nisi which confirmation shall become absolute unless excepted to within thirty days thereafter during which time notice of the said filing and confirmation shall be advertised in a newspaper published in the county once a week for three weeks If exceptions are filed to the report within the said thirty days the court upon consideration thereof shall confirm the report or modify the said finding After final confirmation the clerk of the court shall certify to the county commissioners and to the township supervisors of the township the population of the township as shown by said proceedings The costs and expenses of the proceedings including a reasonable fee for the commissioner and attorney shall be paid by the petitioners or by the township or partly by each as the court shall direct

In addition to the procedure provided in the preceding paragraph the county commisisoners of each county shall following each decennial census of the United States ascertain from such census whether any township of the first class in the county no longer has a population of three hundred inhabitants to the square mile and shall immediately certify the fact that any township no longer has a population of three hundred inhabitants to the square mile to the board of commissioners of the township

Section 209a Submission of Question of Voters Returns of Election and Effect Thereof At the first general or municipal election occuring at least ninety days after the ascertainment by special enrollment or from the United States census including the United States census of one thousand nine hundred and thirty and each subsequent census that any township of the first class no longer has a poupulation of at least three hundred inhabitants to the square mile the question whether such township of the first class shall be reestablished as a township of the second class shall be submitted to the voters of the township and the county commissioners shall cause to be printed on separate ballots to be used in such township at such election a proper question framed in accordance with the election laws of the Commonwealth

The election officers shall compute the votes cast at the election provided for in the preceding paragraph and make return thereof to the clerk of the court of quarter sessions who shall tabulate the same and certify the result thereof to the county commissoiners and the township commissioners of such township If a majority of the votes cast at any such election shall be in favor of becoming reestablished as a township of the second class the government of the township of the second class shall be organized and become operative on the first Monday of January next succeeding such election at which time the terms of the officers of the township of the

first class shall cease and terminate If a majority of the votes cast at any such election shall be in favor of remaining a township of the first class no further proceedings shall be had for a period of four years after which period the board of township commissioners by unanimous action may or upon petition of ten per centum of the registered voters of the township shall resubmit the question to the electors of the township in the manner hereinbefore provided

The provisions of this and the preceding section shall apply to all townships of the first class the governments of which as townships of the second class have not been actually organized at the time this act becomes effective and such townships shall continue as townships of the first class until the election hereinbefore provided shall determine otherwise

Section 3202 Maps and Plans Recommendations of Planning Commission In addition to filing an annual report it shall be the duty of the Planning Commission to make or cause to be made and to lay before the township Commissioners maps and plans of the township or any portion thereof showing the strets highways and other natural and artifical features and also any locations recommended by it for any new public buildings civic schemes parkways parks playgrounds or any other public grounds or public improvements and any widening extension or relocation of the same and thereafter from time to time the Planning Commission may lay before the township commisioners any modification change or supplement to any prior plan or plans The Planning Commission may also from time to time make recommendations to the township commissioners with respect to any and all matters and things referred to in this section and in so doing shall have regard for the present conditions and future needs and growth of the township

Any maps or plans so submitted shall not be affective unless regularly approved and adopted by ordinance or rseolution of the township commissioners and after such approval and adoption shall be subject to revision and change from time to time as the township commissioners may deem expedient

Section 3203 Reference of Proposals to Planning Commission The township commisisoners may at their discretion from time to time submit to the Planning Commission any question or proposal relating to any of the matters or things refered to in the preceding section hereof or any other matter or thing relating to the growth or development of the township including any plans for the development of any particular sections of the township and it shall be the duty of the Planning Commission in due course to make a report with respect to any such question or proposal with its recommendation thereon

Section 4 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Gillette,	McHenry,	Shortz,
Baker,	Gorman,	McKay,	Shreiner,
Baldi,	Green,	McKinney,	Shugarts,
Barnhardt,	Greenstein,	Melchiorre,	Simon,
Bechtel,	Griffith,	Meredith,	Sinwell,
Beech,	Haines,	Merrell,	Snyder,
Bennett,	Harmuth,	Metzler,	Sowers,
Bernhard,	Hart,	Mohn,	Spann,
Blumberg,	Heffernan,	Moore,	Stank,
Boyd,	Hermansen,	Mumford,	Steedle,
Brancato,	Hester,	Munley,	Sterling, P.,
Brennan,	Hewitt,	Myers,	Sterling, R. B.,
Brown, J. E.,	Himes, H. E.,	Negley,	Stevens,
Brown, W. L.,	Himes, L. R.,	Nothnagle,	Stiteler,
Brownfield,	Hoffman,	O'Connor,	Stone,
Cannon,	Holmes, J. B.,	O'Keefe,	Storb,
Caputo,	Hoopes,	O'Neill,	Stott,
Carey,	Hough,	O'Rourke,	Surface,
Carson,	Hutton,	Patterson,	Tahl,
Chervenak,	Kane, L. P.,	Peelor,	Terry,
Cohen,	King,	Pennock,	Turner,
Conner,	Kinney,	Perry, D. R.,	Wade,
Cooke,	Labar,	Perry, J. J.,	Wagner,
Cordier,	Lane,	Peters,	Walker, G. E.,
Craig,	Laubach,	Powell,	Walker, W. A.,
Cramer,	Lenahan,	Powers,	Wall,
Dane,	Lewis,	Price,	Wasserman,
Davies,	Long,	Quinn,	Way,
DeFrehn,	Lord,	Raub,	Weidemann,
Denning,	Lose,	Reetenwald,	Welsh,
Downey, G. E.,	Lovett, J. E.,	Reed,	Westrick,
Downey, J.,	Lovett, W. S.,	Roan,	White,
Duffy,	Lynch, J. R.,	Root,	Wike,
Dunmire,	Lynch, M.,	Roth,	Williams, G. W.,
Dwyer,	Male,	Royle,	Williams, J. J.,
Ederer,	Malina,	Ruby,	Wilson, L. M.,
Embardt,	Maloney,	Ruth,	Wilson, T. B.,
Eroe,	Marcks,	Sarig,	Witkin,
Evans,	Mason,	Sautter,	Wood,
Fitzgerald,	McBride,	Schrock,	Woodside,
Flanagan,	McCandless,	Schrope,	Wright,
Fleisher,	McClure,	Schwab,	Yeakel,
Flinchbaugh,	McCreary,	Schwartz,	Yourishin,
Flynn,	McElwee,	Scott,	Zimmerman,
Forrest,	McGinnis,	Sheffer,	Talbot,
Furman,	McGrail,	Shellenberger,	Speaker.
Gartner,	McGregor,	Shettel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 179, as follows:

An Act to amend section two hundred and twelve of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and relating thereto" by requiring poor districts to pay premiums on treasurers' bonds and providing for depositories for funds of poor districts coterminus with counties of the third class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and twelve of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 212 County Treasurer to be Treasurer of District The treasurer of such county shall be treasurer of said poor district shall receive all moneys belonging to the district and pay out the same on warrants drawn by the directors of the poor The accounts of the treasurer with the said district shall be audited by the county controller or county auditors of said county in accordance with the laws relating to accounts of county treasurers

The directors of the poor shall require the county treasurer to give bond with sufficient surety in such amount as they shall determine requisite for the safe keeping and proper payment of all moneys that come into his hands on account of said district The premium or premiums for any such bond or bonds shall be paid by the directors of the poor

The directors of the poor in all poor districts coterminus with counties of the third class shall from time to time designate by resolution a depository or depositories for all moneys belonging to the district Such depository or depositories shall be banks banking institutions or trust companies located in the Commonwealth Depositories so designated shall upon receipt of notice of their selection as depository of funds of the poor district furnish a bond to secure payment of deposits and any interest to the poor district secured by a surety company or individual sureties or by the depositing in escrow of securities

to be approved by the directors of the poor of such poor districts Such bonds shall be in a sum to be fixed by resolution of the directors of the poor

The county treasurer shall upon the designation of such depository or depositories immediately transfer thereto the funds of such poor district and shall thereafter keep such deposits solely in such depository or depositories in the name of such poor district No county treasurer complying with the provisions of this section nor his surety or sureties shall be chargeable with losses of poor district funds caused by the failure or negligence of such depository or depositories

Section 2 The provisions of this act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Mr. STEVENS. Mr. Speaker, will the sponsor of this bill please explain its purpose?

Mr. WEIDEMANN. Mr. Speaker, this is the same bill we passed ten days or two weeks ago to allow the county poor board to name the depository, that is, to name the bank, in which their money is to be placed, in counties of the third class.

Mr. STEVENS. Mr. Speaker, may I ask if it requires the poor board to pay for the bond?

Mr. WEIDEMANN. Mr. Speaker, the poor board pays for the bond.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—185

Andrews,	Greenstein,	McGregor,	Shettel,
Baker,	Griffith,	McHenry,	Shortz,
Baldi.	Habbyshaw,	McKay,	Shreiner,
Barnhardt,	Haines,	McKinney,	Shugarts,
Bechtel,	Hamilton,	Melchiorre,	Simon.
Bennett.	Harmuth,	Meredith,	Sinwell,
Bernhard,	Harris,	Merrell,	Snyder,
Blumberg,	Heffernan,	Metzler,	Sowers,
Boyd.	Heffner,	Mohn,	Spann,
Brancato,	Hermansen,	Moore,	Stank,
Brennan,	Hester,	Mumford,	Steedle,
Brown, J. E.,	Hewitt,	Munley,	Sterling, P.,
Brownfield,	Himes, H. E.,	Myers,	Sterling, R. B.,
Cannon,	Himes, L. R.,	Negley,	Stiteler,
Caputo,	Holmes, J. B.,	Nothnagle,	Stone,
Carey,	Holmes, J. L.,	O'Conner,	Storb,
Carson,	Hoopes,	O'Keefe,	Stott,
Chervenak,	Horst,	O'Neill,	Surface,
Cohen,	Hough,	O'Rourke,	Tahl,
Conner,	Hutton,	Patterson,	Terry,
Cooke,	Jaffe,	Peelor,	Turner,
Cordier,	Jones,	Pennock,	Wade,
Craig,	Kane, L. P.,	Perry, D. R.,	Wagner,
Cramer,	King,	Perry, J. J.,	Walker, G. E.,
Dane,	Kinney,	Peters,	Walker, W. A.,
Davies,	Labar,	Powell,	Wall,
DeFrehn,	Lane,	Powers,	Wasserman,
Denning,	Laubach,	Raub,	Way,
Downey, G. E.,	Lenahan,	Rectenwald,	Weidemann,
Downey, J.,	Lewis,	Reilly,	Welsh,
Duffy,	Long,	Rhodes,	Westrick,
Dunmire,	Lord,	Rice,	White,
Ederer,	Lose,	Roan,	Wike,
Emhardt,	Lovett, J. E.,	Root,	Williams, G. W.,
Eroe,	Lovett, W. S.,	Roth,	Williams, J. J.,
Evans,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Fitzgerald,	Lynch, M.,	Ruby,	Wilson, T. B.,
Flanagan,	Male,	Ruth,	Witkin,
Fleisher,	Malina,	Sarig,	Wood,
Flinchbaugh,	Maloney,	Schrope,	Woodside,
Flynn,	Marcks,	Schwab,	Wright,
Forrest,	Mason,	Schwartz,	Yeakel,
Furman,	McBride,	Scott,	Yourishin,
Gartner,	McCandless,	Sheffer,	Zimmerman,
Gillette,	McCreary,	Shellenberger,	Talbot,
Gorman,	McElwee,	Shenkel,	Speaker.
Green,	McGrail,		

NAYS—1

Stevens,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 534, as follows:

An Act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Beauty culture" includes any or all work done for compensation by any person which work is generally and usually performed by so-called hairdressers cosmetologists cosmeticians beauticians or beauty culturists and however denominated in so-called hairdressing and beauty shops ordinarily patronized by women which work is for the embellishment cleanliness and beautification of the women's hair such as arranging dressing curling waving permanent waving cleansing cutting singeing bleaching coloring pressing or similar work thereon and thereabout and the removal of superfluous hair and the massaging cleansing stimultating manipulating exercising or similar work upon the scalp face arms or hands or the upper part of the body by the use of mechanical or electrical apparatus or appliances or cosmetics preparations tonics antiseptics creams or lotions or by any other means and of manicuring the nails which enumerated practices shall be inclusive of the term beauty culture but not in limitation thereof

"Department" means the Department of Public Instruction of this Commonwealth

Section 2 Practice of Beauty Culture without Registration Prohibited It shall be unlawful for any person to practice or teach beauty culture or manage a beauty shop or to use or maintain any place for the practice or teaching of beauty culture for compensation unless he or she shall have first obtained from the department a certificate of registration as provided in this act Nothing contained in this act however shall apply to or affect any person who is now actually engaged in any such occupation except as hereinafter provided

Section 4 Requirements to Practice Before any person may practice manage or teach beauty culture such person shall file with the department a written application for registration accompanied by a health certificate issued by a registered licensed physician of Pennsylvania under oath on a form which shall be prescribed and supplied by such department and shall deposit with the department the registration fee and pass an examination as to fitness to practice or teach beauty culture or manage a beauty shop as hereinafter provided in this act

Section 4 Eligibility Requirements for Examination No person shall be permitted by the department to take an examination to receive a certificate as an operator unless such person shall be at least sixteen years of age and has been registered as a student and has had training as hereinafter provided in this act in a beauty school duly registered by the department or unless such person shall have been registered and served as an apprentice at least two years as hereinafter provided in this act Provided however That the department may permit a person to take an examination without the prior studentship or apprenticeship herein required if such person shall establish to the satisfaction of the department that he or she has been an operator in the active practice of beauty culture for at least twenty-four months within the five years next preceding the effective date of this act No person shall be permitted to take an examination for a certificate to teach beauty culture or act as manager of a beauty shop unless such person shall be at least eighteen years of age and has had at

least eighteen months' experience as an operator in a beauty shop or has had training in a duly registered school of beauty culture of fifteen hundred hours inclusive of the studies necessary to become an operator

Section 5 Manicuring A limited certificate of registration to manicure the nails only may be applied for and granted under all of the terms and conditions of this act except that the examination therefor may be limited to such practice only and the required schooling shall be not less than one month

Section 6 Requirements of a School of Beauty Culture No school of beauty culture shall be granted a certificate of registration unless it shall attach to its staff as a consultant a person licensed by this Commonwealth to practice medicine and employ and maintain a sufficient number of competent teachers registered as such and shall possess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum shall keep a daily record of the attendance of each student shall maintain regular class and instruction hours shall establish grades and hold examinations before issuance of diplomas and shall require a day school term of training of not less than one thousand hours within a period of not less than six consecutive months or a night school term of training for a period of not less than twelve consecutive months for a complete course of cosmetology as provided by this act and to include practical demonstrations and theoretical studies and study in sanitation sterilization and the use of antiseptics cosmetics and electrical appliances consistent with the practical and theoretical requirements as applicable to beauty culture or any practice thereof In no case shall there be less than one teacher to each twenty-five pupils

Section 8 Student Practice Upon the Public for Pay Prohibited It shall be unlawful for any school of beauty culture to permit its students to practice beauty culture upon the public under any circumstances except by way of clinical work upon persons willing to submit themselves to such practice after having first been properly informed that the operator is a student No school of beauty culture shall directly or indirectly charge any money whatsoever for treatment by its students or for materials used in such treatment

Section 8 Practice in Beauty Shops Only It shall be unlawful for any person to practice beauty culture for pay in any place other than a registered beauty shop Provided That a registered operator may furnish beauty culture treatments to persons in residences of such persons by appointment

Section 9 Exceptions to Examination Requirements Present Students and Apprentices Any person who has practiced or taught beauty culture or acted as manager of a beauty shop or school of beauty culture under a certificate license or permit for not less than two years in another state territory or District of Columbia or any person who has done so in this Commonwealth for at least six months next preceding the effective date of this act and is thus engaged in this Commonwealth at the time this act goes into effect may secure the certificate of registration required by this act without an examination or compliance with other requirements as to age or education provided such person shall make application to the department for registration within ninety days after the effective date of this act such application shall be accompanied by an affidavit of a practicing physician that the applicant was examined and is free from all contagious and infectious diseases and the registration fee required by this act Any person studying beauty culture in a school of beauty culture or as an apprentice in a beauty shop in this Commonwealth at the time this act goes into effect shall receive credit for such time and studies without complying with the requirements of this act as to age and preliminary education provided such person shall make application to the department for registration as a student or apprentice within three months after this act goes into effect Students upon graduating from registered schools of beauty culture may apply for and receive from the department a temporary permit to practice as an operator until the next regular examination held by the department under the provisions of this act

Section 10 Apprentices in Beauty Shops Any cosmetologist hairdresser or cosmetician who is a beauty shop owner and who is a holder of a teacher's certificate may instruct apprentices provided that there shall be no less than four licensed operators for each apprentice in any shop and there shall be no more than two apprentices in any shop and provided such shop is not held out as a school of beauty culture Such apprentices may apply for examination at the end of their apprenticeship at the next regular examination held by the department and if successful therein shall be registered as operators Registered apprentices upon completion of their required term of apprenticeship may apply for and receive from the department a temporary permit to practice as an operator until the next regular examination

Section 11 Rules by Department The department shall prescribe reasonable rules for its conduct and for the qualifications registration and examination of applicants to practice or teach beauty culture and for the registration of apprentices teachers students and managers of beauty shops or schools of beauty culture and for temporary licenses to be issued at the discretion of the department and generally for the conduct of persons copartnerships associations or corporations affected by this act Rules established by the department shall be printed and supplied to applicants and license holders

Section 12 Examinations If the department finds that the applicant has submitted the credentials required by this act for admission to examination and has paid the registration fee required by this act the department shall admit such applicant to examination and shall issue a certificate of registration to practice as operator manager or teacher as the case may be to those successfully passing the required examinations The department shall hold public examinations on the third Tuesday in January April July and October in the cities of Philadelphia Pittsburgh Wilkes-Barre Harrisburg and Erie at such hours as the department shall prescribe The examination for teachers' and managers' licenses shall differ from the examination for operators' licenses in that it shall be of a more exacting nature and require higher standards of knowledge of the practice and theories of beauty culture including ability to teach properly the various practices and theories of beauty culture

Section 13 Powers and Duties of Department The department shall have the power to refuse revoke or suspend licenses or certificates upon due hearing on proof of violation of any provisions of this act or the rules and regulations established by the department under this act or for gross incompetency or dishonest or unethical practices and shall have the power to require the attendance of witnesses and the production of such books records and papers as it may desire Before any certificate shall be suspended or revoked for any of the reasons contained in this section the holder thereof shall have notice in writing of the charge or charges against him or her and shall at a day specified in said notice which shall be at least five days after the service thereof be given a public hearing before a duly authorized representative of the department with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her Any person whose certificate of registration has been so suspended or revoked may after the expiration of ninety days on application to the department have the same reissued to him or her upon satisfactory proof that the disqualification has ceased Before the department may institute any of the above proceedings it shall send a notice in writing to the certificate holder of any alleged violation of this act or rules thereunder together with a notice that if the violation is not abated within fifteen days the proceedings above outlined will be initiated

Section 14 Sanitary Rules The department shall prescribe such sanitary rules as it may deem necessary with particular reference to the precautions necessary to be employed to prevent the creating and spreading of infectious and contagious diseases and it shall be unlawful for the owner or manager of any beauty shop or school of beauty culture to permit any person to sleep in or use for residential purposes any room used wholly or in part as a beauty shop or school of beauty culture

Section 15 Appeal from Actions of Department An appeal may be taken from any actions of the department to the court of common pleas of Dauphin County The judgment of the common pleas court may be reviewed by the Superior Court on appeal

Section 16 Fees The registration fee for the issuance of a license with or without examination shall be as follows Five dollars ($5.00) for beauty shop owners managers and teachers two dollars ($2.00) for operators and manicurists one dollar ($1.00) for students or apprentices and fifty dollars ($50.00) for schools of beauty culture Annual renewal fees shall be five dollars ($5.00) for shop owners and managers and school instructors two dollars ($2.00) for operators and manicurists and twenty-five dollars ($25.00) for schools of beauty culture The above fees for registration examination and certificate

shall be paid in advance to the department and by it paid into the State Treasury through the Department of Revenue

Section 17 To whom Provisions in This Act Shall Not apply Nothing in this act shall prohibit service in case of emergency or domestic administration without compensation nor service by persons authorized under the laws of this State to practice medicine surgery dentistry chiropody osteopathy or chiropractice nor services by barbers lawfully engaged in the performance of the usual and ordinary duties of their vocation Nothing in this act is intended to be inconsistent with the act approved the nineteenth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred eighty-nine) entitled "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops barber schools and barber colleges and apprentices and students therein conferring certain powers and duties on the Department of Public Instruction and providing penalties"

Section 18 Display of Certificates Every holder of a certificate granted by the said department as provided in this act shall display it in a conspicuous place in his or her principal office place of business or employment

Section 19 Duration and Renewal of Certificates of Registration The certificates of registration issued in the year in which this act goes into effect shall expire as of December thirty-first one thousand nine hundred and thirty-four Thereafter certificates shall be issued for no longer than one year All certificates shall expire on the thirty-first day of December next succeeding unless renewed for the next year Certificates may be renewed by application made prior to the thirty-first day of December of each year and the payment of the renewal fees provided in this act

Section 20 Penalties (a) Any person who shall practice or teach beauty culture or act in any capacity wherein registration is required without complying with this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars ($100.00) or undergo an imprisonment not exceeding ninety (90) days or both at the discretion of the court Each and every day of violation shall be construed as a separate offense

(b) An operator manager teacher student or apprentice who shall practice the occupation of beauty culture while knowingly suffering from contagious or infectious disease or who shall knowingly serve any person afflicted with such disease shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars ($100.00) or undergo an imprisonment not exceeding thirty (30) days or both at the discretion of the court

(c) Any operator manager teacher student or apprentice who shall infect any person or who shall impart any contagious or infectious disease by reason of carelessness or negligence in the practice of such occupation shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo an imprisonment not exceeding six months or both at the discretion of the court

(d) All fines and penalties shall be paid to the department and by it paid into the State Treasury through the Department of Revenue

Section 21 Effect of Partial Invalidity of Act Each section of this act and every part of each section is hereby declared to be independent of every other and the holding of any section or part thereof to be void or ineffective for any cause shall not be deemed to affect any other section or part thereof

Section 22 Effective Date This act shall become effective on the first day of January one thousand nine hundred and thirty-four

Section 23 Repeal All acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136

Andrews,	Green,	McClure,	Scorza,
Baker,	Greenstein,	McCreary,	Scott,
Baldi,	Habbyshaw,	McElwee,	Sheffer,
Barnhardt,	Haines,	McGrail,	Shenkel,
Bechtel,	Harris,	McGregor,	Shettel,
Bennett,	Hart,	McKay,	Shreiner,
Bernhard,	Hartman,	Meredith,	Shugarts,
Blumberg,	Heffernan,	Metzler,	Sinwell,
Brennan,	Hefferon,	Moore,	Snyder,
Brown, J. E.,	Heffner,	Mumford,	Sowers,
Brown, W. L.	Hermansen,	Munley,	Spann,
Carey,	Hewitt,	Negley,	Stark,
Conner,	Hoffman,	O'Connor,	Steedle,
Cooke,	Holmes, J. B.,	O'Keefe,	Sterling, P.,
Cordier,	Holmes, J. L.,	O'Neill,	Stone,
Craig,	Hoopes,	O'Rourke,	Storb,
Dane,	Horst,	Peelor,	Stott,
Davies,	Hough,	Pennock,	Tahl,
DeFrehn,	Howard,	Perry, D. R.,	Turner,
Downey, G. E.,	Hutton,	Perry, J. J.,	Wade,
Downey, J.,	Jaffe,	Peters,	Walker, G. E.,
Duffy,	Jones,	Powell,	Walker, W. A.,
Dunmire,	Kane, J. J.,	Powers,	Wall,
Dwyer,	Lewis,	Price,	Wasserman,
Ederer,	Long,	Raub,	Way,
Emhardt,	Lord,	Rectenwald,	Welsh,
Evans,	Lose,	Reed,	Westrick,
Fitzgerald,	Lovett, J. E.,	Rice,	Wilson, L. M.,
Flanagan,	Lovett, W. S.,	Roan,	Woodside,
Fleisher,	Lynch, J. R.,	Roth,	Wright,
Flinchbaugh,	Male,	Ruby,	Yeakel,
Flynn,	Malina,	Sarig,	Yourishin,
Forrest,	Maloney,	Sautter,	Talbot,
Gallagher,	Mason,	Schwartz,	Speaker.
Gartner,	McBride,		

NAYS—44

Beech,	Cramer,	Labar,	Schrope,
Boyd,	Eroe,	Lane,	Schwab,
Brancato,	Furman,	Lenahan,	Stevens,
Brownfield,	Gillette,	Lynch, M.,	Weidemann,
Caputo,	Gorman,	Nothnagle,	Williams, G. W.,
Carson,	Griffith,	Schrock,	Wood,
Cohen,	Hester,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1933, as follows:

An Act to amend section two of an act approved the twenty-first day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred twenty-seven) entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto" by giving the Governor of this State authority to deliver up certain imprisoned persons for the purpose of trial for murder in the demanding state under certain conditions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the twenty-first day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred twenty-seven) entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto" is hereby amended to read as follows

Section 2 Criminals to be Delivered Upon Requisition Subject to the qualifications of this act and the provisions of the Constitution of the United States controlling and acts of Congress in pursuance thereof it is the duty of the Governor of this State to have arrested and delivered up to the executive authority of any other state of the United States any person charged in that State with treason felony or other crime who has fled from justice and is found in this State

Provided if the executive authority of any other state or district requests the extradition of any person charged in that state with murder and that person is imprisoned in a penal institution or jail of this State for a term less than imprisonment for life the Governor of this State may deliver him or her up to the executive authority of the demanding state or district for the purpose of trial in said state or district Provided however that prior to the removal of the person from this state the executive authority of the demanding state or

district shall have agreed that the person so delivered up is to be returned immediately to this State at the cost of the demanding state or district to serve the balance of his or her term of imprisonment in the event of his or her acquittal in the demanding state or in the event of his or her conviction in such state of manslaughter or any degree of murder the punishment for which is less than death or imprisonment for life

Section 2 This act shall become effective immediately upon its passage and approval by the Governor

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182

Andrews,	Habbyshaw,	McGregor,	Shortz,
Baker,	Haines,	McHenry,	Shreiner,
Baldi,	Hamilton,	McKay,	Shugarts,
Barnhardt,	Harmuth,	Melchiorre,	Simon,
Bechtel,	Harris,	Merrell,	Sinwell,
Beech,	Hartman,	Metzler,	Snyder,
Bennett,	Hefferon,	Mohn,	Sowers,
Bernhard,	Heffner,	Moore,	Spann,
Blumberg,	Hermansen,	Munley,	Stank,
Boyd,	Hester,	Myers,	Steedle,
Brennan,	Hewitt,	Negley,	Sterling, P.,
Brown, J. E.,	Himes, H. E.,	Nothnagle,	Sterling, R. B.,
Brown, W. L.,	Himes, L. R.,	O'Connor,	Stiteler,
Cannon,	Hoffman,	O'Neill,	Stone,
Caputo,	Holmes, J. B.,	O'Keefe,	Storb,
Carson,	Holmes, J. L.,	Patterson,	Stott,
Chervenak,	Hoopes,	Peelor,	Surface,
Cohen,	Horst,	Pennock,	Tahl,
Conner,	Hough,	Perry, D. R.,	Terry,
Cooke,	Howard,	Perry, J. J.,	Turner,
Cordier,	Hutton,	Peters,	Wade,
Craig,	Jaffe,	Powell,	Wagner,
Cramer,	Jones,	Powers,	Walker, G. E.,
Davies,	Kane, J. J.,	Price,	Walker, W. A.,
DeFrehn,	Kane, L. P.,	Quinn,	Wall,
Denning,	King,	Raub,	Wasserman,
Downey, G. E.,	Kinney,	Rectenwald,	Way,
Downey, J.,	Lane,	Reed,	Weidemann,
Duffy,	Laubach,	Reilly,	Welsh,
Dunmire,	Lewis,	Rhodes,	Westrick,
Dwyer,	Long,	Rice,	White,
Ederer,	Lord,	Roan,	Wike,
Eroe,	Lose,	Root,	Williams, G. W.,
Evans,	Lovett, J. E.,	Roth,	Williams, J. J.,
Fitzgerald,	Lovett, W. S.,	Royle,	Wilson, L. M.,
Flanagan,	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Fleisher,	Male,	Ruth,	Witkin,
Flinchbaugh,	Malina,	Sautter,	Wood,
Flynn,	Maloney,	Schrock,	Woodside,
Furman,	Marcks,	Schrope,	Wright,
Gallagher,	Mason,	Schwartz,	Yeakel,
Gartner,	McBride,	Scorza,	Yourishin,
Gillette,	McCandless,	Sheffer,	Zimmerman,
Gorman,	McCreary,	Shellenberger,	Talbot,
Green,	McElwee,	Shenkel,	Speaker.
Greenstein,	McGinnis,	Shettel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 397 (Senate Bill No. 62), as follows:

An Act to amend section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and judges of the County Court of Allegheny County" as amended reducing the compensation of judges presiding in other districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" which was amended by the act approved the sixth day of May one thousand nine hundred and thirty-one (Pamphlet Laws ninety-seven) is hereby further amended to read as follows

Section 9 When any judge learned in the law is called in as now provided by law to assist the judge or judges of any other judicial district such judge so called in shall be entitled to receive for each day he is actually engaged in the performance of such duty the sum of fifteen dollars ($15) per day and actual traveling expenses not in excess of ten cents for each mile travelled to and from the place of holding court in such district

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. WOODSIDE. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1134 (Senate Bill No. 363), as follows:

An Act to amend sections one two four five six and seven of the act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred seventy-eight) entitled "An act to regulate the sale for agricultural purpose of crushed limestone lime gypsum and related products defining said products and prescribing penalties for the violation of this act" extending the provisions of said act so as to regulate the sale of all "liming materials for agricultural purposes" defining said term and giving the Secretary of Agriculture power in certain cases to revoke licenses issued under this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one two four five six seven of the act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred seventy-eight) entitled "An act to regulate the sale for agricultural purpose of crushed limestone lime gypsum and related products defining said products and prescribing penalties for the violation of this act" are hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That [every bag barrel or other package or quantity of any pulverized limestone ground oyster shells artificial carbonate of lime ground lime spraying lime slaked-lime hydrated lime hydrated spraying lime marl gypsum or land-plaster] all liming materials for agricultural purposes sold offered or exposed for sale within this Commonwealth [for use as a soil amendment or as an ingredient or reagent in the preparation of any fungicide or insecticide] shall have attached to it or be accompanied in the manner provided in section three hereof by a plainly printed statement giving [the name and address of the manufacturer or importer and his place of business the brand or trade-name of said material the net weight of the contents of the package when sold in package and a statement declaring with respect to pulver-

ized limestone ground oyster shells and artificial carbonate of lime (a) The degree of fineness of the material in terms of the minimum sievemesh expressed in fractions of an inch through which the coarsest particles of said material can pass and (b) the minimum percentages contained of available oxides of calcium and magnesium respectively combined as carbonates with respect to lime] [ground lime spraying lime slaked-lime hydrated lime hydrated spraying lime and marl the minimum percentages contained of the available oxids of calcium and magnesium respectively and with respect to gypsum or landplaster the minimum percentages contained of available calcium oxide and sulphur trioxide or sulphuric acid (SO3) respectively which] the following information

(a) The name of the manufacturer or importer and the address of his principal office

(b) The name of the place where manufactured

(c) The brand or trade name of the material

(d) The name of the form of the material

(e) The net weight when the material is sold in packages

(f) The fineness of the material if in a ground or powdered form showing the percentage passing the twenty mesh sieve the sixty mesh sieve and the one hundred mesh sieve

(g) The minimum percent contained of in terms of oxides of calcium and oxides of magnesium

(h) With respect to all burned forms of liming materials including mixtures of burned and unburned liming materials statement of the total maximum percent contained of oxides of calcium and oxides of magnesium which are combined as carbonates The information given in the said statement shall be held to be the guaranty of the manufacturer or importer that the goods to which said statement refers are of the kind and quality or composition and fineness so set forth [The provisions of this act] [shall not however apply to air-slaked lime kiln-slaks gas-house lime or tanners' lime when sold as such]

Section 2 For the purpose of this act [materials named in the foregoing section are defined as follows

(1) Limestone is the rock commonly known by that name and consisting chiefly of calcium carbonate or of said carbonate with a smaller molecular proportion of magnetism carbonate

(2) Pulverized limestone is limestone reduced by mechanical means to a fine powder

(3) Artificial carbonate of lime is carbonate of lime artificially produced by any method other than the exposure of lime ground lime slaked-lime hydrated lime or spraying lime to the action of the atmosphere

(4) Lime is the product obtained by the complete burning of limestone in a kiln and capable of being reduced by slaking to a fine powder

(5) Ground lime is lime reduced to a fine powder by grinding

(6) Spraying lime is lime of high purity containing not less than ninety-three per centum of calcium oxide and not more than five per centum of magnesium oxide not more than five per centum of carbon dioxide nor more than five per centum of acid insoluble matters iron and aluminum oxids collectively

(7) Slaked-lime is the dry finely divided product obtained by the addition of water to lime

(8) Hydrated lime is slaked-lime prepared by the aid] [of stirring or of stirring grinding and screening machinery and is free from hard lumps

(9) Hydrated spraying lime is dry finely divided hydrated lime of purity not less after taking the water of hydration into account than that herein required in the case of spraying lime and of such fineness that all shall pass a standard sieve of one hundred meshes to the inch

(10) Air-slaked lime is the more or less finely divided product obtained when lime slaked-lime hydrated lime or spraying is exposed for a considerable time to the action of the air

(11) Marl is clay highly charged with carbonate of lime Shell marl is marl in which the carbonate of lime is present chiefly in the form of molluscan shells

(12) Gypsum or land-plaster is the finely divided mineral commonly known by that name and consisting chiefly of calcium sulphate

(13) Kiln-slake is refuse lime mixed with ashes and "core" or imperfectly burned limestone

(14) Gas-house lime is spent lime that has been used as a purifier in the manufacture of illuminating gas

(15) Tanner's lime is spent that has been used in the curing of hides]

expression "liming materials for agricultural purposes" means any substances containing calcium or magnesium or both for use as soil amendments or in soil treatment or as ingredients or reagents in the preparation of any fungicide or insecticide

Section 4 Every manufacturer or importer of [one or more of the materials named in section one of this act for either or both of the purposes therein stated] liming materials for agricultural purposes shall on or before the first day of January of each year or before offering them for sale in this Commonwealth [for either of said purposes] file annually with the Secretary of Agriculture a statement of the names and number of brands of such materials having distinct tradenames that he shall offer for sale [for either or both of said purposes] during the next ensuing calendar year or remainder thereof together with a copy of the statement declaring the composition of these several brands of said materials as required by section one of this act

Section 5 In addition to the statement required by section four of this act every manufacturer or importer of any of the materials [named in] covered by section one of this act shall on or before the first day of January of each year or before offering them for sale within this Commonwealth file annually with the Secretary of Agriculture an affidavit showing as nearly as practicable the weight of each brand of said materials sold by him or if the producer or vendor be a firm or corporation by its managers officers and agents within the Commonwealth [for either or both of the purposes named in section one of this act] during the last preceding year and for each brand so sold he shall pay to the Secretary of Agriculture a license fee according to the weight sold as follows For an amount [exceeding one] [hundred tons but] not exceeding one thousand tons five dollars for an amount exceeding one thousand tons but not exceeding five thousand tons ten dollars and for an amount exceeding five thousand tons twenty dollars and when said fees shall have been paid and the statements required by section four of this act have been filed with the Secretary of Agriculture the party or parties who have made such payment and otherwise complied with the provisions of this act shall be entitled to sell within the Commonwealth the goods specified in said statement and covered by said fees during the year or fraction of a year immediately following said statement If the manufacturer or importer shall not have made during the preceding year any sales within the Commonwealth [for the aforesaid purposes] of the aforesaid material of any brand to be offered for sale during the year for which the fee is to be paid he shall pay for each such brand a fee of five dollars All moneys so received shall be immediately paid by the Secretary of Agriculture into the State Treasury for the use of the Commonwealth

Section 6 Any person or persons selling offering or exposing for sale [for either of the purposes stated in section one of this act] any of the materials [named therein] covered by section one or brand of the same unless accompanied by the statement required by section one of this act or when so accompanied if the said statements shall be false in any particular or without having complied with all the foregoing provisions of this act shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine of not less than ten nor more than fifty dollars for the first offense and not less than one hundred dollars for each subsequent offense It shall be the duty of the Secretary of Agriculture to enforce the provisions of this act and all penalties costs and fines recovered shall be paid to him or his duly authorized agent and by him shall be immediately paid into the State Treasury for the use of the Commonwealth The Secretary of Agriculture is hereby authorized to revoke any license where it shall be properly ascertained that the license has wilfully given false information in its statements relative to the kind quality compensation or fineness of the liming materials sold or offered for sale under the provisions of this act

Section 7 The Secretary of Agriculture is hereby empowered to collect samples of the materials [named in] covered by section one of this act either in person or by his duly qualified agent or representative to have them analyzed and [to] shall publish the results for the information of the public and for this purpose the said Secretary of Agriculture such assistants agents experts chemists detectives and counsel as he shall duly authorize shall have full access ingress and egress to and from all places of business quarries kilns factories barns buildings carriages cars and vessels used in the manufacture storage transporation or sale of any of the said mate-

rials They shall also have power to open any package or vessel containing or supposed to contain any of the said materials and to take therefrom samples for analysis upon tendering the value of said samples Any manufacturer or producer of any of the materials [named in] covered by section one of this act located in the Commonwealth shall be entitled to have a single sample of any distinct brand for the sale of which he has paid the fee required by section five of this act analyzed by the Department of Agriculture under such regulations as the Secretary of Agriculture may prescribe with respect to the points of composition specified in said section one upon sending sample properly sealed and carriage prepaid together with a fee of five dollars for each such analysis but not more than two brands shall be analyzed under the priviliege conferred by this proviso for one manufacturer or producer in a single year None of the provisions of this act shall apply to sales of limestone or limestone products or marl when such sales are made at the quarry or pit in bulk and delivered to the wagons of the users who are presumed to be acquainted with the qualities of the local products if such deliveries do not exceed one hundred tons in any one year

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Harmuth,	McHenry,	Shortz,
Baker,	Harris,	McKay,	Shreiner,
Baldi,	Hart,	McKinney,	Shugarts,
Barnhardt,	Hartman,	Melchiorre,	Simon,
Bechtel,	Heffernan,	Metzler,	Sinwell,
Beech,	Hefferon,	Mohn,	Snyder,
Bennett,	Heffner,	Moore,	Sowers,
Bernhard,	Hermansen,	Mumford,	Spann,
Boyd,	Hester,	Munley,	Stank,
Brancato,	Hewitt,	Myers,	Steedle,
Brown, J. E.,	Himes, H. E.,	Negley,	Sterling, P.,
Brown, W. L.,	Himes, L. R.,	Nothnagle,	Sterling, R. B.,
Cannon,	Hoffman,	O'Connor,	Stevens,
Carey,	Holmes, J. B.,	O'Keefe,	Stiteler,
Chervenak,	Holmes, J. L.,	O'Neill,	Stone,
Conner,	Hoopes,	O'Rourke,	Storb,
Cooke,	Hutton,	Patterson,	Stott,
Cordier,	Jaffe,	Peelor,	Surface,
Craig,	Jones,	Pennock,	Tahl,
Cramer,	Kane, L. P.,	Perry, D. R.,	Terry,
Dane,	Kinney,	Perry, J. J.,	Turner,
Davies,	Labar,	Peters,	Wade,
DeFrehn,	Lane,	Powell,	Wagner,
Denning,	Laubach,	Powers,	Walker, G. E.,
Duffy,	Lenahan,	Price,	Walker, W. A.,
Dunmire,	Lewis,	Quinn,	Wall,
Dwyer,	Long,	Rectenwald,	Wasserman,
Ederer,	Lord,	Reed,	Way,
Emhardt,	Lose,	Reilly,	Weidemann,
Eroe,	Lovett, J. E.,	Rhodes,	Welsh,
Evans,	Lovett, W. S.,	Rice,	Westwick,
Fitzgerald,	Lynch, J. R.,	Roan,	White,
Flanagan,	Lynch, M.,	Root,	Wike,
Fleisher,	Male,	Roth,	Williams, G. W.,
Flinchbaugh,	Malina,	Royle,	Williams, J. J.,
Flynn,	Maloney,	Ruth,	Wilson, L. M.,
Forrest,	Marcks,	Sarig,	Wilson, T. B.,
Furman,	Mason,	Sautter,	Witkin,
Gallagher,	McBride,	Schrock,	Wood,
Gartner,	McCandless,	Schrope,	Woodside,
Gillette,	McClure,	Schwab,	Wright,
Gorman,	McCreary,	Scott,	Yeakel,
Green,	McElwee,	Sheffer,	Yourishin,
Greenstein,	McGinnis,	Shellenberger,	Zimmerman,
Griffith,	McGrail,	Shenkel,	Talbot,
Habbyshaw,	McGregor,	Shettel,	Speaker,
Hamilton,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2162 (Senate Bill No. 699), as follows:

An Act to amend clause five of section three of the act approved the thirteenth day of May one thousand nine hundred and nine (Pamphlet Laws five hundred twenty) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with the intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" as amended permitting the use of harmless colors in fruits used in fruit cake and further regulating the use of sulphur dioxide in the preparation of dried fruits and molasses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause five of section three of the act approved the thirteenth day of May one thousand nine hundred and nine (Pamphlet Laws five hundred twenty) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" which was last amended by the act approved the twenty-sixth day of April one thousand nine hundred and twenty-three (Pamphlet Laws eighty-eight) is hereby further amended to read as follows

Fifth If it contains any added sulphurous acid sulphur dioxide or suphites benzoic acide or benzoates except as hereafter provided or if it contains any added boric acid or borates salicylic acid or salicylates formaldehyde hydrofluoric acid or florides fluorborates fluosilicates or other fluorine compounds dulcin glucin saccharin alum compounds of copper betanapthol hydronapthol abrastol asaprol pyroligneous acid or other added ingredients deleterious to health of if in the case of confectionery it contains any of the substances mentioned in this paragraph or any mineral substances or injurious color or flavor alcoholic liquor or any other ingredient not herein mentioned deleterious to health Providing That this act shall not be construed to prohibit the use of harmless colors of any kind in confectionery or in fruits used in fruit cake when used for coloring and not for any fraudulent purpose And provided further That nothing in this act shall be construed to prohibit the use of common salt sugar pure corn syrup pure glucose wine vinegar cider vinegar malt vinegar sugar vinegar glucose vinegar distilled vinegar spices or their essential oils alcohol (except in confectionery) edible oils edible fats wood smoke applied directly as generated or proper refrigeration And provided further That in the manufacture of confectionery the use of alcohol shall be permitted as it may be found in customary alcoholic tinctures or extracts used for flavoring purposes only and as a solvent for glazes and that oil of sweet birch or methyl-salicylic ester may be used as a substitute for oil of wintergreen as a flavor And provided further That in the preparation of dried fruits and molasses sulphur dioxide either free or in simple combination may be used in the proportion of not in excess of twenty-five hundred (2500) parts a million and [in such quantities as will not render said dried fruits and molasses deleterious to health] that when any dried fruits and molasses are used in any food or food products or contained as a part of or as an ingredient in any food the sulphur dioxide in such dried fruits and molasses shall not exceed the proportion of fifty (50) parts a million and that sodium benzoates may be used in the preparation of those articles of food in which it has heretofore been generally used in quantities not exceeding one-tenth (1/10) of one per centum or benzoic acid equivalent thereto And provided further That when any quantity of sodium benzoate is used in any article of food [or any quantity of sulphur dioxide is used in the preparation of dried fruits or molasses] the fact that sodium benzoates [or sulphur dioxide] has been used in the preparation thereof shall be plainly stated on each package of such food

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182

Baker,	Habbyshaw,	McKay,	Shettel,
Baldi,	Haines,	McKinney,	Shortz,
Barnhard,	Hamilton,	Melchiorre,	Shreiner,
Bechtel,	Harmuth,	Meredith,	Shugarts,
Bennett,	Harris,	Merrell,	Simon,
Bernhard,	Hart,	Metzler,	Sinwell,
Blumberg,	Hartman,	Mohn,	Snyder,
Boyd,	Heffernan,	Moore,	Sowers,
Brennan,	Hefferon,	Mumford,	Stank,
Brown, W. L.,	Heffner,	Munley,	Steedle,
Brownfield,	Hester,	Myers,	Sterling, P.,
Cannon,	Hewitt,	Negley,	Sterling, R. B.,
Caputo,	Himes, H. E.,	Nothnagle,	Stevens,
Carson,	Himes, L. R.,	O'Connor,	Stiteler,
Chervenak,	Holmes, J. B.,	O'Neill,	Stone,
Cohen,	Holmes, J. L.,	O'Rourke,	Storb,
Conner,	Hoopes,	Patterson,	Stott,
Cooke,	Horst,	Peelor,	Surface,
Cordier,	Hutton,	Pennock,	Tahl,
Craig,	Kane, L. P.,	Perry, D. R.,	Terry,
Dane,	King,	Perry, J. J.,	Turner,
Davies,	Kinney,	Peters,	Wade,
DeFrehn,	Laber,	Powell,	Wagner,
Denning,	Lane,	Powers,	Walker, G. E.,
Downey, G. E.,	Laubach,	Price,	Walker, W. A.,
Downey, J.,	Lenahan,	Quinn,	Wall,
Duffy,	Lewis,	Raub,	Wasserman,
Dunmire,	Long,	Rectenwald,	Way,
Dwyer,	Lord,	Reed,	Weidemann,
Ederer,	Lose,	Reilly,	Welsh,
Emhardt,	Lovett, J. E.,	Rhodes,	Westrick,
Eroe,	Lovett, W. S.,	Rice,	White,
Evans,	Lynch, J. R.,	Roan,	Wike,
Fitzgerald,	Lynch, M.,	Root,	Williams, G. W.,
Flanagan,	Male,	Roth,	Williams, J. J.,
Fleisher,	Malina,	Royle,	Wilson, L. M.,
Flinchbaugh,	Maloney,	Ruby,	Wilson, T. B.,
Flynn,	Marcks,	Ruth,	Witkin,
Forrest,	Mason,	Sarig,	Wood,
Furman,	McBride,	Sautter,	Woodside,
Gartner,	McCandless,	Schrock,	Wright,
Gillette,	McCreary,	Schrope,	Yourishin,
Gorman,	McElwee,	Schwab,	Zimmerman,
Green,	McGrail,	Scott,	Talbot,
Greenstein,	McGregor,	Sheffer,	Speaker.
Griffith,	McHenry,	Shellenberger,	

NAYS—1

Hermansen,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1316 (Senate Bill No. 246), as follows:

An Act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County Court of Allegheny County with respect to the care guidance control trial placement and commitment of deliquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the deliquency neglect and dependency of children and amending revising and consolidating the law relating thereto

Whereas The welfare of the Commonwealth demands that children should be guarded from association and contact with crime and criminals and the ordinary process of the criminal law does not provide for such care guidance and control as are essential to children in the formative period of life and

Whereas Experience has shown that children lacking proper parental care or guardianship are led into courses of life which may render them liable to the penalties of the criminal law and that the real interests of such children require that they be not incarcerated in jails and penitentiaries as members of the criminal class but be subjected to wise care guidance and control so that evil tendencies may be checked and better instincts be strengthened and

Whereas To these ends it is important that the powers of the courts with respect to the care guidance and control over delinquent neglected and dependent children should be clearly distinguished from those exercised in the ordinary administration of the criminal law therefore

Section 1 DEFINITIONS Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

(1) The word "court" as used in this act means the County Court in the County of Allegheny the Municipal Court in the County of Philadelphia and the court of quarter sessions in all other counties of this Commonwealth

(2) The word "child" as used in this act means a minor under the age of sixteen years

(3) The word "adult" as used in this act means any person over the age of a child as defined and limited by this act

(4) The words "delinquent child" include

(a) A child who has violated any law of the Commonwealth or ordinance of any city borough or township

(b) A child who by reason of being wayward or habitually disobedient is uncontrolled by his or her parent guardian or custodian or legal representative

(c) A child who is habitually truant from school or home

(d) A child who habitually so deports himself or herself as to injure or endanger the morals or health of himself herself or others

(5) The words "neglected child" include

(a) A child who is abandoned by his or her parent guardian custodian or legal representative

(b) A child who lacks proper parental care by reason of the fault or habits of his or her parent guardian custodian or legal representative

(c) A child whose parent guardian custodian or legal representative neglects or refuses to provide proper or necessary subsistence education medical or surgical care or other care necessary for his or her health morals or well-being

(d) A child whose parent guardian custodian or legal representative neglects or refuses to provide the special care made necessary by his or her mental condition

(e) A child who is found in a disreputable place or associates with vagrant vicious or immoral persons

(f) A child who engages in an occupation or in a situation dangerous to life or limb or injurious to health or morals of himself herself or others

(6) The words "dependent child" include

(a) A child who is homeless or destitute or without proper support or care through no fault of his or her parent guardian custodian or legal representative

(b) A child who lacks proper care by reason of the mental or physical condition of the parent guardian custodian or legal representative

Section 2 JURISDICTION OF JUVENILE COURT PRESIDING JUDGE Except as hereinafter provided the several courts as defined in this act shall have and possess full and exclusive jurisdiction in (a) all proceedings affecting delinquent neglected and dependent children and (b) of all cases of adults charged with contributing to or encouraging or tending to cause by any act of omission or commission the delinquency neglect or dependency of any child or charged with any act of omission or commission with respect to any child which act of omission or commission is a violation of any State law or ordinance of any city borough or township

The powers of the court for the purpose of this act may be exercised by any one or more of the judges of such court who may be assigned for the purpose Such court when exercising the jurisdiction conferred by this act shall be known as the juvenile court"

Section 3 JUVENILE COURT SESSIONS AND RECORDS TO BE SEPARATE All sessions of the juvenile court shall be held separate and apart from sessions of the court held for the purpose of its general criminal and other business The records of the proceedings of the juvenile courts shall be kept in a docket separate from all other proceedings of such courts and shall be withheld from indiscriminate public inspection but shall be open to inspection by the parent or

other representative of the person institution association or society concerned and other persons having a legitimate interest

In all cases where a child is discharged on probation or otherwise from an institution industrial or training school a record of such discharge shall be kept in the juvenile court docket

Section 4 INITIATION OF PROCEEDINGS The powers of the court may be exercised

1 Upon the petition of any citizen resident of the county setting forth that (a) a child giving his or her name age and residence is neglected dependent or delinquent and is in need of care guidance and control (b) the names and residence of the parents if any or of his or her legal guardian if there be one (c) the name and residence of the person or persons having control of the child and (d) the name and residence of the nearest relative if no parent or guardian can be found

2 Upon commitment by a magistrate alderman or justice of the peace of a child arrested for any indictable offense other than murder or for the violation of any other laws of this Commonwealth or the ordinance of any city borough or township

3 There shall be no preliminary hearings in any cases affecting dependent delinquent or neglected children under the age of sixteen years

Section 5 JURY TRIALS Except as hereinafter provided the court shall hear and determine all cases affecting children arising under the provisions of this act without a jury If an adult coming before the court is charged with an offense for which he is entitled to a trial by jury and if he shall so demand the case shall be returned by the judge of the court to the proper court for trial

Section 6 PRELIMINARY ORDERS TEMPORARY CUSTODY OF CHILDREN Upon the filing of any petition as above set forth or the commitment of a child by any magistrate alderman or justice of the peace the judge holding the juvenile court shall if after preliminary inquiry he deems the same necessary make all necessary orders for compelling the production of such child and the attendance of parents or other person or persons having the custody or control of the child or with whom the child may be

Pending the final disposition of any case the child shall be subject to the order of the court and may be permitted by the court to remain in the control of his or her parents or the person having him or her in charge or in charge of a probation officer or the child may be placed by the court in the custody of any association or society having for one of its objects the care of dependent delinquent or neglected children or may be ordered by the court to be kept and maintained in some place provided by the county for such purposes

Section 7 CERTAIN COMMITMENTS PROHIBITED SPECIAL ROOMS FOR DETENTION OF CHILDREN No child pending or after hearing before the juvenile court shall be confined in any county jail workhouse police station lock-up or other institution in which adults are confined or be placed in any court room during the trial of adults unless his or her presence be required in the prosecution of adults upon order of the judge presiding at the trial of such adult or adults or in any vehicle in company with adults charged with or convicted of crime

The county commissioners in each county shall provide furnish and heat a separate room or rooms or a suitable building to be used exclusively for the confinement of all children who may be in custody awaiting hearing in the juvenile court of the county and shall provide for the maintenance and care of such children while in custody

Section 8 HEARING COURT ORDERS At the hearing or any continuation thereof the judge or judges shall after an inquiry of the facts determine whether the best interest and welfare of a child and the State require the care guidance and control of such child and shall make an order accordingly

The court may

(a) Allow a child to remain in its home under the care of his or her parent or parents or place such child in a suitable family home subject in either case to the supervision and guardianship of a probation officer and may require such child to report to the probation officer as often as deemed necessary and may require such child to be returned to the court for further proceedings whenever the same appears to the court to be necessary

(b) Commit a child to the care guidance and control of some reputable citizen of good moral character subject to the supervision of a probation officer and to report as required in clause (a) of this section (c) Commit a child to some suitable institution or to the care of an incorporated association or society one of whose objects is the care guidance and control of delinquent dependent and neglected children and which is willing to receive said child

(d) Commit a child to an industrial or training school or county institution or school maintained for such purpose willing to receive if for care guidance and control

No dependent neglected or delinquent child shall hereafter be committed to any industrial or correctional school or institution whatsoever by any magistrate alderman or justice of the peace any existing law to the contrary notwithstanding

Section 9 SUPPORT ORDERS The court may in any case make an order upon the parent or parents to contribute such sum for the support of the child as it may determine The court shall have power to enforce any such support order in like manner as courts of quarter sessions may enforce orders for support under the laws of this Commonwealth

Where a child is placed in a suitable family home and the payment of board is required in case provision is not made for such board by voluntary contribution or court order on the parent or parents the court may direct that such board be paid by the county until provision is made for the placing of such child in a suitable family home without payment of board

In the case of the commitment of a child the court may order the county proper to pay for the board and clothing of and necesasry medical and surgical attendance upon the care of such child and its maintenance generally and the necessary expenses of placing and replacing the child and may fix the amount which shall be paid for the child Provided That in all cases of commitments to houses of refuge that are not exclusively under State control or that are exclusively under State control the amount of the order for maintenance clothing instruction medical and surgical care shall be fixed according to existing legislation governing the payment of expenses of maintenance clothing instruction medical and surgical care of children committed to such institutions

In all cases where the cost of board or care and maintenance of a child have been ordered paid by the county it shall be directly liable to the person family association society or institution having the care guidance and control of the child but the county shall in all cases have full recourse to recover the amounts so paid from the persons or poor district liable for the support of such child

Section 10 RELIGIOUS BELIEFS TO BE TAKEN INTO CONSIDERATION ADOPTION BY FAMILIES The court shall place a child as far as possible under the care guidance and control of persons having the same religious belief as the parents of the child or with some association institution or society which is controlled by persons of such religious belief except in cases of commitments to Glen Mills Schol Sleighton Farm and Pennsylvania Training School and the public county institutions in counties having their own institutions for receiving juveniles and shall as far as possible provide in making orders of placement that the care guidance and control of the child shall be as nearly as possible that which should have been given by his or her parents In all cases where it can properly be done the child shall be placed in a suitable family home and become a member of the family by legal adoption or otherwise

Section 11 CERTAIN COMMITMENTS PROHIBITED It shall not be lawful to commit the care guidance and control of any delinquent neglected or dependent child under the age of twelve years to any industrial school or institution of correction unless after the care and oversight given such child under the probation system provided for by this act the court finds that the best interests of the child and the welfare of the community require such commitment It shall not be lawful to commit the custody of any neglected or dependent child under the age of twelve years to any institution in which delinquent children are received It shall not be lawful to commit the custody of any neglected or dependent child to any institution of correction in which delinquent children are received except in cases where such institutions are built or operated on a building plan providing for separate housing and supervision with proper provision made for grouping and segregating all neglected and dependent children from those children classed as delinquent

Section 12 AMENDMENT CHANGE AND EXTENTION OF COURT ORDERS All orders made by the several juvenile courts with respect to delinquent neglected and dependent children shall up to the time a child attains the age of twenty-

one years be subject to amendment change or extension by the judges thereof upon motion of the district attorney or a probation officer or upon petition of any other person in interest after at least five (5) days written notice has been given to both the district attorney and a probation officer When any child to whom the qurisdiction of the juvenile court has attached has been released on probation such probation shall at the discretion of the judge of the juvenile court be taken to continue in full force and effect until such child attains the age of twenty-one years but this shall in no way affect his or her prosecution and conviction in a court of quarter sessions and the imposition of sentence by a judge or judges of that court

Section 13 GUARDIANSHIP OF INDIVIDUALS ASSOCIATIONS AND SOCIETIES In any case where the court shall award a dependent neglected or delinquent child to the care of any association society or individual the child shall unless otherwise ordered become a ward and be subject to the guardianship of the association society or individual to whose care it is committed Such association society or individual shall have authority with the consent of the court to place such child in a suitable family home Such guardianship shall not include the guardianship of any estate of the child

Section 14 TRANSFER OF CASES FROM THE CRIMINAL COURTS If during the pendency of a criminal charge other than murder against any person in the court of quarter sessions or oyer and terminer it shall be ascertained that the person charged with the offense was under the age of sixteen years in the case of a male and under the age of eighteen years in the case of a female at the time the alleged offense was committed it shall be the duty of such court to transfer such case immediately together with all the papers documents and testimony connected therewith to the juvenile court The judge making such transfer shall order the child to be taken forthwith to the place of detention provided for dependent neglected and delinquent children or release such child in the custody of some suitable person or probation officer with directions to appear before the juvenile court at a time to be fixed at which time the judge of the juvenile court shall thereupon proceed to hear and dispose of the case in the manner provided by this act

Section 15 REHEARINGS AND APPEALS WHERE ERRORS OF LAW OR FACT ARE ALLEGED Within twenty-one (21) days after the final order of any judge of the juvenile court committing or placing any dependent neglected or delinquent child such child shall as a matter of right by his or her parent or parents or next friend have the right to present to the court a petition to have his or her case or cases reviewed and reheard if in the opinion of such parent parents or next friend an error of fact or of law or of both has been made in such proceedings or final order or if the said order has been improvidently or inadvertently made

Upon the presentation of such petition the court shall grant such review and rehearing as a matter of right The testimony at such reviews and rehearings shall be taken down and transcribed by an official court stenographer which testimony shall be duly made a part of the record in such case From the final order of such court in proceedings for such rehearings and reviews appeals shall lie as a matter of right to the Superior Court upon the same terms and with the same regulations as are provided by law with respect to appeals from any decree of the orphans' court In hearing such appeals the Superior Court shall consider the testimony as a part of the record

Section 16 REHEARINGS TO REVOKE OR MODIFY ORDERS WHERE CIRCUMSTANCES HAVE CHANGED APPEALS If at any time after the final order of any juvenile court placing or committing any dependent neglected or delinquent child a change of circumstances has taken place which in the opinion of the parent or parents or next friend of such child warrants the revocation or modification of such final order such child shall by his or her parent or parents or next friend have the right to file a petition in such court asking for a revocation or modification of such final order

It shall be the duty of such courts or judges to give a full and proper hearing on such petitions The testimony at such hearings shall be taken and transcribed by an official court stenographer at the cost of the party requesting such hearing and such testimony shall be duly made a part of the record in the case From the final order of such court in proceedings for such hearings appeals shall lie as a matter of right to the Superior Court of this Commonwealth upon the same terms and with the same regulations as are provided by law with respect to appeals from any decree of the orphans' court In hearing such appeals the Superior Court shall consider the testimony as part of the record

Section 17 APPOINTMENT OF PROBATION OFFICERS CLERKS STENOGRAPHERS AND ASSISTANTS POWERS AND DUTIES COMPENSATION The court of quarter sessions in counties of the third fourth fifth sixth seventh and eighth classes shall appoint or designate one or more discreet persons of good character to serve as probation officers during the pleasure of the court Said probation officers shall receive such compensation as may be fixed by the judge or judges of said court and in addition thereto such actual expenses as may be approved by said court Said compensation and expenses shall be paid monthly or semi-monthly as is the case of other county employes by the county treasurer upon an order of the county commissioners approved by a judge of said court In counties of the first and second class probation officers shall be appointed and their compensation fixed as is now or may hereafter be provided by law

The probation officers shall have charge of the probation work of the court keep such records as may be required by the court make such investigations as may be required by the court be present in court when cases are being heard furnish to the court such information and assistance as the judge may require take such charge of any child before and after hearing as may be directed by the court keep informed concerning the conduct and condition of each child under their supervision and from time to time report thereon to the court

The several courts of quarter sessions shall have power to appoint such clerks stenographers and office assistants in connection with the probation work of the juvenile court as may be deemed necessary The compensation of such appointees shall be fixed by the judges of said court and the county commissioners and shall be paid by the county

Nothing in this section shall be construed to repeal any of the provisions of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" or the amendments thereto nor to repeal any of the provisions of an act approved the twelfth day of July one thousand nine hundred and thirteen entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" or the amendments thereto

Section 18 TRIAL OF CERTAIN CASES UPON INDICTMENT Whenever any child being above the age of fourteen years has been held by any magistrate alderman or justice of the peace for any offense other than murder punishable by imprisonment in a State penitentiary the judge of the juvenile court having jurisdiction if in his opinion the interests of the State require a prosecution of such case on an indictment may certify the same to the district attorney of the county who shall thereupon proceed with the case in the same manner as though the jurisdiction of the juvenile court had never attached Nothing in this case contained shall be in derogation of the powers of the courts of quarter sessions and of oyer and terminer to try upon an indictment any delinquent child whose case may as above provided have been certified to the district attorney and who may in due course be brought to trial before such court

Nothing in this section shall be construed to repeal any of the provisions of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" or the amendments thereto nor to repeal any of the provisions of an act approved the twelfth day of July one thousand nine hundred and thirteen entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" or the amendments thereto

Section 19 CHILDREN BEFORE JUVENILE COURT NOT TO ACQUIRE DISABILITIES No order made by any juvenile court shall operate to impose any of the civil disabilities

ordinarily imposed by the criminal laws of the Commonwealth nor shall any child be deemed to be a criminal by reason of any such order or be deemed to have been convicted of crime The disposition of a child or any evidence given in a juvenile court shall not be admissible as evidence against the child in any case or proceeding in any other court

Section 20 PENALTY FOR CONTRIBUTING TO CHILD'S DELINQUENCY Any person who contributes to the delinquency of any child to whom the jurisdiction of any juvenile cuort within this Commonwealth has attached or shall hereafter attach or who knowingly assists or encourages such child in violating his or her parole or any order of the said court shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than five hundred dollars or to undergo imprisonment for a term not exceeding three years or both at the discretion of the court

In trials or hearings upon charges of violating the provisions of this section knowledge of the delinquent child's age and of the said court's orders and decree concerning such child shall be presumed in the absence of satisfactory proof of the contrary

Section 21 PROCEDURE IN ADULT CASES All provisions of this act relative to procedure in cases of children so far as practicable shall be construed as applying to cases against adults also coming under the jurisdiction of the juvenile courts when not inconsistent with other provisions of law relating to the conduct of adult cases Proceedings may be instituted by an interested party or upon the court's own motion and a reasonable opportunity to appear shall be afforded the defendant The court may issue a warrant of arrest or other process in order to secure or compel the attendance of any such defendant Upon the trial of such cases the court shall have power to impose such sentence as the law provides or may suspend sentence and place any such defendant on probation

Section 22 COSTS The judge or judges of the juvenile court shall have power upon the disposition of any case heard therein to make an order disposing of the costs including fees of magistrates constables clerks of the courts sheriffs and witnesses and may impose such costs on the county or on the complainant if after hearing it be found that the complaint was made without proper cause or upon the parent or parents or guardian or custodian of the child if after hearing it be found that they were at fault and are of ability to pay but all such costs shall after hearing and order in the case be immediately chargeable to and paid by the proper county Provided That the county shall be liable only for the costs of such witnesses as the probation officer shall certify were subpoenaed by his order and were in attendance and necessary to the trial of the case or such witnesses as the court shall certify were in attendance and necessary

Section 23 COURT RULES AND REGULATIONS The County Court of Allegheny County the Municipal Court of Philadelphia and the court of quarter sessions of all the counties shall have power to adopt such rules of procedure and rules and regulations for the conduct of officers and employes of the juvenile court as it shall deem proper

Section 24 CONSTITUTIONALITY The provisions of this act shall be severable and if any of its provisions shall be held unconstitutional such decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 25 CONSTRUCTION PENDING PROCEEDINGS The provisions of this act insofar as they are the same as those of existing laws are intended as a continuation of such laws and not new enactments Any cases in the juvenile courts begun previous to and remaining unadjudicated at the date on which this act takes effect shall not be affected thereby as to their bearing and disposition but shall be proceeded with and disposed of in accordance with the laws in force immediately prior to said date Provided however that any supplementary proceedings in or in connection with or respecting any such case or cases taken subsequent to the original disposition thereof as aforesaid and also any supplementary proceeding in or in connection with or respecting any case adjudicated and disposed of previous to the time when this act goes in effect that may be had after said time shall be governed by the provisions hereof both as to procedure and as to the powers of the court

Section 26 CITATION This act shall be known and may be cited as "The Juvenile Court Law"

Section 27 EFFECTIVE DATE This act shall take effect on the day of one thousand nine hundred and thirty-three

Section 28 REPEALER The following acts and parts of acts are hereby repealed

The act approved the twelfth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred fifty-nine) entitled "An act to regulate the confinement and trial of infants under the age of sixteen years"

The act approved the twenty-sixth day of March one thousand nine hundred and three (Pamphlet Laws sixty-six) entitled "An act to regulate the commitment of children under the age of sixteen years to institutions of correction or reformation"

The act approved the third day of April one thousand nine hundred and three (Pamphlet Laws one hundred thirty-seven) entitled "An act regulating the confinement of children under the age of sixteen years awaiting trial"

The act approved the fifteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred eight) entitled "An act to provide for the payment of the expenses of the maintenance and instruction of children committed to the industrial schools or institutions of like character which are not under State control by the counties from which they have been sent and providing a method for determining the amount due and collecting the same from said counties"

The act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred seventy-four) entitled "An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised"

The act approved the first day of April one thousand nine hundred and nine (Pamphlet Laws eighty-nine) entitled "An act amending section three of an act approved the twenty-third day of April one thousand nine hundred and three (1903) entitled 'An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and prodiving for the means in which such power may be exercised' providing for the fixing of the salary compensation and expenses of the probation officers and the payment of the same out of the county treasury"

The act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred nineteen) entitled "An act to amend an act entitled 'An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised' approved April twenty-three one thousand nine hundred and three by providing that orders of Juvenile court in regard to minors under sixteen years of age shall be subject to amendment change or extension until such minors attain the age of twenty-one years and that the probation period of minors released on probation before the age of sixteen years may at the discretion of the court be extended until such minors attain the age of twenty-one years"

The act approved the sixth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred thirty-four) entitled "A supplement to an act entitled 'An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised' approved the twenty-third day of April Anno Domini one thousand nine hundred and three providing that it shall be a misdemeanor for any person to contribute to the delinquency of any minor to whom the jurisdiction of any juvenile court has attached or to aid or abet said minor in violating his or her parole or any order of such court and providing penalties therefore"

The act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred sixty-eight) entitled "An act supplementary to an act entitled 'An act defining the powers of the several courts of the quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen

years and providing for the means in which such power may be exercised' approved the twenty-third day of April one thousand nine hundred and three (1903) providing for the employment of clerks stenographers and office assistants to facilitate the probation work of the juvenile court and for the fixing of the salary or compensation of such employes and the payment of the same out of the county treasury"

The act approved the first day of June one thousand nine hundred and eleven (Pamphlet Laws five hundred forty-three) entitled "An act to amend the sixth section of an act approved April twenty-third Anno Domini one thousand nine hundred and three entitled 'An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under th age of sixteen years and providing for the means in which such power may be exercised' by providing tha. the court may direct that the board of such children be paid by the proper county"

The act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws eight hundred thirty-six) entitled "An act to provide for the disposition and payment of costs in all cases tried in the juvenile court"

The act approved the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred fifty-nine) entitled "An act amending 'An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised' approved April twenty-third nineteen hundred and three by empowering the court to enforce the order of support made upon the parent or parents of the child under the fourth section of said act in the manner provided by law in other desertion and non-support cases brought under the act of April thirteenth eighteen hundred and sixty-seven"

The act approved the eighth day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred seventy-seven) entitled "An act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association society person or family by the courts of this Commonwealth"

The act approved the twenty-first day of July one thousand nine hundred and thirteen (Pamphlet Laws eight hundred seventy) entitled "An act to amend an act entitled 'An act regulating the confinement of children under the age of sixteen years awaiting trial' approved the third day of April Anno Domini one thousand nine hundred and three so as to provide for the furnishing and heating of rooms or building provided for the detention of children awaiting trial and for the care and maintenance of such children while detained"

The act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand thirty-nine) entitled "An act to further amend the sixth section of an act approved April twenty-third Anno Domini one thousand nine hundred and three entitled 'An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised' by extending the application of said section to dependent neglected and incorrigible children and providing for the payment of the board of such children"

The act approved the thirteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred four) entitled "An act to further amend the sixth section of an act approved April twenty-third Anno Domini one thousand nine hundred and three entitled 'An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised' by providing that the court may direct that the clothing of and necessary medical and surgical attendance upon and the care of such child and its maintenance generally shall be paid by the proper county and may fix the amount which shall be paid for such board and clothing"

The act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred fifty-two) entitled "An act giving to dependent neglected incorrigible delinquent and other children committed to the care custody or control of any institution or citizen or training school or industrial school or any association willing to receive them or to any other person or persons by any court of this Commonwealth sitting as a juvenile court or any judge sitting as such the right to reviews and rehearings on petition of their parent or parents or next friend requiring the testimony to be made a part of the record and providing for appeals to the Superior Court"

The act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred forty-five) entitled "An act to further amend the sixth section of an act approved April twenty-third Anno Domini one thousand nine hundred and three entitled 'An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised' as amended by providing that the court may direct that the necessary expenses of placing or re-placing such child shall be paid by the proper county"

The act approved the twenty-eighth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred ninety-eight) entitled "An act amending sections one two and eleven of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred seventy-four) entitled 'An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent nglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised' providing that the juvenile courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency"

The act approved the twenty-eighth day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred ninety-one) entitled "An act to amend section three of act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred seventy-four) entitled 'An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised' as amended providing that in counties having a population of less than one million inhabitants the compensation of the probation officers shall be fixed by the judges of such courts and the county commissioners"

All other acts or parts of acts inconsistent herewith are hereby repealed

Section 29 ACTS SAVED FROM REPEAL This act shall not repeal or modify any of the provisions of the following acts

The act approved the twenty-second day of April one thousand eight hundred and fifty (Pamphlet Laws five hundred thirty-eight) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvaina and relative to the Pennsylvania State Lunatic Hospita"

The act approved the seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws six hundred seventy-seven) entitled "An act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and juvenile courts and imposing certain expenses upon counties"

The act approved the seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred fifty-six) entitled "An act to amend section one of the act approved the twenty-seventh day of March one thousand nine hundred and three (Pamphlet Laws eighty-three) entitled 'An act to provide for the payment of the expenses of the maintenance and instruction of children committed to Houses of Refuge which are not exclusively under State control jointly by the State and by the counties from which they may be sent and providing a method for determining the amount due and collecting the same from said counties' by changing the time of payment by counties"

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. TURNER. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2121 (Senate Bill No. 763), as follows:

An Act to amend sections one and four of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred four) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" by providing for the maintenance of the existing highway

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one and four of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred four) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" are hereby amended to read as follows

Whereas Due to increasing traffic conditions on the several State highways of the Commonwealth it will be necessary to construct a greater width of roadway than at present existing and in order to so construct said roadway it will be necessary to increase the present legal width of right-of-way and

Whereas Due to future developments it will be uneconomical to condemn additional right-of-way on the present location of the highway and

Whereas Present conditions do not warrant the abandonment as a State highway route of such existing sections of State highways

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Highways with the approval of the Governor may designate the future location and width of any proposed [parallel] highway and continue to maintain the present highway [[]until such time[]] as [long as] the amount of traffic warrants [[]the construction of the new highway designated[]] [such maintenance] and until such new highway has been completed and opened to traffic

Section 4 Any damages sustained by the taking of private property under the provisions of this act for the construction of such parallel highway shall be ascertained and paid in the same manner as provided by existing laws for the payment of damages due to a change of width or of existing lines and locations of State highways

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Habbyshaw,	McGregor,	Shellenberger,
Baker,	Haines,	McHenry,	Shettel,
Baldi,	Hamilton,	McKay,	Shortz,
Barnhardt,	Harmuth,	McKinney,	Shreiner,
Bechtel,	Harris,	Melchiorre,	Shugarts,
Beech,	Hart,	Meredith,	Simon,
Boyd,	Hartman,	Merrell,	Sinwell,
Brancato,	Heffernan,	Metzler,	Snyder,
Brennan,	Hefferon,	Mohn,	Sowers,
Brown, J. E.,	Heffner,	Moore,	Spann,
Brown, W. L.,	Hermansen,	Mumford,	Stank,
Brownfield,	Hester,	Munley,	Sterling, P.,
Cannon,	Hewitt,	Myers,	Sterling, R. B.,
Caputo,	Himes, H. E.,	Negley,	Stevens,
Carey,	Himes, L. R.,	Nothnagle,	Stiteler,
Carson,	Hoffman,	O'Connor,	Stone,
Chervenak,	Holmes, J. B.,	O'Keefe,	Storb,
Cohen,	Holmes, J. L.,	O'Neill,	Stott,
Conner,	Hoopes,	O'Rourke,	Surface,
Cooke,	Hough,	Patterson,	Tahl,
Cordier,	Hutton,	Peelor,	Terry,
Craig,	Jaffe,	Pennock,	Turner,
Cramer,	Kane, L. P.,	Perry, D. R.,	Wade,
Dane,	King,	Perry, J. J.,	Wagner,
Davies,	Kinney,	Peters,	Walker, G. E.,
DeFrehn,	Labar,	Powell,	Walker, W. A.,
Denning,	Lane,	Powers,	Wall,
Downey, G. E.,	Laubach,	Price,	Wasserman,
Dunmire,	Lenahan,	Quinn,	Way,
Dwyer,	Lewis,	Raub,	Weidemann,
Ederer,	Long,	Rectenwald,	Welsh,
Emhardt,	Lord,	Reed,	Westrick,
Eroe,	Lose,	Reilly,	White,
Evans,	Lovett, J. E.,	Rhodes,	Wike,
Fitzgerald,	Lovett, W. S.,	Rice,	Williams, G. W.,
Flanagan,	Lynch, J. R.,	Roan,	Williams, J. J.,
Fleisher,	Lynch, M.,	Root,	Wilson, L. M.,
Flinchbaugh,	Male,	Roth,	Wilson, T. B.,
Flynn,	Malina,	Royle,	Witkin,
Forrest,	Maloney,	Ruby,	Wood,
Furman,	Marcks,	Schrock,	Woodside,
Gallagher,	Mason,	Schrope,	Wright,
Gartner,	McBride,	Schwab,	Yeakel,
Gillette,	McCandless,	Schwartz,	Yourishin,
Gorman,	McCreary,	Scorza,	Zimmerman,
Green,	McElwee,	Scott,	Talbot,
Greenstein,	McGinnis,	Sheffer,	Speaker.
Griffith,	McGrail,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILL ON FINAL PASSAGE

Mr. TURNER. Mr. SPEAKER, I desire to call up House Bill No. 1316, Senate Bill No. 246, Printer's No. 596, on page 11 of today's calendar, which I just placed on the postponed calendar.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Turner,

The House resumed the consideration on final passage of House Bill No. 1316 (Senate Bill No. 246), entitled:

An Act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Habbyshaw,	McGrail,	Shenkel,
Barnhardt,	Haines,	McGregor,	Shettel,
Beech,	Hamilton,	McHenry,	Shortz,
Bernhard,	Harris,	McKay,	Shreiner,
Boyd,	Hart,	McKinney,	Shugarts,
Brennan,	Hartman,	Meredith,	Simon,
Brown, J. E.,	Heffernan,	Merrell,	Sinwell,

Brown, W. L.,	Hefferon,	Metzler,	Snyder,
Brownfield,	Heffner,	Mohn,	Spann,
Cannon,	Hermansen,	Moore,	Stank,
Caputo,	Hester,	Mumford,	Steedle,
Carey,	Hewitt,	Munley,	Sterling, P.,
Carson,	Himes, H. E.,	Myers,	Sterling, R. B.,
Chervenak,	Himes, L. R.,	Negley,	Stevens,
Cohen,	Hoffman,	Nothnagle,	Stiteler,
Conner,	Holmes, J. B.,	O'Connor,	Stone,
Cooke,	Holmes, J. L.,	O'Keefe,	Storb,
Cordier,	Hoopes,	O'Neill,	Stott,
Craig,	Horst,	O'Rourke,	Surface,
Cramer,	Hough,	Peelor,	Tahl,
Dane,	Howard,	Pennock,	Terry,
Davies,	Hutton,	Perry, D. R.,	Turner,
DeFrehn,	Jaffe,	Perry, J. J.,	Wade,
Denning,	Jones,	Peters,	Wagner,
Downey, G. E.,	Kane, J. J.,	Powell,	Walker G. E.,
Downey, J.,	Kane, L. P.,	Powers,	Walker, W. A.,
Duffy,	King,	Price,	Wall,
Dunmire,	Kinney,	Quinn,	Wasserman,
Dwyer,	Labar,	Raub,	Way,
Ederer,	Lane,	Rectenwald,	Weidemann,
Emhardt,	Laubach,	Reilly,	Welsh,
Eroe,	Lenahan,	Rhodes,	Westrick,
Evans,	Lewis,	Rice,	White,
Fitzgerald,	Long,	Roan,	Wike,
Flanagan,	Lord,	Root,	Williams, G. W.,
Fleisher,	Lose,	Roth,	Williams, J. J.,
Flinchbaugh,	Lovett, J. E.,	Royle,	Wilson, T. B.,
Flynn,	Lovett, W. S.,	Ruby,	Witkin,
Forrest,	Lynch, J. R.,	Ruth,	Wood,
Furman,	Lynch, M.,	Sarig,	Woodside,
Gallagher,	Malina,	Sautter,	Wright,
Gartner,	Maloney,	Schrock,	Yeakel,
Gillette,	Mason,	Schrope,	Yourishin,
Gorman,	McBride,	Schwab,	Zimmerman,
Green,	McCandless,	Scott,	Talbot,
Greenstein,	McClure,	Sheffer,	Speaker.
Griffith,	McElwee,	Shellenberger,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1460 (Senate Bill No. 489), as follows:

An Act establishing as State highways certain condemned or abandoned turnpikes and turnpikes the companies or associations owning which have been dissolved and requiring their construction repair and maintenance as such

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all turnpikes or parts thereof that have been appropriated or condemned for public use free of tolls under any existing laws and all turnpikes or parts thereof that have been abandoned by any turnpike company or association or where the turnpike company or association owning the same has been dissolved by proceedings under any existing laws and in either event the expenses of the repair and maintenance of such turnpikes or parts thereof was imposed upon any county or township by the provisions of existing laws and where such roads are still being so maintained by the county or township are hereby adopted by the Commonwealth as State highways to be taken over through the Department of Highways not later than the fifteenth day of August one thousand nine hundred and thirty-three and shall thereafter be constructed repaired and maintained at the expense of the Commonwealth as State highways are now constructed repaired and maintained under the provisions of existing laws Provided That no turnpike shall be taken over by the Commonwealth under the provisions of this act if a contract for the improvement thereof has been entered into between a contractor and the Commonwealth or local authorities or both until such contract shall have been completed

In adopting and taking over as State highways any public roads in the several counties in which such turnpikes are located under any allotment to such counties made or to be made by under or by authority of any other act of Assembly enacted either at this or any future session of the General Assembly sixty per centum of the mileage represented by the tunpikes taken over as State highways by this act shall be charged against and deducted from the mileage otherwise allotted or to be allotted to such several counties under such other acts and no other allotment made or to be made by any such act shall inure to the benefit of any such county until sixty per centum of the mileage of the turnpikes in such county taken over by this act have been deducted therefrom

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. TAHL. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1443 (Senate Bill No. 386), as follows:

An Act to amend section one of the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred ninety-five) entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants" fixing the compensation of district attorneys in all countries of the fifth and sixth classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the Same That section one of the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred ninety-five) entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That [the salary of the district attorney in counties whose population does not exceed ten thousand inhabitants shall be five hundred dollars per year the salary of the district attorneys in counties whose population is more than ten thousand and does not exceed twenty thousand inhabitants shall be five hundred dollars per year the salary of the district attorney in counties whose population is more than twenty thousand and does not exceed thirty thousand inhabitants shall be six hundred and twenty-five dollars per year the salary of the district attorney in counties whose population is more than thirty thousand and does not exceed forty thousand inhabitants shall be one thousand dollars per year the salary of the district attorney in counties whose population is more than forty thousand and does not exceed fifty thousand inhabitants shall be twelve hundred and fifty dollar per year] the salary of the district attorney in counties whose population is more than fifty thousand and does not exceed sixty thousand inhabitants shall be fifteen hundred and sixty-two dollars and fifty cents per year the salary of the district attorney in counties whose population is more than sixty thousand and does not exceed seventy thousand inhabitants shall be eighteen hundred and seventy-five dollars per year the salary of the district attorney in counties whose population is more than seventy thousand and does not exceed eighty thousand inhabitants shall be twenty-five hundred dollars per year the salary of the district attorney in counties whose population is more than eighty thousand and does not exceed [ninety] one hundred thousand inhabitants shall be thirty-one hundred and twenty-five dollars per year and the salary of the district attorney in counties whose population is more than [ninety] one hundred thousand and does not exceed one hundred and fifty thousand inhabitants shall be five thousand dollars per year

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Andrews,	Hamilton,	McGregor,	Shenkel,
Baker,	Harmuth,	McHenry,	Shettel,
Beech,	Harris,	McKay,	Shortz,
Bernhard,	Hart,	McKinney,	Shreiner,
Boyd,	Hartman,	Melchiorre,	Shugarts,
Brancato,	Heffernan,	Meredith,	Sinwell,
Brown, J. E.,	Hefferon,	Merrell,	Snyder,
Brown, W. L.,	Heffner,	Metzler,	Sowers,
Cannon,	Hermansen,	Mohn,	Spann,
Caputo,	Hester,	Moore,	Stank,
Carey,	Hewitt,	Mumford,	Steedle,
Chervenak,	Himes, H. E.,	Munley,	Sterling, P.,
Cohen,	Himes, L. R.,	Myers,	Sterling, R. B.,
Conner,	Hoffman,	Negley,	Stevens,
Cooke,	Holmes, J. B.,	O'Connor,	Stiteler,
Cordier,	Holmes, J. L.,	O'Keefe,	Stone,
Craig,	Hoopes,	O'Neill,	Storb,
Cramer,	Jaffe,	O'Rourke,	Stott,
Dane,	Jones,	Patterson,	Surface,
Davies,	Kane, L. P.,	Peelor,	Tahl,
DeFrehn,	King,	Pennock,	Terry,
Denning,	Kinney,	Perry, D. R.,	Turner,
Downey, G. E.,	Labar,	Perry, J. J.,	Wade,
Downey, J.,	Lane,	Peters,	Wagner,
Duffy,	Laubach,	Powell,	Walker, G. E.,
Dunmire,	Lenahan,	Powers,	Walker, W. A.,
Dwyer,	Lewis,	Price,	Wall,
Ederer,	Long,	Quinn,	Wasserman,
Emhardt,	Lord,	Rectenwald,	Way,
Eroe,	Lose,	Reed,	Welsh,
Evans,	Lovett, J. E.,	Reilly,	Westrick,
Fitzgerald,	Lovett, W. S.,	Rhodes,	White,
Flanagan,	Lynch, J. R.,	Rice,	Wike,
Fleisher,	Lynch, M.,	Roan,	Williams, J. J.,
Flinchbaugh,	Male,	Root,	Williams, G. W.
Flynn,	Malina,	Roth,	Wilson, L. M.,
Forrest,	Maloney,	Royle,	Wilson, T. B.,
Furman,	Marcks,	Ruby,	Witkin,
Gallagher,	Mason,	Sautter,	Wood,
Gartner,	McBride,	Schrock,	Woodside,
Gillette,	McCandless,	Schwab,	Wright,
Gorman,	McClure,	Schwartz,	Yourishin,
Green,	McCreary,	Scott,	Zimmerman,
Greenstein,	McGinnis,	Sheffer,	Talbot,
Griffith,	McGrail,	Shellenberger,	Speaker.
Habbyshaw,			

NAYS—5

Haines,	Simon,	Weidemann,	Yeakel,
Nothnagle,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 1024:

An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the Eighteenth Amendment to the said Constitution and for the prohibition of liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such convention.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

(MR. HUTTON IN THE CHAIR).

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2252 (Senate Bill No. 891), as follows:

An Act making an appropriation to the Allegheny Temporary Home for Children Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the Allegheny Temporary Home for Children of Pittsburgh (formerly the First Allegheny Day Nursery of Pittsburgh) Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Greenstein,	McClure,	Schwartz,
Baker,	Griffith,	McCreary,	Scorza,
Baldi,	Habbyshaw,	McElwee,	Scott,
Barnhardt,	Haines,	McGinnis,	Sheffer,
Bechtel,	Hamilton,	McGrail,	Shellenberger,
Beech,	Harmuth,	McGregor,	Shenkel,
Bennett,	Harris,	McKay,	Shettel,
Bernhard,	Hart,	McKinney,	Shortz,
Blumberg,	Hartman,	Meredith,	Shreiner,
Boyd,	Heffernan,	Merrell,	Shugarts,
Brancato,	Hefferon,	Metzler,	Simon,
Brennan,	Heffner,	Mohn,	Sinwell,
Brown, W. L.,	Hermansen,	Moore,	Snyder,
Brown, J. E.,	Hester,	Mumford,	Sowers,
Brownfield,	Hewitt,	Munley,	Spann,
Cannon,	Himes, H. E.,	Myers,	Stank,
Caputo,	Hoffman,	Negley,	Steedle,
Carey,	Holmes, J. B.,	Nothnagle,	Sterling, P.,
Carson,	Holmes, J. L.,	O'Connor,	Stevens,
Chervenak,	Hoopes,	O'Keefe,	Stevenson,
Cohen,	Horst,	O'Neill,	Stiteler,
Conner,	Hough,	O'Rourke,	Stone,
Cooke,	Howard,	Patterson,	Storb,
Cordier,	Hutton,	Peelor,	Stott,
Craig,	Jones,	Pennock,	Surface,
Dane,	Jaffe,	Perry, D. R.,	Tahl,
Davies,	Kane, J. J.,	Perry, J. J.,	Terry,
DeFrehn,	Kane, L. P.,	Peters,	Turner,
Denning,	King,	Powell,	Wade,
Downey, G. E.,	Kinney,	Powers,	Wagner,
Downey, J.,	Labar,	Price,	Walker, G. E.,
Duffy,	Lane,	Quinn,	Walker, W. A.,
Dunmire,	Laubach,	Raub,	Wasserman,
Dwyer,	Lenahan,	Rectenwald,	Weidemann,
Ederer,	Lewis,	Reed,	Welsh,
Emhardt,	Long,	Reilly,	White,
Eroe,	Lord,	Rhodes,	Wike,
Evans,	Lose,	Rice,	Williams, G. W.,
Fitzgerald,	Lovett, J. E.,	Roan,	Williams, J. J.,
Flanagan,	Lovett, W. S.,	Root,	Wilson, T. B.,
Fleisher,	Lynch, J. R.,	Roth,	Witkin,
Flinchbaugh,	Lynch, M.,	Royle,	Wood,
Flynn,	Male,	Ruby,	Woodside,
Forrest,	Malina,	Ruth,	Wright,
Furman,	Maloney,	Sarig,	Yeakel,
Gallagher,	Mason,	Sautter,	Yourishin,
Gartner,	Marcks,	Schrock,	Zimmerman,
Gillette,	McBride,	Schrope,	Talbot,
Gorman,	McCandless,	Schwab,	Speaker.
Green,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2011, as follows:

An Act for the protection of the public health by regulating the outer wearing apparel and towels of employes in certain stores shops plants or restaurants where food and drink for human consumption are handled providing penalties and providing for the enforcement of the act by State departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "proprietor" shall mean any person association copartnership or corporation conducting or operating within this Commonwealth any store shop plant or restaurant in which are manufactured treated or sold bakery products dressed meats milk or milk products or other food and drink for human consumption which while handled in such store shop plant or restaurant are or may be exposed to and unprotected from human touch

The word "employe" shall include any cook baker butcher milk plant employe clerk waiter or other employe of any kind who in any manner whatever handles or comes in contact with unprotected food or drink for human consumption

The masculine pronoun shall be interpreted to include the feminine and neuter pronouns

Section 2 No proprietor shall permit an employe to work in a store shop plant or restaurant conducted or operated by him unless the outer garments of such employe are in a clean and sanitary condition and are washed and sterilized after each daily use in a steam or power laundry

Section 3 Each such proprietor shall furnish at all times for the use of such employes an adequate number of towels which shall not again be used after each individual use thereof until they have been washed and sterilized in a steam or power laundry

Section 4 Any person association partnership or corporation who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding before any justice of the peace alderman or magistrate in the county in which the offense was committed be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than fifty ($50.00) to be paid to said county and the costs of prosecution

Section 5 This act shall be enforced by the agents of any and every department who under the provisions of this act are required to inspect or visit such stores shops and plants

On the question,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker and members of the House, I regret that I must rise to oppose this bill sponsored by my friend from Allegheny, but I think it is not fair to allow this bill to come before the House for a vote without calling attention to what I consider its main features.

I think that the title of this bill should really read "An Act for the Relief of Distressed Laundries." This bill provides that the outer garments of all people who work in any kind of a restaurant or any kind of a shop which handle meats or food shall be laundered in a power or steam laundry and that the towels which they use shall also be laundered in a power or steam laundry.

I come from up in the country where people do their own washing and where we do not have power and steam laundries handy, and there are many people in the rural sections who would be put to a great handicap if this bill were enacted into law.

I do not think that this is a fair measure and I think it should be defeated.

Mr. DeFREHN. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Spann, permit himself to be interrogated?

Mr. SPANN. I will, Mr. Speaker.

Mr. DeFREHN. Mr. Speaker, do I understand by Section 3 that an employe would be allowed to wipe his hands but once on a towel and not again until it has been laundered?

Mr. SPANN. Mr. Speaker, the bill provides for each daily use.

Mr. DeFREHN. Not according to Section 3 as I read it, Mr. Speaker.

Mr. SPANN. Mr. Speaker, the bill provides for an adequate number of towels which shall not again be used after each individual use thereof.

Mr. DeFREHN. Mr. Speaker and members of the House, I feel that the purpose of this bill is right and proper. We should have more sanitary conditions in many of our stores and restaurants. However, if a clean towel is required every time an employe has occasion to wipe his hands, I think the purpose of the bill will be defeated, for many times it may be necessary to wash the hands, but if a clean towel is required every time the hands will go unwashed.

It is suggested that a paper towel might be used and that might be well, but I think there should be some change in this bill before it passes.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—14

Caputo,	Lynch, J. R.,	Powell,	Root,
Hewitt,	O'Rourke,	Price,	Sautter,
Hoffman,	Perry, J. J.,	Reilly,	Shenkel,
Hough,	Peters,		

NAYS—144

Andrews,	Fleisher,	McCreary,	Stank,
Baker,	Forrest,	McGinnis,	Sterling, P.,
Baldi,	Furman,	McGrail,	Sterling, R. B.,
Barnhardt,	Gallagher,	McGregor,	Stevens,
Bechtel,	Gartner,	McHenry,	Stiteler,
Beech,	Green,	McKinney,	Stone,
Bennett,	Greenstein,	Melchiorre,	Storb,
Bernhard,	Griffith,	Meredith,	Stott,
Blumberg,	Habbyshaw,	Merrell,	Surface,
Boyd,	Hamilton,	Metzler,	Tahl,
Brennan,	Harmuth,	Munley,	Terry,
Brown, J. E.,	Harris,	Myers,	Turner,
Brown, W. L.,	Hart,	Nothnagle,	Wade,
Brownfield,	Hartman,	O'Keefe,	Wagner,
Cannon,	Hester,	Patterson,	Walker, G. E.,
Carey,	Himes, H. E.,	Peelor,	Walker, W. A.,
Carson,	Himes, L. R.,	Perry, D. R.,	Wall,
Chervenak,	Holmes, J. B.,	Quinn,	Wasserman,
Conner,	Holmes, J. L.,	Raub,	Way,
Cooke,	Hoopes,	Rectenwald,	Weidemann,
Cordier,	Horst,	Reed,	Welsh,
Craig,	Howard,	Rhodes,	Westrick,
Cramer,	Hutton,	Rice,	White,
Dane,	Jones,	Ruth,	Wike,
Davies,	Kinney,	Sarig,	Williams, G. E.,
DeFrehn,	Labar,	Schrock,	Williams, J. J.,
Denning,	Lane,	Schrope,	Wilson, L. M.,
Downey, G. E.,	Laubach,	Schwab,	Witkin,
Downey, J.,	Lenahan,	Scott,	Wood,
Duffy,	Lewis,	Shellenberger,	Woodside,
Dunmire,	Long,	Shortz,	Wright,
Ederer,	Lord,	Shugarts,	Yeakel,
Emhardt,	Lovett, W. S.,	Simon,	Yourishin,
Eroe,	Lynch, M.,	Sinwell,	Zimmerman,
Evans,	Maloney,	Snyder,	Talbot,
Fitzgerald,	Marcks,	Spann,	Speaker.
Flanagan,	McCandless,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2286 (Senate Bill No. 625), as follows:

An Act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their directors shareholders solicitors and other employes prohibiting the tranaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts records of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

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ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Building and Loan Code"

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Articles" includes the original articles of incorporation any or all amendments thereto articles of merger or consolidation and also what have herefore been designated by law as certificates of incorporation or charters

"Assets" includes all the property and rights of every kind of association

"Association" includes any building and loan association organized under this act or heretofore organized under or by virtue of any other law of this Commonwealth

"Authorized Capital" means the sum of the par value of the shares authorized to be issued by an association

"Corporation" means a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Department" means the Department of Banking of this Commonwealth

"Incorporator" means a signer of the original articles of incorporation

"Mortgage Loans" means loans which are secured pursuant to the provisions of this act by the bond of the borrower by a mortgage on real property and by installment shares

"Person" means an individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals

"Shares" means the units into which the shareholders' rights to participate in the control of a building and loan association are divided

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the corporation or person therein named is the registered owner of the shares therein described it also includes the term "certificate of stock" as used in existing laws

"Share Loans" means loans which are secured pursuant to the provisions of this act by the note of the borrower and by prepaid or installment shares

"Shareholder" means a registered owner of shares in a building and loan association

"Subscriber" means one who subscribes for shares in a building and loan association whether before or after incorporation

"Written" includes printed typewritten engraved lithographed telegraphed cabled radiogramed photographed photostated telephotographed or other form of recorded or transmitted message

B The singular snall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 3 Applicability of Act Every association heretofore organized and incorporated under the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" its amendments and supplements and every association heretofore created by any special act or formed under any general act which has accepted in any manner whatsoever the Constitution of Pennsylvania and which if not existing would be required to incorporate under this act shall hereafter be subject to the provisions of this act without formal reorganization hereunder and shall be deemed to exist under this act Except as herein otherwise specifically provided the provisions of this act shall govern all such associations heretofore incorporated in this Commonwealth

Section 4 Saving Clause A The provisions of this act in so far as they are the same as those of existing acts shall be construed as a continuation of such acts and not as new enactments The repeal by this act of any existing act or of

any part thereof shall not be construed to revive any act or part of any act heretofore repealed or superseded

B Except as otherwise specifically provided in this act the provisions of this act shall not affect any act done liability duty or obligation incurred or right accrued prior to the effective date of this act nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any act repealed or superseded by this act

C The repeal of any act by this act shall not affect the corporate existence of any association heretofore created under any law of this Commonwealth

D Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term subject to the conditions attached to such office prior to the passage of this act

E All resolutions regulations and rules made pursuant to any act repealed by this act shall unless inconsistent with any provision of this act continue with the same force as if such act had not been repealed

Section 5 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 6 Construction of References Article and Section Headings A Any reference in this act to any act by title otherwise shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

B Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act as well as those then in existence

C Article and section headings shall not be construed to affect in any manner the scope or meaning of any article or section of this act

Section 7 Jurisdiction of Courts Except where otherwise specifically provided the provisions of this act shall not be deemed to curtail in any manner whatsoever the equity jurisdiction and powers of the courts of this Commonewalth

Section 8 Notices to Corporations and Persons Unless expressly provided otherwise all written notices required by this act to be given to any corporation or person shall be (1) served in the manner writs of summons except that such service need not be made by the sheriff or (2) mailed or sent by telegram charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation organized under the laws of this Commonwealth to its principal office and (c) in the case of a corporation incorporated under the laws of some other state to its registered office in Pennsylvania or if it has no registered office in Pennsylvania to its home office in the state of incorporation or in any other state

If a notice is sent by mail or by telegraph such notice shall be deemed to have been given to the corporation or person addressed when it is deposited in the United States mail or with a telegraph office for transmission to such corporation or person

Section 9 Advertisement or Notice in Newspaper A Unless expressly provided otherwise any advertisement or notice in a newspaper of general circulation required by this act shall be published in a newspaper of general circulation in the county as defined by the Newspaper Advertising Act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four) its supplements and amendments in which the place of business of the association is or in the case of a proposed institution will be located and which is published in the city borough or township in which such place of business is or will be located

If there is no newspaper of general circulation published in the city borough or township then the advertisement or notice shall be inserted in a newspaper of general circulation in the county published at the county seat If no newspaper of general circulation in the county is published at the county seat then such advertisement or notice shall be inserted in the newspaper of general circulation published nearest to the city borough or township in which the place of business of such association is located and within the county If there is no newspaper of general circulation published within the county then the advertisement or notice shall be inserted in the newspaper of general circulation published nearest to such city borough or township in an adjoining county

B Unless expressly provided otherwise any advertisement or notice in a legal newspaper required by this act shall be published in the legal newspaper published within the county as defined by the Newspaper Advertising Act in which the place of business of the association is or in the case of a proposed association will be located

C Unless expressly provided otherwise if this act requires advertisement or notice to be made both in a newspaper of general circulation and in a legal newspaper and if there is no legal newspaper published within the county in which the place of business of the association is or in the case of a proposed association will be located the advertisement shall be made in two newspapers of general circulation in the county except that if two newspapers of general circulation are not published in the county then such advertisement or notice shall be made in only one newspaper of general circulation published in the county or if none is published there then in one newspaper published in an adjoining county as provided by this section in any case in which a newspaper of general circulation is not published in the county

D Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act

E Any notice or advertisement in a newspaper required by this act shall be construed to refer to a newspaper published in the English language

Section 10 Waiver of Notice A Any notice required by this act or by the articles or by-laws of any association governed by the provisions of this act to be given to any corporation or person may be waived by such corporation or person either before or after the day prescribed for the giving of such notice Such waiver shall be in writing and signed by such corporation or person

B Except in the case of a special meeting neither the business to be transacted at nor the purpose of the meeting need be specified in the waiver of notice of such meeting

C. Attendance of a director or of a shareholder in person or by proxy or of any other person at any meeting shall constitute a waiver of notice of such meeting except where he attends such meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called

Section 11 Fees Except as otherwise specifically provided any prothonotary or recorder of deeds and any State department board commission or officer shall be entitled to receive for services performed as required by this act such fees as are or may be lawfully charged for such or similar services

Section 12 Powers of Department of State The Department of State shall have the power and authority reasonably necessary to enable it to perform the duties imposed upon it by this act All articles papers and other documents required by this act to be filed with the Department of State shall be prepared in such form as shall be prescribed by the Department of State

Section 13 Certificates and Certified Copies of Certain Documents to be Received in Evidence All certificates issued by the Department of State in accordance with the provisions of this act and all copies of articles papers and other documents filed with Department of State in accordance with the provisions of this act when certified by the Secretary of the Commonwealth shall be taken and received by all courts public offices and official bodies as prima facie evidence of the facts therein stated A certificate by the Department of State under the seal of the Commonwealth as to existence or non-existence of facts relating to corporations which would not appear from any of the foregoing documents or certificates shall be taken and received by all courts public offices and official bodies as prima facie evidence of the existence of non-extence of facts therein stated

ARTICLE II

NAMES AND PLACES OF BUSINESS OF ASSOCIATIONS

Section 201 Association Name Change of Name A The name of an association may be in any language but it shall be expressed in English letters or characters It shall contain the words "building and loan association" The name of an association shall not contain the words "trust" "bank" "deposit" "discount" or any other word which may deceptively lead to the conculsion that it is authorized to perform any act

or conduct any business which is forbidden to it by law by its charter or otherwise The name of the association shall not contain the words "Pennsylvania" "Commonwealth" "State" "Government" "Official" "Federal" "National" or "United States"

The name of an association shall not be the same as or deceptively similar to that of any other corporation authorized to transact business in this Commonwealth or the name of any unincorporated body whatsoever voluntarily registered with the Department of State under any act unless such other corporation or unincorporated body is about to change its name or to cease doing business or is being wound up or in the case of a foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the Department of State and with the Department of Banking

B The provisions of this section shall not apply to any name which is in existence upon the effective date of this act However if the association bearing this name shall desire to change its name in any manner whatsoever pursuant to the provisions of this act the new name shall comply in every detail with the requirements of this section A change in name shall be effected in the regular manner provided by this act for amending its articles

C This section shall not be construed to abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principles of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

D The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the Court of Common Pleas of Dauphin County may upon application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth or the court of common pleas of the county in which the association has its place of business may upon the application of any corporation or person adversely affected enjoin the association from using or continuing to use a name assumed in violation of this section

Section 202 Reservation of Association Name The exclusive right to the use of a name may be reserved (1) by any person intending to organize an association or (2) by any association intending to change its name Such reservation shall be made by filing with the Department of State duplicate originals of an application to reserve a specified name executed by the applicant If the Department of State shall find that such name is available it shall send one duplicate original of such application to the Department of Banking If the Department of Banking decides that such name is satisfactory to it it shall forthwith give its written assent to the Department of State The Department of State shall then reserve the name for the exclusive use of such applicant for a period of sixty days The right to the exclusive use of a specified name so reserved may be transferred to any corporation or person who except for such prior reservation would be entitled under the provisions of this act to reserve such name Such transfer may be made by filing with the Department of State duplicate originals of a notice of such transfer which notice shall be executed by the applicant for whom such name was reserved and shall specify the name and address of the transferee The Department of State shall send one such duplicate original to the Department of Banking

Section 203 Place of Business Change of Place of Business A An association shall not hold any of the regular meetings of its directors grant any loans or transact any business except at the place of business designated in its by-laws but the collection of dues by any corporation or person authorized by the association to make such collection at any place other than the place of business of the association and the holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section In the event that the place of business designated in the by-laws becomes unavailable the directors may specify another place within the city borough or township as a temporary place of business

B An association may change its place of business to any place within the city borough or township named in its articles in the manner provided in its by-laws An association upon changing its place of business shall forthwith give notice of such change to the Department of Banking and the Department of State

Section 204 Branch Offices and Sub-agencies An association shall not establish maintain or operate either directly or indirectly any branch association branch office agency suboffice sub-agency or branch place of business within this Commonwealth for the holding of the regular meetings of its directors the granting of any loans or the transaction of any part of its business but all of the business of such association shall be carried on solely and exclusively at its place of business The collection of dues by any corporation or person authorized by the association to make such collection at any place other than the place of business of the association and the holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section

ARTICLE III

FORMATION ORGANIZATION AND GENERAL CORPORATE POWERS OF ASSOCIATIONS

Section 301 Formation An association may be formed pursuant to the provisions of this act by fifteen or more incorporators Such incorporators shall be natural persons of full age and of either sex married or single All of them shall be residents of this Commonwealth and at least two-thirds of them shall be citizens of the United States or of its territories or possessions

Section 302 Prohibition upon Payment of or Contract for Promoters' Fees It shall be unlawful (1) for any fee commission or compensation to be paid to any corporation or person for the promotion or organization of an association or (2) for any part of the money collected from subscribers or shareholders to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such association whether such fee commission or compensation is provided for by the contract with the proposed association with the promoters with the subscribers or otherwise This prohibition shall not be construed to affect reasonable counsel fees paid or agreed to be paid to an attorney at law

In any case in which there has been a violation of this section the Department shall have the power to disapprove the articles upon this ground alone

Section 303 Articles of Incorporation Articles of incorporation shall be signed by each of the incorporators and acknowledged by at least five of them before any officer within this Commonwealth authorized to take acknowledgments

The articles shall set forth in the English language

(1) The name of the proposed association

(2) The city borough or township in which it will establish its place of business

(3) A precise and accurate statement of the purpose or purposes for which it is organized as well as a statement that it is organized under the provisions of this act

(4) The term for which it is to exist which may be perpetual

(5) The par value of its shares

(6) The name occupation citizenship pleac of residence and post office address of each incorporator

(7) The name occupation citizenship place of residence post office address and term of office of each of the first directors and the number of shares to which he has subscribed

(8) Any provision not inconsistent with law which the incorporators may choose to insert for the regulation of the business and the internal affairs of the association

Section 304 Advertisement of Articles The incorporators shall advertise their intention to file articles with the Department of State one time in a newspaper of general circulation and one time in a legal newspaper Advertisements shall appear at least three days prior to the day the articles are to be filed with the Department of State and shall set forth briefly

(1) The name of the proposed association

(2) A statement that the proposed association is to be organized under the provisions of this act and

(3) The time when the articles will be filed with the Department of State

Section 305 Filing of Articles Payment of Fees or Charges A The incorporators shall deliver or cause to be delivered to the Department of State a proof of publication of the advertisement of their intention to file articles of incorporation the articles required by this act and an affidavit stating all

expenses connected with the organization of the association and the procuring of subscriptions including any counsel fee to an attorney at law and including a declaration that no fee commission or compensation of any other kind has been or is to be paid to any corporation or person for the promotion or organization of the association or for the procuring of subscriptions or the sale of its shares

B The Department of State shall examine the proof of publication and the articles to determine whether they contain all the information and are in the form required by this act and whether the name of the proposed assocation is the same as one already adopted or reserved by any other corporation or person or is so similar thereto that it is likely to mislead the public

C After all the fees and charges established by law have been paid the Department of State shall if the proof of publication and the articles contain the information and are in the form required by this act and if the name of the proposed association does not violate any provision of this act forthwith but not prior to the day specified in the advertisement of the intention of the incorporator to file the articles endorse its approval thereon and transmit them to the Department of Banking

D If the Department of State shall disapprove the articles pursuant to the provisions of this act it shall forthwith give notice thereof to the proposed incorporators stating in detail its reasons for doing so and indicating how the incorporators can remedy their nonconformance with the provisions of this act Upon remedying the defect the incorporators may in the same manner file the same or amended articles whichever the particular case may require

Section 306 Approval of Articles by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles from the Department of State conduct such investigation as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the proposed association is likely to mislead the public as to its character or purpose

(2) Whether the convenience and advantage of the public will be served by the proposed incorporation and whether the density of the population in the neighborhood designated for the place of business of such proposed association and in the surrounding country affords reasonable promise or adequate support for the enterprise

(3) Whether the responsibilty character and general fitness for the business of the incorporators and directors named in the articles are such as to command the confidence of the community and to warrant the belief that the business of the proposed association will be honestly and efficiently conducted in accordance with the intent and purpose of this act

(4) Whether any fee commission or compensation other than a reasonable counsel fee has been paid to any corporation of such association or whether any part of the money collected or to be collected from subscribers or shareholders has been or is to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such association whether such fee commission or compensation is provided for by contract with the proposed association or by contract with the subscribers to the shares

B Within thirty days after the receipt of the articles from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove the articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles it shall endorse its approval thereon and shall return them to the Department of State

C If the Department of Banking disapproves the articles it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the proposed incorporators of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The proposed incorporators may within thirty days after the Department of State gives them notice of the disapproval of their articles appeal from such disapproval to the Governor who shall hear such appeal promptly and within thirty days thereafter decide the matter and certify his decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to any review The Department of Banking shall act in accordance therewith

Section 307 Issuance of Certificate of Incorporation Immediately upon receipt of the approved articles of an association from the Department of Banking the Department of State shall file the articles and shall issue to the incorporators or their representative a certificate of incorporation to which shall be attached a copy of the approved articles The Department of State shall also send a copy of the approved araticles to the Department of Banking The articles upon being approved by the Department of State and the Department of Banking and filed by the Department of State shall constitute the charter of the association

Section 308 Effect of Issuance of Certificate of Incorporation Upon the issuance of the certificate of incorporation of any association by the Department of State the corporate existence shall begin The certificate of incorporation shall be conclusive evidence of the fact that the accociation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate an association which should have been formed under some other act or which has been formed without a substantial compliance with the conditions prescribed by this act

Section 309 Fees for Investigation by Department of Banking In addition to any other fees or charges provided by law in the case of any corporation the incorporators of an association shall pay to the Depratment of State at the time they file their articles such reasonable fees as shall be established by rule and regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act to determine whether the articles should be approved Such fees shall be paid by the Department of State through the Department of Revenue into the Banking Department Fund

Section 310 Organization Meetings A After the issuance of the certificate of incorporation of an association the first meeting of the shareholders shall be held within this Commonthwealth at the call of the shareholders who were the incorporators or a majority of them for the purpose of adopting such by-laws as this act or the articles of incorporation provide shall be adopted by the shareholders and for such other purposes as shall be stated in the notice of the meeting If the by-laws adopted at such meeting of the shareholders the shareholders shall proveed immediately to elect such officers The persons calling the meeting shall give at least tent days' written notice thereof to each shareholder which notice shall state the time place and purpose or purposes of the meeting

B After the issuance of the certificate of incorporation of an association an organization meeting of the board of directors named in the articles shall be held within this Commonwealth at the call of a majority of the directors for the purpose of adopting such by-laws if any as the articles authorize the directors to adopt for the purpose of electing such officers if any as the by-laws provide shall be elected by the directors and for the transaction fsuch other business as may come before the meeting The directors calling the meeting shall give at least five days' written notice of the time and place of the meeting to each director named in the articles

Section 311 Power of Legislature to Alter or Revoke Charters The General Assembly may revoke or annul the charter of any association formed under this act as provided by Article XVI Section 10 of the Constitution

Section 312 General Powers Subject to the limitations and restrictions contained in this act or in its articles every association shall have power

(1) To continue as an association for the time specified in its articles subject to the power of the General Assembly under the Constitution of this Commonwealth

(2) To sue and be sued complain and defend in its corporate name

(3) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile of it to be impressed or affixed or in any manner reproduced

(4) To make after amend and repeal by-laws not inconsistent with its articles or with law for the administration and regulation of the affairs of the association

(5) To elect or appoint and remove officers and agents of the association and to define their duties and fix their compensation

(6) To have and exercise all of the powers and means necessary to effect the purpose or purposes for which the association is organized

(7) To dissolve and wind up

The powers herein enumerated shall not be construed as limiting or enlarging any grant of authority specifically granted elsewhere in this act or as limiting the purpose or purposes for which an association may be organized as set forth in its articles It shall not be necessary to set forth in the articles of any of the powers enumerated in this section Except as otherwise provided in this act in the articles or in the by-laws of a particular association the powers herein enumerated shall be exercised by the board of directors of the association

Section 313 By-Laws Adoption Amendment or Repeal Approval by Department A Except as herein otherwise provided the shareholders shall have the power to make alter amend and repeal the by-laws of an association The authority to make by-laws may be expressly vested by the articles in the board of directors subject to the power of the shareholders to change or repeal such by-laws but the board of directors shall not make or alter any by-laws fixing their qualifications classification term of office or compensation or any by-laws regulating the proportion of the profits of the association or the rate of interest paid to a withdrawing shareholder Unless the articles or by-laws otherwise provide the by-laws shall be adopted altered amended and repealed by a majority vote of the board of directors or of the shareholders entitled to vote thereon as the case may be at any regular or special meeting duly convened after notice to the shareholders or directors of that purpose

B The by-laws of an associtaion may contain any provision for the regulation and management of the affairs of such association not inconsistent with law or the articles

C Immediately upon the adoption of the by-laws or of any additions thereto or any alteration amendment or repeal thereof notice of such fact and a copy of such by-law or such alteration amendment or repeal shall forthwith be sent to the Department of Banking The Department of Banking shall have the power to disapprove for any reasonable cause stated in writing any such by-law or any such alteration amendment or repeal thereof but such by-law alteration amendment or repeal shall be effective until the Department actually disapproves it and gives notice thereof to the association'

Section 314 Parties Bound by By-Laws Execution of Instruments A The by-laws of an association shall operate merely as regulations among the shareholders of the association and shall not affect contracts or other dealings with other corporations or persons unless such corporations or persons have actual knowledge of such by-laws or unless the association has given to such corporations or persons a copy of such by-laws

B Any form of execution provided in the by-laws to the contrary notwithstanding any note mortgage evidence of indebtedness contract or other instrument of writing or any assignment or endorsement thereof executed or entered into between an association and any other corporation or person when signed by the president or vice-president and by the secretary or treasurer of such association shall be held to have been properly executed for and in behalf of the association

ARTICLE IV

DIRECTORS AND OFFICERS

Section 401 Number and Election of Directors Executive Committee Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors of an association may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

(1) A director shall be elected for a term of one year

(2) The number of directors shall be the same as that stated in the articles

(3) Vacancies in the board of directors shall be filled by the remaining members of the board though less than a quorum and each person so elected shall be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto

(4) The regular meetings of the board of directors shall be held at the place of business of the association but special meetings may be held at such place within this Commonwealth as a majority of the directors may from time to time designate

(5) A majority of all the directors in office shall be necessary to constitute a quorum for the transaction of business and except as otherwise provided in this act or in the articles or by-laws of a particular association the acts of a majority of the directors who are present at a meeting at which a quorum is present shall be the acts of the board of directors

(6) The board of directors may by resolution passed by a majority of the whole board delegate three or more of its number to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority of the board over the ordinary operations of the business of the association between the dates of the monthly meetings of the board Every such committee shall keep full minutes of all business transacted by it and shall present detailed reports of all such transactions at each monthly meeting of the board

Section 402 Term of Office and Qualification of Directors A The business and affairs of every association shall be managed by a board of at least five directors Except as otherwise provided by this act or by the articles or by-laws of the association such board of directors shall exercise all the powers and fulfill all the duties granted to or imposed upon the association by this act

B Each director shall hold office for the term for which he is elected and until his successor shall have been duly elected and qualified The names and terms of office of the first directors shall be stated in the articles Except as otherwise provided in this act for the filling of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders

C Every director shall during his term of office be a citizen of the United States and a bona fide resident in this Commonwealth Ever director shall own in his own name and of any lien or encumbrance at least five shares of the association but the number of shares required to be owned by any person who is a director of an association upon the effective date of this act shall be the same as was required by the articles or by-laws of such association prior to the effective date of this act so long as such director shall serve continuously The share certificates or the passbook or other receipt for the minimum number of shares which each director is required to own free of any lien or encumbrance shal be filed unendorsed unpledged and unassigned by him with the treasurer of the association Such shares shall remain in the custody of the treasurer during the term of office of such director

Any director who during his term of services pledges assigns or in any manner ceases to be the owner in his own name of the number of shares which he is required to own free of any lien or encumbrance shall forthwith cease to be a director of the association and his office shall be vacant Any vacancy thus occurring shall be filled in the regular manner for fillinig vacancies in the board

Section 403 Classification of Directors If the by-laws of an association so provide the directors may be classified in respect to the time for which they shall severally hold office In such case each class shall be as nearly equal in numebr as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for a shorter period than one year or for a longer period than four years At each ensuing election of directors after such classification only the number of directors equal to the number of the class whose terms expire at the time of the election shall be elected and such directors shall be elected for the longest term for which any class may have been elected as provided in this section

Section 404 Meetings of Board of Directors Notice Thereof A The Board of Directors of every association shall hold a regular meeting at its place of business at least once in each month Meetings of the board of directors shall be held upon such notice as the by-laws may prescribe Unless the by-laws provide otherwise written notice of any special meeting of the board of directors shall be given to each director When any regular or special meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

B The board of directors shall require the secretary of the association to keep complete records of their proceedings in a minute book kept for that purpose When a director shall request it the vote of each director upon a particular question shall be recorded in the minutes

Section 405 Compensation of Directors The directors of an association shall be entitled to such compensation for their

services as directors as is provided in its articles or by-laws A director may also be a salaried officer of the association

Section 406 Examination and Report by Board of Directors A The board of directors of every association shall once in each year make or cause to be made by at least three of the members of the board or by a certified public accountant or by a firm of such accountants employed for the purpose a detailed examination of the books papers securities and acairs of the association and the loans thereof and into such other matters as the Department may require The board of directors shall have the power to employ such assistants as they may deem necessary to make such examination

B As soon as such examination is completed a detailed written report thereof signed under oath or affirmation by the directors or certified to by the certified public accountants making such examination shall be sent to the Department A copy thereof shall be placed on file with the association and properly noted on its minutes.

Section 407 Communications from Department of Banking Every official communication directed by the Department to an association or to any officer thereof shall be transmitted by the officer receiving it to the board of directors at the next meeting of such board and shall be duly noted in the minutes of such meeting

Section 408 Disqualification of Directors If a director of an association shall for six successive months or such shorter period as is established by the by-laws fail to attend any of the regular meetings of the board of directors of such association without having been during such period excused by the board for such failure to attend his office may forthwith be declared vacant by the board of directors but he shall be eligible for reelection

Section 409 Removal of Directors A The entire board of directors or any individual director may be removed from office by a majority vote of the holders of the outstanding shares entitled to vote at an election of directors In case the board or any one or more directors be so removed new directors may be elected at the same meeting Unless the entire board be removed no individual director shall be removed in case the votes of a suffcient number of shares are cast against the resolution for his removal which if cumulatively voted at an election of the full board would be sufficient to elect one or more directors

B The board of directors may declare vacant the office of a director if he be declared of unsound mind by an order of court or convicted of felony or if within sixty days or such other time as the by-laws may specify after notice of his election he does not accept such office either in writing or by attending a meeting of the board of directors and fulfill such other requirements or qualifications as the by-laws may specify

C The court of common pleas of the county where the place of business of the association is located may at the suit of any shareholder or shareholders holding at least ten per cent of the outstanding shares remove from office any director or directors in case of fraudulent or dishonest acts or gross abuse of authority or discretion with reference to the association and may bar from reelection any director so removed for a period prescribed by the court The association shall be made a party to such actions

Section 410 Officers of Associations Removal Compensation A Every association shall have a president a vice-president a secretary and a treasurer and may have such additional officers as shall be provided for in the by-laws Any two or more offices may be held by the same person except that the same person shall not at the same time be holder of more than one of the following offices president vice-president secretary treasurer and solicitor in addition when an association has a conveyancer the president vice-president secretary or treasurer of such association shall not at the same time be the conveyancer of the association

B The officers of an association shall be selected at least annually by the board of directors unless the by-laws provide a different method The president vice-president and secretary of an association shall be required to be members of the board of directors of the association

C Unless specifically provided otherwise in the by-laws the board of directors shall fix the compensation of all officers

D Any officer may be removed by the board of directors whenever in its judgment the best interests of the association will be served thereby but such removal shall be without prejudice to the contract rights if any of the person so removed

E Unless specificaly provided otherwise in the by-laws the board of directors shall have the power to fill any vacancies created by the death removal resignation or otherwise of any officer

F The officers as between themselves and the association shall have such authority and perform such duties as shall be specified by the by-laws

Section 411 Bonds of Officers and Employes A The officers and employes of every association as well as any directors who are authorized to receive payments of moneys or to handle negotiable securities on behalf of such association shall before entering upon the performance of their duties furnish to it bonds in such amount as is specified with such corporate surety as is approved by the directors Such bond shall be conditioned upon the faithful performance of the duties of such officers directors or employes The cost of such bonds may be paid by the association

B The Department shall have the power to require any such officer employe or director at any time during his term of office or employment to furnish a bond in an amount greater than that required by the board of directors or it may require new or additional corporate surety

Section 412 Women May Be Directors or Officers Women married or single may serve as officers or directors of an association

Section 413 Power of Attorney to Make Entries of Record A Every association shall by power of attorney filed of record in the office of the recorder of deeds in any county in which it may have occasion or in which it may be required to enter acknowledgement of payments assignment extension postponement release or satisfaction of or to take any other action affecting the lien of any mortgage which appears upon the records in such office designate a person or persons who shall be authorized in the name of such association to make such entries The officer or employe of an association who has custody of the mortgage papers of such association shall not be designated to make such entries

B Such recorded of deeds shall not permit any person other than the person or persons so designated to make such entries for such association

Section 414 Acceptance of Fee or Commission by Director Officer Solicitor or Employe A A director an officer a solicitor a conveyancer or an employe of an association shall not directly or indirectly stipulate for or agree or assent to receive or receive any money or other thing of value as a free commission or gift from any corporation or person for procuring or for endeavoring to procure for such corporation or persono or for any other corporation or person or for performing any service in connection with any loan from or any investment by such association

B Any director officer solicitor conveyancer or employe of an association who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to a fine not exceeding a sum equal to three times the amount of the value of the property which he receives as such fee commission or gift In addition he shall be disqualified from acting as a director officer solicitor conveyancer or employe of any association within this Commonwealth for a period of five years after the date of such conviction

Section 415 Purchases from and Sales to Directors Officers Solicitors or Employes A An association shall not contract for or purchase from any of its directors officers attorneys or employes any securities or other property unless such purchase is made in the regular course of business upon terms not less favorable to the association than those offered to any other corporation or person unless such purchase could not be made from another reliable source at a more favorable price or upon more favorable terms and unless such purchase is authorized by the vote of at least two-thirds of all the members of the board of directors of such association who are not interested in such transaction except in their capacity as directors of the association

B An association shall not sell securities or other property owned or held by it to any of its directors officers solicitors or employes unless such sale is made in the regular course of business upon terms not less favorable to the association than those offered to any other corporation or person unless such sale could not be made elsewhere at a more favorable price or upon more favorable terms and unles such sale is authorized by the vote of at least two-thirds of all the members

of the board of directors of such association who are not interested in such transaction except in their capacities as directors of the association

C For the purpose of this section a purchase from or a sale to a corporation of wihch any director officer solicitor or employe described in this section owns ten per centum or more of the outstanding shares or a purchase from or a sale to an unincorporated association of which any such director officer solicitor or employe is a member shall be considered a purchase from or a sale to such director officer solicitor or employe

D Any director officer solicitor or employe of an association who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to an imprisonment not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine equal to any profit which he shall have made upon the transaction

ARTICLE V

MEETING RIGHTS AND LIABILITIES OF SHAREHOLDERS

Section 501 Meetings of Shareholders A Meetings of the shareholders of an association shall be held within this Commonwealth at such place as may be provided in the by-laws of the association Unless the by-laws provide otherwise all meetings of the shareholders shall be held at the place of business of the association In the event that the place of business or the place designated in the by-laws becomes unavailable for the holding of a meeting of the shareholders the directors may upon notice to all shareholders specify another place within the city borough or township as a temporary meeting place

B The by-laws may provide for the number and the time of meetings of shareholders but at least one regular meeting of the shareholders shall be held in each calendar year for the election of directors at such time as shall be provided in the by-laws If the annual meeting shall not be called and held within one month after the designated time any shareholder shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting

C Special meetings of shareholders may be called at any time by the president or the board of directors or the holders of not less than one-fifth of all the shares outstanding and entitled to vote at the particular meeting or by such other officers or persons as may be provided in the articles or by-laws At any time upon written request of any person entitled to call a special meeting it shall be the duty of the secretary of the association to call a special meeting of the shareholders to be held at such time as the secretary of the association may fix not less than ten or more than sixty days after the receipt of the request If the secretary shall neglect or refuse to issue such call the person or persons making the request shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting

D Any annual or special meeting may be adjourned for any period of time but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected

Section 502 Notice of Meetings of Shareholders In the case of all special meetings of the shareholders and in the case of any regular meeting the time and the place of which are not stated in the by-laws written notice of such meeting shall be given by or at the direction of the person authorized to call the meeting to each shaeholder of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act If the time and the place of a regular meeting of the shareholders are stated in the by-laws it shall be sufficient in addition to any other notice if any required by the by-laws to post a notice at the place of business of the association during the two months immediately preceding the date of such meeting The notice required by this section shall specify the place day and hour of the meeting and in the case of a special meeting the general nature of the business to be transacted When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at the adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

Section 503 Quorum of Shareholders A shareholders' meeting duly called shall not be organized for the transaction of business unless a quorum is present Unless otherwise specifically provided in this act in the articles or in the by-laws

(1) The presence in person or by proxy of the holders of a majority of the outstanding shares entitled to vote shall constitute a quorum

(2) The acts of the holders of a majority of the shares represented at any meeting at which a quorum is present shall be the acts of the shareholders

(3) If a meeting cannot be organized because a quorum has not attended those present may adjourn the meeting to such time and place as they may determine but in the case of any meeting called for the election of directors those who attend the second of such adjourned meetings although less than a quorum as fixed in this section or in the articles or by-laws shall nevertheless constitute a quorum for the purpose of electing directors

Section 504 Shareholders May Vote in Person or by Proxy Except as otherwise specifically provided in this act every shareholder of record of an association shall have the right at every shareholders' meeting to one vote for every share standing in his name on the books of the association Every shareholder may vote either in person or by proxy Every proxy shall be executed in writing by the shareholder or by his duly authorized attorney in fact and field with the association A proxy unless coupled with an interest shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary but the revocation of a proxy shall not be effective until notice thereof has been given to the association No unrevoked proxy shall be valid after eleven months from the date of its execution unless coupled with an interest A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised written notice of such death or incapacity is given to the association A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value

Section 505 Election of Directors Cumulative Voting Unless otherwise provided in the by-laws elections for directors need not be by ballot except upon demand made by a shareholder at the election and before the voting begins In all elections for directors every shareholder entitled to vote shall have the right in person or by proxy to multiply the number of votes to which he may be entitled by the number of directors to be elected and he may cast his whole number of such votes for one candidate or he may distribute them among any two or more candidates The candidates receiving the highest number of votes up to the number of directors to be chosen shall be elected

Section 506 Voting by Trustees and Pledges Shares of an association held in a fiduciary capacity by a fiduciary appointed by last will and testament or by decree of the orphans' court shall be voted by such fiduciary either in person or by proxy in the manner and under the circumstances provided by law Shares standing in the name of a fiduciary other than one appointed by last will and testament or by decree of the orphans' court or shares held by an assignee for the benefit of creditors or by a receiver may be voted by such fiduciary assignee or receiver either in person or by proxy A shareholder whose shares are pledged to anyone other than the association shall be entitled to vote thereon in person or by proxy until the shares have been transferred on the books of the association to the pledgee or nominee and thereafter the pledgee or nominee shall be entitled to vote the shares in person or by proxy A shareholder whose shares are pledged to the association shall be entitled to vote such shares in person or by proxy

Section 507 Voting by Joint Holders of Shares Where shares of an association are held jointly or as tenants in common by more than one corporation or person the will of the majority of such holders shall control the manner of voting or the giving of a proxy If the shares are held jointly or as tenants in common by two or any other even number of corporations or persons and t hey are equally divided up the manner of voting the shares held by them the vote of such shares shall be divided equally among such persons If only one or more of such holders are present in person or by proxy he or

they shall have the right to vote all such shares and all of the shares standing in the names of such corporations or persons shall be deemed to be represented for the purpose of determining a quorum Except as hereinafter provided the same shall be true in the case of fiduciaries other than those appointed by last will and testament or by decree of the orphans' court unless such fiduciaries have been appointed under an instrument or a decree of court which directs otherwise Where in any case such fiduciaries are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court of common pleas upon petition filed by any of the fiduciaries or by any beneficiary to direct the voting of such shares in the manner which in the opinion of the court will be for the best interests of the parties beneficially interested in the shares

Where shares of an association are held jointly in a fiduciary capacity by two or more fiduciaries appointed by last will and testament or by decree of the orphans' court they shall be voted in the manner and under the circumstances provided by law

Section 508 Voting Shares Held by a Corporation An association or other corporation owning shares in an association or in any other corporation may vote them by its president or by proxy appointed by him unless some other person by resolution of its board of directors shall be appointed to vote such shares in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution

Section 509 Determination of Shareholders of Record A Unless the by-laws otherwise provide the board of directors of an association may fix a time not less than ten or more than forty days prior to the date of any meeting of shareholders as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting In such case only such shareholders as shall be shareholders of record on the date so fixed shall be entitled to notice of and to vote at such meeting notwithstanding any transfer of any shares on the books of the association after any record date fixed as aforesaid The board of directors may close the books against transfers of shares during the whole or any part of such period and in such case written notice thereof shall be given at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the association or supplied by him to such association for the purpose of notice While the stock transfer or other books of such association are closed no transfer of shares shall be made thereon Unless a record date is fixed by the by-laws or the board of directors for the determination of shareholders entitled to receive notice of or to vote at a shareholders' meeting transferees of shares which are transferred on the books of the association within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting

B Holders of matured shares or holders of shares which have been voluntarily or involuntarily withdrawn or holders of shares who have not assented to or have dissented from a merger or a consolidation shall be entitled to notice of and to vote at any meeting of shareholders until they shall have been paid in full the amount lawfully due them on account of their shares The exercise of such right to vote at a meeting shall not constitute waiver of or in any way affect any rights granted by law to such shareholders by virtue of the maturing of their shares or of their withdrawal from the association either voluntarily or involuntarily or of their failure to assent to or their dissent from a plan of merger or consolidation

C Shareholders whose shares have been issued less than sixty days prior to the date of a meeting shall not be permitted to vote such shares at any meeting of the association

Section 510 Judges of Election A In advance of any meeting of shareholders of an association the board of directors may appoint a judge or judges of election who need not be shareholders to act at such meeting or any adjournment thereof If a judge or judges of election be not appointed the chairman of any such meeting may and on the request of any shareholder or his proxy shall make such appointment at the meeting The number of judges shall be one or three If appointed at a meeting on the request of one or more shareholders or proxies the majority of shares present and entitled to vote shall determine whether one or three judges are to be appointed No person who is a candidate for office shall act as a judge

B In case any person appointed as judge fails to appear or fails or refuses to act the vacancy may be filled by appointment made by the board of directors in advance of the convening of the meeting or at the meeting by the person acting as chairman

C The chairman of the meeting or if a judge or judges of election have been appointed then such judge or judges shall determine the number of shares outstanding the voting power of each the shares represented at the meeting the existence of a quorum the authenticity validity and effect of proxies receive votes or ballots hear and determine all challenges and questions in any way arising in connection with the right to vote count and tabulate all votes determine the result and do such acts as may be proper to conduct the election or vote with fairness to all shareholders The judges of election shall perform their duties impartially in good faith to the best of their ability and as expeditiously as is pratical If there be three judges of election the decision act or certificate of a majority shall be effective nn all respects as the decision act or certificate of all

D On request of the chairman of th emeeting or of any shareholder or his proxy the judge or judges if any shall make a report in writing of any challenge or question or matter determed by them and execute a certificate of any fact found by them If a judge or judges have not been appointed the chairman on request of any shareholder or his proxy shall make such report or certificate made by the judge or judges or the chairman as the case may be shall be prima facie evidence of the facts stated therein

Section 511 Informal Action by Shareholders Except for the action required by this act for increasing the capital of an association any action required by this act to be taken at a meeting of the shareholders may be taken without a meeting if a consent in writing setting for the action so taken shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the association

Section 512 Immunity of Shareholders A shareholder of an association shall not merely by reason of his ownership of shares be personally liable for any debt or liability of the association

ARTICLE VI

CREATION TRANSFER WITHDRAWAL AND MATURITY OF SHARES

Section 601 Authorized Capital Par Value of Shares and Change Therein A Unless specifically otherwise provided in the articles of an association the number of shares which it may issue shall be unlimited

B The shares of an association shall have a par value of not less than one hundred dollars each nor more than two hundred dollars each but every share issued by an association shall have the same par value as every other share This provision shall not affect the right of any association which prior to the effective date of this act has issued shares of a par value less than one hundred dollars or more than two hundred dollars to continue issuing shares of such par value nor shall it affect the right of any association which upon the effective date of this act has issued and outstanding shares of more than one par value to continue to issue such shares

Any association may by amending its articles in the manner prescribed by this act change the par value of its shares but such change shall not be to an amount less than one hundred dollars each nor more than two hundred dollars each Whenever such change in par value is made every holder of a share for which a share certificate has been issued shall return such share certificate to the association and upon the surrender and cancellation of such share certificate the association shall issue to such shareholder the proper number of share certificates at the new par value

C An association may issue fractional shares

Section 602 Issuances of Shares Series A The shares of an association may be issued in a single series they may be issued in any number of series or they may be issued nonserially at such times and in such manner as shall be stated in the articles or by-laws of the association Except as otherwise specifically provided in the articles or by-laws of an association the number of shares which it may issue in a single series shall be unlimited

B Except as otherwise specifically provided in the articles or by-laws of an association the issuance of shares of a new

series shall operate to close the prior series and the association shall operate to close the prior series and the association shall not thereafter issue any share in such prior series

C Except as otherwise specifically provided in the articles or by-laws of an association shares which have been withdrawn whether voluntarily or involuntarily or shares which have been cancelled whether because of failure to pay dues installments fines premiums or for any other reason shall not after the holders of such shares have received full payment or credit due them on such shares be reissued nor new shares issued in their stead

Section 603 Prohibition on Preferred Shares Shares as Personal Property A An association shall not issue preferred shares

B Shares of an association shall be deemed personal property

Section 604 Membership or Withdrawal Fees Other Charges An association shall not levy upon any shareholder or upon any corporation or person intending to become a shareholder a membership or withdrawal fee or any other charge not specifically permitted by this act

Section 605 Payments for Installment Full-Paid and Prepaid Shares An association may issue shares under any or all of the following plans of payment

(1) Shares the par value of which is to be paid in part by periodical payments in cash at such times and in such amounts as shall be established by the articles or by-laws and in part by accrual of earnings on such shares Such periodical payments shall be known as dues and such shares shall be known as installment shares

(2) Shares the par value of which has been paid by a single cash payment at the time of their issuance Such shares shall be known as full-paid shares

(3) Shares the par value of which has been paid in part by a single cash payment at the time of their issuance and in part by accrual of earnings on such shares Such shares shall be known as prepaid shares

Section 606 Lien on Shares Every shall be subject to a lien for the payment of any indebtedness or charges due to the association The by-laws may prescribe the manner of enforcing such lien

Section 607 Share Certificates Issuance and Preservation A Every association shall furnish to each holder of record of an installment share a copy of the by-laws of the association and of all amendments thereto and a receipt by pass book or otherwise for all dues premiums fines or other payments made to the association by him but an association shall not be required to issue a share certificate to any holder of an installment share

B Every association shall furnish to each holder of record of a prepaid or a full-paid share a copy of the by-laws of the association and of all amendments thereto and a share certificate upon which the name of the association shall be printed and which shall state

(1) That the association is incorporated under the laws of this Commonwealth

(2) The name of the registered holder of the shares represented thereby

(3) The date of issuance of the shares

(4) The type of shares which the certificate represents that is whether they are prepaid or full-paid

(5) The number of shares which the certificate represents

(6) The par value of each share represented and in the case of prepaid shares the amount of the single cash payment made on each share by the shareholder

C Every share certificate shall be signed by the president or vice-president and the secretary or treasurer or by such officers as the by-laws may provide and sealed with the corporate seal In case any officer who has signed any share certificate shall have ceased to be such officer because of death resignation or otherwise before the certificate is issued it may be issued with the same effect as if the officer had not ceased to be such at the date of its issue

D Share certificates shall bear printed consecutive numbers and shall be issued from a bound share certificate book containing a stub for each certificate Each stub shall bear the same number as the share certificate which was attached to it the name and address of the person in whose name the share certificate is issued the number of shares represented by the certificate and the date of the issuance of the certificate The president or vice-president and the secretary or treasurer or such officers as the by-laws provide shall certify on each stub that the information contained thereon is correct and in accordance with the share certificate bearing the same number

E Upon the withdrawal of prepaid or full-paid shares and upon payment by the association the certificate representing such shares shall be surrendered to the association and preserved by it indefinitely Likewise any share certificate for which the association has issued a substitute certificate or which for any other reason has been surrendered to the association shall be preserved by it indefinitely

Section 608 Shares Held in Name of Minor Any association may issue shares in the name of any minor not less than sixteen years of age and shall pay the dividends or earnings thereon as well as the withdrawal or maturity value of such shares to such minor without the assent of his parent or guardian The receipt acquittance or other action required by the association to be taken by the minor shall be a valid release to the association The parent or guardian of such minor shall not in his capacity as parent or guardian have the power to attach or in any manner transfer any shares issued to or in the name of such minor

Section 609 Shares Held in Name of Two or More Persons A Whenever shares of an association shall be issued in the names of two or more persons the association shall not pay any dividends or earnings thereon or the withdrawal or maturing value thereof except upon proper receipt acquittance or other action as the case may be of all of such persons unless at the time of subscribing to the shares or at a subsequent time all the parties agree to a different arrangement and give the association written notice thereof

B Whenever shares of an association shall be issued in the names of two or more persons and such shares shall have been subscribed for under an arrangement with the association whereby the dividends or earnings thereon or the withdrawal or maturity value therof may be paid upon receipt acquittance or other action as the case may be of either or any of such persons the association may pay such dividends earnings withdrawal value or maturity value upon such receipt acquittance or other action as the case may be of either or any of such persons pursuant to the arrangement provided for in this section nothwithstanding the fact that one or more of the other persons may be dead and the association has notice thereof

C This section shall not be construed to affect shares in the names of a husband and his wife

Section 610 Death of One Holding Shares as Trustee Whenever shares of an association shall be issued to any person describing himself in subscribing for such shares as trustee for any person and no other notice of the existence and terms of a valid trust than such description shall have been given to the association the dividends or earnings on such shares as well as the withdrawal or maturity value of such shares shall in the event of the death of the person so described as trustee be paid to the person for whose benefit the shares were stated to have been subscribed if at the time of such death such beneficiary is over sixteen years of age. If he is a minor not less than sixteen years of age such payment shall be made to him under the same conditions as in the case of shares originally subscribed for by such minor

Section 611 Transfer of Shares A Installment shares for which share certificates have not been issued shall be transferable in the manner provided by the by-laws of the association provided such by-laws are not inconsistent with law

B Except as otherwise specifically provided in this act the transfer of shares for which share certificates have been issued and the share certificates representing them may be regulated by the by-laws provided such by-laws are not inconsistent with the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) its amendments and supplements

Section 612 Voluntary Withdrawals A Any shareholder may upon giving written notice to the association withdraw any shares whether full-paid prepaid or installment which are not pledged to the association as security for a mortgage loan granted by it The secretary or other officer designated by the by-laws of the association shall endorse on the written notice of an intention to withdraw required by this section the date of its receipt by the association and shall record such notice and the date of its receipt by the association in a book to be used solely for the recording of notices of withdrawals

B The association shall pay to a shareholder who has withdrawn his shares the amount paid to the association by him on such shares less all fines or other indebtedness or charges due by him plus such proportion of the earnings of the association or such rate of interest as may be prescribed by the by-laws of the association minus the loss properly apportionable to such shares but the board of directors may by general rule or regulation and with the prior written consent of the Department change such proportion of earnings or such rate of interest The amount payable to a sharehloder who has withdrawn his shares shall be known as the withdrawal value of his shares Except as herein otherwise specifically provided a withdrawal shall become effective thirty days after presentation by the shareholder of the written notice required by this section at a meeting of the association or if not presented by him at a meeting then thirty days after the first meeting of the association held after the receipt of such notice at the place of business of the association

Section 613 Involuntary Withdrawal of Prepaid or Installment Shares A An association may at or before maturity compel withdrawal of prepaid or installment shares which are not pledged to the association as security for mortgage loans granted by it but it shall not have the power to compel withdrawal of any prepaid or any installment share as the case may be unless it shall have on hand sufficient funds to pay such withdrawals immediately and until all prepaid or all installment shares respectively issued prior to the date of isuuance of such share have first been voluntarily or involuntarily withdrawn In the case of installment shares issued in series such compulsory withdrawal shall be pro rata among the shares of the same series

B The association shall pay on each prepaid share thus involuntarily withdrawn the full amount of the cash payment made thereon by the shareholder at the time of the issuance of such share plus the full portion of the accumulated earnings of such association properly apportionable to such share

C The association shall pay on each installment share thus involuntarily withdrawn the full amount of the dues paid thereon by the shareholder plus the full portion of the accumulated earnings of such association properly apportionable to such share

Section 614 Involuntary Withdrawal of Full-Paid Shares An association may compel withdrawal of full-paid shares which have been issued at least two years prior to the date of such involuntary withdrawal but it shall not have the power to compel withdrawal of any full-paid share unless it shall have on hand sufficient funds to pay such withdrawals immediately and until all full-paid shares issued prior to the date of issuance of such share have first been voluntarily or involuntarily withdrawn The association shall pay on each share thus involuntarily withdrawn the same amount as it would be required by this act to pay if such shares were voluntarily withdrawn

Section 615 Matured Shares A An installment or pre-paid share shall be declared matured by the board of directors of an association whenever in the case of a prepaid share the cash payment made thereon by the shareholder at the time of the issuance of such share or in the case of an installment share the dues paid thereon by the shareholder plus the full portion of the accumulated earnings of such association properly apportionable to such prepaid or installment share as the case may be after deducting the reserve for contingent losses created pursuant to the provisions of this act equal the par value of the share Notice of such maturity shall forthwith be given to the holder of such share

B If the shares thus declared matured have not been pledged to the association as security for a loan However the association shall before making payment deduct an amount equal to any delinquent fines or other charges due it by such shareholder

C If the shares thus declared matured have been pledged to the association as security for a loan which is secured also by a mortgage upon real property then the mortgage shall be forthwith satisfied upon the payment of any delinquent fines or other charges due the association and upon the payment of a fee not in excess of three dollars for the satisfaction of the mortgage

D If the shares thus declared matured have been pledged to the association pursuant to a loan upon which the sole security is such shares the note shall be forthwith cancelled and the amount of the loan together with the amount of any delinquent fines or other charges due the association shall be deducted from the matured value of such shares The balance shall be payable to such shareholder in the same manner as provided by this act in the case of shares which have been declared matured which are not pledged to the association as security for a loan

E The holder of a share which has been declared matured pursuant to the provisions of this section shall be entitled to interest upon any unpaid portion of the par value thereof at the rate of four per centum per annum from the date of the declaration of maturity but the rate of such interest shall not in any event exceed the rate of earnings apportioned during such period to installment or prepaid shares which have not been declared matured

Section 616 Order of Payment and Funds to be Used to Pay Matured or Withdrawn Shares Power to Sue A Withdrawn or matured shares shall be paid in the order in which the withdrawals become effective or the maturities are declared but withdrawals which become effective or maturities which are declared upon the same day shall be paid on a pro rata basis However the board of directors may at any time either authorize payment of withdrawn or matured shares on a pro rata basis or with the consent of the Department fix a maximum amount to be paid periodically on such shares The action of the board of directors in authorizing payment to be made on a pro rata basis or in fixing a maximum amount to be paid periodically shall also apply to unpaid withdrawals which became effective or to unpaid maturities which were declared prior to the date on which such action was taken by the board of directors

B At least two-thirds of the funds in the treasury of an association shall be applied to the payment of matured or withdrawn shares whenever such amount is necessary for this purpose but the association shall first deduct such amount as shall be necessary to pay current expenses and interest or dividends on full-paid shares to protect or preserve the assets of the association and to make proper provisions for meeting such obligations as it may reasonably be expected to be compelled to pay Whenever two-thirds of the funds in the treasury other than such amounts as are required by this section to be deducted are insufficient to pay in full all matured or withdrawn shares one-third of such funds shall be applied to the payment of matured shares and one-third to the payment of withdrawn shares but if less than one-third of such funds shall be sufficient to pay in full all matured shares the balance of such one-third shall be applied to pay withdrawn shares and conversely if less than one-third of such funds shall be sufficient to pay in full all withdrawn shares the balance of such one-third shall be applied to pay matured shares

C Whenever funds are not available in the manner hereinbefore provided to pay any matured or withdrawn share upon which payment has been due for a period in excess of six months all the funds in the treasury other than such amounts as are required by this section to be deducted shall be applied to the payment of matured or withdrawn shares Whenever all of the funds in the treasury other than such amounts as are required by this section to be deducted are insufficient to pay in full matured or withdrawn shares one-half of such funds shall be applied to the payment of matured shares and one-half to the payment of withdrawn shares If less than one-half of such funds shall be sufficient to pay in full all matured shares the balance of such one-half shall be applied to pay withdrawn shares and conversely if less than one-half of such funds shall be sufficient to pay in full all withdrawn shares the balance of such one-half shall be applied to pay matured shares

D Whenever matured or withdrawn shares have not been paid by an association for a period of six months after the maturities have been declared or the withdrawals have become effective owing to the fact that the funds in the treasury which under this act are to be applied to the payment of such shares are insufficient to pay them in full so much of the bonds or other obligations of the United States or the Commonwealth of Pennsylvania or of a Federal Home Loan Bank owned by the association as shall be necessary to pay such matured or withdrawn shares shall be sold and the proceeds paid into the treasury of the association to be used to pay such shares

E For the purposes of this section the words "funds in the treasury" shall be construed to include all moneys

received by the association from any source whatsoever except money borrowed from the Federal Home Loan Bank

F The holders of matured or withdrawn shares shall not have the power to sue for the amount due them by virtue of such maturity or such withdrawal until such time as under the provisions of this section such matured or such withdrawn shares should have been paid

Section 617 Fines A Any association may impose fines upon its shareholders for failure to pay dues interest or premiums but a fine shall not exceed one per centum per month of the amount of the dues interest or premiums which are in arrears for the period during which they have been in such arrears Such fines may be deducted from or charged against the earnings of the association properly apportionable to the shares in the association on account of which such defaults are made but fines for a longer period than six months shall not under any circumstances be deducted from or charged against the dues paid by the shareholders upon such shares

B An association shall not impose fines upon the shares of a deceased shareholder for defaults incurred after his death unless his legal representative makes a payment upon such shares in which case fines may be levied against such shares for all defaults after the date of such payment

C Fines levied pursuant to the provisions of this act shall not be deemed usurious

Section 618 Restrictions on Dividends on Full-Paid Shares The cash dividend or periodical interest paid on full-paid shares during any year shall not exceed the net rate of dividends earned during such year on all the outstanding shares of the association less the amount thereof if any set aside as a reserve for contingent losses

Section 619 Cancellation of Shares by Association An association may cancel the installment shares of a shareholder for failure to pay dues upon them for a period of six months In the event of such cancellation by such association the shareholder shall be entitled to all the rights of a withdrawing shareholder

Section 620 Reserve for Contingent Losses Every association shall set aside each year not less than five per centum and not more than fifteen per centum of its net profits for such year unless the Department in writing approves the setting aside of a lesser or a greater amount as a reserve for contingent losses until the total amount of such reserve shall equal at least five per centum and not more than ten per centum of the assets of such association unless the Department in writing approves the creation of a total reserve of a lesser or a greater amount The Department may at any time require any association to set aside such additional amount as the Department shall deem necessary to safeguard the interests of the shareholders of such association Such reserve for contingent losses may be loaned or invested in the same manner as is authorized by this act in the case of other funds of the association

If due to a reduction of the assets of an association or due to any other cause whatsoever the reserve for contingent losses shall exceed ten per centum of the assets of the association or if the Department has authorized or directed the creation of a reserve for contingent losses in excess of such ten per centum and such reserve exceeds such amount authorized or directed by the Department the amount above such ten per centum or such other amount as has been authorized or directed by the Department shall be transferred at the next regular meeting of the board of directors to the general profit account of the association

Section 621 Reduction of Liability to Shareholders Whenever the losses of any association resulting from a depreciation of its securities or otherwise exceed its accumulated profits and its reserve for contingent losses so that the fair value of its assets is less than the total amount due its creditors and shareholders the court of common pleas of the county in which the place of business of the association is located may upon the petition of the association approve by a majority of all its directors and by the Department order a reduction of its liability to its shareholders in such manner as to distribute the loss equitably among such shareholders

Such petition shall be advertised at least once in a newspaper of general circulation

ARTICLE VII

AMENDMENT OF ARTICLES

Section 701 Amendment of Articles Authorized An association may in the manner hereinafter provided in this article amend its articles of incorporation from time to time in any manner whatsoever provided that the articles as so amended would be authorized by this act as original articles of incorporation

Section 702 Proposal of Amendments to Articles Every amendment to the articles of an association shall first be proposed by the board of directors by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to a vote of the shoreholders entitled to vote thereon at a designated meeting which may be either an annual or a special meeting of the shareholders entitled to vote on the amendment The resolution shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

Section 703 Adoption of Amendments Every proposal of an amendment to the articles of an association made by its board of directors shall be adopted at the shareholders' meeting designated for that purpose pursuant to the provisions of this act upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote at such meeting unless the articles require a greater number Any number of amendments may be submitted to the shareholders at one meeting

Section 704 Notice of Meeting to Adopt Amendments to Articles Written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering any proposed amendment to the articles of an association be given to each shareholder of record except that written notice of any proposed amendment for increasing the authorized capital stock of the association shall be given to each shareholder of record at least sixty days before such meeting Such notice shall state the place the day and the hour of the meeting and shall set forth the proposed amendment or a summary of the changes to be effected thereby

Section 705 Articles of Amendment After an amendment to the articles of an association has been adopted in the manner provided by this act the articles of amendment shall be executed under the seal of the association and verified by two duly authorized officers of the association and shall set forth

(1) The name and location of the place of business of the association

(2) The Act of Assembly under which the association was formed and the date when and the place where the original articles were recorded or filed

(3) The time and place of the meeting of the shareholders of the association at which the amendment was adopted and the kind and period of notice given to such shareholders

(4) The number of shares outstanding the number of shares entitled to vote on the amendment and the number of shares voted for and against such amendment

(5) The amendment adopted which shall be set forth in full

Section 706 Advertisement The association shall advertise its intention to file articles of amendment with the Department of State in a manner similar to the heretofore prescribed in this act in the case of the formation of an association Advertisements shall appear at least three days prior to the day upon which the articles of amendment are to be presented to the Department of State and shall set forth briefly

(1) The name and location of the place of business of the association

(2) A statement that the articles of amendment are to be filed under the provisions of this act

(3) The nature and character of the proposed amendment

(4) The time when the articles of amendment will be filed with the Department of State

Section 707 Filing of Articles of Amendments Payment of Fees Approval of Department of State A The articles of amendment and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B The Department of State shall examine such articles of amendment and such proof of publication to determine whether they contain all the information and are in the form required by this act After all the fees taxes and other charges have been paid as required by law except for the costs of any examinations made by the Department of Banking pursuant to the provisions of this act to determine whether to approve

the amendment or any other charges made by the Department of Banking the Department of State shall if the articles of amendment and the proof of publication contain the information and are in the form required by this act forthwith but not prior to the day specified in the advertisement of the intention of the association to file the articles endorse its approval thereon and shall forthwith transmit them to the Department of Banking

C If the Department of State shall disapprove the articles of amendment pursuant to the provisions of this act it shall forthwith give notice thereof to the association stating in detail its reasons for doing so and stating how such association can remedy the nonconformance with the provisions of this act Upon remedying the defect such association may in the same manner file the same or amended articles whichever the particular case may require

Section 708 Approval of Articles of Amendment by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles of amendment from the Department of State conduct such examination as it may deem necessary to ascertain from the best sources of information at its command whether such amendment or amendments will be lawful not injurious to the community and in accordance with the purposes of the articles of incorporation The costs of such examination and any other charges of the Department of Banking bearing upon the filing of articles of amendment shall be assessed upon the association in the manner provided by law for assessments by the Department of Banking of costs of examinations or other charges

B Within thirty days after the receipt of the articles of amendment from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of amendment it shall endorse its approval thereon and shall return them to the Department of State

C If the Department of Banking disapproves the articles of amendment it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the association of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The association may within thirty days after the Department of State sends it notice of the disapproval of its articles of amendment appeal from such disapproval to the Governor who shall hear such appeal promptly and wtihin thirty days thereafter decide the matter and certify his decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to review The Department of Banking shall act in accordance therewith

Section 709 Issuance of Certificate of Amendment Immediately upon receipt of the approved articles of amendment of an association from the Department of Banking the Department of State shall file articles and shall issue to the association or its representatives a certificate of amendment to which shall be attached a copy of the approved articles A copy of the approved articles of amendment shall be sent by the Department of State to the Department of Banking

Section 710 Effective Date of Amendment Upon the issuance of the certificate of amendment by the Department of State the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any existing cause of action in favor of or against the association of any pending suit in which such association shall be a party or the existing rights of persons other than shareholders and in the event the corporate name shall be changed by the amendment no suit brought by or against the association under its former name shall be abated for that reason

ARTICLE VIII

SPECIFIC POWERS AND LIMITATIONS UPON POWERS OF ASSOCIATIONS

Section 801 Powers of Associations In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to an association elsewhere in this act an association shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To issue full-paid prepaid and installment shares

(2) To borrow money and in the case of the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than a national bank to pledge collateral therefor

(3) To grant loans to its shareholders

(4) To make investments.

(5) To became a member of the Federal Home Loan Bank or of any other corporation or agency established under the authority of the United States Government and to comply with any of the provisions required for membership in the Federal Home Loan Bank or in such other corporation or agency provided the association is authorized to do so by resolution of its board of directors

(6) To become a member of a league or leagues organized to protect and promote the interests of building and loan associations and to pay dues to or a proportionate share of the expenses of such league or leagues.

(7) To purchase improve or lease real property for its accommodation

Section 802 Power to Borrow Money Issuance of Notes Pledging of Collateral A An association may by resolution of its board of directors borrow money at a rate of interest not exceeding six per centum per annum to a total amount not exceeding thirty-five per centum of the amount paid in by shareholders on account of shares which have not on the date of such borrowing been matured or for which notice of withdrawal has not on such date been given

B An association shall issue to any corporation or person from whom it borrows money except the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than a national bank a note for the amount borrowed All such notes shall be issued in the following manner and in the following form only

(1) Each such note shall have the corporate title of the association printed thereon

(2) A copy of the resolution of the board of directors of such association authorizing the loan certified by the secretary of such association or by such other officer as shall be determined by the by-laws shall be permanently attached to such note and each such resolution shall state the borrowing capacity of the association and the amount then owing by the association for borrowed money

(3) Each such note shall be signed on behalf of the association by the president or vice-president and by the secretary or treasurer thereof or by any other two or more officers designated in the by-laws

(4) Such notes shall bear printed consecutive numbers and shall be issued from a bound notebook containing for each note a stub bearing a number corresponding to the number on such note The stub shall also bear the name and address of the payee of the note the date on which the note was issued the date of maturity the amount of the note and the rate of interest

(5) The officers of such borrowing association who signed the note on behalf of the association shall certify on the stub that information contained thereon is correct and is in accordance with the note bearing the same number

An association shall issue to the Federal Home Loan Bank or to any other agency or instrumentality of the United States Government from which it borrows money other than a national bank its bond obligation or note in such form as is prescribed by the Federal Home Loan Bank or by such other agency or instrumentality of the United States Government

Upon the repayment of such borrowed money the note or the bond obligation or note as the case may be shall be surrendered to the association and shall be cancelled and preserved for a period of not less than seven years

C An association shall not have power to pledge or hypothecate any of its assets for money borrowed by it except in the case of money borrowed from the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than a national bank An association may pledge or hypothecate to the Federal Home Loan Bank or to any other agency or instrumentality of the United States Government other than a national bank for money borrowed its bonds and mortgages or other assets including the shares pledged with the association as security and it shall not be required to secure the consent of the owner of the mortgaged real property or of the shares in order to make such pledge

D An association shall not grant any mortgage loan if the amount of borrowed money owed by it to any corporation or person except the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than national banks exceeds ten per centum of the amount paid in by shareholders on account of shares which have not been matured or for which notice of withdrawal has not been given but this provision shall not be construed to affect the right of an association to readjust or otherwise re-finance any mortgage loan which it has granted

Section 803 Authorized Investments A Except as otherwise specifically provided in this act an association shall not make any investments except as follows

(1) Bonds or other interest-bearing obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged

(2) Bonds or debentures issued by a Federal Home Loan Bank under the provisions of the Federal Home Loan Bank Act approved the twenty-second day of July one thousand nine hundred thirty-two its amendments and supplements

(3) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania or those for the payment of principal and interest on which the faith and credit of this Commonwealth is pledged

B An association shall not at any one time without the written approval of the Department have more than twenty-five per centum of the amount paid in by its shareholders on account of shares invested in the bonds debentures or other interest-bearing obligations authorized by this section as investments for associations

Section 804 Restriction on Ownership or Holding of Real Property by an Association A Except as otherwise provided in this act an association shall not purchase own or hold any real property except as follows

(1) Such real property as it occupies pursuant to the provisions of this act for its accommodation in the transaction of its business or such real property as it partly so occupies and partly leases to others pursuant to the provisions of this act

(2) Such as it shall purchase at sales under judgments decrees or mortgages held by it or as it shall otherwise acquire in good faith and in satisfaction of debts previously contracted to it or in order to protect an interest it may otherwise have lawfully acquired in such property

B An association shall not own or hold any real property other than such real property as it occupies for its accommodation in the transation of its business or such longer than five years after the acquisition of such real propreal property as it partly so occupies and partly leases to others pursuant to the provisions of this act for a period erty or five years after the effective date of this act but the Department may upon application of an association grant to it in writing the power to hold such real property for a longer period.

C An association shall not permit title to any real property of which it is in fact the owner to be carried in the name of any other corporation or person

Section 805 Limitation on Building Owned or Leased Furniture and Fixtures Therein A The cost of the real property including the building or buildings thereon which an association owns and occupies for the transaction of its business or partly so occupies and partly leases to others together with the cost of furniture and fixtures therein which belong to the association shall not at any time exceed in the aggregate five per centum of the amount paid in by its shareholders on account of shares However an association shall not purchase any real property or erect any building for its occupancy in the transaction of its business without the prior written approval of the Department

B An association shall not without the prior written approval of the Department expend for the alteration repair or improvement of premises occupied but not owned by it an amount which together with all prior alterations repairs or improvements on the same premises exceeds five thousand dollars in the case of an association the assets of which are not more than five million dollars and ten thousand dollars in the case of an association the assets of which are more than five million dollars The cost of such alterations repairs or improvements shall be amortized during the term of such lease or occupancy

C The foregoing provisions of this section shall not affect any real property and building or buildings owned or leased and occupied or any furniture and fixtures owned and used by an association upon the effective date of this act for the transaction of its business but such association shall not add to such real property and shall not alter repair or improve leased premises if the cost of such additions alterations repairs or improvements together with any real property and building or buildings owned or any real property and building or buildings owned or furniture and fixtures owned and used or alterations repairs and improvements of leased premises aggregate more than the maximum amount authorized by this section

D An association may lease to any other association or to any other corporation or person for offices or for any other legitimate purpose premises which it owns or occupies for the transaction of its business

Section 806 Protection against Loss on Previous Loan or Investment The restrictions imposed by this act shall not be construed to prevent an association in order to protect itself from loss upon a loan or investment previously made from acquiring ownership of or otherwise taking and holding any kind of property or security whether real or personal Except as otherwise provided by this act any property so acquired unless of the character and nature by this act authorized to be purchased or held by such association shall be sold by it within five years but the Department may upon application of an association grant to it in writing the power to hold such property for a longer period

Section 807 Property Acquired before Effective Date of this Act This act shall not be construed to render unlawful the continued ownership or holding by an association of any loans investments or other real or personal property lawfully acquired prior to the effective date of this act However such loans and investments or such other real or personal property shall be computed in determining the power under this act of an association to grant any additional loans or make any additional investments of the same or different kinds

Section 808 Segregation of Dues upon Order of Department A Whenever it shall appear to the Department that the affairs of an association are in such condition that the action hereinafter provided in this section is justified the Department may by written order issued in the manner provided by law direct that all payments of dues made on account of installment shares which have not been transferred and pledged to the association as security for loans shall be segregated from the other assets of the association and that the association shall not grant any further loans issue any new shares or make any payments on account of withdrawn or matured shares until such order is revoked in writing by the Department Such order of the Department shall be known as an order of segregation Such segregated moneys shall either be kept on deposit in a depository selected in the manner provided by this act or invested in the bonds designated by this act as authorized investments for associations The moneys so segregated and the bonds in which such moneys are invested shall be known as the segregated fund

If an association at any time after an order of segregation has become effective has no liability except to its shareholders arising from the ownership of shares it may with the written consent of the Department transfer to the segregated fund a portion or all of any cash which it may have on hand and bonds if any designated by this act as authorized investments Cash and bonds so transferred shall become a part of the segregated fund the same as though paid into the segregated fund by the shareholders whose shares are not pledged to the association as security for loans in proportion to the amounts paid in on account of their shares on the date that the order of segregation was issued Such segregated fund shall not be subject to any attachment issued on a judgment obtained by any creditor or shareholder of the association

During the period of segregation the segregated fund shall be available exclusively for the benefit of the shareholders who made such payments or for whose benefit the transfer of cash and bonds was made and may be withdrawn during such period of segregation upon thirty days' written notice

B All dues paid in during the period of segregation by shareholders whose shares are pledged to the association as security for loans shall be known as segregated credits and shall be applied as credits against the principal of any loans so secured which are repaid during the period of segregation

When any transfer of cash and bonds is made to the segregated fund the shareholders whose shares are pledged to the association as security for loans shall be entitled to segregated credits which shall bear the same relation to the amounts paid in by them on account of their shares prior to the effective date of the order of segregation as the amount of cash and bonds so transferred bears to the total amount paid in on account of shares prior to the effective date of the order of segregation by shareholders whose shares are not pledged as security for loans

If at any time during the period of segregation the segregated credits on shares pledged for a loan exceed the amount of the loan for which such shares are pledged all payments made by the borrower thereafter shall be segregated in the same manner as payments made by shareholders whose shares have not been pledged to the association as security for loans

C If the Secretary of Banking shall in the manner provided by law take possession of the business and property of an association while an order of segregation is in force or if a liquidating trustee or liquidating trustees shall pursuant to a plan of voluntary dissolution take possession of the business and property of such association while such order is in force the amount in the segregated fund shall be paid only to the shareholders whose payments were segregated or for whose benefit the transfer of cash and bonds was made and only to the extent that they can be paid from the segregated fund or from the proceeds of the sale of the bonds in which such segregated fund has been invested and the shareholders whose shares have been transferred and pledged as security for loans shall receive credit on account of the principal of their loans for the full amount of their segregated credits

D If an association while an order of segregation is in force shall enter into an agreement of merger or consolidation with another association or with other associations the shareholders whose shares have not been pledged to the association as security for loans shall receive credit in full for their interest in the segregated fund on account of the shares of the surviving or new association into which their shares are converted and the shareholders whose shares have been pledged to the association as security for loans shall receive in full for their segregated credits on account of the shares of the surviving or new association into which their shares are converted

E If while an order of segregation is in force the liability of an association to its shareholders shall be reduced by order of the court of common pleas pursuant to the provisions of this act the interest of the shareholders in the segregated fund and the segregated credits of shareholders shall not be reduced by the order of court but such shareholders shall receive credit in full on account of their shares for such interest in the segregated fund or for such segregated credits

F The Department may revoke an order of segregation whenever it shall appear that the condition of an association justifies such action In such event the association may exercise all the powers it could have exercised prior to the issuance of such order It shall treat all payments on account of shares or otherwise made by shareholders during the period of segregation and all segregated credits in the same manner as all other payments on account of shares whenever made

Section 809 Limitation on Loans and Investments An association shall not have the power to grant any loans or make any investments except such loans or invesments as are specifically authorized in this act

Section 810 Limitation of Power to Make Deposits An association shall not deposit any of the moneys received by it in any bank bank and trust company savings bank or private bank unless such institution is specifically approved by the board of directors of the association as a depository for the funds of the association

Section 811 Prohibition upon Accepting Deposits or Discounting Commercial Paper A An association shall not receive money on deposit but this provision shall not be construed to affect the right of an association to receive payments on account of shares payments on account of payments of fire insurance premiums taxes municipal claims or water rent on real property mortgaged to the association payments on account of interest or principal of prior liens on such property or any other payments authorized by this act

B An association shall not purchase or discount any note bill of exchange draft or other commercial paper

ARTICLE IX

LOANS TO SHAREHOLDERS

Section 901 Method of Granting Loans to Shareholders Premiums A Mortgage loans may be granted by an association pursuant to the provisions of this act at any regular or special meeting of the board of directors The directors may lend funds of the association either with or without charging the borrower a premium for the privilege of being granted such loan but an association shall not charge any premium unless borrower agrees in writing to pay such premium If such premium is deducted by the association in advance it shall not exceed ten per centum of the amount of the loan or if paid by the borrower in installments one per centum per annum of the amount of the loan

B A premium paid pursuant to the provisions of this section by a borrower from an association shall not be deemed usurious although it exceeds the legal rate of interest or when added to any interest paid upon such loan it exceeds the legal rate of interest

C Share loans may be granted by an association pursuant to the provisions of this act in the manner provided by this section for the granting of mortgage loans or in any other manner provided by its articles or by-laws

Section 902 Application for Mortgage Loan Preservation of Application Penalty A An association shall not grant a mortgage loan unless it shall first have obtaind a writtten application signed by the person for whose benefit the loan is to be made which shall set forth

(1) The name address age and occupation of the applicant for the loan

(2) The name and address of the employer of the applicant if the applicant is employed

(3) The location of the real property and the character of the improvements thereon

(4) The name and address of the owner in fee of the real property at the time the application is made to the association

(5) How and when title to thet real property was acquired by the applicant the actual cost of the real property and the actual cost of any permanent improvements made thereon after the applicant acquired title or if applicant does not have title at the time application is made the date of the agreement of sale or option and the actual consideration to be paid for such real property

(6) Whether any money or other thing of value has been or is to be paid to any corporation or person other than the association as a fee commission or gift for procuring or for endeavoring to procure such loan from the association or for services in making searches of title of read property offered to the association as security or in drawing papers incident to the loan for which such real property is given as security or for any other reason whatsoever and if so the amount or value of such fee commission or gift and to whom it has been or is to be paid

(7) Whether in fact the applicant is the beneficial owner of the real property and if not who is the beneficial owner

B If the loan is granted by the association such application shall be carefully preserved among the records of the association until the loan is fully repaid to it

C Any person who shall knowingly make any false or misleading statement in the application required by this section or who shall knowingly conceal any material fact of facts required to be given in such application or who shall falsify or mutilate any such application after it has been signed and delivered to the association or who shall abstract any such application from the records of the association or who shall cause or induce any other person to make any such statement conceal any such fact or facts falsify mutilate or abstract any such application in the manner just described shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding three years or a fine not exceeding one thousand dollars or both

Section 903 Security for Mortgage Loan A An association shall grant mortgage loans to its shareholders or to any person intending to become a shareholder upon the following security only

(1) The bond of the borrower secured by the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of the loan and further secured by a mortgage upon real property which belongs to the borrower such mortgage being for at least the full amount of the

loan A loan secured in this manner shall be known as share-mortgage loan and the mortgage securing such loan as a share mortgage

(2) The bond of the borrower secured by a mortgage upon real property which belongs to the borrower such mortgage being for an amount not to exceed one-half of the amount of the loan such portion of the loan to be known as the straight-mortgage portion of the loan and a bond for the remainder of the loan secured by the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of such remainder of the loan and further secured by a mortgage upon such real property for an amount equal to such remainder of such loan such remainder of such loan to be known as the share-mortgage portion of the loan A loan secured by both a straight mortgage and a share mortgage in this manner shall be known as a split-mortgage loan A split-mortgage loan may also be in the form of a single bond and mortgage which meets all the requirements of this section

The straight-mortgage portion of a split-mortgage loan shall not be secured by shares and an association shall not charge fines upon such portion of the loan

An association shall not demand payment of the straight-mortgage portion of a split-mortgage loan except in case of a default by the borrower in the terms of the loan until the share-mortgage portion of such loan has been repaid in full by the maturing of the shares assigned or pledged as securty therefor or by any other method Upon such payment of the share-mortgage portion of a split-mortgage loan an association shall either demand and enforce payment of the straight-mortgage portion of the loan or to convert such loan to a share-mortgage loan upon the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of such loan

B An association shall not grant any mortgage loan unless the mortgage securing such loan (1) is a first lien upon unencumbered improved real property or upon real property upon which a building is in the process of construction situated anywhere within the Commonwealth or where it is not a first lien upon such property every equal or prior lien is owned by the association and (2) does not altogether with any other lien held by such association upon such property exceed eighty per centum of the fair market value of such real property plus the amount paid to the association prior to or upon the day of the granting of such loan upon shares to be assigned or pledged to the association as security for such loan An association shall not take any lien upon real property as security for a mortgage loan if such lien is equal to any lien owned by any other corporation or person

The provisions of this subsection shall not be construed to apply to a purchase money mortgage taken by an association upon real property owned by it nor to the readjustment or refinancing in any other manner of a mortgage loan owed to the association upon the effective date of this act

Nothwithstanding the provisions of this subsection an association may prior to the first day of June one thousand nine hundred thirty-five grant a loan upon improved real property encumbered by a mortgage not owned by the association provided that the prior encumbrance not owned by the association does not exceed forty per centum of the fair market value of such real property and will not together with the mortgage securing such loan exceed sixty per centum of the fair market value of such real property

C An association shall not directly or indirectly grant to any one corporation or person mortgage loans to a total amount exceeding five per centum of the amount paid in by its shareholders on account of shares but any association may grant to any one corporation or person mortgage loans to a total amount of ten thousand dollars

In computing the total mortgage loans made by an association to an individual there shall be included all mortgage loans made by the association to a partnership or other unincorporated association of which he is a member all mortgage loans made either for his benefit or for the benefit of such partnership or other unincorporated association and all mortgage loans to or for the benefit of a corporation of which he owns twenty-five per centum or more of the capital stock

In computing the total mortgage loans made by an association to a partnership or other unincorporated association there shall be included all mortgage loans to its individual members all mortgage loans made for the benefit of such partnership or other unincorporated association or of any member thereof and all mortgage loans to or for the benefit of any corporation of which the partnership or unincorporated association or any member thereof owns twenty-five per centum or more of the capital stock

In computing the total mortgage loans made by an association to a corporation there shall be included all mortgage loans made for the benefit of the corporation and all mortgage loans to or for the benefit of any individual who owns twenty-five per centum or more of the capital stock of such corporation

A mortgage loan shall be deemed to be made for the benefit of a corporation or person to the extent that the proceeds of such loans are credited or transferred to such corporation or person

D An association shall not upon the security of any one piece of real property grant mortgage loans totalling

(1) More than twenty-five thousand dollars if the amount paid in by its shareholders on account of shares exceeds five hundred thousand dollars but does not exceed one million dollars

(2) More than thirty-five thousand dollars if the amount paid in by its shareholders on account of shares exceeds one million dollars but does not exceed five million dollars

(3) More than fifty thousand dollars if the amount paid in by its shareholders on account of shares exceeds five million dollars

Section 904 Charges for Services in Connection With Mortgage Loans A An association may levy a reasonable charge upon any corporation or person applying for a mortgage loan for its services in making searches of title and appraising the real property offered to the association as security in drawing any papers incident to the loan for which such real property is given as security and in taking any other action permitted or required by law with respect to such loan

B An association may likewise levy a reasonable charge upon any corporation or person which has been granted a mortgage loan for any services performed by the association with respect to reducing the amount of such loan extending the period of its maturity or otherwise readjusting or refinancing it and for any other action by the association permitted or required by law with respect to such loan

Section 905 Limitation upon Disposal of Mortgages Except as otherwise specifically provided in this act an association which is not in the possession of a liquidating trustee or liquidating trustees pursuant to a plan of voluntary dissolution shall not except with the written consent of the owner of the real property upon which a share mortgage is secured sell transfer or assign such mortgage and it shall not sell transfer or assign any mortgage or other encumbrance until every subsequent mortgage or encumbrance owned by it upon such real property shall have been paid in full The corporation or person to whom such transfer sale or assignment is made shall not have the power to charge fines or premiums unless such corporation is a building and loan association

Section 906 Reduction and Extension of Mortgage Loans by Application of Withdrawal Value A borrower may with the consent of the association have the withdrawal value of shares which have been pledged as security for a mortgage loan credited on account of the principal of such mortgage loan provided that the pledges or assigns to the association in lieu of the shares so withdrawn or applied other shares in the association of an aggregate par value of not less than the amount to which such loan is reduced

Section 907 Interest Reduction Loans A borrower with the consent of the association may have the periodical installments of dues on his shares credited on account of the principal of the mortgage loan at such times as shall be provided in the mortgage and also in its accompanying bond or other obligation if any and the interest and the premium if any thereon shall be computed on the balance of the principal of the loan in each case when the dues have been so credited The borrower in such case may agree that the subsequent dues on his shares shall become automatically increased by the amount of the reduction of interest and of premium if any in each case when the dues have been so credited so that the total of each monthly installment of dues and interest and premium if any shall remain the same until the loan has been paid in full but the right to have the dues on the shares credited on account of the principal of the loan as well as the

agreement if any that the dues on the shares shall become automatically increased as herein provided shall be set forth in the mortgage and also in its accompanying bond or other obligation if any

The borrower shall have the right with the consent of the association when the dues so credited on account of the principal of the loan shall equal the par value of one or more shares to have the number of shares reduced to such number that their aggregate par value shall not be less than the reduced amount or balance of the principal of the loan still remaining unpaid The periodical installments of dues on the shares thus reduced as well as the interest on the reduced principal of the loan and premium thereon if any shall be payable after the date of such reduction the same as if the shares had been originally issued in such reduced number as of such date and such loan made for such reduced amount

When the dues on the shares are credited on account of the principal of the loan as herein provided such shares shall not participate in the profits of the association nor be subject to losses When the loan has been paid in full by the crediting of the dues thereon as herein provided the borrower shall be entitled to have his mortgage satisfied upon the payment of a fee not exceeding three dollars for the satisfaction of the mortgage

Section 908 Foreclosure on Mortgage for Non-Payment of Dues Interest Premiums or Fines In the case of a default in the payment of dues interest premiums or fines due on a mortgage loan an association if there be no other default shall not have the power to enforce payment of the principal of such loan by legal proceedings payments have not been made by the borrower for a unless in the case of a mortgage which is a first lien upon real property dues or interest owing for six months has not been paid or in the case of a mortgage which is not a first lien upon real property dues or interest owing for three months has not been paid

Section 909 Credit for Withdrawal value of Shares in Foreclosure If the amount recovered by an association through foreclosure of a mortgage securing a mortgage loan plus the withdrawal value of the shares of the borrower and minus the expenses incurred by the association in foreclosing upon such mortgage shall exceed the amount which the borrower would have been required to pay in order to have repaid such loan voluntarily pursuant to the provisions of this act such excess shall be repaid to the borrower

Section 910 Security for Share Loans An assocation may grant share loans to any of its shareholders upon the following security only the note of the borrower secured by the transfer and pledge to the association of installment or prepaid shares which have not previously been transferred or pledged to anyone other than the association the amount paid in on account of such shares prior to or at the time of the granting of any loan upon the security of such shares shall be at least equal to the total amount of all loans granted thereon

Section 911 Repayment of Loans before Maturity A A borrower shall have the right to repay a loan to an association at any time before the maturity of the shares securing such loan unless the by-laws of an association provide that such repayment can be made only at a regular meeting of the board of directors of such association

B When a borrower repays a loan to an association before the maturity of the shares securing such loan he may

(1) Pay the amount of the principal of the loan in cash and have the shares securing such loan re-transferred to him by the association or

(2) In the case of a mortgage loan apply the withdrawal value of the shares securing such loan against the principal of such loan and pay the balance in cash or

(3) In the case of a share loan take credit for the withdrawal value of the shares securing such loan up to the amount of the principal of the loan and as to any balance remaining acquire the rights of a withdrawing shareholder

C Upon paying a loan to an association in the manner provided in this section a borrower shall be entitled in the case of a mortgage loan to the satisfaction of his mortgage upon the payment of a fee not exceeding three dollars for the satisfaction of the mortgage and in the case of a share loan to the return of his note

D If a borrower shall repay a loan upon which the association has deducted the premium in advance such proportion of the premium as the by-laws shall determine shall be refunded to such borrower unless the same amounts to two per centum or less of the amount of such loan in which case no such refund need be made but if the premium exceeds two per centum of the amount of such loan the association shall not retain more than one one-hundredth of such premium for each calendar month that has expired since the date of the meeting upon which the loan was granted

Section 912 Demand by Association of Payment of Mortgage or Share Loan A When the title to any real property upon which an association holds a mortgage as security for a loan is sold or otherwise transferred and the grantee does not within thirty days after demand has been made upon him by the association assume liability for the amount of the loan secured by the mortgage by giving the association his personal bond the association shall have power to enforce payment of the full amount of the loan

B Except as otherwise provided in this section an association which is not in the possession of the Secretary of Banking as receiver or of a liquidating trustee or liquidating trustees shall not except upon a default by the borrower have the power to demand payment of any mortgage loan or share loan until the shares transferred and pledged to it as security for the loan have matured

C The prohibition of this section shall apply despite any provision to the contrary in the note or in the bond and mortgage respectively upon which such loan is made

Section 913 Method of Collecting Premiums or Interest to an association pursuant to the provisions of this act A Any premium which is agreed to be paid may either be deducted in full by the association at the time of the granting of the loan or may be paid by the borrower in equal periodical installments extending over the period of the loan If the premium is paid in installments amount not exceeding the amount of the first such payment shall be due in advance of or upon the day of the granting of the loan and the remaining installments shall each be payable upon the same day as the dues upon the shares securing such loan

B Interest upon a loan granted by the association shall not be charged or deducted in advance whether such interest is charged in lieu of premiums or otherwise but it shall be paid in equal periodical installments extending over the period of the loan

C If the Secretary of Banking shall take possession of an association as receiver for the purpose of liquidating its business and property or if a liquidating trustee or liquidating trustees shall take possession pursuant to a plan of voluntary dissolution a borrower upon whose loan the association has deducted the premium in advance shall be entitled upon the repayment of such loan to the association to receive the same credit for such premium as he would have been entitled to receive had he repaid the loan voluntarily on the day possession of the association was taken by the Secretary of Banking as receiver or by a liquidating trustee or liquidating trustees However a borrowed shall not after such taking of possession by the Secretary of Banking as receiver or by liquidating trustees be entitled to any credit for premiums paid in periodical insallments except in the case of periodical installments which had been paid prior to but which were not yet due upon the day on which such possession was taken by the Secretary of Banking as receiver or by a liquidating trustee or liquidating trustees

ARTICLE X
MERGER AND CONSOLIDATION

Section 1001 Merger and Consolidation Authorized Any two or more associations may in the manner hereinafter provided in this act be merged into one of such associations hereinafter designated as the surviving association or consolidated into a new association to be formed under this act

Section 1002 Approval of Joint Plan of Merger or Consolidation A The board of directors of each of the associations which desire to merge or consolidate shall by resolution adopted by at least a majority of all the members of each board approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and the mode of carrying the same into effect the manner and basis of converting the shares of each association into shares or other securities or obligations of the surviving or new corporation as the case may be and such other details and provisions as are deemed necessary

B The board of directors of each association upon approving such plan of merger or plan of consolidation in accordance with the provisions of this act shall by resolution direct that

the plan be submitted to a vote of the shareholders of such association entitled to vote thereon at an annual or special meeting of the shareholders Written notice shall not less than fifteen days before such annual or special meeting be given respectively to each shareholder of record unless the plan of merger or plan of consolidation contemplates an increase in the authorized capital of the constituent associations in which event sixty days' notice of such meeting shall be given to each shareholder The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice

C The plan of merger or consolidation shall be ratified upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating associations

Section 1003 Articles of Merger or Consolidation Upon the approval pursuant to the provisions of this act of the plan of merger or the plan of consolidation by the shareholders of the associations desiring to merge or consolidate articles of merger or articles of consolidation as the case may be shall be executed under the seal of the association and verified by two duly authorized officers of each association and shall set forth

(1) The name of the surviving or new association

(2) The time and place of the meeting of the directors at which the plan of merger or consolidation was proposed and the time and place of the meeting of the shareholders of each association at which the plan of merger or consolidation as the case may be was ratified the kind and period of notice given to the shareholders and the total vote by which the plan was adopted

(3) In the case of a merger any changes desired to be made in the articles of the surviving association or in the case of a consolidation all of the statements required by this act to be set forth in the original articles in the case of the formation of an association

(4) The number names and addresses of the persons to be the first directors of the surviving or new association

Section 1004 Advertisement The association shall advertise its intention to file article of merger or articles of consolidation as the case may be with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of an association Advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly

(1) The name and the location of the principal place of business of each of the associations intending to merge or consolidate

(2) The name and the location of the principal place of business of the surviving or new association

(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(4) The purpose or purposes of the surviving or new association

(5) The time when the articles of merger or consolidation will be delivered to the Department of State

Section 1005 Filing of Articles of Merger or Consolidation Payment of Fees Approval by Department of State A The articles of merger or articles of consolidation as the case may be and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B The Department of State shall examine such articles of merger or articles of consolidation and such proof of publication to determine whether they contain all the information and are in the form required by this act and also whether the name of the surviving or new association as the case may be conforms with the requirements of law for the name of such an association or if the name is not the same as either or any of the merging or consolidating associations whether it is the same as one already adopted or reserved by another corporation or person or is so similar thereto that it is likely to mislead the public

After all the fees taxes and other charges have been paid as required by law except for the costs of an examination made by the Department of Banking pursuant to the provisions of this act to determine whether to approve the merger or consolidation or any other charges made by the Department of Banking the Department of State if the articles or merger or articles of consolidation and the proof of publication contain the information and are in the form required by this act shall forthwith but not prior to the day specified in the advertisement of the intention to file the articles endorse its approval thereon and shall forthwith transmit them to the Department of Banking

C If the Department of State shall disapprove the articles of merger or the articles of consolidation pursuant to this act it shall forthwith give notice thereof to the association stating in detail its reasons for doing so and stating how such association can remedy the nonconformance with the provisions of this act Upon remedying the defect such association may in the same manner file the same or amended articles whichever the particular case may require

Section 1006 Approval of Articles of Merger or Consolidation by Department of Banking A The Department of Banking shall immediately upon the receipt from the Department of State of the articles of merger or articles of consolidation conduct such examination as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the surviving or new association is likely to mislead the public as to its character or purpose

(2) Whether the consolidation or merger is made for legitimate purposes

(3) Whether the interests of the shareholders or creditors are adequately protected

(4) Whether the surviving or new association meets all the requirements of this act and violates none of its prohibitions

The cost of such examination and any other charges of the Department of Banking bearing upon the filing of the articles of merger or articles of consolidation shall be assessed upon the associations in the manner provided by law for assessments by the Department of Banking of costs of examinations or other charges

B Within thirty days after the receipt of the articles of merger or articles of consolidation from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of merger or articles of consolidation it shall endorse its approval thereon and shall return them to the Department of State

C If the Department of Banking disapproves the articles of merger or the articles of consolidation it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the associations desiring to merge or consolidate of the action of the Department of Banking and of the reasons therefor as stated to it by that Department Such corporations may within thirty days after the Department of State sends them notice of the disapproval of their articles of merger or articles of consolidation appeal from such disapproval to the Governor who shall hear such appeal promptly and shall within thirty days thereafter decide the matter and certify his decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to review The Department of Banking shall act in accordance therewith

Section 1007 Issuance of Certificate of Merger or Certificate of Consolidation Immediately upon receipt of the approved articles of merger or articles of consolidation of an association from the Department of Banking the Department of State shall file the articles and shall issue to the association or its representative a certificate of merger or a certificate of consolidation A copy of the approved articles of merger or articles of consolidation shall be sent by the Department of State to the Department of Banking

Section 1008 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several associations parties to the plan of merger or consolidation shall be a single association which in the case of a merger shall be that association designated in the plan of merger as the surviving association and in the case of a consolidation shall be the new association provided for in the plan of consolidation The separate existence of all associations parties to the plan of merger or consolidation shall cease except in the case of a merger that of the surviving association The surviving or new association as the case may be shall not thereby acquire authority to engage in any business or exercise any right which cannot be acquired by or which is forbidden to any association which is incorporated under this act All the property real personal and mixed of each

of the associations parties to the plan of merger or consolidation and all debts or obligations due to any of them including subscriptions to shares and other choses in action belonging to either or any of them shall be taken and deemed to be transferred to and vested in the surviving or new association as the case may be without further act of deed The surviving or new association shall thenceforth be responsible for all the liabilities and obligations of each of the associations so merged or consolidated but the liabilities of the merging or consolidating associations or of their shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such associations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such associations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new association may be proceeded against or substituted in its place In the case of a merger the articles of incorporation of the surviving association shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporation of associations formed under this act shall be deemed to be the articles of incorporation of the new association

Section 1009 Rights of Dissenting Shareholders A If any shareholder of an association which becomes a party to a plan of merger or consolidation shall file with such association prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder within twenty days after the merger or consolidation was effected shall make written demand on the surviving or new association for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new association shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or other evidence of his shares The demand of the shareholder shall state the number and kind of the shares owned by him Any shareholder failing to file such written objection or to make demand within the twenty-day period shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon by the dissenting shareholder and the surviving or new association payment thereof shall be made in cash within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or other evidence of his shares Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the association

B If within such period of thirty days the shareholder and the surviving or new association do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the place of business of the surviving or new association is situated for appointment by the court of three disinterested persons to appraise the fair market value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them when confirmed by the court shall be final and conclusive The cost of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be assesed either upon the new or surviving association or upon the dissenting shareholder or upon both in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new association of the share certificate or certificates representing the shares of the dissenting shareholder If the award shall not be paid by the surviving or new association within thirty days after the award was made by the appraisers the amount of the award shall be a judgment against the surviving or new association as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new association Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof The right of the dissenting shareholder to be paid the fair value of his shares as herein provided shall cease if and when the association shall abandon the merger or consolidation

Section 1010 Effective Date of Merger or Consolidation Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving association except as against the Commonwealth

ARTICLE XI

VOLUNTARY DISSOLUTION OF ASSOCIATION

Section 1101 Voluntary Dissolution by Incorporators A The incorporators of an association which has not issued any shares of commenced business may effect the dissolution of the association by filing articles of dissolution with the Department of State The articles of dissolution shall be executed under the seal of the association signed and verified by a majority of the incorporators and shall set forth

(1) The name of the association

(2) The city borough or township in which it was to have its place of business

(3) The date of its incorporation

(4) That the association has not issued any shares or otherwise commenced business

(5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

(6) That no debts of the association remain unpaid

(7) That two-thirds of the incorporators elect that the association be dissolved

B The articles of dissolution shall be delivered to the Department of State If the Department of State finds that the articles conform to law it shall endorse its approval thereon and when all fees and charges required by law have been paid it shall forthwith transmit them to the Department of Banking which if it shall approve the granting of the certificate of dissolution shall endorse its approval on them It shall forthwith transmit the articles to the Department of State The Department of State shall then issue a certificate of dissolution to the incorporators or their representative Upon the issuance of the certificate of dissolution the existence of the association shall cease The Department of State shall send a copy of the articles of dissolution to the Department of Banking

Section 1102 Voluntary Dissolution Permitted Limitation Any association which has commenced business and which has issued shares may elect to dissolve voluntarily and wind up its affairs in the manner and under the circumstances hereinafter provided by this act However if it shall appear to the Department upon an examination of the business assets and affairs of the association that its assets will probaly be insufficient to pay in full its shareholders and creditors it may in its discretion take possession of the business and property of the association in which case the Secretary of Banking shall simultaneously and by operation of law take over possession and serve as receiver in the manner provided by law

Section 1103 Proposal and Ratification of Plan of a Voluntary Dissolution Election of Liquidating Trustees A A plan to dissolve voluntarily the affairs of an association shall be proposed by resolution adopted by affirmative vote of two-thirds of all the directors of the association Such resolution shall direct that the question of dissolution be submitted to a vote of the shareholders at a meeting which may be either an annual meeting or a special meeting of the shareholders Written notice stating that the purpose or one of the purposes of such meeting is to discuss the desirability of voluntarily dissolving the association shall be given to each shareholder of record entitled to vote at such meeting within the time and in the manner provided in this act for the giving of notice for a meeting of shoreholders If such meeting be an annual meeting such purpose shall be included in the notice of the annual meeting

B The plan of voluntary dissolution proposed by the directors shall set forth in detail the number of liquidating trustees which shall be one three or five to be elected by the shareholders the amount of the bond which shall be supplied by each of them and the powers duties and compensation of such liquidating trustees

C The resolution shall be declared adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on majority of the resolution If the resolution is adopted the shareholders shall forthwith proceed to elect the number of liquidating trustees provided for in the plan of voluntary liquidation If more than one liquidating trustee is to be elected each shareholder shall have the right in person or by proxy multiply the number of votes to which he may be entitled by the number of liquidating trustees to be elected and he may cast his whole number of such votes for one candidate or her may distribute them among any two or more candidates The candidates receiving the highest number of votes up to the number of liquidating trustees to be chosen shall be elected

Section 1104 Certificate of Election to Dissolve Voluntarily A Upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of an association pursuant to the provisions of this act a certificate of election to dissolve shall be executed under the seal of the association signed and verified by at least two duly authorized officers of the association which shall set forth

(1) The name of the association

(2) The exact location of its place of business

(3) The names and respective addresses including the street and number if any of its officers

(4) The names and respective addresses including street and number if any of its directors

(5) The number of directors voting for and the number voting against the proposed plan of voluntary dissolution

(6) The number of shares outstanding the number of shares entitled to vote in respect to the dissolution of the association and the number of shares voted for and the number voted against the proposed plan of voluntary dissolution

(7) The names and addresses of the proposed liquidating trustees who were elected at the shareholders' meeting and the number of votes received by every candidate for the position of liquidating trustee

(8) The amount of the bond required to be supplied by each trustee

(9) The signed statement under oath or affirmation of each of the proposed liquidating trustees that he is willing to serve as liquidating trustee subject to the provisions of this act and to the terms of the proposed plan of voluntary dissolution that he will so far as the duty devolves upon him diligently and honestly liquidate the affairs of the association and will not knowlingly violate or permit to be violated any of the provisions of this act or of the proposed plan of voluntary dissolution

(10) The proposed plan of voluntary dissolution

B The certificate of election to dissolve shall be delivered to the Department of Banking The Department of Banking shall then conduct an examination or an investigation or take such other action as it deems necessary to determine whether to approve the plan of voluntary dissolution

Section 1105 Approval by Department of Banking of Certificate of Election to Dissolve Voluntarily Filing Commencing of Liquidation If the Department of Banking shall approve the certificate of election to dissolve it shall endorse its approval thereon and shall send it to the Department of State for filing The Department of State shall forthwith send a copy of the certificate to the Department of Banking and a copy to the association or its representative Upon the filing by the Department of State of the certificate of election to dissolve the association shall cease to transact its business and the liquidating trustee or trustees as the case may be shall commence the liquidation of the association The liquidating trustee or trustees shall thereafter be authorized to carry out in his own name or in their own names as liquidating trustee or trustees of the association the powers granted to him or to them by the plan of voluntary liquidation

Section 1106 Notice to Creditors and Shareholders A After the Department of State has transmitted to the association the copy of the certificate of election to dissolve the liquidaing trustee or trustees as the case may be shall forthwith give notice to all corporations or persons who appear upon the books or other records of the association as or who are otherwise known to the liquidating trustee or trustees to be creditors or shareholders of the association Such notice shall be sent to or given at the address which appears upon the books or other records of the association for the particular corporation or person or if no address appears there then to the last known address of such corporation or person

The notice to each shareholder shall state the amount which the books or other records of the association show to be due to such shareholder It shall also state that unless such shareholder shall present his claim under oath or affirmation within three months from the date of the giving of such notice the amount shown to be due by the books of the association will be conclusively presumed to be correct

The notice to each creditor other than a shareholder shall inform such creditor that he must present his claim under oath or affirmation within three months from the date of the giving of such notice or else be barred from claiming an amount exceeding the amount shown to be due him on the books or other records of the association and that he must present his claim under oath or affirmation within six months from the date of the giving of the notice or else be forever barred from sharing in any distribution of the assets of the association

B The liquidating trustee or trustees as the case may be shall also forthwith advertise once a week for three successive weeks in a newspaper of general circulation and in a legal newspaper if any that the association is being liquidated pursuant to a plan of voluntary liquidation that all shareholders must present their claims under oath or affirmation within three months after the date specified in such advertisement which shall not be earlier than the first day on which advertisement was made either in the newspaper of general circulation or in the legal newspaper or be bound by the amount shown by the books or other records of the association to be due them or if a shareholder does not appear upon the books or other records of the association to be a shareholder that he must present his claim under oath or affirmation within six months from such date or else be permanently barred from sharing in the distribution of the assets of the association and that any creditor other than a shareholder must present his claim under oath or affirmation within three months from the date specified in the advertisement which shall not be earlier than the first day on which advertisement was made either in the newspaper of general circulation or in the legal newspaper or else be barred from claiming an amount exceeding the amount shown to be due him on the books or other records of the association and that he must present his claim under oath or affirmation within six months from such date or else be forever barred from sharing in any distribution of the assets of the association

C After the expiration of three months from the date of giving notice to creditors who appear as creditors upon the books or other records of the association other than shareholders the liquidating trustee or trustees as the case may be shall forthwith send a notice by registered mail to each creditor who has not yet presented his claim under oath or affirmation stating that unless he presents his claim under oath or affirmation within six months from the date upon which he was given the first notice required by this section he will be forever barred from sharing in any distribution of the assets of the association Such notice shall be sent to the address which appears for such creditor upon the books or other records of the association or if no address appears there to his last known address

D The first insertion of an advertisement in the newspaper of general circulation or in the legal newspaper shall in so far as possible be made on the same day as the giving of notice to shareholders and creditors

Section 1107 Prohibition upon Allowance of Claims The liquidating trustee or trustees as the case may be shall not allow any of the following claims

(1) The claim of a shareholder who appears upon the books or other records of the association as a shareholder for an amount in excess of the amount which the books or other records show to be due to him as a shareholder unless he has presented such claim under oath or affirmation within three months after the giving of notice to him

(2) The claim of a shareholder who does not appear upon the books or other records of the association as a shareholder unless he has presented such claim under oath or affirmation within six months after the date of the publication of the first advertisement required by this act

(3) The claim of any creditor other than a shareholder for an amount in excess of the amount shown to be due him on the books or other records of the association unless he has presented such claim under oath or affimration within three months after the giving of notice to him or any claim at all of such creditor unless he has presented such claim under oath or affirmation within six months after the giving of notice to him

(4) The claim of any creditor other than a shareholder who does not appear upon the books or other records of the association as a creditor unless he has presented such claim under oath or affirmation within six months after the date of the publication of the first advertisement required by this act

Section 1108 Bonds of Liquidating Trustees Before any liquidating trustee shall enter upon his duties he shall furnish to the association a bond in such amount as is specified in the certificate of election to dissolve or in such greater amount as is required by the Department with such corporate surety as is approved by the Department conditioned upon the faithful performance of his duties as liquidating trustee The Department may grant a reduction of such bond whenever it shall appear to it that as a result of partial liquidation or a decrease in the value of the assets of the association such reduction is justified The cost of the bond of a liquidating trustee may be paid out of the assets of the association Such bond shall be filed with the Department

Section 1109 Death or Resignation of Liquidating Trustees A In any case in which a plan of voluntary dissolution provides for one liquidating trustee and such liquidating trustee dies resigns or for any reason becomes unable to perform the duties of a liquidating trustee the Department shall forthwith appoint a liquidating trustee to take his place

B In any case in which a plan of voluntary dissolution provides for three or five liquidating trustees and one or more of such liquidating trustees die resign or for any reason become unable to perform the duties of liquidating trustees the remaining liquidating trustees if they constitute a majority of the whole number of liquidating trustees provided by the plan of voluntary dissolution shall by a majority vote select a liquidating trustee or liquidating trustees to take the place of such dead resigned or incapacitated liquidating trustee or trustees If the number of liquidating trustees remaining does not constitute a majority of the whole number of liquidating trustees provided by the plan of voluntary dissolution or if the number of remaining liquidating trustees constitutes such majority but they are equally divided in their votes for a new liquidating trustee or trustees the Department shall forthwith appoint a liquidating trustee to take his place

C Any liquidating trustee appointed pursuant to the provisions of this section shall have the same powers and shall be subject to the same duties as the liquidating trustee whose place he takes

Section 1110 Examination by Department Taking Possession by Department A The Department shall have the same power to examine or investgiate the affairs of an association which is in the process of voluntary dissolution and to assess the cost of such examination or investigation upon such association as is provided by law in the case of associations which are not in the process of voluntary dissolution

B The Department shall have the power to take possession of an association which is in the proceess of voluntary dissolution and the Secretary of Banking automatically and by operation of law to take over such possession as receiver whenever it shall appear to the Department that the best interests of the creditors and shareholders of the association will be served by such action

Section 1111 Approval of Department before Payment of Dividend A liquidating trustee or trustees as the case may be shall not distribute any of the assets of the association in the form of dividends to shareholders without the prior written approval of the Department

Section 1112 Order of Preference in Distribution A The following shall be the order followed by the liquidating trustee or trustees as the case may be in the distribution pursuant to the provisoins of this act of the assets of any association which is being liquidated in pursuance of a plan of voluntary dissolution

First Any reasonable expense incurred by the liquidating trustee or trustees as the case may be in the management liquidation or distribution of the assets and affairs of the association any fee or other debts owing to the Department for examinations or other services rendered or penalties incurred any other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Second Any claim of a creditor of the association other than the claim of a shareholder arising from his ownership of shares

Third Any claim of a shareholder whether or not reduced to a judgment arising from his ownership of shares whether such shares be installment full-paid prepaid matured or any other type The amount of the claim arising from each share shall be the amount actually paid in on account of such share less any amount lawfully deductible therefrom by the association except in the case of a lawfully and properly matured share in which case the amount of the claim shall be the actual par value of the share less any payment received on account thereof from the association and less any other amount lawfully deductible therefrom by the association

B Every claim enumerated above shall have the same rank and priority as every other claim in the same numbered paragraph regardless of the order in which such claims are enumerated

C All claims provided for in this section shall be construed to refer only to claims presented to the liquidating trustee or trustees in the manner provided in this act and approved by him or them in accordance with the plan of dissolution

Section 1113 Articles of Dissolution A When the liquidating trustee or trustees as the case may be have completely liquidated and distributed the assets of an association in the manner provided by this act articles of dissolution shall be executed under the seal of the corporation signed and verified by the liquidating trustee or trustees as the case may be which shall set forth

(1) The name of the association

(2) The address including the street and number if any of the place of business of the association

(3) A statement that the assocation has heretofore delivered to the Department of Banking a certificate of election to dissolve and the date on which the certificate was approved by the Department of Banking

(4) A statement that all the assets of the association have been liquidated and the distribution of the proceeds made in the manner provided by this act

(5) A statement that there are no suits pending against the association in any court

B The articles of dissolution shall be delivered to the Department of Banking If the Department of Banking shall approve the articles it shall endorse its approval thereon and shall send them to the Department of State which shall issue to the association or its representative a certificate of dissolution Upon the issuance of the certificate of dissolution the existence of the association shall cease The Department of State shall forthwith send a copy of the articles of dissolution to the Department of Banking

ARTICLE XII

FORFEITURE OF CHARTER GENERAL CRIMINAL PROVISIONS

Section 1201 Books Records and Accounts of Associations Reports Prohibitions Penalty A The total liabilities of each association to shareholders or creditors shall be set out in full upon the books or other records of the association and in all reports required by law It shall be unlawful for any association to reduce such liabilities for the purposes of concealing unadjusted losses expense charges loans or for any other purpose All such losses expense charges loans or other items shall be set up in separate accounts on the books or other records of the association until adjusted or charged off They shall not be charged in any manner whatsoever against dues or other payments made on account of shares or other credits for which the association may be liable

B Whenever an association shall pledge or assign assets as security for any money borrowed by it the amount of money borrowed together with the assets pledged or assigned therefor shall be set out in full on the books or other records of the association and in all reports required by law

C An association shall not conceal any of its assets in any manner whatsoever upon its books or other records or in any report required by law but an accurate and com-

plete record shall be kept of the same An association shall not be any system of accounting or any device of bookkeeping directly or indirectly enter any of its assets upon its books in the name of any other corporation or person or under any title or designation that is not truly descriptive thereof

D An association shall not except with the written approval of the Department enter or at any time carry on its books any real or personal property owned by it at a valuation exceeding its actual cost to such association

E An association shall preserve in such form and manner that they may be readily produced upon proper demand all its records of original or final entries for a period of seven years from the date of making the last entry on the same

F An officer director or employe of an association who knowingly violates any provision of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment not exceeding one year or a fine not exceeding one thousand dollars or both

Section 1202 Repledging of Collateral A Except as otherwise specifically provided in this act an association shall not repledge any property held by it in pledge or as collateral

B Any officer director or employe of an association who knowingly repledges any property held by an association in pledge or as collateral in any manner except as specifically authorized by this act shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both

Section 1203 Relationship of Association with Employes of Department A An association shall not grant or give any sum of money or other property whether as a gift credit loan or otherwise either directly or indirectly to the Secretary of Banking or to any deputy examiner clerk or other employe of the Department However any association may grant a loan to the Secretary of Banking or any deputy examiner clerk or other employe of the Department if such loan is secured by a mortgage upon his own home which meets all the terms and conditions provided by this act for mortgage loans and which in addition meets any additional conditions imposed and followed by such association in granting such loan

B Any officer director or employe of an association who knowingly violates the provisions of this section or who on his own behalf grants or gives any sum of money or other property whether as a gift credit loan or otherwise either directly or indirectly to the Secretary of Banking or to any deputy examiner clerk or other employe of the Department shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount of the gift credit loan or other sum of money or the value of any other property given in violation of this section

Section 1204 Forfeitures of Articles of Incorporation A The articles of incorporation of an association shall be automatically forfeited by operation of law when

(1) It has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation within two years after the issuance thereof

(2) It has formerly exercised any of the powers conferred upon it by its articles but for a period of two years it has not exercised at least one of its powers

(3) The Secretary after having taken possession of the business and property of an association as receiver has completely liquidated its assets

(4) The Secretary after having taken possession of the business and property of an association as receiver has surrendered possession to the association itself because he was without funds to liquidate the business and property

(5) The Secretary after having taken possession of the business and property of an association as receiver has surrendered to the association itself or to any other corporation or person the assets of the association in order to permit the carrying out of a special plan of liquidation

(6) Liquidating trustees pursuant to a plan of voluntary dissolution have completely liquidated its assets and the Department has filed the articles of dissolution with the recorder of deeds pursuant to the provisions of this act

B Whenever it shall appear to the Department that any of the conditions shall under the provisions of this section effect the forfeiture of the articles of an association it shall except as otherwise specifically provided in this section issue a certificate of forfeiture of the articles of incorporation which shall be filed with the Department of State The Department of State shall send a copy of such certificate to the last known address of the association and a copy to the Department of Banking

C If the articles of incorporation of an association have been forfeited in the manner provided by this section the corporate powers may whenever necessary to effect the liquidation and winding up of the business and property of such association continue for a period of three years but they shall not be considered in existence for any other purposes whatsoever

Section 1205 Prohibition upon Doing of Business by Foreign Corporations A Foreign corporation shall not transact the business of a building and loan association within this Commonwealth nor maintain an office within this Commonwealth for the purpose of transacting such business It shall be unlawful for any person to engage in the business of soliciting or receiving within this Commonwealth subscriptions to the shares of such corporation or payments therefor or of granting loans within this Commonwealth on behalf of such corporations or soliciting applications therefor or of receiving within this Commonwealth on behalf of such corporation interest fees fines or permiums upon the shares or loans of such corporation or of transacting in any other manner business within this Commonwealth on behalf of such corporation

B Any individual who shall violate the prohibitions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both. He shall also be subject to a further fine equal to any moneys received by him within this Commonwealth in violation of this section The corporation which such individual represents shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of five thousand dollars such corporation shall be subject to a further fine equal to the amount of any moneys received by such corporation or by its agent in violation of this section

Section 1206 Perjury Anyone who shall wilfully and corruptly make a false statement under any oath or affirmation provided for in this act or anyone who shall by any means procure or suborn any other person to do so shall be guilty of the crime of perjury and upon conviction thereof shall be subject to the same punishment as is or may be provided by law for perjury

Section 1207 Statute of Limitations for Violation of Act Any prosecution for the commission of any criminal offense under the provisions of this act may be commenced at any time within six years after the date upon which the alleged offense shall have been committed However if the person against whom such prosecution is brought shall not have been an inhabitant of this Commonwealth or a usual resident therein during the term for which he shall be subject to prosecution then such indictment may be commenced and prosecuted against such person at any time with a similar space of time during which he shall be an inhabitant of or usual resident within this Commonwealth

ARTICLE XIII

EFFECTIVE DATE AND REPEALER

Section 1301 Effective Date This act shall become effective on the third day of July one thousand nine hundred thirty-three

Section 1302 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed

The act approved the twenty-eighth day of March one thousand eight hundred twenty (Pamphlet Laws one hundred sixty-nine) entitled "An act to regulate proxies" in so far as it relates to associations

The act approved the sixth day of February one thousand eight hundred thirty (Pamphlet Laws forty-two) entitled "A supplement to an act entitled 'An act to incorporate the owners and occupiers of the Wicacoa and Moyamensing meadows in the county of Philadelphia for the sole purpose of keeping the banks dams sluices and floodgates in repair and to raise a fund to defray the expenses thereof' passed twelfth April eighteen hundred and twenty-eight and for other purposes" in so far as it relates to associations

The act approved the seventh day of March one thousand eight hundred fifty-three (Pamphlet Laws one hundred fifty-five) entitled "An act relative to land and building associations" absolutely

The act approved the third day of May one thousand eight hundred fifty-five (Pamphlet Laws four hundred twenty-three) entitled "An act relating to Corporations" in so far as it relates to associations

The act approved the ninth day of April one thousand eight hundred fifty-six (Pamphlet Laws two hundred ninety-three) entitled "Supplement to the acts relating to incorporations by the Courts of Common Pleas" in so far as it relates to associations

The act approved the eighth day of May one thousand eight hundred fifty-seven (Pamphlet Laws four hundred thirty-seven) (Number four hundred ninety-eight) entitled "A supplement to an act relative to Investments by Building Associations approved May eighth one thousand eight hundred and fifty-five" absolutely

The act approved the twelfth day of April one thousand eight hundred fifty-nine (Pamphlet Laws five hundred forty-four) entitled "An act to confer on certain Associations of the citizens of this Commonwealth the powers and immunities of corporations and bodies politic in law and to confirm charters heretofore granted" absolutely

The act approved the twenty-seventh day of November one thousand eight hundred sixty-five (Pamphlet Laws of one thousand eight hundred sixty-six page one thousand two hundred twenty-eight) entitled "An act relating to the organization and meetings of certain corporations incorporated under the laws of this commonwealth" in so far as it relates to associations

The act approved the thirty-first day of March one thousand eight hundred sixty-eight (Pamphlet Laws fifty) entitled "An act to authorize incorporated companies to invest and reinvest surplus funds in mortgages stock and other securities and fixing the time for holding elections for directors" in so far as it relates to associations

The act approved the fifteenth day of April one thousand eight hundred sixty-nine (Pamphlet Laws twenty-nine) entitled "An act requiring a majority of the directors or managers of corporations to constitute a quorum" in so far as it relates to associations

The act approved the fourth day of April one thousand eight hundred seventy-two (Pamphlet Laws forty) entitled "An act supplemental to an act entitled 'A supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" in so far as it relates to associations

The act approved the fourth day of April one thousand eight hundred seventy-two (Pamphlet Laws forty-six), entitled "An act for the appointment of a receiver in cases where corporations have been dissolved by judgment of ouster upon proceedings of quo warranto" in so far as it relates to associations

The act approved the twentieth day of April one thousand eight hundred seventy-four (Pamphlet Laws one hundred ten) entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations" in so far as it relates to associations

The act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" and its amendments in so far as it relates to associations

The act approved the fourteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws one hundred forty-six) entitled "An act relative to service of process upon the stockholders of corporations in actions brought to charge the stockholders for debts of the corporation or for unpaid instalments upon their stock" in so far as it relates to associations

The act approved the fifteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws one hundred eighty-six) entitled "An act to authorize corporations to increase the security of their bonded indebtedness" in so far as it relates to associations

The act approved the seventeenth day of April one thousand eight hundred seventy-six (Pamphlet Laws thirty) entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations" and its amendments in so far as it relates to associations

The act approved the seventeenth day of April one thousand eight hundred seventy-six (Pamphlet Laws forty-one) entitled "An act to confirm conveyances of lands made by savings fund building and loan associations after expiration of the term of their chartered existence" absolutely

The act approved the twenty-fifth day of April one thousand eight hundred seventy-six (Pamphlet Laws forty-seven) entitled "An act supplementary to the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini eighteen hundred and seventy-four extending its provisions to all who may have the right to vote at elections for directors managers or trustees" in so far as it relates to associations

The act approved the twenty-second day of May one thousand eight hundred seventy-eight (Pamphlet Laws ninety-six) entitled "An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold" in so far as it relates to associations

The act approved the twenty-fifth day of May one thousand eight hundred seventy-eight (Pamphlet Laws one hundred fifty-five) (Number two hundred) entitled "An act to prevent and punish the re-hypothecation of stocks bonds or other securities pledged for money lent or borrowed" in so far as it relates to associations

The act approved the seventeenth day of June one thousand eight hundred seventy-eight (Pamphlet Laws two hundred fourteen) entitled "An act to confirm the purchase and sale of real estate by building and loan associations and to authorize the disposal of the unsold portion thereof" absolutely

Sections one two three four five six and nine of the act approved the tenth day of April one thousand eight hundred seventy-nine (Pamphlet Laws sixteen) (Number fourteen) entitled "An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of re-payment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to the associations of the bonus tax and registry laws for corporations" absolutely

The act approved the thirteenth day of May one thousand eight hundred seventy-nine (Pamphlet Laws fifty-seven) entitled "An act to authorize corporations to borrow money to redeem previous loans authorized by special laws and limiting the rate of interest and terms thereof and providing for the payment of mechanics' liens" in so far as it relates to associations

The act approved the tenth day of June one thousand eight hundred eighty-one (Pamphlet Laws one hundred seven) (Number one hundred eighteen) entitled "A supplement to an act entitled 'An act to prevent and punish the re-hypothecation of stocks bonds or other securities pledged for money lent or borrowed' approved the twenty-fifth day of May Anno Domini one thousand eight hundred seventy-eight" in so far as it relates to associations

The act approved the twenty-second day of May one thousand eight hundred eighty-three (Pamphlet Laws forty-one) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-second day of May Anno Domini eighteen hundred and seventy-eight" in so far as it relates to associations

The act approved the thirteenth day of June one thousand eight hundred eighty-three (Pamphlet Laws one hundred twenty-two) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charters of corporations of the second class and authorizing the incorporation of traction motor companies" in so far as it relates to associations

The act approved the twenty-fifth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred seventy-eight) entitled "An act to amend an act entitled 'An act to enable the officers of dissolved corporations to convey real

estate held by such corporations' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders" in so far as its relates to associations

The act approved the twenty-sixth day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred seventy-four) entitled "A supplement to an act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-second day of May Anno Domini one thousand eight hundred and eighty-three" in so far as it relates to associations

The act approved the thirty-first day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred eighty-one) entitled "An act permitting the stockholders of corporations to determine the number of directors and the time for holding annual elections of officers" in so far as it relates to associations

The act approved the seventeenth day of June four thousand eight hundred eighty-seven (Pamphlet Laws four hundred eleven) entitled "A further supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the further regulation of such corporations" in so far as it relates to associations

The act approved the twenty-fifth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws two hundred seventy-three) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four amending the twelfth section of said act and thereby relieving full paid capital stock from liability to further assessment" in so far as it relates to associations

The act approved the seventh day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred two) (Number one hundred eight) entitled "An act defining evidence of stock ownership in corporations and for determining the right to vote thereon" in so far as it relates to associations

The act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-seven) entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' amending the thirteenth section thereof" in so far as it relates to associations

The act approved the fifteenth day of April one thousand eight hundred ninety-one (Pamphlet Laws fifteen) entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders" approved the twenty-fifth day of June one thousand eight hundred and eighty-five" authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders or their legal representatives whenever requested so to do" in so far as it relates to associations

The act approved the fourteenth day of May one thousand eight hundred ninety-one (Pamphlet Laws sixty-one) entitled "An act to amend the fifth section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four defining the officers of corporations and allowing certain officers receiving salaries to be directors and receive compensations" in so far as it relates to associations

The act approved the twentieth day of May one thousand eight hundred ninety-one (Pamphlet Laws one hundred one) (Number seventy-seven) entitled "An act authorizing salaried officers of private or business corporations to concurrently serve as directors therein" in so far as it relates to associations

The act approved the second day of June one thousand eight hundred ninety-one (Pamphlet Laws one hundred seventy-four) entitled "A supplement to an act entitled 'An act to provide for the incorporation of certain corporations approved the twenty-ninth day of April one thousand eight hundred and seventy-four' so far as it relates to section thirty-seven relating to building and loan associations" absolutely

The act approved the twenty-sixth day of April one thousand eight hundred and ninety-three (Pamphlet Laws twenty-six) (Number twenty-two) entitled "An act providing for the appointment of a receiver in cases where corporations have been dissolved by judgment of ouster upon proceedings of quo warranto" in so far as it relates to associations

The act approved the eleventh day of May one thousand eight hundred and ninety-three (Pamphlet Laws forty-two) (Number forty) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" in so far as it relates to associations

The act approved the eighteenth day of May one thousand eight hundred and ninety-three (Pamphlet Laws eighty-eight) entitled "An act to revive and continue in force provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and eighty-seven" in so far as it relates to associations

The act approved the twenty-sixth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred forty-one) entitled "An act amending an act entitled 'An act defining evidence of stock ownership in corporations and for determining the right to vote thereon' approved May seventh one thousand eight hundred and eighty-nine further defining evidence of stock ownership and the right to vote thereon" in so far as it relates to associations

The act approved the eighth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred fifty-one) entitled "An act to provide for the manner of reducing the capital stock of corporations" in so far as it relates to associations

The act approved the eighth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred fifty-five) entitled "An act to regulate the change of location of the principal office the place of annual and other meetings of stockholders and the time of such annual meetings of corporations of this Commonwealth" in so far as it relates to associations

The act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred seventeen) (Number three hundred sixteen) entitled "An act to authorize corporations to increase their capital stock for corporate purposes" in so far as it relates to associations

The act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred fifty-eight) (Number one hundred seventy-two) entitled "An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth" in so far as it relates to associations

The act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred three) entitled "An act amending an act entitled 'A supplement to an act entitled "An act to provide for the incorporation of certain corporations" approved the twenty-ninth day of April one thousand eight hundred and seventy-four so far as it relates to section thirty-seven relating to building and loan associations' approved June second one thousand eight hundred and ninety-one giving such associations the right when a series of stock has matured or when applications for loans by the stockholders thereof shall exceed the accumulations in the treasury to make temporary loans" absolutely

The act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred sixty-nine) (Number two hundred sixty-one) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four further amending the twelfth section thereof so as to permit corporations organized thereunder either for the purpose of carrying on any manufacturing business or for the supply of water or for the manufacture or supplying of light to purchase bonds or stock of other corporations of the same character or to guarantee

the payment of interest and principal of such bonds or either principal or interest or to lease and operate corporate property" in so far as it relates to associations

The act approved the twentieth day of April one thousand eight hundred and ninety-seven (Pamphlet Laws twenty-eight) (Number twenty-three) entitled "An act to revive and continue in force provisions of an act entitled 'An act to extend the time which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the eighteenth day of May Anno Domini one thousand eight hundred and ninety-three" in so far as it relates to associations

The act approved the ninth day of February one thousand nine hundred and one (Pamphlet Laws three) entitled "An act to provide for increasing the capital stock and indebtedness of corporations" in so far as it relates to associations

The act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty) (Number fifty-one) entitled "An act to regulate the number of directors in corporations chartered under the laws of this Commonwealth" in so far as it relates to associtaions

The act approved the eleventh day of May one thousand nine hundred and one (Pamphlet Laws one hundred fifty-three) entitled "An act regulating foreign mutual savings fund or building and loan associations doing business within this Commonwealth and prescribing an annual license fee to be paid by such associations" absolutely

The act approved the twenty-ninth day of May one thousand nine hundred and one (Pamphlet Laws three hundred twenty-six) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four authorizing formation of corporations for profit by voluntary association of three or more persons one of whom at least must be a citizen of this Commonwealth" in so far as it relates to associations

The act approved the twenty-ninth day of May one thousand nine hundred and one (Pamphlet Laws three hundred forty-nine) entitled "An act supplementary to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four providing for the merger and consolidation of certain corporations" in so far as it relates to associations

The act approved the fourth day of June one thousand nine hundred and one (Pamphlet Laws four hundred three) entitled "An act conferring upon mutual savings fund or building and loan associations now incorporated or hereafter to be incorporated the right to receive in writing bids of premium for priority and making valid all such bids heretofore accepted" absolutely

The act approved the seventh day of June one thousand nine hundred and one (Pamphlet Laws five hundred thirty) entitled "act to amend the forty-fifth section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four providing for the publication in separate pamphlet form of a certified list of all charters of incorporation" in so far as it relates to associations

The act approved the second day of July one thousand nine hundred and one (Pamphlet Laws six hundred three) (Number two hundred ninety-eight) entitled "An act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation" in so far as it relates to associations

The act approved the second day of July one thousand nine hundred and one (Pamphlet Laws six hundred six) (Number three hundred two) entitled "An act authorizing corporations organized under the laws of Pennsylvania to increase or diminish the par value of the shares of their capital stock" in so far as it relates to associations

The act approved the fifth day of March one thousand nine hundred and three (Pamphlet Laws fourteen) (Number seventeen) entitled "An act concerning proxies authorizing representation and voting of shares of capital stock of corporations at meetings and elections thereof" in so far as it relates to associations

The act approved the twenty-fourth day of March one thousand nine hundred and three (Pamphlet Laws fifty) (Number fifty-two) entitled "An act relating to the taking of stock votes upon subjects presented to stockholders of corporations of this Commonwealth for their action" in so far as it relates to associations

The act approved the fifteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred) (Number one hundred forty-five) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twentieth day of April Anno Domini one thousand eight hundred and ninety-seven" in so far as it relates to associations

The act approved the twenty-second day of April one thousand nine hundred and three (Pamphlet Laws two hundred fifty-one) entitled "An act regulating the change of corporate titles" in so far as it relates to associations

The act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred seventy-two) entitled "An act to amend the first section of an act entitled 'A supplement to an act entitled "An act to provide for the incorporation and regulation of certain corporations approved April twenty-nine one thousand eight hundred and seventy-four" authorizing the formation of corporations for profit by voluntary association of three or more persons one of whom at least must be a citizen of this Commonwealth' said supplement approved the twenty-ninth day of May one thousand nine hundred and one and to extend the provisions of said act to all corporations for profit embraced within corporations of the second class defined in section two (2) and the various supplements to section two (2) of the act of April twenty-ninth one thousand eight hundred and seventy-four and confirming all charters granted under the said supplements to corporations which have been formed under the various supplements to the said section two (2) of the act of April twenty-ninth one thousand eight hundred and seventy-four by the association of three or more persons one of whom at least was a citizen of this Commonwealth" in so far as it relates to associations

The act approved the sixteenth day of March one thousand nine hundred and five (Pamphlet Laws forty-two) (Number twenty-six) entitled "An act providing for the voting of shares of stock in corporations in this Commonwealth held by executors administrators guardians and trustees and the manner of voting the same" in so far as it relates to associations

The act approved the thirty-first day of March one thousand nine hundred and five (Pamphlet Laws ninety-three) entitled "An act amending the third section of a supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-nine one thousand eight hundred and seventy-four 'providing for the improvement amendment and alteration of the charters of corporations of traction motor companies' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three requiring corporations to file a certificate with the Governor of the Commonwealth setting forth that all reports required by the Auditor General of the Commonwealth have been duly filed and that all taxes due the Commonwealth have been paid before the improvement amendment or alteration of the charter of any corporation" in so far as it relates to associations

The act approved the thirty-first day of March one thousand nine hundred and five (Pamphlet Laws ninety-five) entitled "An act to amend section three of a supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four providing for the merger and consolidation of certain corporations approved the twenty-ninth day of May one thousand nine hundred and one requiring the filing of all reports required by the Auditor General and the payment of all taxes due the Commonwealth of Pennsylvania by corporations before merger or consolidation" in so far it relates to associations

The act approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred sixty-four) (Number one hundred eighty-three) entitled "An act to amend the first section of an act entitled 'An act to provide for the manner of reducing the capital stock of corporations' approved the eighth day of June Anno Domini

one thousand eight hundred and ninety-three (1893) extending the provisions of the said act to all corporations created by general or special law and repealing all acts or parts of acts inconsistent therewith" in so far as it relates to associations

The act approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred eighty) entitled "An act to amend section one of the act entitled 'An act to provide for increasing the capital stock and indebtedness of corporations" approved the ninth day of February Anno Domini one thousand nine hundred and one authorizing corporations to increase their capital stock and indebtedness and secure the payment of principal and interest of their indebtedness" in so far as it relates to associations

The act approved the twelfth day of June one thousand nine hundred and seven (Pamphlet Laws five hundred twenty-five) entitled "An act requiring banks trust companies savings funds societies building and loan associations bond and investment companies provident associations and all other corporations under supervision of the Commissioner of Banking to furnish receipt in full to each depositor or investor for moneys received which shall also be entered in full on books of the company statement of liabilities to be set out in full in all reports to Commissioner of Banking or other supervisory authorities statement of all moneys borrowed to be placed in full as liabilities on books of the company violation of provisions of this act a misdemeanor and penalty therefor" in so far as it relates to associations

The act approved the twenty-ninth day of April one thousand nine hundred and nine (Pamphlet Laws two hundred eighty-nine) (Number one hundred eighty-five) entitled "An act to prevent any individual from holding at the same time more than one of the offices of president vice-president secretary treasurer or solicitor of any building and loan association incorporated under the laws of this Commonwealth and providing a penalty for the breach thereof" absolutely

The act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws four hundred eight) entitled "An act authorizing the merger and consolidation of certain corporations" in so far as it relates to associations

The act approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred thirty-six) (Number two hundred twenty-two) entitled "An act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid" in so far as it relates to associations

The act approved the fourteenth day of May one thousand nine hundred thirteen (Pamphlet Laws two hundred five) (Number one hundred forty-four) entitled "An act enlarging the powers of mutual savings fund or building and loan associations authorizing them to accumulate a reserve fund to pay contingent losses and validating such funds heretofore accumulated to permit members to secure the repayment of one-half of their loans by a straight bond and mortgage for a fixed term and authorizing said associations to so secure loans authorizing said associations to make loans in certain cases upon a stipulated premium and further authorizing them to loan money to other like associations under certain conditions and repealing all laws inconsistent with this act" absolutely

The act approved the sixth day of June one thousand nine hundred thirteen (Pamphlet Laws four hundred fifty-nine) (Number three hundred five) entitled "An act to confirm conveyances of lands made by Building and Loan Associations after expiration of the term of their chartered existence" absolutely

The act approved the twenty-ninth day of April one thousand nine hundred fifteen (Pamphlet Laws two hundred five) entitled "An act to amend the third section of an act entitled 'An act authorizing the merger and consolidation of certain corporations' approved the third day of May Anno Domini one thousand nine hundred and nine" in so far as it relates to associations

The act approved the second day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred twenty-four) (Number three hundred thirty-three) entitled "An act to amend section twenty-three of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled 'A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all the reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corporation before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth" in so far as it relates to associations

The act approved the seventeenth day of May one thousand nine hundred seventeen (Pamphlet Laws two hundred twenty-eight) entitled "An act to authorize the payment by corporations to their directors of compensation for services rendered by them" in so far as it relates to associations

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred seventy-five) entitled "An act to amend section five of an act approved the tenth day of April one thousand eight hundred and seventy-nine entitled 'An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the nonapplication to these associations of the bonus tax and registry laws for corporations" absolutely

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred eighty) entitled "An act to amend section one of an act approved the twenty-ninth day of April one thousand nine hundred nine entitled 'An act to prevent any individual from holding at the same time more than one of the offices of president vice-president secretary treasurer or solicitor of any building and loan association incorporated under the laws of this Commonwealth and providing a penalty for the breach thereof' by prohibiting the president vice-president secretary or treasurer from holding the office of conveyancer" absolutely

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred eighty-one) (Number two hunderd forty-eight) entitled "An act permitting corporations to invest their surplus funds in bonds of the United States issued for war purposes" in so far as it relates to associations

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred ninety-eight) (Number two hundred fifty-eight) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to continue the salaries of employes enlisting or enrolling in any branch of the military or naval service of the United States or other protective organization" in so so far as it relates to associations

The act approved the eighteenth day of April one thousand nine hundred and nineteen (Pamphlet Laws sixty-seven) entitled "An act to give to women married and single the same right as men to be corporators and in furtherance of their interests as stockholders to serve as directors and officers of corporations for profit" in so far as it relates to associations

The act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred eight) entitled "An act permitting building and loan associations to make temporary loans and to secure payment by pledge of bonds of the United States issued for war purposes" absolutely

The act approved the thirtieth day of March one thousand nine hundred and twenty-one (Pamphlet Laws fifty-four) (Number twenty-eight) entitled "An act permitting corporations to change the date of their annual meeting as fixed by its charter" in so far as it relates to associations

The act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred eighty) entitled "An act to amend section thirty-seven clause nine of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' increasing the powers of building and loan associations to purchase and hold real estate" absolutely

The act approved the twenty-fourth day of May one thousand nine hundred twenty-one (Pamphlet Laws one thousand

seventy-one) entitled "An act requiring banks banking corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void" in so far as it relates to associations

The act approved the fifteenth day of March one thousand nine hundred twenty-three (Pamphlet Laws ten) entitled "An act relating to the recording of certificates of incorporation of domestic corporations providing for the recording of certified copies thereof in certain cases validating the recording of such certified copies heretofore recorded and making the record of such certified copies competent evidence for all purposes" in so far as it relates to associations

The act approved the twelfth day of July one thousand nine hundred twenty-three (Pamphlet Laws one thousand eighty-three) entitled "An act authorizing corporations to issue stock at a price in excess of the par value thereof" in so far as it relates to associations

The act approved the first day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred two) entitled "An act to amend section one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and seventy-one) entitled 'An act requiring banks banking corporations copartnership or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void' by extending its provisions to all corporations copartnerships and associations" in so far as it relates to associations

The act approved the seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred eighty-three) entitled "An act providing that certificates of association and articles of incorporation or of any improvements amendments or alterations thereto may be acknowledged and sworn or affirmed to before a notary public or justice of the peace validating such acknowledgments made prior to the approval of this act" in so far as it relates to associations

The act approved the thirtieth day of April one thousand nine hundred and twenty-five (Pamphlet Laws four hundred three) entitled "An act relating to the dissolution of corporations and imposing certain duties on the Secretary of the Commonwealth and the prothonotaries" in so far as it relates to associations

The act approved the twelfth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred fifteen) entitled "An act pertaining to corporations organized or doing business within the Commonwealth limiting the operation of their by-laws and providing for the execution of contracts notes mortgages et cetera by such corporations" in so far as it relates to associations

The act approved the thirteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred seventy-nine) (Number three hundred sixty-eight) entitled "An act authorizing corporations to issue stock to their employes and to employes of their subsidiaries at par value or at a price in excess of par value" in so far as it relates to associations

The act approved the twenty-ninth day of March one thousand nine hundred twenty-seven (Pamphlet Laws seventy) entitled "An act to amend section one of the act approved the twenty-fifth day of April one thousand eight hundred and seventy-six (Pamphlet Laws forty-seven) entitled 'An act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini eighteen hundred and seventy-four extending its provisions to all who may have the right to vote at elections for directors managers or trustees' regulating the manner of voting in first class corporations" in so far as it relates to associations

The act approved the fifth day of April one thousand nine hundred twenty-seven (Pamphlet Laws one hundred ten) entitled "An act prescribing a uniform method for the issuance of full paid stock by building and loan associations prescribing a maximum periodical rate of dividend that may be paid thereon providing for the withdrawal and transfer thereof" absolutely

The act approved the eighth day of April one thousand nine hundred twenty-seven (Pamphlet Laws one hundred seventy-nine) entitled "An act to amend section one of an act approved the fourteenth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and five) entitled 'An act enlarging the powers of mutual savings fund or building and loan associations authorizing them to accumulate a reserve fund to pay contingent losses and validating such funds heretofore accumulated to permit members to secure the repayment of one-half of their loans by a straight bond and mortgage for a fixed term and authorizing said associations to so secure loans authorizing said associations to make loans in certain cases upon a stipulated premium and further authorizing them to loan money to other like associations under certain conditions and repealing all laws inconsistent with this act' permitting building and loan associations to have contingent funds not in excess of fifteen per centum of their assets" absolutely

The act approved the twenty-second day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred fifty-three) (Number two hundred eighteen) entitled "An act to amend subdivision three of section three of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' by regulating the weekly advertisements for corporate charters" in so far as it relates to associations

The act approved the twenty-first day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred thirty-three) entitled "An act prescribing a uniform method of issuing notes by building and loan associations for money borrowed" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (Pamphlet Laws four hundred four) (Number two hundred fifty-nine) entitled "An act making it unlawful for building and loan associations to charge a withdrawal or membership fee in excess of a certain amount and requiring a receipt to be given in case a membership fee is charged and providing for such membership fees to be charged to the general profit account" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred four) (Number two hundred sixty) entitled "An act prohibiting corporations from pleading usury as a defense" in so far as it relates to associations

The act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred five) (Number two hundred sixty-one) entitled "An act authorizing building and loan associations to issue stock to minors providing for the withdrawal thereof and providing also for the withdrawal of stock in certain cases by the beneficiary in the event of the death of the trustee' absolutely

The act approved the sixth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws eight hundred twenty-eight) (Number four hundred seventeen) entitled "An act to further amend the second paragraph of the fifth section of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations" in so far as it relates to associations

The act approved the twenty-seventh day of March one thousand nine hundred and twenty-nine (Pamphlet Laws seventy-four) entitled "An act amending section one of an act entitled 'An act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation' approved the second day of July Anno Dominin one thousand nine hundred and one (Pamphlet Laws six hundred and three) so as to include corporations either public or private of this or any other State or of the United States of America or of any territory or dependency thereof or of any foreign country or any subdivision or agency thereof and to validate all purchases sales assignments transfers mortgages pledges or other disposition thereof at any time heretofore made" in so far as it relates to associations

The act approved the tenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred eighty) entitled "An act to amend section one of the act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred fifty-eight) entitled 'An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth' by authorizing the counter-signatures of assistant treasurers thereon by permitting the signatures counter-signatures and seals thereon in facsimile printed or engraved and validating certificates of stock heretofore so executed and issued" in so far as it relates to associations

The act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-four) entitled "An act to amend the act approved the second day of July one thousand nine hundred and one (Pamphlet Laws six hundred three) entitled "An act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation' by extending the provisions thereof so as to apply to all corporations and validating past transactions of such character" in so far as it relates to associations

The act approved the sixteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred twenty-seven) (Number two hundred twenty-eight) entitled "An act regulating loans by building and loan associations" absolutely

The act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred sixty-six) entitled "An act regulating the granting of loans by building and loan associations where the security in whole or part is to be a mortgage or lien on real estate providing penalties and fixing the time during which indictments under this act may be found and prosecuted" absolutely

The act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred one) entitled "An act to amend section four of the act approved the tenth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws sixteen) entitled 'An act relating to mutual saving fund building and loan asociations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations' " absolutely

The act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred three) entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting" in so far as it relates to associations

The act approved the eighth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred forty-seven) (Number five hundred twelve) entitled "An act to amend the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred four) entitled 'An act prohibiting corporations from pleading usury as a defense" in so far as it relates to associations

The act approved the seventeenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand eight hundred two) entitled "An act providing that when all or a majority of the outstanding shares of the capital stock of any corporation now or hereafter created under the laws of this Commonwealth are owned by a corporation created under the laws of any other State the owner or owners of not less than one-fifth of the total number of the outstanding shares of the capital stock of such foreign corporation shall have the right to investigate and inquire into the affairs management and operations of such domestic corporation and to institute maintain and prosecute actions or proceedings against or in behalf of such domestic corporation for any purpose to the same extent in the same manner with the same force and effect and with the same rights and remedies as if he or they were the owner or owners of shares of the capital stock of such domestic corportaion and prescribing the conditions upon which a bond may be required in any such action or proceeding" in so far as it relates to associations

The act approved the twentieth day of March one thousand nine hundred and thirty-one (Pamphlet Laws four) entitled "An act to amend section one of the act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred fifty-eight) entitled 'An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth' as amended by permitting the signatures counter-signatures and seals thereon in facsimile printed or engraved when the certificate is signed by a transfer agent or assistant transfer agent and registrar and permitting the use of certificates bearing the signature or counter-signature or facsimile signature or counter-signature of any officer who has ceased to be such when the certificate is issud" in so far as it relates to associations

The act approved the twenty-sixth day of March one thousand nine hundred and thirty-one (Pamphlet Laws ten) (Number eight) entitled "An act to amend subdivision three of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' as amended by regulating the advertising of application of charters for corporations of the first class" in so far as it relates to associations

The act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred four) (Number one hundred sixty-one) entitled "An act authorizing building and loan associations to permit borrowers to have the dues on the stock credited on account of the principal of the loan and providing for the reduction of the stock in certain cases and defining the duties of the secretary of the association in respect thereto and providing also for the increase of the subsequent dues on the stock in certain cases and providing further that the stock shall not be subject to losses except for the profits in certain cases" except in so far as it relates to the appropriation of shares to reduce mortgage loans which were granted by associations prior to the effective date of this act

The act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred sixty-one) entitled "An act to amend section twenty-three of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) as amended by an act entitled 'An act to amend section twenty-three of an act entitled "An act to provide for the incorporation and regulation of certain corporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regultaion of certain additional corporations" approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all the reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corportaion before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth' approved June second one thousand nine hundred and fifteen (Pamphlet Laws seven hundred twenty-four) providing that in the case of the sale assignment disposition or conveyance by certain building and loan asociations of their franchises and property to certain other building and loan associations in lieu of the advertisement required by section nineteen of the act first mentioned notice of the time place and object of the meeting of stockholders therein mentioned shall be published once a week for two weeks prior to such meeting in at least one newspaper published in the county city or borough wherein the place of business of the building and loan association so selling assigning disposing or conveying is situate" in so far as it relates to associations

The act approved the twenty-eighth day of July one thousand nine hundred thirty-two (Pamphlet Laws eleven) entitled "An act to increase the powers of building and loan associations by empowering them to join the Federal Home Loan Bank or any other corporation or agency established under the authority of the United States Government and to empower them to borrow money from the Federal Home Loan Bank the Reconstruction Finance Corporation or any other corporation or agency established under the authority of the United States Government except National banks and to assign their bonds and mortgages and other property including the right to repledge the shares of stock pledged as collateral security without securing the consent of the owner thereto as security for the repayment of their indebtedness as evidenced by any bond note or obligation they may give therefor" absolutely

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Section 1303 General Repeal of Acts All other acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Mr. GALLAGHER. Mr. Speaker, I would like to know if there is any member of the House who can explain the purpose of this bill.

The SPEAKER. Is there any member of the House who will volunteer the information for the benefit of the gentleman from Allegheny, Mr. Gallagher?

Mr. PHILIP STERLING. Mr. Speaker, if the gentleman has any specific questions that he wants to ask concerning the bill, I shall be glad to answer his questions or try to answer them.

The SPEAKER. Does the gentleman from Allegheny desire to interrogate the gentleman from Philadelphia?

Mr. GALLAGHER. Mr. Speaker, I have one question to ask. It seems to me that this bill is detrimental to the building and loan associations. It is putting the power in the banks. I would like to know if there is any member of the House who can explain the purpose of the bill?

The SPEAKER. Will the gentleman from Philadelphia answer the question?

Mr. PHILIP STERLING. Mr. Speaker and members of the House, the bill that is now before you is known as the Building and Loan Association Code. It provides for the formation and operation of building and loan associations and also for the treatment of building and loan associations that may in the course of events find themselves in difficulty.

The bill, you will notice from your file, was introduced on March 13th in the Senate, was considered at great length by the Senate committee and by a sub-committee of the Senate, together with a sub-committee of the House. These committees conferred at many meetings with representatives officially sent before them by every building and loan association interest in the Commonwealth, representing every section of the Commonwealth.

The bill had its beginning in a printed pamphlet that was prepared and issued by the Department of Justice. These pamphlets were widely circulated among every building and loan association in the Commonwealth, as a result of which suggestions for changes were made by the many building and loan association interests in the Commonwealth from every section of the Commonwealth.

Since 1874 the building and loan associations of this State have been governed and managed under the General Corporation act having to do with corporations for profit and that act by the experience of time that has intervened, and more especially in the last three years, has proved itself ineffectual in giving to the shareholders of building and loan associations the protection to which they are justly entitled.

This bill does not do what my friend has suggested it might do: put the power or control of building and loan associations in banks. On the contrary it gives to the directors of the building and loan associations their proper authority and proper responsibility and it places in the Banking Department that careful supervision that is required for the protection of all stockholders in building and loan associations.

Investors in building and loan associtaions, as you may all know, have always believed themselves to be in substantially the same status as depositors in savings accounts in banks or in savings funds, but that has not been the case. Under the existing law the shareholder in a building and loan association has substantially the same status as the shareholder in any business corporation. This bill changes that status very materially. The bill tightens up many of the points in the management and control of building and loan associations all for one purpose and only one purpose, and that is to give to the millions of investors, as well as the billions of dollars invested, the protection to which they are justly entitled.

There is probably no piece of legislation that has come before this House in this session that goes more directly into every household and to every purse of the various citizens of the Commonwealth than does this measure. Not only in Philadelphia, known all over the world as "The City of Homes," but in every village and borough, town and city of this Commonwealth the building and loan association has become known as an institution wherein people might safely invest the moneys that they have accumulated through their effort. These people, above all others, are entitled to the maximum of protection so far as the laws of the Commonwealth are concerned and through this measure you give these worthy people the protection that they should have.

In the course of the conferences that took place, as I have described, the Banking Department was able to bring into play the experience that itself had in the building and loan association field during these past two years. Through the advice and counsel of the Banking Department, the Department of Justice and the committees that have handled this measure they have been able to write into it certain provisions that will make as nearly impossible as any law can make any of the malpractices and bad conduct, if you please, that have heretofore characterized building and loan associations all over this Commonwealth but particularly in Philadelphia.

MOTION TO POSTPONE

Mr. TURNER. Mr. Speaker, as there seems to be a question in the minds of some of the members of the House regarding this bill, I would move that it be placed upon the postponed calendar.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. GALLAGHER. Mr. Speaker, I would like to have the privilege of reading a telegram that I have received from the Allegheny County League of Building and Loan Associations. The telegram reads as follows:

1933 APR 23 P M 9 08

TD PITTSBURGH PENN APR 23 1933

HON THOMAS J GALLAGHER

H OF R HARRISBURG PENN

ALLEGHENY COUNTY LEAGUE OF BUILDING AND LOAN ASSOCIATION AT MEETING HELD FRIDAY APRIL TWENTY FIRST UNANIMOUSLY OPPOSED TO THE PASSAGE OF ANY CODE BILL THEREFORE WE RESPECTFULLY URGE YOU DO YOUR UTMOST TO DEFEAT SENATE BILL SIX TWO FIVE AND VOTE AGAINST IT

IT WILL DESTROY SMALL ASSOCIATIONS AND GIVE BANKING DEPARTMENTS TOO MUCH DICTATORIAL POWER WHICH COULD BE ABUSED BY THOSE IN AUTHORITY

ALMER A BARCHFELD
CHAIRMAN LEGISLATIVE COMMITTEE

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. SHENKEL. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—121

Baker,	Green,	McCandless,	Sheffer,
Baldi,	Greenstein,	McClure,	Shellenberger,
Barnhardt,	Griffith,	McGinnis,	Shortz,
Bennett,	Habbyshaw,	McHenry,	Shreiner,
Blumberg,	Haines,	McKay,	Simon,
Boyd,	Hamilton,	McKinney,	Sinwell,
Brancato,	Hefferon,	Melchiorre,	Snyder,
Brennan,	Hermansen,	Meredith,	Sowers,
Brown, J. E.,	Hester,	Moore,	Stank,
Brownfield,	Hewitt,	Mumford,	Sterling, P.,
Caputo,	Himes, H. E.,	Myers,	Sterling, R. B.,
Carey,	Himes, L. R.,	Negley,	Stiteler,
Conner,	Hoffman,	Nothnagle,	Stone,
Cooke,	Holmes, J. B.,	Peelor,	Storb,
Cordier,	Horst,	Pennock,	Stott,
Craig,	Howard,	Perry, J. J.,	Surface,
Davies,	Jones,	Powell,	Tahl,
Denning,	King,	Price,	Terry,
Downey, G. E.,	Kinney,	Raub,	Turner,
Duffy,	Labar,	Reed,	Wade,
Dunmire,	Laubach,	Reilly,	Wagner,
Ederer,	Lenahan,	Rhodes,	Wall,
Emhardt,	Lewis,	Rice,	Weidemann,
Eroe,	Long,	Root,	White,
Fitzgerald,	Lord,	Ruby,	Wike,
Flanagan,	Lose,	Sautter,	Witkin,
Fleisher,	Lovett, W. S.,	Schrock,	Wood,
Flynn,	Male,	Schwab,	Woodside,
Forrest,	Malina,	Schwartz,	Wright,
Gillette,	Marcks,	Scott,	Yourishin,

NAYS—46

Andrews,	Harmuth,	Metzler,	Sarig,
Bechtel,	Hough,	Mohn,	Schrope,
Beech,	Hutton,	Munley,	Scorza,
Brown, W. L.,	Kane, J. J.,	O'Connor,	Shenkel,
Carson,	Kane, L. P.,	O'Keefe,	Shugarts,
Chervenak,	Lane,	O'Rourke,	Spann,
Cohen,	Lovett, J. E.,	Patterson,	Steedle,
Cramer,	Lynch, J. R.,	Perry, D. R.,	Stevens,
Downey, J.,	Maloney,	Powers,	Westrick,
Dwyer,	McBride,	Quinn,	Talbot,
Gallagher,	McCreary,	Rectenwald,	Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2099 (Senate Bill No. 727), as follows:

An Act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws

ARTICLES

I Short Title and Preliminary Provisions
II Powers and Duties of Department of Revenue
III Qualifications of Airman and Aircraft Federal Licenses
IV Legal Status of Air Navigation
V Procedure for Denial or Revocation of Licenses
VI Violation Provisions Penalties and Procedure
VII Repeals and Construction of Act
VIII Effective Date

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 101 Short Title
Section 102 Definitions
Section 103 Constitutional Construction

Section 101 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Aeronautical Code"

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section

(a) "Aeronautics" The act or practice of the art and science of transportation by aircraft and operation construction repair or maintenance of aircraft airports landing fields or air navigation facilities and including repairs packing and maintenance of parachutes

(b) "Aircraft" Any contrivance now known or hereafter invented used or designed for navigation of or flight in the air except a parachute or other contrivance designed for such navigation but used primarily as safety equipment

(c) "Civil Aircraft" Aircraft not of the Military or Naval forces of the United States Government and aircraft not used exclusively in any governmental service of any state or country

(d) "Airman" Airman shall mean an individual (including the person in command and any pilot mechanic or member of the crew) who engages in the operation of aircraft while under way and any individual in charge of the inspecting overhauling or repairing of aircraft or parachute riggers and repairmen

(e) "Air Navigation Facilities" Shall include airports landing fields and water surfaces for landing aircraft and all aids to air navigation including but not confined to lights marks structures and electrical communicating systems

(f) "Airport" Any locality either of water or land which is adapted for the landing and taking off of aircraft and which provides facilities for shelter supply and repair of aircraft or a place used regularly for receiving or discharging passengers or cargo by air

(g) "Landing Field" Any locality either of water or land which is adapted for the landing and taking off of aircraft but which is not equipped with facilities for shelter supply and repair of aircraft

(h) "Intermediate Landing Field" Any locality either of water or land which is adopted for the landing and taking off of aircraft is located along any airway and is intermediate to airports and landing fields connected by the airway but which is not equipped with facilities for shelter supply and repair of aircraft and is not used regularly for the receiving or discharging of passengers or cargo by air

(i) "Civil Airway" A route in the navigable air space over or above the territory or waters of the State of Pennsylvania designated by the Department of Revenue as a route suitable for intrastate or interstate air commerce

(j) "Department" Department of Revenue of this Commonwealth

(k) "Navigable Air Space" Air space above the minimum safe altitudes of flight prescribed by the Department

(l) "Officer" Any constable State policeman or State Highway patrolman or other officer authorized to make arrests or to serve process

(m) "Nonresident" Shall apply to any person who has no regular place of abode or business within this State for a longer period than thirty (30) days or parts thereof not necessarily consecutive in the calendar year

(n) "Owner" Any person firm corporation partnership or association holding title to any aircraft or having legal right to register the same

(o) "Person" Any individual association copartnership firm company corporation or other association of individuals

(p) "Pilot" An individual who operates an aircraft in flight or while under way

(q) "Passenger" Any person riding in an aircraft but having no part in its operation

(r) "Secretary" Secretary of Revenue of this Commonwealth

Section 103 Constitutional Construction The provisions of this act are severable and if any provision thereof is held to be unconstitutional the decision so holding shall not be construed as affecting or impairing any other provision of this act or the act as a whole It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

ARTICLE II

POWERS AND DUTIES OF DEPARTMENT OF REVENUE

Section 201 Powers and Duties of Department of Revenue The Department of Revenue shall administer the provisions of this act and for such purpose is authorized and directed to promulgate such regulations as are necessary to execute the powers invested in it by this act and other applicable laws

It shall be the duty of the Department to

(a) Provide for the examination and rating and licensing of airports landing fields and air navigation facilities available for use of aircraft

(b) Adopt rules and regulations for the issuance expiration suspension or revocation of license of airports landing fields and air navigation facilities and of such other licenses or certificates as the Department deems necessary in administering the functions vested in said Department under this act

(c) Establish set apart and provide for the protection of necessary air space reservations within the Commonwealth of Pennsylvania in addition to and not in conflict wtih air space reservations established by the President of the United States or any Department of the United States or with any civil or military airway designated under the provisions of the Air Commerce Act of one thousand nine hundred and twenty-six and the amendments thereto or other act of Congress pertaining thereto

(d) Designate establish and chart civil airways within over and above the lands or waters of the Commonwealth of Pennsylvania and arrange for publication of maps of such airways utilizing the facilities and assistance of existing agencies of the Commonwealth as far as practicable The Department shall grant no exclusive right for the use of any civil airway airport intermediate landing field or other air navigation facility under its jurisdiction

(e) Investigate record and report the causes of accidents in civil air navigation within this Commonwealth

(f) Encourage the establishment of airports civil airways and other air navigation facilities

(g) Supervise and regulate the safety adequacy and sufficiency of all airports landing fields and air navigation facilities and equipment used or to be used in private or commercial flying

(h) Adopt rules and regulations governing the instruction in flight or ground school of student flyers or mechanics and the safety adequacy and sufficiency of airports landing fields and air navigation facilities and equipment used or to be used in the instruction of student flyers or mechanics

(i) Adopt rules and regulations for the marking of highways municipalities and all other aerial markings used throughout the Commonwealth

(j) Adopt rules and regulations governing the erection location and maintenance of aerial beacon lights and other aerial night lighting equipment within the Commonwealth

(k) To exchange with the Department of Commerce and other State governments through existing governmental channels information pertaining to the civil air navigation

(l) To enforce the regulations and air traffic rules promulgated as provided hereunder through the assistance and co-operation of State and local authorities charged with the enforcement of law in their respective jurisdictions

(m) To establish by regulation the minimum safe altitudes for flight and including air traffic rules

All rules and regulations prescribed by the Department under the authority of this section shall be consistent with and conform to the then current Federal legislation governing aeronautics and the regulations duly promulgated thereunder and rules issued from time to time pursuant thereto Provided That nothing in this section shall confer upon the Department the power to determine schedules issuance of stock determination of public convenience or the adequacy and sufficiency of service of common carriers engaged in commercial flying within this Commonwealth

ARTICLE III

QUALIFICATIONS OF AIRMAN AND AIRCRAFT FEDERAL LICENSES

Section 301 Aircraft Construction Design and Airworthiness Federal Licenses

Section 302 Qualifications for Airman Federal Licenses

Section 303 Possession and Display of Licenses

Section 304 Nonresidents

Section 301 Aircraft Construction Design and Airworthiness Federal Licenses The public safety requiring and the advantages of uniform regulation making it desirable in the interest of aeronautical progress that aircraft operating within this Commonwealth should conform with respect to design construction and airworthiness to the standards prescribed by the United State Government with respect to navigation of civil aircraft subject to its jurisdiction it shall be unlawful for any person or resident to operate or navigate any aircraft within this Commonwealth unless such aircraft has an appropriate effective license issued by the United States Government and is registered by the United States Government Providd however That this restriction shall not apply to aircraft owned by the United States Government or the possessions thereof nor to aircraft of any state or territory nor to aircraft licensed by a foreign country if similar reciprocal relations exist between the United States and such foreign country

Section 302 Qualifications for Airman Federal Licenses The public safety requiring and advantages of uniform regulation making it desirable in the interest of aeronautical progress that a person or resident engaging within this Commonwealth in navigating or operating aircraft in any form of navigation or while in charge of the inspecting overhauling or repairing of aircraft or the repairing packing and maintenance of parachutes shall have the qualifications necessary for obtaining and holding a license issued by the Department of Commerce of the United States it shall be unlawful for any person to operate or navigate or inspect overhaul or repair any aircraft or repair pack and maintain parachutes in this Commonwealth unless such person is the holder of an appropriate effective license or permit issued by the United States Government Provided however That this restriction shall not apply to those persons operating aircraft owned by the United States Government or the possessions thereof or aircraft of any state or territory or aircraft licensed by a foreign country if similar reciprocal relations exist between the United States and such foreign country

Section 303 Possession and Display of Licenses The certificate of the license required for the person operating such aircraft and the certificate of the license required for aircraft and such other licenses or certificates as may be issued by the Department shall be kept in such places and exhibited to such persons at such time and under such circumstances as shall be required by the regulations of the Department

Section 304 Nonresidents The provisions of this act in so far as they relate to registration and license shall not apply to aircraft owned and operated within this Commonwealth by nonresidents of this Commonwealth for a period not to exceed thirty (30) days in the calendar year Provided That the owner or pilot can show satisfactory proof he has complied with the laws relating to registration and license of airmen and aircraft in the state territory district or country of which he is a resident And further provided That a nonresident owner or airman cannot engage within this Commonwealth in the carrying of passengers merchandise or property for hire or reward by means of civil aircraft or in any commercial flying for hire or reward unless he has complied with the provisions of this act governing registration and license as if he were a resident of this Commonwealth

ARTICLE IV

LEGAL STATUS OF AIR NAVIGATION

Section 401 Ownership of Space

Section 402 Lawfulness of Flight

Section 403 Damage to Persons and Property on the Ground
Section 404 Jurisdiction over Crimes and Torts
Section 405 Jurisdiction over Contracts
Section 406 Liability to Passengers
Section 407 Collision of Aircraft

Section 401 Ownership of Space The ownership of the space over and above the lands and waters of this Commonwealth is declared to be vested in the owner of the surface beneath but such ownership extends only so far as is necessary to the enjoyment of the use of the surface without interference and is subject to the right of passage or flight of aircraft Flight through the space over and above land or water at a sufficient height and without interference to the enjoyment and use of the land or water beneath is not an actionable wrong unless said flight results in actual damage to the land or water or property thereon or therein or use of the land or water beneath

Section 402 Lawfulness of Flight Flight in aircraft over the lands and water of this Commonwealth is lawful unless at such low altitude as to interfere with the then existing use to which the land or water or the space over the land or water is put by the owner or unless so conducted as to be dangerous or damaging to persons or property lawfully on the land or water beneath The landing of an aircraft on the lands or waters of another without his consent in unlawful except in the case of a forced or emergency landing For damage caused by a forced or emergency landing the owner lessee and operator of the aircraft shall be liable as provided in section four hundred three

Section 403 Damage to Persons and Property on the Ground The owner and the pilot or either of them of every aircraft which is operated over the lands or waters of this Commonwealth shall be liable for injuries or damage to persons or property on or over the land or water beneath caused by the ascent descent or flight of aircraft or the dropping or falling of any object therefrom in accordance with the rules of law applicable to torts on land in this Commonwealth

As used in this section "owner" shall include a person having full title to aircraft and operating it through servants and shall also include a bona fide lessee or bailee of such aircraft whether gratuitously or for hire but "owner" as used in this section shall not include a bona fide bailor or lessor of such aircraft whether gratuitously or for hire or a mortgagee conditional seller trustee for creditors of such aircraft or other persons having a security title only nor shall the owner of such aircraft be liable when the pilot thereof is in possession thereof as a result of theft or felonious conversion

The person in whose name an aircraft is registered with the United States Department of Commerce shall be prima facie the owner of such aircraft within the meaning of this section

Section 404 Jurisdiction over Crimes and Torts All crimes torts and other wrongs committed by or against a pilot or passengers while in flight over or above the lands and waters of this Commonwealth shall be governed by the laws of this Commonwealth and the question whether damage occasioned by or to an aircraft while over this Commonwealth constitutes a tort crime or other wrong by or against the owner of such aircraft shall be determined by the laws of this Commonwealth

Section 405 Jurisdiction over Contracts All contractual and other relations entered into by pilots or passengers while in flight over or above the lands or waters of this Commonwealth shall be governed by the laws applicable to similar relations entered into on the lands of this Commonwealth

Section 406 Liability to Passengers The liabllity of the owner or pilot of an aircraft carrying passengers for injury or death to such passengers shall be determined by the rules of law applicable to torts on the lands or waters of this Commonwealth arising out of similar relationships

Section 407 Collision of Aircraft The liability of the owner of one aircraft to the owner of another aircraft or to pilots or passengers on either aircraft for damage caused by collision on land or in the air shall be determined by the rules of law applicable to torts on the lands or waters of this Commonwealth

ARTICLE V

PROCEDURE FOR DENIAL OR REVOCATION OF LICENSES

Section 501 Procedure for Denial or Revocation of Licenses The licenses of airports landing fields air navigation facilities and such other licenses or certificates that the Department may under authority of this act issue shall be denied or revoked only after the applicant or licensee shall have been accorded a hearing or opportunity for a hearing thereon Within ten (10) days after notice that application for registration and license has been denied or the license or certificate revoked the applicant or holder may file a written request with the Department for a public hearing thereon The Secretary of the Department upon receipt of the request shall arrange forthwith

(1) For a public hearing to be held within twenty (20) days after such receipt in such place as the Secretary deems most practicable and convenient and

(2) Give the applicant or holder at least ten (10) days' notice of the hearing unless an earlier hearing is consented to by him

Notice may be served personally upon the applicant or holder or sent him by registered mail The decision of the Department if in accordance with law shall be final

ARTICLE VI

VIOLATION PROVISIONS PENALTIES AND PROCEDURE

Section 601 Violation Provisions
Section 602 Summary Offenses
Section 603 Proceedings by Warrant Served as Now Provided by Law
Section 604 Arrests on View
Section 605 Appeal from Summary Conviction
Section 606 Report of Convictions
Section 607 Disposition of Fines and Forfeitures
Section 608 Registration Number Prima Facie Evidence
Section 609 Liability for Costs Not Paid by Defendant
Section 610 Admissibility of Certified Copies of Records as Evidence

Section 601 Violation Provisions It shall be unlawful for any person to commit any of following acts

(a) To operate or navigate aircraft while under the influence of intoxicating liquor or narcotic drug or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate or navigate any aircraft owned by him or in his custody or control

(b) To operate or navigate aircraft while in possession of any Federal license or to display or cause or permit to be displayed such license knowing the same to have been cancelled revoked suspended or altered

(c) To lend to or knowingly to permit the use of by one not entitled thereto any Federal airman's and aircraft license issued to the person so lending or permitting the use thereof

(d) To display or to represent as one's own any Federal airman's or aircraft license not issued to the person so displaying the same

Tampering with or making use of or navigating any aircraft without the knowledge or consent of the owner or custodian thereof

(f) To use a false or fictitious name or to give a false or fictitious address in any application or form required under the provisions of this act or the rules and regulations of the Department adopted pursuant to this act or knowingly make any false statement or report or knowingly conceal a material fact or otherwise commit a fraud in any application

Penalty Any person violating any of the provisions of subsections (b) (c) (d) or (f) of this section shall upon summary conviction before a burgess alderman magistrate or justice of the peace be sentenced to pay a fine of not less than fifty ($50.00) dollars nor more than two hundred ($200.00) dollars and the cost of prosecution or undergo imprisonment for not more than thirty (30) days or suffer both such fine and imprisonment

Any person violating any of the provisions of subsections (a) or (e) of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of not less than one hundred ($100.00) dollars nor more than five hundred ($500.00) dollars and the costs of prosecution or undergo imprisonment for not more than one (1) year or suffer both such fines and imprisonment

Section 602 Summary Offenses Any person violating any of the provisions of this act unless such violation is by this act or other law of this Commonwealth declared to be a misdemeanor or any of the rules and regulations adopted by the Department pursuant to this act shall upon conviction thereof in any summary proceeding before any magistrate alderman

or justice of the peace be sentenced to pay a fine of not less than fifty ($50.00) dollars and not more than two hundred ($200.00) dollars and in default of the payment of such fine and costs to undergo imprisonment in the county jail for a period not exceeding thirty (30) days

Section 603 Proceedings by Warrant Served as Now Provided by Law Proceedings under this act may be commenced by warrant and served as now provided by law

All information charging violations of any of the provisions of this act except in cases where the offense is designated a misdemeanor or felony shall be brought within thirty (30) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of an offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within thirty (30) days after his or her identity shall have been discovered

Section 604 Arrests on View Any officer may arrest when displaying a badge or other sign of authority upon view any person violating any of the provisions of this act and such officers shall forthwith make and file with the burgess magistrate alderman or justice of the peace before whom the arrested person is taken an affidavit setting forth in detail the offense complained of

If the defendant is unable to give bail as provided in this act for a hearing or for his appearance at court the burgess magistrate alderman or justice of the peace shall accept as bail any article of sufficient value or if the defendant is the owner thereof shall hold in custody the aircraft found in his possession and the court burgess magistrate alderman or justice of the peace after the trial of the defendant or when bail according to law has been given shall made such order as to the disposition of such aircraft or other articles accepted as bail as shall seem just and proper

Section 605 Appeal from Summary Conviction Any person convicted in any summary proceeding under this act shall have the right of appeal as in other cases of summary conviction

Section 606 Report of Convictions

(a) Every burgess magistrate alderman and justice of the peace in this Commonwealth shall keep a full report of every case in which a person is charged with violation of any provisions of this act and in the event that such person is convicted or that his bail is forfeited an abstract of such report shall be sent forthwith by the burgess magistrate alderman or justice of the peace to the Department but thi srequirement shall not be deemed to make such court a court of record

(b) Abstracts required by this section shall be made upon forms prepared by the Department and shall include all necessary information as to the parties to the case the nature of the offense the date of hearing the plea the judgment the amount of the fine or forfeiture and other information deemed necessary and every such abstract shall be certified by the burgess magistrate alderman or justice of the peace as a true abstract of the record of the court

(c) Each clerk of any court of record of this Commonwealth shall also within ten (10) days after final judgment of conviction under any of the provisions of this act send to the Department a certified copy of such judgment of conviction Certified copies of the judgment shall also be forwarded to the Department upon conviction of any person of manslaughter or other felony in the commission of which an aircraft was used The Department shall keep such records in its offices for at least three (3) years and they shall be open to the inspection of any person during reasonable business hours

(d) Failure refusal or neglect to comply with any of the provisions of this section shall constitute misconduct in office and shall be ground for removal therefrom

Section 607 Disposition of Fines Fees and Forfeitures All fines fees and forfeitures collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the Department and transmitted to the State Treasury and credited to the "Motor License Fund" and sworn statements of all fines and penalties so collected shall also be made upon blanks furnished by the Department by the burgess magistrate alderman justice of the peace or other officer imposing or receiving the same to the Department and such reports shall be made monthly Any burgess magistrate alderman justice of the peace or other officer who shall fail to make such monthly reports and returns or pay the same to the Department shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred ($500.00) dollars or suffer imprisonment for not more than sixty (60) days

Section 608 Registration Number Prima Facie Evidence In any proceeding for the violation of the provisions of this act or the rules and regulations of the Department adopted pursuant to this act the Federal license number or identification mark displayed on such craft shall be prima facie evidence that the owner of such aircraft was operating the same If at any hearing or proceeding the owner shall testify under oath or affirmation that he was not operating the said aircraft at the time of the alleged violation of this act and the rules and regulations of the Department shall submit himself to an examination as to who at that time was operating such aircraft and reveal the name of the person if known to him or if the information is made in a county other than that of his own residence shall forward to the burges magistrate alderman or justice of the peace an affidavit setting forth these facts then the prima facie evidence arising from the Federal license number or identification mark shall be overcome and removed and the burden of proof shifted

Section 609 Liability for Costs Not Paid by Defendant Whenever any officer whose duty it is to enforce the provisions of this act shall in good faith bring suit for any violation of such provisions and for any legal cause shall fail to receive the costs of record such costs shall be a charge upon the proper county and shall be audited and paid as are costs of like character in said county

Section 610 Admissibility of Certified Copies of Records as Evidence Any certified copies or certified photostatic copies of any records books papers documents determinations rulings or orders of the Department when certified under the seal of the Department shall be acceptable as evidence in the courts of this Commonwealth with the same force and effect as the originals in all cases where such original records books papers documents determinations rulings or orders of the Department would be admitted as evidence

ARTICLE VII

REPEALS AND CONSTRUCTION OF ACT

Section 701 Repeals
Section 702 Construction of Act

Section 701 Repeals The following acts of Assembly are hereby repealed

(a) The act approved April twenty-fifth one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred fifty-three) entitled "An act concerning aeronautics and establishing the legal status of air navigation providing for sovereignty in and ownership of air space imposing liability for injury or damage caused by aircraft fixing jurisdiction over and liability for contracts executed and torts and crimes committed during the operation of aircraft and repealing inconsistent legislation"

(b) The act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred twenty-four) entitled "An act to regulate areonautics providing for the licensing registration rating control and regulation of aircraft airmen airports landing fields intermediate landing field and air navigation facilities conferring powers and imposing duties upon the State Aeronautics Commission in respect thereto providing for the acquisition maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth providing for the enforcement of the provisions of this act and imposing penalties" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred forty-seven)

Section 702 Construction of Act The provisions of this act shall not effect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

ARTICLE VIII

EFFECTIVE DATE

Section 801 Time of Taking Effect The provisions of this act shall become effective immediately upon approval by the Governor

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176

Andrews,	Haines,	McGregor,	Shortz,
Baker,	Hamilton,	McHenry,	Shreiner,
Baldi,	Harmuth,	McKay,	Shugarts,
Barnhardt,	Harris,	McKinney,	Simon,
Bechtel,	Hart,	Melchiorre,	Sinwell,
Beech,	Hartman,	Meredith,	Snyder,
Bennett,	Heffernan,	Merrell,	Sowers,
Bernhard,	Hefferon,	Metzler,	Spann,
Blumberg,	Heffner,	Mohn,	Stank,
Boyd,	Hermansen,	Moore,	Steedle,
Brancato,	Hester,	Mumford,	Sterling, P.,
Brennan,	Hewitt,	Munley,	Sterling, R. B.,
Brown, W. L.,	Himes, H. E.,	Myers,	Stevens,
Brownfield,	Himes, L. R.,	Negley,	Stiteler,
Cannon,	Hoffman,	Nothnagle,	Stone,
Carson,	Holmes, J. B.,	O'Connor,	Storb,
Chervenak,	Holmes, J. L.,	O'Keefe,	Stott,
Conner,	Hoopes,	O'Neill,	Surface,
Cordier,	Hutton,	O'Rourke,	Tahl,
Craig,	Kane, L. P.,	Patterson,	Terry,
Cramer,	Labar,	Peelor,	Turner,
Davies,	Lane,	Pennock,	Wade,
DeFrehn,	Laubach,	Perry, D. R.,	Wagner,
Denning,	Lenahan,	Perry, J. J.,	Walker, W. A.,
Duffy,	Lewis,	Peters,	Walker, G. E.,
Dunmire,	Long,	Powell,	Wall,
Dwyer,	Lord,	Powers,	Wasserman,
Ederer,	Lose,	Price,	Way,
Emhardt,	Lovett, J. E.,	Quinn,	Weidemann,
Eroe,	Lovett, W. S.,	Raub,	Welsh,
Evans,	Lynch, J. R.,	Rectenwald,	Westrick,
Fitzgerald,	Lynch, M.,	Reilly,	White,
Flanagan,	Male,	Roan,	Wike,
Fleisher,	Malina,	Royle,	Williams, G. W.,
Flinchbaugh,	Maloney,	Sautter,	Williams, J. J.,
Flynn,	Marcks,	Schrope,	Wilson, L. M.,
Furman,	Mason,	Schwab,	Wilson, T. B.,
Gallagher,	McBride,	Schwartz,	Witkin,
Gartner,	McCandless,	Scorza,	Wood,
Gillette,	McClure,	Scott,	Woodside,
Gorman,	McCreary,	Sheffer,	Yeakel,
Green,	McElwee,	Shellenberger	Yourishin,
Greenstein,	McGinnis,	Shenkel,	Talbot,
Griffith,	McGrail,	Shettel,	Speaker.
Habbyshaw,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 639.

An Act relating to insurance companies exchanges associations societies orders and individuals under the supervision of the Insurance Department authorizing the Insurance Commissioner during the existing emergency to suspend laws relating to certain payments by insurers and to impose conditions upon the conduct of the business of insurance and providing penalties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 104. (HOUSE BILL No. 2335).

An Act requiring the Department of Revenue to prepare and distribute lists of stocks and securities exempt from the city and county tax on intangible personal property.

Referred to the Commitee on Judiciary General.

SENATE BILL No. 151. (HOUSE BILL No. 2336).

An Act to enlarge the jurisdiction of Justices of the Peace and Aldermen.

Referred to the Committee on Judiciary General.

SENATE BILL No. 367. (HOUSE BILL No. 2337).

A Further Supplement to the act approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges," and making an appropriation for carrying the same into effect.

Referred to the Committee on Appropriations.

SENATE BILL No. 575. (HOUSE BILL No. 2338).

An Act to amend section eight of the act approved the twelfth day of June, one thousand nine hundred and thirteen (P. L. 481), entitled "An act relating to inns and hotels; regulating certain rights and liabilities of hotel-keepers and innkeepers; and providing penalties for fraud against innkeepers and hotelkeepers"; increasing the penalty.

Referred to the Committee on Judiciary General.

SENATE BILL No. 785. (HOUSE BILL No. 2339).

An Act to amend section fifty and section two hundred and twenty, as amended, of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by permitting and regulating the use of eel chutes.

Referred to the Committee on Fisheries.

SENATE BILL No. 1331. (HOUSE BILL No. 2340).

An Act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts.

Referred to the Committee on Aeronautics.

SENATE BILL No. 1334. (HOUSE BILL No. 2341).

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books.

Referred to the Committee on Appropriations.

SENATE BILL No. 1335. (HOUSE BILL No. 2342).

An Act to amend section seven hundred fifty-six, article nine, of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing counties in certain cases to pay the cost of repairing or rebuilding bridges other than county bridges.

Referred to the Committee on Counties.

SENATE BILL No. 1337. (HOUSE BILL No. 2343).

A Supplement to the act approved the eleventh day of June, one thousand nine hundred and thirty-one (Appropriation Acts page sixteen), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one," providing for deficiencies in certain appropriations for the fiscal biennium ending May thirty-first, one thousand nine hundred and thirty-three.

Referred to the Committee on Appropriations.

SENATE BILL No. 1351. (HOUSE BILL No. 2344).

An Act making an appropriation for unemployment relief contingently upon the approval by the voters of a constitutional amendment authorizing the borrowing of twenty-five million dollars to defray the expenses of State government for the biennium beginning June first one thousand nine hundred thirty-three.

Referred to the Committee on Appropriations.

SENATE BILL No. 1352. (HOUSE BILL No. 2345).

An Act to amend sections one, two and three of the act approved the nineteenth day of August, one thousand nine hundred thirty-two (Pamphlet Laws eighty-eight), entitled "An act creating the State Emergency Relief Board, consisting of the Governor, the Lieutenant Governor, the Auditor General, State Treasurer, and the Speaker of the House of Representatives; prescribing its powers and duties; empowering the Governor to disburse moneys received from the Federal Government for the relief of the unemployed in accordance with plans adopted by the board; and making an appropriation."

Referred to the Committee on Appropriations.

SENATE BILL No. 1355. (HOUSE BILL No. 2346).

A Supplement to an act approved the fourteenth day of June, A. D., one thousand eight hundred and thirty-six (Pamphlet Laws, six hundred and thirty-seven), entitled "An act relating to Bonds, with Penalties and Official Bonds."

Referred to the Committee on Judiciary General.

STATEMENT BY MR. SOWERS

Mr. SOWERS asked and obtained permission to make the following statement:

Mr. Speaker and members of the House, I asked Mr. Fertig of the Legislative Reference Bureau for an opinion on the constitutionality of House Bill No. 1681. I will not read the opinion in full. He says "In my opinion, the courts would sustain the bill on the theory that every provision therein related to 3.2 alcoholic beverages, and that the purpose or all of the provisions was to regulate and restrain traffic in these beverages."

I ask permission, Mr. Speaker, to have inserted in the Journal at this point the full and complete opinion of the Director of the Legislative Reference Bureau.

The SPEAKER. The remarks of the gentleman from Philadelphia will be spread upon the Journal and if there are no objections the communication will be printed in full in the Legislative Journal. The Chair hears none.

April 23, 1933.

Hon. Clinton A. Sowers, House of Representatives Harrisburg, Pennsylvania.

Dear Mr. Sowers:

The constitutionality of House Bill No. 1681 turns entirely on the subject which may be selected for the bill. If one speaks of the regulation and taxation of beverages, then there are two subjects; but if one selects 3.2 alcoholic beverages as the subject, then the licensing, taxation and other features may readily be held to be collateral to the main subject. One method of regulating the subject is by licensing and taxing which increase the price and cuts down the consumption. The cheaper a product is, the greater the consumption necessarily reduced. The tax is consequently an inherent element in the regulation.

There are two kinds of licenses which the courts recognize—one which is merely a police regulation where the license fee may not exceed the cost of inspection; the other is one which is imposed as a burden to lessen the evils which are inherent in the business licensed. Two outstanding examples of licenses which are burdens, are the motor vehicle and liquor licenses. These have always been imposed at a greater rate than necessary to pay the cost of inspection. Consequently, they cannot be distinquished from taxes since they are assessed for general revenue purposes just the same as all taxes.

I have never heard anyone contend that the licensing features in H. 1681 were unconstitutional. If they are good, then by merely changing the tax features in H. 1681 to a license of the brewer, the license fee to be measured by output, the objections will be overcome by the mere magic of changing tax to license. It is just as reasonable to impose a license fee measured by output as it is to license a motor bus by seating capacity. In fact, the brewers' licenses under the Act of 1897 were measured by production.

It seems to me that municipal codes are exactly in point. These regulate or provide for the regulation of every muncipal affair, provide for license taxes and confer complete taxing powers. No one has ever questioned these as being unconstitutional on this point.

It matters not how many collateral matters are dealt with. The question is whether all the details and collateral matters merge into a unified whole which may be expressed by one subject, which I have always contended should be a subject descriptive of the substance of the law. The evil which the Constitution attempted to remedy was to prevent the combining of two distinct and separate subjects of legislation in one bill: Clearfield v. Cameron, 135 Pa. 86, 89; to prevent a number of different and unconnected subjects from being gathered together in one act: Ruth's Appeal, 10 W. N. C. 498, 500; Dorsey's Appeal, 72 Pa. 192, 195; to prevent the practice of bringing together into one bill subjects diverse in their nature and having no necessary connection: Cooley's Constitutional Limitations, 7th Ed., page 203.

On the other hand, it has been said that:

> "No two subjects are so wide apart that they may not be brought together into a common focus if the point of view be carried back far enough."

This, however, would be going too far, and must be limited to

> "* * * those things which have a proper relation to each other; which fairly constitute parts of a scheme to accomplish a single purpose; relate to the same subject or object; and provisions which have no proper legislation relation to each other and are not part of the same legislative scheme, may not be joined in the same act:" Payne v. School District, 168 Pa. 386, 389.

"The unity of the subject of a statute is to be determined by its paramount purpose, rather than by the details through which that purpose is to be accomplished. The subject may have but one object, while the measures necessary for the attainment of that object may necessarily embody many subordinate subjects, differing in their nature, and particular effect, yet all contributing to it and comprised within the

principal subject. Everything which the nature of the subject of a title reasonably suggests, as necessary or appropriate for the accomplishment of its express purpose, is sufficiently indicated by such title:" Comm. v. Jones, 4 Super. Ct. 362, 386.

The cases which I have cited are the leading ones under which this title, if it came before the courts, would be measured. It thus appears to me that H. 1681 can readily be construed to come within these general rules. In my opinion, the courts would sustain the bill on the theory that every provision therein related to 3.2 alcoholic beverages, and that the purpose of all of the provisions was to regulate and restrain traffic in these beverages.

Sincerely yours,
J. H. FERTIG,
Director.

JHF:M

REPORTS FROM COMMITTEES

Mr. FITZGERALD, from the Committee on Cities, reported as amended, House Bill No. 1420, entitled:

An Act requiring checkers and weighers of cargo of ships at ports in cities of the first class to be residents of such cities and to be licensed; and providing penalties.

Mr. GREENSTEIN, from the Committee on Insurance, reported as committed, House Bill No. 76, entitled:

An Act to amend subdivision (b) of article three of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty nine), entitled "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; providing penalties, and repealing existing laws," as amended, by providing for the valuations of securities held by insurance companies other than life insurance companies.

Mr. GREENSTEIN, from the Committee on Counties, reported as amended, House Bill No. 1991, entitled:

An Act requiring county treasurers to make monthly settlements with all cities, boroughs, townships, school districts and poor boards within the county, for all delinquent taxes, penalties, fines and costs, collected during said period; and providing the manner in which same shall be made.

Mr. PRICE, from the Committee on Highways, reported as committed, House Bill No. 2126 (Senate Bill No. 391), entitled:

An Act to amend sections six hundred and fifteen, six hundred and sixteen and six hundred and twenty of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; impsoing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, limiting the circumstances under which an operator's license or learner's permit may be suspended; providing that an appeal from such action by the secretary shall act as a supersedeas; and modifying the penalties for violations of license provisions.

Mr. WEIDEMANN, from the Committee on Highways, reported as committed, House Bill No. 2136 (Senate Bill No. 764), entitled:

An Act to amend section one of the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred and twenty-eight), entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highway when constructed shall become a part of the system of State highways of the Commonwealth" by providing that roads taken over as parallel highways may intersect or cross over the highway to which they are parallel.

BILLS ON FIRST READING

The following bills were read the first time pursuant to resolution presented by the Rules Committee fixing the order of the day.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1420, entitled:

An Act requiring checkers and weighers of cargo of ships at ports in cities of the first class to be residents of such cities and to be licensed; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 76, entitled:

An Act to amend subdivision (b) of article three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and certain societies and orders, the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers; providing penalties and repealing existing laws," as amended by providing for the valuation of securities held by insurance companies other than life insurance companies.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1991, entitled:

An Act requiring county treasurers excepting counties of the first class to make monthly settlements with all cities, boroughs, townships, school districts and poor boards within the county, for all delinquent taxes, penalties, fines and costs, collected during said period; and providing the manner in which same shall be made.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2126 (Senate Bill No. 391), entitled:

An Act to amend sections six hundred and sixteen and six hundred and twenty of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), en-

titled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing of operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds"; as amended limiting the circumstances under which an operator's license or learner's permit may be suspended providing that an appeal from such action by the secretary shall act as a supersedeas and modifying the penalties for violation of license provisions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2136 (Senate Bill No. 764), entitled:

An Act to amend section one as amended by the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred twenty-eight) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highway when constructed shall become a part of the system of State highways of the Commonwealth" by providing that roads taken over as parallel highways may intersect or cross over the highway to which they are parallel.

And said bill having been read at length the first time

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MARSHALL LYNCH. Mr. Speaker, I move that this House do now adjourn until tomorrow morning, Tuesday, April 25, 1933, at 11.00 o'clock.

The motion was agreed to, and (at 1.00 A. M.) the House adjourned until Tuesday, April 25, 1933, at 11.00 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., TUESDAY, APRIL 25, 1933 — No. 55

SENATE

TUESDAY, April 25, 1933.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Our Heavenly Father, we ask Thee that as we commence another day's work we may do so with a realization of placing first things first, and that we may know that a man's life consists not in the abundance of his possessions, that the man behind the gun is always of more value than the gun, and that in this nation of ours today, which was noted for making men, we are thinking more of money. Keep us always with a balanced budget in our own lives. We ask in Thy name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BELL, the further reading was dispensed with, and the Journal was approved.

WAR VETERANS TO BE GIVEN PREFERENCE IN EMPLOYMENT IN PENNSYLVANIA

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representativs, which was twice read as follows and referred to the Committee on Military Affairs:

In the House of Representatives, April 17, 1933.

Whereas, The National Government, through the promulgation of an executive order to bring about economies, lessened benefits to veterans of all wars by some four hundred million dollars ($400,000,000), and

Whereas, This executive order will directly affect some fifty thousand World War and some thirty-five thousand Civil and Spanish War veterans residing in the Commonwealth of Pennsylvania, and

Whereas, By the closest estimates the veterans of all wars resident within the confines of Pennsylvania will have their pensions of thirty-five million dollars ($35,000,000), which they now receive yearly, cut to less than twenty million dollars ($20,000,000) and that many will be forced at the beginning of the government's new fiscal year to seek public aid for food, clothing, rent and fuel as a result, now therefore be it

Resolved (if the Senate concur), That on June 1, 1933, and thereafter so long as the present economic emergency shall exist, all new employees and appointees in the service of the Commonwealth shall be, all other things being equal, honorably discharged soldiers, sailors and marines who had service in the war with Spain, the Philippine Insurrection, the Boxer Rebellion and the World War, and the State officers authorized to employ persons are hereby directed to give preference to honorably discharged soldiers, sailors and marines of the above mentioned wars and insurrections who are native born Pennsylvanians, or resident in this State one year or more, and who had service with the Pennsylvania troops. State employment bureaus shall give twenty per centum credit preference ratings to bona fide Pennsylvanians not born in this State but who have resided in Pennsylvania five years or more and who have served in said wars.

HOUSE MESSAGES

AMENDMENT TO HOUSE BILL No. 534 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 534, entitled:

An Act defining and regulating the occupation of beauty culture; providing for the licensing and registration of persons to carry on and teach beauty culture and the promulgation and enforcement of rules for the conduct thereof by the Department of Public Instruction.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the constitution, were twice read as follows:

Amend title page 1, line 13 by striking out after the word "of" the word "Health"; also section 1, page 2, line 1 by striking out lines 4 to 16 inclusive and the word "culture" at the beginning of line 17 and inserting in lieu thereof the following: "Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section 'Beauty Culture' "; also page 3 by inserting after the word "thereof" in line 9 the following: "Department" means the Department of Public Instruction of this Commonwealth Section 2 Practice of Beauty Culture without Registration Prohibited It shall be unlawful for any person to practice or teach beauty culture or manage a beauty shop or to use or maintain any place for the practice or teaching of beauty culture for compensation unless he or she shall have first obtained from the department a certificate of registration as provided in this act Nothing contained in this act however shall apply to or affect any person who is now actually engaged in any such occupation except as hereinafter provided"; also line 22 by striking out after the word "Section" the figure "4" and inserting in lieu thereof the figure "3"; also line 23 by striking out after the word "practice" the word "manage"; also line 24 by inserting after the word "culture" the following: "or manage a beauty shop"; also page 4, line 4 by striking out after the article "the" the word "required" and inserting in lieu thereof the word "registration"; also line 9 by striking out after the word "Section" the figure "5" and inserting in lieu thereof the figure "4"; also line 16 by striking

out after the word "in" the following: "section seven of"; also line 25 by inserting after the word "in" the words "this act"; also by striking out after the word "sections" in heavy brackets the word "section"; also by striking out after the word "seven" in heavy brackets the words "eleven hereof"; also page 5, line 10 by striking out after the word "had" the article "a"; also line 11 by striking out after the word "registered" the word "beauty"; also line 24 by striking out after the word "Section" the figure "7" and inserting in lieu thereof the figure "6"; also line 28 by striking out after the word "this" the word "State" and inserting in lieu thereof the word "Commonwealth"; also page 5, line 22 by striking out after the word "Section" the figure "8" and inserting in lieu thereof the figure "7"; also page 7, line 1 by striking out after the word "students" the following: "even though such charge be only"; also line 2 by striking out after the word "for" the words "actual material"; also by inserting after the word "used" the words "in such treatment"; also line 4 by striking out after the word "Section" the figure "9" and inserting in lieu thereof the figure "8"; also page 8, line 22 by striking out after the word "Section" the figure "10" and inserting in lieu thereof the figure "9"; also line 25 by striking out after the word "or" the word "beauty"; also line 26 by striking out after the article "a" the word "similar"; also line 28 by striking out after the word "this" the word "State" and inserting in lieu thereof the word "Commonwealth"; also line 3 by striking out after the word "this" the word "State" and inserting in lieu thereof the word "Commonwealth"; also line 4 by striking out after the word "effect" the word "shall" and inserting in lieu thereof the word "may"; also by striking out after the word "secure" the word "such" and inserting in lieu thereof the article "the"; also line 5 by inserting after the word "registration" the words "required by this act"; also line 7 by striking out after the word "education" the words "providing due" and inserting in lieu thereof the following: "provided such person shall make application to the department for registration"; also by striking out before the word "within" in line 9 the words "shall be made"; also line 10 by striking out after the word "act" the word "which" and inserting in lieu thereof the word "such"; also line 13 by striking out after the article "the" the word "required" and inserting in lieu thereof the word "registrtaion"; also line 14 by striking out after the word "fee" the following: "paid by such person under the rules of said department" and inserting in lieu thereof the following: "required by this act"; also line 16 by striking out after the article "a" the word "beauty"; also line 17 by inserting the article "a" the word "beauty"; also line 18 by striking out at the beginning of the line the word "State" and inserting in lieu thereof the word "Commonwealth"; also line 21 by striking out after the word "education" the words "providing a due" and inserting in lieu thereof the following: "provided such person shall make"; also line 22 by striking out after the word "application" the words "shall be made" and inserting in lieu thereof the following: "to the department"; also line 28 by inserting after the word "examination" the following: "held by the department under the provisions of this act"; also page 10 line 1 by striking out after the word "Section" the figure "11" and inserting in lieu thereof the figure "10"; also line 3 by striking out after the word "owner" the words "after first receiving" and inserting in lieu thereof the following: "and who is a holder of"; also line 7 by striking out after the word "shop" the following: "and in the regular course of business"; also line 8 by striking out after the word "provided" the following: "they do not hold themselves" and inserting in lieu thereof the following: "such shop is not held"; also line 10 by inserting after the word "school" the words "of beauty culture"; also line 12 by inserting after the word "examination" the words "held by the department"; aslo line 18 by striking out after the word "Section" the figure "12" and inserting in lieu thereof the figure "11"; also line 24 by striking out after the word "or" the word "beauty"; also after the word "schools" by inserting the words "of beauty culture"; also page 11, line 1 by striking out after the word "section" the figure "13" and inserting in lieu thereof the figure "12"; also line 3 by inserting after the word "required" the following: "by this act"; also line 3 by inserting after the word "required" the words "by this act"; also line 4 by striking out after the article "the" the word "required" and inserting in lieu thereof the word "registration"; also line 5 by inserting after the word "fee" the words "required by this act"; also by striking after the article "the" the word "said"; also by striking at the beginning of line 10 the words "said examinations" and inserting in lieu thereof the words "required examinations"; also line 17 by striking out at the beginning of the line the word "examinations" and inserting in lieu thereof the word "examination"; also line 21 by striking out after the word "culture" the words "as well as include" and inserting in lieu thereof the word "including"; also by striking out after the word "including" the word "properly" and inserting in lieu thereof the words "ability to"; also line 22 by striking out after the word "to" the word "properly"; also by inserting after the word "teach" the word "properly"; also line 23 by inserting after the word "theories" the words "of beauty culture"; also page 12, line 6 by striking out after the word "Section" the figure "15" and inserting in lieu thereof the figure "13"; also line 11 by striking out after the article "the" the word "said"; also line 26 by inserting after the word "application" the words "to the department"; also line 27 by striking out after the word "satisfactory" the word "showing" and inserting in lieu thereof the word "proof"; also page 13, line 3 by striking out at the beginning of the line the word "said"; also line 7 by striking out after the word "Section" the figure "15" and inserting in lieu thereof the figure "14"; also by striking out after the article "The" the word "said"; also line 13 by inserting the word "school" the words "of beauty culture"; also line 16 by inserting after the wrod "school" the words "of beauty culture"; also line 17 by striking out after the word "Section" the figure "17" and inserting in lieu thereof the figure "15"; also line 18 by striking out after the article "the" the word "said"; also page 14 line 10 by striking out after the word "Section" the figure "18" and inserting in lieu thereof the figure "16"; also line 13 by inserting after the word "for" the words "beauty shop"; also by striking out after the word "owner" the word "and"; also line 14 by striking out after the word "and" the words "school instructors" and inserting in lieu thereof the word "teachers"; also line 17 by inserting after the word "schools" the words "of beauty culture"; also line 20 by inserting after the word "schools" the words "of beauty culture"; also line 25 by striking out after the word "Section" the figure "19" and inserting in lieu thereof the figure "17"; also page 15, line 14 by striking out after the word "Section" the figure "20" and inserting in lieu thereof the figure "18"; also line 19 by striking out after the word "Section" the figure "21" and inserting in lieu thereof the figure "19"; also page 16, line 1 by striking out after the word "fourteen" in heavy brackets the words "eighteen of" and inserting in lieu thereof the word "in"; also line 3 by striking out after the word "Section" the figure "22" and inserting in lieu thereof the figure "20"; also by inserting after the word "Penalties" the letter "(a)" also line 7 by striking out after the word "be" the words "fined not to exceed" and inserting in lieu thereof the following: "sentenced to pay a fine

not exceeding"; also line 8 by striking out after the word "or" the following: "shall be imprisoned for not more than" and inserting in lieu thereof "undergo an imprisonment not exceeding"; also line 10 by inserting after the word "both" the following: "at the discretion of the court"; also line 13 by inserting at the beginning of the line the letter "(b)"; also by inserting after line 20 the following: "(c) Any operator manager teacher student or apprentice who shall infect any person or who shall impart any contagious or infectious disease by reason of carelessness or negligence in the practice of such occupation shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo an imprisonment not exceeding six months or both at the discretion of the court"; also line 29 by inserting at the beginning of the line before the word "All" the letter "(d)"; also page 17, line 2 by striking out at the beginning of the line the following: "the department shall be" and inserting in lieu thereof the word "if"; also line 4 by striking out after the word "Section" the figure "23" and inserting in lieu thereof the figure "21"; also line 12 by striking out after the word "Section" the figure "24" and inserting in lieu thereof the figure "24"; also line 15 by striking out after the word "Section" the figure "25" and inserting in lieu thereof the figure "23."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 179 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 179, entitled:

An Act to amend section two hundred and twelve of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" by providing for depositories for funds of poor districts coterminus with counties of the third class

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, by inserting after the word in line 10, the following: "requiring poor districts to premiums on treasurers' bonds and."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 1933 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1933, entitled:

An Act to amend section two of an act approved the twenty-first day of April, one thousand nine hundred twenty-seven (P. L. 327), enttiled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto," by giving the Governor of this State authority to deliver up certain imprisoned persons, for the purpose of trial for murder in the demanding state, and providing for their return in case of acquittal.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 1, line 1, by striking out after the word "degree" the word "or" and inserting in lieu thereof the word "of."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,

Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its non-concurrence in amendments made by the Senate to House Bill No. 1128, entitled:

An Act to amend the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "General Borough Act," as amended by authorizing council to designate a depository for borough funds, and setting forth the effect thereof to secure indemnity bonds and insurance policies and to invest borough funds; permitting the payment of bond premiums for borough officials; redefining requirements for contracts for work or purchase; altering the requirement for the levying of taxes; defining the effect of non-notice of tax levies; increasing the expense allowance of tax collectors; fixing the status of land acquired by the borough, and providing for the disposition thereof under certain circumstances; limiting the requirements of assessment ordinances in sewer construction proceedings; permitting the acquisition of land for park purposes in adjacent boroughs; and authorizing condemnation proceeding to secure land for airports.

and has appointed Messrs. McClure, Hoffman and McBride as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION TO APPOINT COMMITTEE OF CONFERENCE

Mr. MANSFIELD. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House, and that a Committee of Conference be appointed.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Mansfield, Aron and Baumer be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 699 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 699, entitled:

An Act to amend clause five of section three of the act approved the thirteenth day of May, one thousand nine hundred and nine (P. L. 520), entitled "An act relating to food; defining food; providing for the protection of the public health; and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated misbranded or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," as amended. further regulating the use of sulphur dioxide in the preparation of dried fruits and molasses.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, line 12 by inserting after the word "amended" the following: "permitting the use of harmless colors in fruits used in fruit cake and"; also section 1, page 2, line 29 by inserting after the syllable "fectionery" the following: "or in fruits used in fruit cake"; also page 3, line 17 by striking out after the word "of" the following: "fifteen hundred (1500)" and inserting in lieu thereof the following: "twenty-five hundred (2500)"; also line 24 by striking out after the word "sodium" the word "benzoates" and inserting in lieu thereof the word "benzoate."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 763 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 763, entitled:

An Act to amend sections one and four of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred four), entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" by providing for the maintenance of the existing highway.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 3, line 2 by striking out after the word "of" the word "the" and also by striking out the light faced bracket before the word "any" and the light faced bracket after the word "any."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,

Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Woodward,
Clark,	Lanius,	Rice,	Williamson,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 363 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 363, entitled:

An Act to amend sections one, two, four, five, six and seven of the act, approved the first day of June, one thousand nine hundred and fifteen (P. L. 678), entitled "An act to regulate the sale for agricultural purpose of crushed limestone, lime, gypsum, and related products; defining said products; and prescribing penalties for the violation of this act," extending the provisions of said act so as to regulate the sale of all "liming materials for agricultural purposes," defining said term, and giving the Secretary of Agriculture power in certain cases to revoke licenses issued under this act.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 7, page 9, line 14 by striking out the light faced bracket before the word "None"; also line 19 by striking out the light faced bracket after the word "products" and inserting in lieu thereof the following: "if such deliveries do not exceed one hundred tons in any one year."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 727 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 727, entitled:

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in and ownership of space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, alderman, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were read twice as follows:

Amend section 102, page 4, line 9 by striking out after the word "the" the word "minium" and inserting in lieu thereof the word "minimum"; also section 201, page 6, line 20 by striking out after the word "all" the words "aircraft airmen"; also line 25 by striking out after the word "of" the words "aircraft airmen"; also section 403, page 11, line 27 by striking out after the word "from" the following: "whether such owner was negligent or not unless the injury was caused in whole or in part by the negligence of the person injured or of the owner lessee or bailee of the property damaged in accordance with the rules of law applicable to torts on land in this Commonwealth" and inserting in lieu thereof the following: "in accordance with the rules of law applicable to torts on land in this Commonwealth"; also page 12 by striking out all of lines 18, 19, 20 and 21; also section 601, page 16, line 14 by striking out after the word "fine" the word "or" and inserting in lieu thereof the word "of."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 386 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 386, entitled:

An Act to amend section one of the act approved the ninth day of July, one thousand nine hundred and nineteen (P. L. 795), entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants."

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend page 3, line 5 by striking out after the word "exceed" the word "two" and inserting in lieu thereof the word "one"; also line 6 by striking out after the word "year" the following: "and the salary of the district attorney in counties

whose population is more than two hundred and fifty thousand and does not exceed one million inhabitants shall be six thousand dollars per year."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAY—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 25, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

W. R. Amos, Pittsburgh.
Miss Irene Kovacs, Pittsburgh.

BERKS COUNTY

Mrs. Eva M. Millard, Reading.
Miss Dorothy H. Stump, Robesonia.

CARBON COUNTY

Frank Lench, Tresckow.

FAYETTE COUNTY

Miss Bertha R. Grigsby, Uniontown.
Joseph C. McGill, Dawson.

JEFFERSON COUNTY

Miss Nan C. Wilson, Punxsutawney.

PHILADELPHIA COUNTY

Miss Verna Martin, Philadelphia.

WASHINGTON COUNTY

Mrs. Margaret Townsend, Washington.

GIFFORD PINCHOT.

REPORT FROM COMMITTEE

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BEAVER COUNTY

Miss Almira M. Parks, Beaver Falls.

CLEARFIELD COUNTY

Mrs. Violet Butterworth, Chester Hill.

COLUMBIA COUNTY

James Masanotti, Berwick.

DAUPHIN COUNTY

H. S. Berkstresser, Royalton.

DELAWARE COUNTY

W. Roy Garson, Upper Darby.

LAWRENCE COUNTY

P. W. Griffin, Bessemer.

MERCER COUNTY

Donovan H. Henry, Greenville.

MONTGOMERY COUNTY

I. M. Jarrett, Abington.
Francis J. Mullin, Norristown.

NORTHAMPTON COUNTY

Miss Carrie H. Walter, Easton.

PHILADELPHIA COUNTY

C. Clark Hodgson, Philadelphia.

WESTMORELAND COUNTY

Miss Ottilie Walthour, Greensburg.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for re-appointment as a Notary Public, for a term of four years to compute from the date set opposite her name:

PHILADELPHIA COUNTY

Mrs. Elizabeth D. Mollenkof, Philadelphia, April 30, 1933.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF THE MOTHERS ASSISTANCE FUND LEBANON COUNTY

(Mrs.) Cora Hartman Weimer, Lebanon, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Miss) Hannah T. Cassidy, Lebanon, from August 20, 1932, until June 1, 1936, and until her successor is duly appointed and qualified.

(Mrs. Agnes U. Millard, Annville, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Miss) Alla A. Bucher, Rexmont, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary A. Landis, Palmyra, from August 20, 1932, until June 1, 1938, and until her successor is duly appointed and qualified.

(Mrs.) Florence C. Kreider, Annville, from November 9, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

NORTHAMPTON COUNTY

(Miss) Anna L. Adams, Easton, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Bessie M. Schmoyer, Bethlehem, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Estelle M. Burlingame, Bethlehem, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs. Helen F. Frey, Easton from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Gertrude S. Gold, Bangor, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Laura N. Roberts, Easton, from November 1, 1932, until June 1, 1933, and until her successor is duly appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF ALLENTOWN STATE HOSPITAL

John D. Hoffman, Bethlehem, from August 20, 1932, for the term of four years, and until his successor is qualified.

(Mrs.) Maude A. Stauffer, Bethlehem, from August 20, 1932, for the term of four years, and until her successor is qualified.

Louis G. Torborg, Jr., Bethlehem, from August 20, 1932, for the term of four years, and until his successor is qualified.

Walter W. Seibert, Easton, from August 20, 1932, for the term of four years, and until his successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS COLLEGE

R. L. R. Snyder, of Shippenville, Clarion County, from December 28, 1932, for the term of four years, and until his successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF THE MOTHERS' ASSISTANCE FUND OF MONROE COUNTY

Mrs. Leila M. Beers, of Stroudsburg, Monroe County, from December 28, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

GIFFORD PINCHOT.

MEMBER OF TRUSTEES OF MOTHERS' ASSISTANCE FUND

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 9, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointment:

Mrs. A. Margaret Landis, of Swarthmore, Delaware County, as a member of the Board of Trustees of the Mothers' Assistance Fund of Delaware County, until June 1, 1935, and until her successor is duly appointed and qualified (reappointment).

GIFFORD PINCHOT.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 16, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Walter H. Rice, as Justice of the Peace in the Township of Springfield, Montgomery County, vice William E. McKinley, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

MEMBERS OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 21, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to naminate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Alexander K. Czechowicz, of Alden, Luzerne County, vice Dr. Charles E. Moore, deceased, for the term of four years, and until his successor is qualified.

W. E. Weineck, of Nanticoke, Luzerne County, vice Emil Malinowski, deceased, for the term of four years, and until his successor is qualified.

GIFFORD PINCHOT.

TRUSTEE NANTICOKE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Rev. Henry R. Taxdal, of Nanticoke, Luzerne County, as a member of the Board of Trustees of Nanticoke State Hospital, vice F. H. Kohlbraker, deceased, for the term of four years, and until his successor is qualified.

JUSTICE OF THE PEACE

John D. Webber, Jr., of Manheim, Lancaster County, as Justice of the Peace in the Borough of Manheim, Lancaster County, vice John M. Hunter, resigned, until the first Monday in January, 1934.

GIFFORD PINCHOT.

MEMBER OF THE BOARD OF TRUSTEES OF THE WERNERSVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Chas. R. Long, of Chester, Delaware County, as a member of the Board of Trustees of the Wernersville State Hospital, vice Mrs. Priscilla Stanley Fox, of Lebanon, whose term expired for the term of four years, and until his successor is qualified.

GIFFORD PINCHOT.

MEMBER BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF MONTGOMERY COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointment to compute from the date of confirmation:

Mrs. Margaret A. Lester, of Pottstown, Montgomery County, as a member of the Board of Trustees of the Mothers' Assistance Fund of Montgomery County, vice Mrs. Esther H. Nice, of Abington, resigned, until June 1, 1937, and until her successor is duly appointed and qualified.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

COMMISSIONER OF DEEDS

D. W. Barnard, 301 West 109th Street, New York City, New York, as Commissioner of Deeds for Pennsylvania, with residence in New York, N. Y., for a term of five years.

GIFFORD PINCHOT.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

Albert M. McQuiston, of Berwyn, Chester County, as Justice of the Peace in the Township of Easttown, Chester County, vice Washington I. Smith, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table for one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN

That the Senate do advise and censent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Dell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Woodward,
Clark,	Lanius,	Rice,	Williamson,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. FAY. Mr. President, I move that the Executive Session do now rise.

Mr. TRAINER. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

SENATE BILL No. 625 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 625, entitled:

An Act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constiution, were twice read as follows:

Amend title, page 1, line 6, by striking out after the word "shareholders" the word "attorneys" and inserting in lieu thereof the word "solicitors"; also Table of Contents, Article 4, page 4, line 17, by striking out after the word "Officers" the word "Attorneys" and inserting in lieu thereof the word "Solicitors"; also Article 6, page 5, line 15, by striking out after the word "on" the word "Installment"; also main bill, Article 1, page 10, line 24, by striking out after the word "issued" the following: "in the articles of incorporation or in any amendment thereto" and inserting in lieu thereof "by an association"; also page 16, line 17, by striking out after the word "proposed" the word "institution" and inserting in lieu thereof the word "association" Article 2, also page 20, line 27, by striking out after "monwealth" the word "and" and inserting in lieu thereof the word "or"; also page 22, line 12, by striking out after the word "unavailable" the following: "for the holding of a regular meeting of the association"; also line 14, by striking out after the word "temporary" the word "meeting"; also line 15, by inserting after the word "place" the words "of business"; also Article 3, page 24, line 8, by striking out after the words "Article of" the word "Incorporation" and inserting in lieu thereof the word "incorporation"; also line 9, by striking out after the word "signed" the words "in triplicate originals"; also by striking out lines 24 to 29 inclusive; also page 25 by striking out line 1 and 2; also line 3, by striking out the figure "(7)" and inserting in lieu thereof the figure "(6)"; also line 5, by striking out the figure "(8)" and inserting in lieu thereof the figure "(7)"; also line 9, by striking out the figure "(9)" and inserting in lieu thereof the figure "(8)"; also line 27, by striking out after the letter "A" the following: "On or before the day specified by the incorporators in the advertisement of their intention to file articles of incorporation they" and inserting in lieu thereof "The incorporators"; page 26, line 2, by striking out after word "advertisement" the word "and" and inserting in lieu thereof "of their intention to file articles of incorporation the"; also by inserting after the word "act" the following: "and an affidavit stating all expenses connected with the organization of the association and the procuring of subscriptions including any counsel fee paid to an attorney at law and including a declaration that no fee commission or compensation of any other kind has been or is to be paid to any corporation or person for the promotion or organization of the association or

for the procuring of subscriptions or the sale of its shares"; also line 16, by inserting after the word "forthwith" the following: "but not prior to the day specified in the advertisement of the intention of the incorporators to file the articles"; also page 28, line 8, by striking out after the word "shall" the word "sign" and inserting in lieu thereof the word "endorse"; also page 28, line 11, by inserting after the word "article" the following: "The department of State shall also send a copy of the approved articles to the Department of Banking"; also line 25, by striking out after the word "should" the word "not"; also line 26, by striking out after the word "under" the word "this" and inserting in lieu thereof the words "some other"; also line 28, by striking out after the word "act" the following: "as precedent to the provisions of this act"; also line 13, by inserting after the word "meeting" the following: "If the by-laws adopted at such meeting of the shareholders provide that any or all of the officers shall be elected by the shareholders the shareholders shall proceed immediately to elect such officers"; also line 24, by inserting after the word "electing" the word "such"; also by inserting after the word "officers" the following: "if any as the by-laws provide shall be elected b ythe directors"; also article 4, page 41, line 17 by striking out after the article "a" the word "bound"; also line 29 by striking out after the word "by" the word "accountants" and inserting in lieu thereof the following: "a certified public account or a firm of such accountants"; also page 42, line 8 by striking out after the word "such" the word "assistants" and inserting in lieu thereof the following "certified public accountants"; also line 10 by striking out after the syllable "tions" the word "examinations" and inserting in lieu thereof the word "examination"; also line 14 by inserting before the word "accountants" the words "certified public"; also line 15 by striking out after the word "file" the word "in" and inserting in lieu thereof the word "with"; also line 16 by striking out after the word "on" the article "the" and inserting in lieu thereof the word "its"; also page 44, line 14 by striking out, after the word "of" the word "an" and inserting in lieu thereof the word "such"; also line 19 by inserting before the word "secretary" the word "and" and striking out after the word "secretary" the words "and treasurer"; also page 47, line 2 by striking out at the beginning of the line the following words "fee commission gift" and inserting in lieu thereof the word "money"; also by striking out after the word "other" the word "property" and inserting in lieu thereof the word "thing"; also by inserting after the word "value" the following: "as a fee commission or gift"; also page 48, line 2 by striking out after the word "Officers" the word "Attorneys" and inserting in lieu thereof the word "solicitors"; also line 4 by striking out at the beginning of the line the word "attorneys"; also line 17 by striking out after the word "officers" the word "attorneys" and inserting in lieu thereof the word "solicitors"; also line 29 by striking out at the beginning of the line the word "attorney" and inserting in lieu thereof the word "solicitor"; also page 49, line 3 by striking out after the word "any" the word "of"; also by striking out after the word "officer" the word "attorney" and inserting in lieu thereof the word "solicitor"; also line 5 by striking out after the word "officer" the word "attorney" and inserting in lieu thereof the word "solicitor"; also line 6 by striking out after the word "officer" the word "attorney" and inserting in lieu thereof the word "solicitor"; also article 5, page 51, line 24 by striking out after the word "at" the word "an" and inserting in lieu thereof the article "the"; also page 52, line 2 by inserting before the word "provided" the word "specifically"; also by inserting after the word "in" the following: "this act in the articles or in"; also page 52, by inserting after line 9 the following section: "(2) The acts of the holders of a majority of the shares represented at any meeting at which a quorum is present shall be the acts of the shareholders"; also line 10 by striking out the figure "(2)" and inserting in lieu thereof the figure "(3)"; also line 17 by inserting after the word "articles" the words "or by-laws"; also line 20 by striking out after the word "Proxy" the word "Every" and inserting in lieu thereof the following: "Except as otherwise specifically provided in this act every"; also line 24 by striking out after the word "proxy" the word "every" and inserting in lieu thereof the word "Every"; also page 56, line 11 by striking out after the word "written" the words "or printed"; also page 57, line 26 by inserting after the word "appoint" the words "a judge or"; also by striking out after the word "who" the word "shall" and inserting in lieu thereof the word "need"; also line 27 by inserting after the word "If" the following: "a judge or"; also page 58, line 13, by inserting after the word "if" the words "a judge or"; also line 14 by inserting after the word "judge" the words "or judges"; also line 15 by striking out after the word "outstanding" the word "and"; also line 29 by inserting after the article "the" the words "judge or"; also page 59, line 3 by inserting after the word "If" the words "a judge or"; also line 10 by striking out after the word "associations" the following: "incorporated prior to the effective date of this act"; also article 6, page 52, line 22 by striking out after the word "on" the word "Installment"; also by striking out after the word "Every" the word "installment"; also page 63, line 10 by inserting after the word "share" the following: "a copy of the by-laws of the association and of all amendments thereto and"; also line 11 by inserting after the word "certificate" the following: "upon which the name of the association shall be printed and"; also line 24 by striking out at the beginning of the line the following: "as the case may be"; also line 25 by striking out after the word "thereof" the following: "as the case may be"; also line 28 by striking out the last word in the line "as"; also page 66, line 1 by striking out at the beginning of the line the following: "the case may be"; also page 70, line 20 by striking out after the word "rata" the heavy faced bracket; also by striking out the last word in the line "However"; also line 23 by striking out after the word "it" the following: "upon such shares" and inserting in lieu thereof "by such shareholder"; also page 73 by striking out after the word "funds" the following: "in the treasury"; also line 5 by striking out after the word "after" the following: "payment has become due" and inserting in lieu thereof the following: "the maturities have been declared or the withdrawals have become effective"; also page 74, line 18 by inserting after the word "whatsoever" the following: "except money borrowed from the Federal Home Loan Bank"; also page 75, line 1 by striking out after the syllable "miums" the following: "upon their shares"; also page 77, line 14 by striking out after the word "association" the word "approve" and inserting in lieu thereof the word "approved"; also article 7, page 79, line 14 by inserting a heavy faced bracket after the word "amendment"; also line 15 by striking out the heavy faced bracket after the word "amendment"; also page 81, line 15 by striking out after the article "The" the word "corporation" and inserting in lieu thereof the word "association"; also line 21 by inserting after the word "are" the words "to be"; also page 81, line 5 by striking out after the heavy faced bracket the following: "On or before the day specified in the advertisement the" and inserting in lieu thereof the article "The"; also line 20 by inserting after the word "act" the following: "forthwith but not prior to the day specified in the advertisement of the intention of the association to file the articles";

also page 82, line 27 by inserting after the word "thereon" the following: "and shall return them to the Department of State"; also page 83, line 10 by striking out after the word "certify" the article "a" and inserting in lieu thereof the word "his"; also line 15 by striking out after the word "two" in heavy faced brackets the word "signed" and inserting in lieu thereof the word "approved"; also line 20 by striking out at the beginning of the line the syllables "sentatives" and inserting in lieu thereof "sentative"; also article 8, page 85, line 12 by inserting after the word "directors" the following section: "(6) To become a member of a league or leagues organized to protect and promote the interests of building and loan associations and to pay dues to or a proportionate share of the expenses of such league or leagues"; also line 13 by striking out the figure "(6)" at the beginning of the line and inserting in lieu thereof the figure "(7)"; also page 88, line 1 by striking out after the word "exceeds" the word "five" and inserting in lieu thereof the word "ten"; also page 90, line 5 by inserting after the word "property" the following: "or five years after the effective date of this act"; also page 95, line 20 by striking out after the word "shares" the word "or"; also line 21 by inserting after the word "shares" the following: "or allow any credit for the value of any shares on account of the principal of any loan"; also page 99, line 24 by inserting after the word "of" the words "fire insurance premiums"; also by inserting after the word "taxes" the words "municipal claims"; also article 9, page 100, line 20 by striking out after the word "may" the words "offer to"; also by striking out after the word "association" the following: "to any corporation or person who shall agree in writing to pay a definite rate of" and inserting in lieu thereof the following: "either with or without charging the borrower a"; also line 23, by inserting after the word "but" the following: "an association shall not charge any premium unless the borrower agrees in writing to pay"; also line 28, by striking out after the word "premium" the word "if" and inserting in lieu thereof the words: "If such premium"; also line 24, by inserting after the word "advance" the word "it"; also line 26, by striking out after the word "installments" the words "shall not exceed"; also line 27, by striking out after the word "centum" the words "per year" and inserting in lieu thereof the words "per annum"; also line 29, by striking out after the letter "B" the article "The" and inserting in lieu thereof the article "A"; also page 102, line 4, by inserting after the word "any" the word "corporation or"; also by inserting after the word "person" the following: "other than the association"; also line 11, by inserting after the word "commission" the word "or"; also by striking out after the word "gift" the following: "or other property of value"; also page 111, line 26, by inserting after the word "association" the following: "if there be no other default"; also line 28, by striking out after the syllable "ings" the following: "until such payments have not been made by the borrower for a period of six months" and inserting in lieu thereof the word "unless"; also page 112, line 1, by inserting after the word "property" the following: "dues or interest owing for six months has not been paid"; also by striking out after the word "or" the following: "for a period of three months"; also line 3 by inserting after the word "property" the following: "dues or interest owing for three months has not been paid"; also line 14, by striking out after the article "the" the word "enpenses" and inserting in lieu thereof the word "expenses"; also page 114, line 8, by striking out after the word "such"; and inserting in lieu thereof the word "need"; also line 9, by striking out after the word "but" the word "an" and inserting in lieu thereof the following: "if the premium exceeds two per centum of the amount of such loan the"; also by striking out after the word "not" the following: "in any event"; also Article 10, page 117, line 27, by striking out after the word "capital" the word "stock"; also page 120, line 4, by striking out after the word "of" the following: "On or before the day specified in the advertisement the" and inserting in lieu thereof the article "The"; also by striking out lines 9 to 22 inclusive; also line 23, by striking out the letter "C" and the beginning of the line and inserting in lieu thereof the letter "B"; also page 121, line 6, by inserting after the article "the" the word "fees"; also line 7, by inserting after the word "law" the following: "except for the costs of an examination made by the Department of Banking pursuant to the provisions of this act to determine whether to approve the merger or consolidation or any other charges made by the Department of Banking the Department of State"; also line 9, by striking out after the word "act" the following: "the Department of State"; also line 10, by inserting after the word "shall" the following: "forthwith but not prior to the day specified in the advertisement of the intention to file the articles"; also by striking out after the word "approval" the word "upon" and inserting in lieu thereof the word "thereon"; also line 11, by striking out after the word "of" the following: "the articles of merger or articles of consolidation"; also line 14, by striking out the leter "D" and the beginning of line 16, and inserting in lieu thereof the letter "C"; also page 122, line 10, by inserting after the word "prohibitions" the following: "The cost of such examination and any other charges of the Department of Banking bearing upon the filing of the articles of merger or articles of consolidation shall be assessed upon the associations in the manner provided by law for assessments by the Department of Banking of costs of examinations or other charges"; also line 18 by striking out after the word "shall" the word "sign" and inserting in lieu thereof the word "endorse"; also page 123, line 12 by striking out after the word "two" in heavy faced brackets the word "signed" and inserting in lieu thereof the word "approved"; also page 124, line 13 by inserting a heavy faced strike out bracket after the word "association"; also by striking out the strike out bracket after the word "shall"; also article 11, page 129, line 18 by striking out after the word "forthwith" the word "transmit" and inserting in lieu thereof the word "return"; also line 20 by striking out after the word "issue" the words "in duplicate"; also page 131, line 13 by striking out after the word "resolution" the word "if" and inserting in lieu thereof the word "If"; also by striking out after the word "adopted" the article "The" and inserting in lieu thereof the article "the"; also page 133, line 11 by inserting after the word "Department" the words "of Banking"; also line 13 by inserting after the word "Department" the words "of Banking"; also line 14 by striking out after the word "shall" the word "sign" and inserting in lieu thereof the word "endorse"; also by striking out after the word "approval" the words "upon the"; also line 15 by striking out after the heavy faced bracket after the article "the" the following: "certificate of election to dissolve It" and inserting in lieu thereof the words "thereon and"; also line 17 by striking out after the word "originals" the following: "the certificate of election to dissolve"; and inserting in lieu thereof the word "it"; also line 23 by striking out before the word "shall" the word "which" and inserting in lieu thereof "The Department of State"; also page 134, line 9 by inserting after the word "State" the word "has"; also page 139, line 7 by striking out after the word "voluntary" the word "liquidation" and inserting in lieu thereof the word "dissolution"; also article 12, page 147, line 3 by striking out after the word "incorporation" the following: "in quadruplicate originals One such quadruplicate original" and inserting in lieu thereof the word "which": also

line 4 by striking out after the word "Department" the words "one sent" and inserting in lieu thereof the following: "of State The Department of State shall send a copy of such certificate"; also line 5 by striking out after the word "association" the following: "one to the Department of State and one to the recorder of deeds of the county in which place the business of the association is or was located to be recorded without charge by such recorder of deeds" and inserting in lieu thereof the following: "and a copy to the Department of Banking"; also line 22 by striking out after the word "to" the following: "act within this Commonwealth as agent solicitor or local treasurer of such corporation or as such agent solicitor or local treasurer to solicit or receive" and inserting in lieu thereof the following: "engage in the business of soliciting or receiving"; also line 26 by striking out after the word "therefor" the words "to grant" and inserting in lieu thereof the following: "or of granting"; also line 28 by striking out after the word "or" the words "to solicit" and inserting in lieu thereof "of soliciting"; also by striking out after the word "or" the words "to receive" and inserting in lieu theerof the words "of receiving"; also page 148, line 2 by inserting after the word "or" the words "of transacting"; also by striking out after the word "manner" the following: "to transact"; also page 149 by striking out after the word "therein" the words "for six years" and inserting in lieu thereof the following: "during the term for which he shall be subject to prosecution"; also line 4 by inserting after the word "prosecuted" the following: "against such person"; also line 5 by striking out after the word "within" the following: "six years after he shall have become" and inserting in lieu thereof "a similar space of time during which he shall be"; also page 150, line 19 by inserting after the word "absolutely" the following section: "The act approved the twelfth day of April one thousand eight hundred fifty-nine (Pamphlet Laws five hundred forty-four) entitled "An act to confer on certain Associations of the citizens of this Commonwealth the powers and immunities of corporations and bodies politic in law and to confirm charters heretofore granted' absolutely"; also line 25 by striking out after the word "this" the word "Commonwealth" and inserting in lieu thereof the word "commonwealth"; also page 151, line 26 by striking out after the word "it" the word "relaties" and inserting in lieu thereof the word "relates"; also page 152, line 14 by striking out after the word "it" the word "relaties" and inserting in lieu thereof the word "relates"; also page 156, line 12 by striking out after the word "June" the word "four" and inserting in lieu thereof the word "one"; also page 157, line 23 by striking out after the word "eighty-five" the double quotation mark ", and inserting in lieu thereof the single quotation, thus ', also page 160, line 26 by striking out after the word "amending" the word "and" and inserting in lieu thereof the word "an"; also page 163, line 22 by striking out after the word "entitled" the word "act" and inserting in lieu thereof the words "An act"; also page 165, line 4 by striking out after the syllables "tofore" the word "brought" and inserting in lieu thereof the word "bought"; also page 180, line 14 by striking out the double quotations before the word "An" and inserting in lieu thereof the single quotation, thus 'An'; also page 185, line 23 by striking out after the syllable "tion" the word "or" and inserting in lieu thereof the word "so"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenhelm,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 638, as follows:

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors providing for the appointment and compensation of a director of welfare investigators assistants experts and employes and for the employment and compensation of elected directors whose terms have not expired and repealing existing laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the court of quarter sessions shall hereafter appoint the three directors of the poor of the Erie County Poor District and the election of directors of the poor in said poor district and county is hereby abolished The first appointment of directors under this act shall be made by the court on or before the first Monday of January one thousand nine hundred and thirty-four for the following terms one for three years one for two years and one for one year the respective terms to commence on the first Monday of January one thousand nine hundred and thirty-four Annually thereafter said court shall appoint one director for a term of three years to occupy the office of the director whose term expires All persons appointed by the court shall be citizens of the County of Erie and the persons appointed shall hold office until their successors are duly appointed and qualified Vacancies in the office of director of the poor shall be filled by the court for the unexpired term

The directors of the poor so appointed shall serve without compensation but shall be entitled to all expenses necessarily incurred in the discharge of their duties which expenses shall be paid out of the funds of the poor district after approval by the court Such directors shall not be county officers and shall not be subject to the general laws relating to county officers

Section 2 The appointed directors of the poor of the Erie County Poor District shall have power to appoint and fix the compensation subject to the approval of the court of quarter sessions of a director of welfare and such other investigators assistants and employes as may be deemed necessary to properly manage and administer the affairs of the poor districts All persons so appointed shall be removable at the pleasure of the directors of the poor The directors so appointed shall possess all the powers conferred and perform all the duties imposed by existing laws on directors of the poor and poor districts by the laws of the Commonwealth

Section 3 The elected directors of the poor of said poor district whose terms of office have not expired at the time the appointed directors take office shall become employes of the poor district until the expiration of their respective terms and shall be entitled to receive the same compensation as they were entitled to while acting as directors but such elected directors shall have no voice in the administration of the affairs of the poor district They shall perform such duties as the director of welfare may prescribe

Section 4 The following acts are hereby repealed

Sections one eleven and twelve of the act approved the twenty-fourth day of June one thousand eight hundred and thirty-nine (Pamphlet Laws four hundred twenty-three) entitled "An act to provide for the erection of a house for the employment and support of the poor in the County of Erie" and the amendments thereto

The act approved the sixth day of April one thousand eight hundred and seventy (Pamphlet Laws one thousand five) entitled "An act to authorize the court of common pleas of Erie County to appoint poor directors for said county"

All other acts and parts of acts general local or special inconsistent with this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS RECOMMITTED

Mr. SORDONI. Mr. President, I move that Senate Bill No. 484, on final passage, entitled:

An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this Commonwealth; prescribing the license and filing fees to be paid therefor, and the disposition thereof; and prescribing penalties.

be recommitted to the Committee on Judiciary General.

Mr. PARKINSON. Mr. President, I second the motion.

The motion was agreed to.

Mr. TRAINER. Mr. President, I move that Senate Bill No. 630, on final passage, entitled:

An Act declaring milk to be a commodity charged with a public interest, creating a Milk Commission with powers to regulate the price, terms and conditions upon which milk may be sold, and providing penalties for violations thereof.

be recommitted to the Committee on Agriculture.

Mr. FRAZIER. Mr. President, I second the motion.

The motion was agreed to.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 796, on final passage, entitled:

An Act defining and regulating the practice of photography; providing for the licensing and registration of persons to carry on the practice of photography, and the promulgation and enforcement of rules for the conduct thereof by the Department of Public Instruction.

be recommitted to the Committee on Judiciary General.

Mr. MANSFIELD. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. McCLURE. Mr. President, I ask unanimous consent that Senate Bill No. 945 (House Bill No. 1788), on final passage, entitled:

An Act to further amend Sections three and four of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" by making the moneys in the Motor License Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments and for the maintenance of the State Highway Patrol

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1254 (House Bill No. 314), as follows:

An Act to amend section seven hundred five of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended permitting cooperation only in the manner known as driving in the killing of more than one legal deer bear or elk in one season by a member at a camp or body of men hunting together so long as the number of deer killed by such camp does not exceed six

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven hundred five of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" which was amended by the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred fifty-five) is hereby further amended to read as follows

Section 705 Unlawful Killing of Elk and Deer and Bear It is unlawful for any person at any time standing on watch or otherwise to kill or attempt to kill a second male elk or a second deer or a second bear in one season It shall not be unlawful for a member of a camp or body of men hunting together who has killed a legal bear deer or elk to co-operate with the members of such camp or body of men hunting together only in the manner known as driving while acting as a member of such camp or body of men hunting together so long as the number of deer killed by such camp or body of men hunting together shall not exceed six It is unlawful for any person at any time to shoot at or wound or kill or attempt to shoot at or wound or kill or have in possession a female elk or a deer without visible antlers or horns less than such weight as shall be fixed by resolution of the board or any part thereof or a male elk or a male deer or a bear of either sex found in a wild state or any part thereof that may not be lawfully taken except as otherwise provided by the laws of this Commonwealth

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,

Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Ziesenheim,

NAYS—1

Thompson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1363, as follows:

An Act to amend the act approved the the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licesning qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by adding certain new sections including corporations which have the power to insure owners of real property mortgages and others interested in real property from loss by reason of defective titles liens and encumbrances within the scope of the act and further providing for the supervision examination regulation suspension involuntary dissolution and liquidation of such corporations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" be and the same is hereby amended to read as follows

Section 101 Certain Words Defined The word "company" as used in this act shall be construed to include only incorporated insurance companies and corporations possessing the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances whether incorporated under the laws of this Commonwealth or of any other State Territory or district or under the laws of any foreign country

Except where otherwise indicated the word "association" as used in this act shall be construed to include only individuals partnerships or associations of individuals authorized to engage in the business of insurance in the Commonwealth as insurers on the Lloyds plan

The word "exchange" as used in this act shall be construed to include only individuals partnerships and corporations authorized by the laws of the Commonwealth to exchange with each other inter-insurance or reciprocal insurance contracts

Section 2 That at the end of article two of said act the following new section is hereby added

Section 221 Supervision of Title Insurance Companies by the Insurance Department The Insurance Department shall have the power and duty to supervise examine and regulate all corporations possessing the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances to the same extent and in the same manner as such power and duty has heretofore been conferred and imposed by law upon the Department of Banking and the Secretary of Banking of this Commonwealth and all powers rights privileges and duties heretofore by any law of this Commonwealth conferred or imposed upon the Secretary of Banking or the Department of Banking in relation to such corporations are hereby transferred to and conferred and imposed upon the Insurance Department but if any such corporation has the additional power to receive money for deposit or safe-keeping or to act as fiduciary or to engage in any other business under the supervision of the Department of Banking the Insurance Department shall not have the power to supervise examine or regulate any part of the business of such corporation where such part of its business is under the supervision of the Department of Banking

Section 3 That at the end of article five of said act the following section is hereby added

Section 511 Liquidation of Title Insurance Companies Partially under Supervision of Department of Banking The Insurance Commissioner may be appointed in accordance with the provisoins of this article as liquidator of the title insurance business of any company which also has the power to transact any class of business under the supervision of the Department of Banking The Insurance Commissioner shall promptly notify the Department of Banking of his appointment as liquidator of any such company

Upon receipt of notice from the Secretary of Banking that as receiver he has taken possession of any such company the Attorney General may procure the appointment of the Insurance Commissioner as liquidator of the title insurance business of such company in accordance with the provisions of this article

Section 4 This act shall become effective on the third day of July one thousand nine hundred thirty-three and shall apply to all corporations described herein whether in existence on such date or coming into existence at any time thereafter

And the amendments made thereto having been printed as required by the Constiution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constiution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—1

Chapman,

A majority of all the Senator having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1388, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and

reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding a new section providing for the reimbursement of the General Fund by the special operating funds for services rendered by the Department of Property and Supplies and for space occupied in the Capitol buildings by dedepartments boards and commissions supported from the operating funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding at the end of article twenty-four of said act the following new section

Section 2417 Allocation of Certain Costs Incurred by the Department In order to reimburse the General Fund for the costs incurred by the Department of Property and Supplies in purchasing equipment materials and supplies for departments boards and commissions as purchasing agency and for space occupied in the Capitol buildings and water light heat power telephone and other services utilized and consumed by the departments boards and commissions whose expenses are wholly or mainly paid out of funds other than the General Fund of the State Treasury such departments boards or commissions to which special operating funds are appropriated for this purpose shall be billed at least quarterly by the Department of Property and Supplies upon a cost basis at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine Amounts payable hereunder for reimbursing the General Fund for the above costs shall be paid out of such special operating funds in the State Treasury to the Department of Property and Supplies and shall be by it paid into the General Fund of the State Treasury through the Department of Revenue

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And the amendments made thereto having been printed as required by the Constiution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1390, as follows:

An Act to amend section twenty sections twenty-six twenty-seven twenty-nine thirty and thirty-two as amended and to repeal section twenty-eight of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" changing the fee for killing dogs and disposing of their carcasses and providing that appraisements for damages to live stock and poultry shall be made by an agent of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" is hereby amended to read as follows

Section 20 If after ten days from the giving of such notice such dog has not been claimed such chief of police or his agent constable or high constable shall dispose of such dog by sale or by destruction in some humane manner No dog so caught and detained shall be sold for the purpose of vivisection All moneys derived from the sale of such dog after deducting the expense of its detention shall be paid to the county treasurer and by him paid to the State Treasurer For services under section nineteen and twenty of this act such officers shall be paid the sum of two dollars for detaining a licensed dog and

the sum of [two dollars] one dollar for the killing and properly disposing of carcass of each unlicensed dog by cremation burial or other approved sanitary method All expenses incurred under this or the preceding section and not otherwise provided for shall be paid by the State Treasurer from the fund specifically provided for by this act and appropriated for this purpose upon warrant of the Auditor General and approval of the Secretary of Agriculture

Section 2 That section twenty-six of said act as last amended by the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eleven) is hereby further amended to read as follows

Section 26 Whenever any person sustains any loss or damage to any live stock or poultry by dogs or any live stock or poultry of any person is necessarily destroyed because of having been bitten by a dog except when such loss destruction or damage shall have been caused by a dog harbored by the owner of such live stock or poultry such person or his agent or attorney may immediately after the damage was done complain to [any township auditor or to any justice of the peace alderman or magistrate of the township town borough or city or of any adjoining township town or borough] the Department of Agriculture at Harrisburg Such complaint shall be in writing shall be signed by the person making such complaint and shall state when where and how such damage was done and by whose dog or dogs if known Claims covering damage due to rabies shall be made immediately following the death of the animal and shall be supported by a certificate from a licensed and duly qualified veterinarian or a report from the laboratory of the Department of Agriculture to the effect that such animal was affected with rabies [Such township auditor justice of the peace alderman or magistrate shall at once notify an auditor of the district in which he or the claimant is resident if there be any and where there is no auditor then the controller of any such district and together they shall at once examine the place where the alleged loss or damage was sustained and the live stock or poultry injured or killed They] The Department of Agriculture shall then [jointly] fix a time for taking testimony relative to such claim and shall give notice of such time to the claimant and to the dog owner if known and shall appoint an agent of the State as an appraiser Such appraiser shall examine under oath or affirmation any witness called before [them] him After making diligent inquiry in relation to such claim such [appraisers] appraiser shall determine whether any damage has been sustained and the amount thereof and if possible who was the owner of the dog or dogs by which such damage was done [If the two appraisers can not agree as to the amount of damage sustained the Secretary of Agriculture through his officers or agents may appoint a disinterested citizen to assist in determining the amount of damage sustained]

Any owner or keeper of such dog or dogs shall be liable to the owner of such live stock or poultry in a civil action for all damages and costs or to the Commonwealth to the extent of the amount of damages and costs paid by the Commonwealth as hereinafter provided

When the inhabitants of any city borough or township or of any part thereof have suffered an excessive amount of damage by dogs to live stock or poultry a petition may be presented to the Secretary of Agriculture signed by twenty or more of such residents who are owners of live stock or poultry alleging such excessive damage and requesting that a quarantine be placed on all dogs within the limits of such city borough or township or such part thereof Upon receipt of such petition the Secretary of Agriculture may through his authorized agents have an investigation made of the facts alleged and if convinced that conditions in such city borough or township or such designated area demands such stringent measures he may establish a dog control quarantine therein

When such quarantine is established at least ten notices thereof shall be posted throughout the area affected thereby and notice thereof shall also be published in at least one issue of a newspaper of general circulation throughout such city borough or township

It shall be unlawful for any person residing in the area affected by such quarantine to permit a dog owned or harbored by him to run at large in such quarantined area or to leave the premises where it is kept unless accompanied by and under the control of himself or a handler

Any police officer may kill any dog running at large in a quarantined area in violation of such quarantine without any liability for damages for such killing

Section 3 That section twenty-seven of said act as last amended by the act approved the nineteenth day of March one thousand nine hundred and twenty-three (Pamphlet Laws sixteen) is hereby further amended to read as follows

Section 27 Upon making the examination required in section twenty-six of this act the said [appraisers] appraiser shall immediately make a certificate signed and sealed by [them] him that such appraisement was regularly and duly made If by such examination it appears that any damage has been sustained by the complainant the said [appraisers] appraiser shall deliver the report of such examination and all papers relating to the case to the claimant or his agent or attorney upon payment of the costs incurred to that time Such report shall by him be delivered to the Secretary of Agriculture

Section 4 That section twenty-eight of said act as amended be and the same is hereby repealed

Section 5 That sections twenty-nine thirty and thirty-two of said act as amended by the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eleven) are hereby further amended to read as follows

Section 29 Upon the Secretary of Agriculture receiving and approving such report if it appears thereby that a certain amount of damage has been sustained by the claimant he shall immediately draw a requisition in favor of the claimiant for the amount of loss or damage such claimant has sustained according to such report together with necessary and proper costs incurred Such amount shall be paid from any appropriation to the Department of Agriculture available for this purpose If such report is not approved and it is deemed advisable a further investigation may be made by the Secretary of Agriculture through his officers or agents to ascertain the amount of damage sustained No person shall receive payment for any claim until the [township auditor justice of the peace alderman or magistrate] appraiser before whom the claim was made has certified that due diligence was made to ascertain whose dog or dogs did the damage and the claimant has certified that the carcasses of the live stock or poultry killed and for which damages have been assessed were buried within twenty-four hours after the assessment of damages The owners of any live stock or poultry killed by dogs or live stock necessarily destroyed because of having been bitten by a dog other than a dog harbored by such person shall be paid a burial fee as follows For each horse stallion colt gelding mare bull bullock steer heifer cow mule jack jennet or burro [two dollars] one dollar and fifty cents for sheep ram lamb calf goat kid or swine [two dollars] one dollar each for the first three animals and [one dollar] fifty cents for each additional animal for each head of poultry domestic hare or rabbit ten cents each to be included in said report and paid as other damages under this section Where said carcasses are turned over to a scavenger or reduction plant no burial fee shall be allowed

Upon payment by the State of damages of live stock or poultry by dogs the rights of the owner of such live stock or poultry against the owner of a dog to the extent of the amount of damages so paid by the State shall inure to the benefit of the State

Section 30 No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury The fact that no such payment has been made shall be certified by the [township auditor justice of the peace alderman or magistrate] appraiser

When any payment is made by the State for any live stock including poultry injured by a dog such payment shall not exceed one hundred dollars for each horse or mule sixty dollars for each head of unregistered cattle one hundred dollars for each head of registered cattle [twenty] ten dollars for each head of unregistered swine sheep or goats [thirty-five] twenty dollars for each head of registered swine sheep or goats three dollars for each full-grown goose [four] three dollars for each full-grown turkey and [two dollars] one dollar for each head of other poultry or domesticated hare or rabbit All appraisals under this act shall be at the actual value of the live stock including poultry killed or injured

Section 32 If in the report of the [township auditor justice of the peace alderman or magistrate] appraiser the name of the owner of any dog or dogs having caused loss or damage to any live stock or poultry is definitely and conclusively shown or if a written complaint is filed with the Secretary of Agriculture by any owner of live stock or poultry against

any dog or dogs stating that such dog or dogs has or have been seen pursuing or worrying live stock or poultry and if such charge is proven by investigation on the part of the Secretary of Agriculture he may notify the owner or keeper of such dog or dogs to immedately kill the same whereupon it shall be unlawful and a violation of this act for such owner or keeper to permit or cause such dog or dogs while alive to leave or be removed from such premises The killing of such dogs does not remove the liability of the owner of such damage done by his dog or dogs

Upon failure however of such owner to comply with such order within a period of ten days any police officer of the township town borough or city in which said dog or dogs are kept upon notice from the Secretary of Agriculture shall kill such dog or dogs wherever found For such service he shall be entitled to a fee of [two dollars] one dollar for each dog so killed to be paid by the State upon a certified statement to the Secretary of Agriculture that such dog or dogs have been killed by him The Secretary of Agriculture shall issue his requisition on the State Treasurer for such amount unless payment has been made by the owner or keeper of the dog or dogs

Section 6 This act shall take effect on the first day of June one thousand nine hundred and thirty-three

And the amendments made thereto having been printed as required by the Constiution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 146, as follows:

An Act to amend section one thousand one hundred and twenty-six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended limiting the number of assistant county superintendents and vesting discretion in the school directors of certain counties with respect to the appointment of additional assistant county superintendents and providing for the payment of the salaries of such assistant superintendents

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand one hundred and twenty-six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand seventy-eight) is hereby further amended to read as follows

Section 1126 Every county superintendent having more than one hundred and fifty [and not more than three hundred and fifty] teachers under his supervision shall have an assistant superintendent [every county superintendent having more than three hundred and fifty and not more than six hundred teachers under his supervision shall have two assistant superintendents every county superintendent having more than six hundred and not more than eight hundred teachers under his supervision shall have three assistant superintendents and for each additional four hundred teachers or fraction thereof under his supervision a county superintendent shall have an additional assistant superintendent] And the school directors of any county at their convention for electing a county superintendent may authorize the appointment of additional assistant superintendents to those herein provided for but the Commonwealth shall not be liable for the payment of the minimum salary of any assistant superintendent except the one required by this act The salary of all additional assistant superintendents authorized by school directors at their conventions for electing a county superintendent shall be paid from the school appropriation apportioned among the several school districts under the supervision of the county superintendent before the same is distributed as provided by the act to which this is an amendment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. OWLETT. Mr. President, I ask unanimous consent to amend section 1, page 2, line 21 by inserting after the word "superintendent" following the word "assistant" the following: "and every county superintendent having more than twenty-five hundred teachers under his supervision shall have five assistant superintendents"; also page 3, line 15 by striking out the words "the one" and inserting in lieu thereof the following: "those."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER

The PRESIDENT. Senate Bill No. 315, entitled:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons and appropriating the Banking Department Fund; authorizing the department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions, with supervised corporations, associations or persons; prescribing and limiting the powers

and duties of certain courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts.

is not up from the printers, and will go over in its order.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 651 (House Bill No. 30), as follows:

An Act to amend section two thousand five hundred and fifty-six of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing for the fixing of the salary of the city treasurer as collector of city school and poor taxes and for the number and salaries of his assistants jointly by the city council and board of school directors and for payment of such salaries and other expenses in connection with his office equally by the city and school district and requiring the city and school district to pay the premiums on the bonds required to be given to the city and school district

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand five hundred and fifty-six of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 2556 [Compensation of] Treasurer as Tax Collector of City School and Poor Taxes Compensation Assistants Expense to be Shared The compensation or commission of the said treasurer as collector of city school and poor taxes shall [be fixed by the respective authority levying the tax Provided however That this compensation shall not in any event be less than one-fourth of one per centum on all taxes paid him before any penalty has been incurred and five per centum on all taxes paid him after the penalty has been incurred His compensation for collecting city taxes shall be paid by warrant but he shall have the right to retain his commission or compensation from and out of the other taxes collected by him His compensation for the collection of school taxes shall be fixed as provided by the school laws of the Commonwealth] during the terms of the tax collectors in office at the time this act takes effect be and remain as now provided by law Thereafter the said tax collector shall be paid an annual salary for the collection of all city school and poor taxes which salary shall be fixed before the election of any tax collector jointly by the city council and the board of school directors within the limits hereinafter prescribed In fixing the salary of the tax collector the city shall have five votes each member of the council having one vote and the school district shall have five votes to be distributed equally among the members of the board of school directors each director having five-ninths or five-sevenths of a vote depending on the number of directors

In cities having a population of twenty-five thousand inhabitants and less the annual salary of the tax collector shall not be less than one thousand six hundred dollars ($1,600) nor more than three thousand five hundred dollars ($3,500)

In cities having a population of more than twenty-five thousand inhabitants and not exceeding fifty thousand the annual salary of the tax collector shall not be less than three thousand five hundred dollars ($3,500) nor more than five thousand dollars ($5,000)

In cities having a population of more than fifty thousand inhabitants and not exceeding fifty-five thousand inhabitants the annual salary of the tax collector shall be six thousand dollars ($6,000)

In cities having a population of more than fifty-five thousand inhabitants the annual salary of the tax collector shall be seven thousand five hundred dollars ($7,500)

The tax collector shall appoint all necessary clerk and assistants whose number and salaries shall be fixed jointly by the city council and the board of school directors in the same manner as in the case of the tax collector

The city shall provide and furnish for the tax collector at his office as city treasurer suitable office space light heat furniture and janitor services

The city and the school district shall in equal proportions pay the cost of stationery supplies printing notices postage telephone service and incidental expenses necessarily incurred in the conduct of the tax collector's office and the salaries of the tax collector and his clerks and assistants Said salaries shall be paid monthly or semimonthly in the same manner as other officers of said city and school district

If at any time the city treasurer shall fail to qualify as collector of school taxes his compensation for the collection of city taxes shall be one-half of that fixed in accordance with this act which salary and all other expenses as hereinbefore provided shall be paid by the city

The city and the school district respectively shall be required to pay the premiums on the bonds required to be given by law by the tax collector to the city and the school district The city treasurer upon the expiration of his term of office shall surrender the unsatisfied tax duplicate or duplicates in his possession to his successor in office who shall collect the unpaid taxes charged therein and settle the duplicate or duplicates as provided by law Before such duplicates are surrendered to a successor the tax accounts of the outgoing treasurer shall be adjusted and balanced to the satisfaction of the incoming treasurer and the respective taxing authorities before any release of the bond of the outgoing treasurer shall be given

Section 2 All acts and parts of acts general special and local are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 846 (House Bill No. 1075), entitled:

An Act to amend section seven hundred and eighteen of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "Game Law," as amended, by permitting the training of dogs on Sunday, and providing further for field meets.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—11

Aron,	Buckman,	Miller,	Trainer,
Batchelor,	Ealy,	Snyder,	Woodward,
Boyd,	Harvey,	Sordoni,	

NAYS—33

Armstrong,	Frazier,	Norton,	Rice,
Baumer,	Gelder,	Owlett,	Roberts,
Bell,	Graff,	Parkinson,	Shapiro,
Bennett,	Homsher,	Pethick,	Sones,
Brandt,	Hunsicker,	Pierson,	Staudenmeier,
Chapman,	Krause,	Prince,	Thompson,
Clark,	Lanius,	Quigley,	Williamson,
Coyne,	Mansfield,	Reed,	Ziesenheim,
Fay,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

RESOLUTION RETURNING TO THE GOVERNOR WITHOUT AMENDMENT HOUSE BILL No. 1

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows and agreed to:

In the House of Representatives, April 25, 1933.

Resolved (if the Senate concur), That House Bill No. 1, entitled:

An act empowering cities, boroughs, towns and townships to enact ordinances prohibiting baseball and other outdoor sports on Sundays; requiring the partial repeal of such ordinances where it is ascertained the majority of the electors favor such repeal, and providing procedure to ascertain the will of the electors; and repealing inconsistent laws.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1000 (House Bill No. 979), entitled:

An Act to amend section five of the act approved the twenty-ninth day of June, one thousand nine hundred and twenty-three (P. L. 944), entitled "An act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks, in counties of the sixth class"; providing that county officers shall be members of the salary board when matters affecting their offices are under consideration.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. McCLURE. Mr. President, I ask unanimous consent that Senate Bill No. 1030, on third reading, entitled:

An Act to amend sections three and six as amended of and to add section three and one-tenth to the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1046), entitled "An act appropriating the moneys in the Motor License Fund," transferring the appropriation for the State Highway Patrol from the Department of Revenue to the Pennsylvania State Police; and making the same a definite amount for each biennium.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 1270 (House Bill No. 1780), on third reading, entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws Five Hundred Ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and imprisonment under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry uot the provisions of said act" by changing certain routes and adding certain new routes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1282 (House Bill No. 1809), entitled:

An Act to amend section forty of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," as amended, changing the number of trout allowed to be caught in one day.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. COYNE. Mr. President, I ask unanimous consent that Senate Bill No. 1288 (House Bill No. 960) on third reading, entitled:

An Act to amend section one hundred and thirteen of the act approved the fifteenth day of April, one thousand eight hundred and thirty-four (P. L. 537), entitled "An act relating to counties and townships, and county and township officers, as amended; by requiring a deputy constable in cities of the first class to work under or through the constable who appoints him

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1311 (House Bill No. 1636), entitled:

An Act to validate certain municipal liens in the several cities of the third class of the Commonwealth of Pennsylvania and providing the proceedings for the revival and collection thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. PRINCE. Mr. President, I ask unanimous consent that Senate Bill No. 1324 (House Bill No. 1888), on third reading, entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" extending the time within which school districts of the second class may levy their taxes conferring jurisdiction upon certain courts to review the budgets of school districts of second third and fourth classes and relating to the effect of the institution of such proceedings upon contracts agreements undertakings and the tax levy made during their pendency.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1326 (House Bill No. 663), entitled:

An Act to amend sections one, two and three of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 920), entitled "An act providing for the relocation and change of width, grades and lines of State highways in boroughs by the Secretary of Highways, with the approval of the Governor and the commissioners of the proper county, and for the payment of damages occasioned thereby by the county; and repealing certain acts," by extending said act to incorporated towns.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Gelder,	Miller,	Scott,
Batchelor,	Graff,	Norton,	Shapiro,
Baumer,	Harris,	Owlett,	Snyder,
Bell,	Harvey,	Parkinson,	Sones,
Bennett,	Homsher,	Pethick,	Sordoni,
Boyd,	Howell,	Pierson,	Staudenmeier,
Brandt,	Frazier,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1328 (House Bill No. 1761), entitled:

An Act authorizing the county commissioners of certain counties to levy and collect the taxes necessary to pay the interest and principal of any bonds heretofore issued by any one of said counties to repay the money borrowed to maintain and support their poor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1329 (House Bill No. 1803), entitled:

An Act relating to Sunday music permitting musicians to receive compensation for services rendered on Sunday authorizing pay concerts to be given and broadcast on Sunday under certain circumstances and allowing school and certain public buildings and parks to be used therefor conferring powers and imposing duties on the Department of Public Instruction and imposing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. SALUS. Mr. President, I would like to draw the attention of the Senate to this bill. This is the Sunday music bill. The sponsor of this bill is Mr. Long, the same gentleman who had the instalment house bill here last night, the same man whom I opposed so strongly last night—and I am more convinced than ever that I was right. But I am on the floor today to back him up; I am here this morning to back up some legislation that Mr. Long is responsible for; and, remarkable as this legislation may seem, it is advocated by the Sunday Conference of Philadelphia Club Women and Clergymen. It is an option bill, wherein the Department of Public Instruction authorizes these concerts, if you think they should be had; and the purpose of the bill is to give some employment to unemployed musicians. There is no profit to be obtained by any one; and if, perchance, there should be a profit, it goes to the Department of Public Instruction. It is purely a charitable proposition, in order to take care of many of the musicians who are now unemployed and who will give concerts on Sunday under authorization of the Department of Public Instruction. No one is to receive any profit.

To my mind this is a bill that even those who are opposed to Sunday legislation can conscientiously vote for. The three cardinal virtues taught to the Christian people,—and I use the word "Christian" in its broadest sense, including every religious faith; of course, that takes mine in too,—are faith, hope and charity. We have had wonderful examples in the Legislature, and in this Senate especially, of those three cardinal principles, in our everyday work around in the Senate during this session; and the outstanding one of all, to my mind, is hope. Everybody, every Senator and every citizen of the State of Pennsylvana, is now looking forward with hope; and it is my earnest wish that hope may achieve something.

Up to the present date I see hope only away back in the dismal background. Hope, it seems to me, has had very few champions in the session of 1933. But that has nothing to do with this bill; that is just my opinion, and, like in many things, I may be all wrong again. I have been sitting here trying to compare these three cardinal virtues with the great activity of the great Senate of Pennsylvania in the session of 1933, and in my few notes here I finally come to the conclusion that maybe we have covered up by the passage of the beer bill, because in the passage of that bill we are going to get for the Commonwealth of Pennsylvania a large sum of money, and that money is to be used for the benefit of the unemployed. If we get that money, and it is used along those lines, everybody is going to be happy.

And then we have the next bill, the Sunday baseball bill, somewhat akin to this bill; and there was a thought in the minds of some people,—I hope they were wrong,—that if the Senate passed the Sunday baseball bill and the Governor signed the bill, faith would be ancient history. I do not believe that is what is going to happen; I believe if the Governor signs the baseball bill the question of faith and its benefit to the citizens of Pennsylvania is going to be much stronger than ever before, and that the people are going to be even more a God-fearing people than they ever were before.

And then the last of these three, and some ministers have said it is the greatest of them, is charity; and there has been a wonderful exhibition of charity in Pennsylvania, a wonderful exhibition, and I want to show you how chairtable the people of Pennsylvania are, particularly toward the unemployed, when the ghouls of the world, the instalment people, have become charitable. It is a wonderful day in the history of Pennsylvania when the lowliest class of merchants in the entire universe are becoming charitable to the unemployed by trying to cut their throats.

That however, has nothing to do with this bill. This bill is really a charitable bill. This is a bill that any man might be proud to support, because there is no profit in it. It is educational. It is backed by the Department of Public Instruction. It is a local option bill; and every God-fearing man in this Senate can well afford to vote for this bill, particularly can those well afford to vote for it who with the charity of their hearts second to no other charity I have ever seen before, have stood up and supported the Dr. Jekyls and Mr. Hydes in the instalment bill.

Mr. REED. Mr. President, I voted with my friend, the Senator from Philadelphia, Mr. Salus, last evening, on the Long Bill; but I cannot agree with him with respect to the Long Bill which is now before the Senate. This bill, to my mind, is the opening wedge for a commercialized Sunday. I do not propose discussing Sunday baseball, because I believe that issue has been settled, as far as the Senate of Pennsylvania is concerned, for this session; but this bill, apparently innocent in its provisions, providing simply for Sunday concerts regulated and licensed by the Department of Public Instruction, opens wide a different field; and to my mind it brings

the Senate of Pennsylvania just squarely to the question: Are we not trying to whittle away the Blue Laws of Pennsylvania?

A good deal has been said with respect to Sunday laws and religion. I do not approach this bill from that viewpoint It has ever been the policy of the Republican Party in Dauphin County to support the Blue Laws. In my opinion the major, dominant sentiment of my county today is in favor of the maintenance of the Blue Laws.

I am reminded of a rather interesting incident in the history of railroad development,—of the time when the Northern Central Railroad was attempting to get its line into Washington. Finally they did secure the right to go through Bowie Junction to some point out in the sticks, but with the right to establish branch lines; and, as we all know, it was a very short time thereafter that one small train was running into the sticks, but the de luxe trains were running from Baltimore to Washington. And to my mind, in this bill the Senate of Pennsylvania today is standing at "Folly Junction." This bill is innocent enough in itself, but it is an opening wedge to a commercialized Sunday; and on behalf of the people of my county who believe in the maintenance of the Blue Laws of Pennsylvania, I shall vote "no" on this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—23

Armstrong,	Harris,	Miller,	Sordoni,
Aron,	Harvey,	Owlett,	Staudenmeier,
Boyd,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Roberts,	Woodward,
Coyne,	Krause,	Salus,	Ziesenheim,
Frazier,	McClure,	Shapiro,	

NAYS—26

Batchelor,	Ealy,	Norton,	Rice,
Baumer,	Fay,	Parkinson,	Scott,
Bell,	Gelder,	Pethick,	Snyder,
Bennett,	Graff,	Pierson,	Sones,
Brandt,	Homsher,	Prince,	Thompson,
Chapman,	Lanius,	Reed,	Williamson,
Clark,	Mansfield,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1330 (House Bill No. 2009), entitled:

An Act exempting the net amount payable under policies of accident and disability insurance from the claims of creditors.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Frazier,	Miller,	Scott,
Aron,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Salus,	

NAYS—2

Batchelor,	Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1343, entitled:

An Act creating and appropriating a special fund in the State Treasury to be utilized by the Department of Property and Supplies in purchasing fuel equipment supplies and services for departments boards and commissions providing for the reimbursement of the fund from appropriations to departments boards and commissions upon bills rendered by the Department of Property and Supplies and making an appropriation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. SALUS. Mr. President, I move that Senate Bill No. 1345 (House Bill No. 141), on third reading, entitled:

An Act to amend sections two and three, section four as amended, sections seven and eight, and section nine as amended of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by reducing the salaries of judges.

be recommitted to the Committee on Judiciary General.

Mr. FRAZIER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1347 (House Bill No. 1897), entitled:

An Act to further amend section twenty-four of the act approved the first day of June, Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred

twenty), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by further defining deductions in case of reinsurance.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Armstrong,	Gelder,	Norton,	Scott,
Aron,	Graff,	Owlett,	Shapiro,
Baumer,	Harris,	Parkinson,	Snyder,
Bell,	Harvey,	Pethick,	Sones,
Bennett,	Howell,	Pierson,	Sordoni,
Boyd,	Hunsicker,	Prince,	Thompson,
Buckman,	Krause,	Quigley,	Staudenmeier,
Coyne,	Lanius,	Reed,	Trainer,
Ealy,	Mansfield,	Rice,	Williamson,
Fay,	McClure,	Roberts,	Woodward,
Frazier,	Miller,	Salus,	Ziesenheim,

NAYS—5

Batchelor,	Chapman,	Clark,	Homsher,
Brandt,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information the the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1348 (House Bill No. 1898), as follows:

An Act to further amend section seven hundred fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securties belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fee or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further defining deductions in case of reinsurance

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven hundred fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the first day of June one thousand nine hundred thirty-one (Pamphlet Laws three hundred eighteen) is hereby further amended to read as follows

Section 714 Reports by Foreign Insurance Companies Every stock or mutual insurance company association or exchange of another State or foreign government authorized to do business in this Commonwealth shall make report to the Department of Revenue on or before the fifteenth day of March of each year showing the gross premiums of every character and description received from buisness transacted in the Commonwealth during the year ending the thirty-first day of December preceding whether said premiums were received in money or in the form of notes credits or any other substitute for money or whether the same were collected in this Commonwealth or elsewhere In making such report such companies associations and exchanges shall assess the tax provided by law upon the gross amount of such premiums premium deposits and assessments received from business transacted within this Commonwealth during such year but in so doing may deduct from the gross premiums received all premiums returned or policies cancelled or not taken and all premiums actually paid for reinsurances where the same are effected in companies duly licensed to do business in this Commonwealth by contracts or agreements entered into or executed by all parties thereto within this Commonwealth Provided however That such contracts or agreements with respect to marine or transportation insurance need not be made within this Commonwealth If such contract or agreement is not entered into or executed by all parties thereto within this Commonwealth such company association or exchange in reporting for taxation may not deduct such premiums so paid unless the tax thereon is paid when due by the company in which such reinsurance is effected and life insurance companies may deduct dividends declared and actually used by policyholders in payment of renewal premiums and mutual companies associations and exchanges may deduct that proportion of the advance premium or deposit returned to members upon the expiration of their contracts for the purposes of this section "gross premiums" are defined to be the amount of dues fees and premiums stated in the policy contracts

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constiuttion, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,

Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL RECOMMITTED

Mr. CLARK. Mr. President, I move that Senate Bill No 1349 (House Bill No. 2155), on third reading, entitled:

An Act to amend section twenty of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs. and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by abolishing the fee payable to police officers for killing and disposing of unlicensed dogs.

be recommitted to the Committee on Finance.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1350 (House Bill No. 1899), as follows:

An Act to further amend section three hundred twenty-one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law provfding for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further defining deductions in case of reinsurance

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred twenty-one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred four) is hereby further amended to read as follows

Section 321 Additional Annual Reports From Foreign Companies and Associations Every stock or mutual insurance company association or exchange of another State or foreign government authorized to do business in this Commonwealth shall make report to the Insurance Commissioner on or before March first of each year under oath of its president secretary or attorney showing the gross premiums of every character and description received from business transacted in the Commonwealth during the year or fraction of year ending with the thirty-first day of December preceding whether said premiums were received in money or in the form of notes credits or any other substitute for money or whether the same were collected in this Commonwealth or elsewhere and to pay in to the State Treasury the requisite tax upon all such premiums Such companies associations and exchanges in making such report may deduct from the gross premiums received all premium returned on policies canceled or not taken and all premiums actually paid for reinsurances where the same are effected in companies duly licensed to do business in this Commonwealth by contracts or agreements entered into or executed by all parties thereto within this Commonwealth Provided however That such contracts or agreements with respect to marine or transportation insurance need not be made within this Commonwealth If such contract or agreement is not entered into or executed by all parties thereto within this Commonwealth such company association or exchange in reporting for taxation may not deduct such premiums so paid unless the tax thereon is paid when due by the company in which such reinsurance is affected Stock companies with participating features in addition to the aforesaid deductions may deduct that portion of the premiums returned to the policyholders Life insurance companies may deduct dividends declared and actually used by policy-holders in payment or renewal premiums and mutual companies associations and exchanges may deduct that proportion of the advance premium or deposit returned to members upon the expiration or termination of their contracts "Gross premiums" are defined to be the amount of dues fees and premiums stated in the policy contracts

Section 2 In so far as the provisions of this act supply provisions of the Fiscal Code relating to amounts which foreign insurance companies associations and exchanges may deduct from gross premiums received from business transacted in the Commonwealth in making reports with the Department of Revenue the provisions of this act shall supersede such provisions of the Fiscal Code

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Armstrong,	Fay,	McClure,	Roberts,
Aron,	Frazier,	Miller,	Salus,
Batchelor,	Gelder,	Norton,	Scott,
Baumer,	Graff,	Owlett,	Shapiro,
Bell,	Harris,	Parkinson,	Snyder,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Howell,	Pierson,	Staudenmeier,
Brandt,	Hunsicker,	Prince,	Trainer,
Buckman,	Krause,	Quigley,	Williamson,
Coyne,	Lanius,	Reed,	Woodward,
Ealy,	Mansfield,	Rice,	Ziesenheim,

NAYS—5

Chapman,	Homsher,	Sones,	Thompson,
Clark,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1370 (House Bill No. 446), entitled:

An Act making an appropriation to the Department of Property and Supplies to be Expended by it in the payment to the Harrisburg Railways Company of the City of Harrisburg of the unpaid balance of the damages occasioned by the erection by the Commonwealth of the Soldiers' and Sailors' Memorial Bridge.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1371 (House Bill No. 687), entitled:

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims of the Commonwealth not paid before the insolvency of the insurance carrier.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1375 (House Bill No. 1009), entitled:

An Act fixing the minimum salaries of county and assistant county superintendents for the first year of their terms which will begin on the first Monday of July one thousand nine hundred thirty-four providing for the payment of such minimum salaries by the Commonwealth and temporarily superseding any inconsistent acts and parts of acts

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Aron,	Faly,	Mansfield,	Rice,
Batchelor,	Fay,	McClure,	Roberts,
Baumer,	Frazier,	Miller,	Salus,
Bell,	Gelder,	Norton,	Scott,
Bennett,	Graff,	Owlett,	Shapiro,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Trainer,
Buckman,	Homsher,	Prince,	Williamson,
Chapman,	Howell,	Quigley,	Woodward,
Clark,	Hunsicker,	Reed,	Ziesenheim,
Coyne,	Krause,		

NAYS—7

Armstrong,	Parkinson,	Sones,	Staudenmeier,
Lanius,	Snyder,	Thompson,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1376 (House Bill No. 1051), entitled:

An Act to amend section seven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party offices including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent signers required for nomination petitions for magistrates in cities of the first class."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,

Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1385 (House Bill No. 1765), entitled:

An Act empowering the Department of Forests and Waters and the Board of Game Commissioners to purchase, in the name of the Commonwealth, seated and unseated lands at tax sales held by county treasurers; providing for and regulating the payment of the purchase price and redemptions in such cases: and providing for the payment of State charges on such lands.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Senate Bill No. 1387 (House Bill No. 2107), on third reading, entitled:

An Act to further amend section six hundred and three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine), entitled as amended, "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associatons reciprocal and inter-insurance exchanges and certain societi s and others the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the licensing of insurance agents.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 714 (House Bill No. 1277), entitled:

An Act relating to writs of execution on goods and chattels and regulating the period within which such property must be sold to preserve the lien of a levy thereon and providing that sheriffs or coroners may return any such writ if no sale shall be made thereon within said period unless the sale be stayed by law or any order of court and relieving them from liability for abandonment of the levy in such cases

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 724 (Hcouse Bill No. 987), entitled:

An Act to amend section one of the act approved the tenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred seventy-nine) entitled "An act to regulate procedure where a defendant desires to have joined as additional defendants persons who he alleges are alone liable or liable over to him or jointly or severally liable with him for the cause of action declared on and providing for entry of judgments against such additional defendants" as amended by providing for service of process on an added defendant in counties other than that within which the action was instituted

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 786, as follows:

An Act making an appropriation to the Southern Dispensary three hundred and eighteen Bainbridge Street Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand five hundred dollars ($3,500) or so much thereof as may be necessary is hereby specifically appropriated to the Southern Dispensary three hundred and eighteen Bainbridge Street Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and considera- of Senate Bill No. 1217 (House Bill No. 1054), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth, by adding thereto section sixteen.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PETHICK. Mr. President, I ask unanimous consent that Senate Bill No. 1263 (House Bill No. 1131), on second reading, entitled:

An Act to provide for the organization, incorporation, operation and supervision of cooperative savings and credit associations to be termed credit unions, designating such credit unions as corporations and defining their powers and duties, conferring certain powers and duties on the Department of Banking and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1269 (House Bill No. 1567), entitled:

An Act to amend section 11 sections 20 30 and 40 as amended sections 50 71 72 98 and 202 sections 220 and 224 as amended and sections 226 228 240 255 and 272 of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" defining bait-fish changing closed seasons legal sizes and creel limits regulating minnow traps prohibiting the possession of certain fillets regulating the issuing of resident fishing licenses providing for monthly returns by county treasurers and the revocation of fishing licenses authorizing the Commissioner of Fisheries to accord special fishing privileges to unnaturalized foreign-born persons empowering the board to create nursery waters providing for the payment over of fines and for refunds generally regulating fishing and providing penalties.

The first and second sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" is hereby amended to read as follows

Section 11 Bait-fish Defined The term "bait fish" as used in this chapter means the following fish All forms of minnows except fallfish [and] all forms of killifishes [and] stone catfish crayfish known as crawfish or crabs and helgramites

Section 2 That sections twenty thirty and forty of said act as amended by the act approved the twenty-second day of April one thousand nine hundred and twenty-nine (Pamphlet Laws six hundred twenty-one) are hereby amended to read as follows

Section 20 Closed Seasons The following seasons are hereby established for

(a) Charr commonly called brook trout or any species of trout except lake or salmon trout from the first day of August to the fourteenth day of April next following both dates inclusive

(b) Lake trout or salmon trout from the thirtieth day of September to the thirtieth day of June next following both dates inclusive

(c) Small mouth and large mouth bass rock-bass white bass crappie strawberry or calico bass pike-perch otherwise called wall-eyed pike or Susquehanna salmon pickerel muscallonge western and northern pike from the first day of December to the thirtieth day of June next following both dates inclusive

Section 30 Legal Sizes No person shall have in possession except as in this article otherwise provided any

(a) Charr commonly called brook trout or any species of trout except lake trout less than six inches in length

(b) White bass rock-bass crappie strawberry or calico-bass less than six inches in length

(c) Black bass or small mouth bass or large mouth bass otherwise called Oswego green or yellow bass less than [nine] nine inches in length

(d) Pike-perch otherwise called wall-eyed pike or Susquehanna salmon less than [twelve] fourteen inches in length

(e) Pickerel less than [twelve] fourteen inches in length

(f) Muscallonge western and northern pike less than twenty-two inches in length

(g) Rockfish or striped-bass less than twenty inches in length

Section 40 Number of Fish Which May Be Caught No person except as in this article otherwise provided shall in any one day catch kill or have in possession more than the number of fish hereby designated for the respective species that is to say

(a) Charr or trout of the combined species [twenty-five] twenty

(b) White bass rock-bass crappie strawberry or calico bass [fifteen] ten

(c) Small or large mouth bass [ten] ten

(b) Pike-perch otherwise called wall-eyed pike or Susquehanna salmon [ten] six

(e) Pickerel [fifteen] eight

(f) Muscallonge western and northern pike three

(g) Yellow perch twenty-five

(h) Sunfish twenty-five

(i) Catfish twenty-five

(j) Suckers twenty-five

(k) Chubs twenty-five

(l) Fallfish twenty-five

(m) Rockfish or striped-bass five

(n) All other species of fish including bait fish not specifically mentioned in this section except eels fifty

(o) No person shall catch or kill in any one season fixed for a specie of fish more than ten times the daily limit hereinbefore fixed for such specie of fish

The third section of the bill was read as follows:

Section 3 That sections 50 71 72 98 and 202 of said act are hereby amended to read as follows

Section 50 Devices to Catch Game-fish and Bait-fish No persons shall use any device means or method whatsoever except as in this article otherwise provided for taking fish from the waters within this Commonwealth except the following that is to say for

(a) Game-fish two rods and two lines and one hand line with not more than three hooks attacked to either line

(b) Bait-fish two rods and lines with not more than three hooks attached to each line a dip-net or minnow seine not over four feet square or four feet in diameter a minnow trap with not more than [one] two openings which shall not exceed one inch in diameter The rods hooks and lines must be under the immediate control of the person using the same

Section 71 Creel Limits Legal Sizes No person shall in any one day catch kill or have in possession the same being dead or alive more than the number of fish herein designated for the respective species that is to say

(a) Rock-bass [twenty-five] fifteen

(b) Crappie bass [twenty-five] fifteen

(c) Strawberry or calico bass [twenty-five] fifteen

(d) Any species of black bass [twelve] ten

(e) Any species of grass pike [twelve] ten

(f) Any species of muscallonge [twelve] three

Legal Sizes No person shall have in possession except as in this article otherwise provided

Any species of black bass less than nine inches in length

Any species of grass pike less than twenty-two inches in length

Any species of muscallonge less than twenty-two inches in length

Section 72 Closed Season No person shall catch take or have in possesion the same being [killed] dead or alive any game-fish from the first day of November to the twenty-ninth day of May next ensuing both dates inclusive

Any person violating the provisions of sections seventy-one or seventy-two of this act shall on conviction in the manner provided in chapter fourteen of this act be subject to a penalty of five dollars for each and every fish caught killed or had in possession the same being dead or alive

The provisions of section 71 of this act do not apply to a person who having caught any fish less than the size respectively permitted returns such fish in the condition in which it was caught to the water from which it was taken

Section 98 Legal Size and Weight No person shall catch by means of any net or device for which a license is issued under the provisions of this article or have in possession any

(a) Blue-pike and sauger pike less than eleven inches in length or in the round blue-pike and sauger pike fillets less than seven inches in length dressed and cut out

(b) Yellow pike less than thirteen inches in length

(c) Yellow perch less than nine inches in length

(d) Ciscos not less than six ounces in weight in the round or

(e) Whitefish less than one and three-fourths pounds in weight in the round

Any person violating the provisions of this section shall on conviction as provided in chapter fourteen of this act be subject to a penalty of ten dollars for each fish so taken or had in possession

The foregoing provisions of this section shall not apply to a person who having caught any fish less than the size or weight permitted returns such fish in the condition in which they were caught to the waters from which they were taken

Section 202 Penalty Any person violating any of the preceding provisions of this article other than those hereafter specifically provided for shall on conviction as provided in chapter fourteen of this act be sentenced to pay a fine of one hundred dollars Any person violating any of the preceding provisions of this Article by putting or placing any explosives in any waters within or on the boundaries of this Commonwealth shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of one thousand dollars and in default of the payment of the fine and costs imposed shall be sentenced to imprisonment for a term of six months

On the question,

Will the Senate agree to the section?

Mr. QUIGLEY. Mr. President, I move to amend "Section 98 Legal Size and Weight OF FISH AN FILLETS No person shall catch by means of any net or device for which a license is issued under the provisions of this article or have in possession any (a) Blue-pike and sauger pike less than eleven inches in length or in the round blue-pike and sauger pike fillets less than seven inches in length dressed and cut out (b) Yellow pike less than thirteen inches in length (c) Yellow perch less than nine inches in length (d) Ciscos not less than six ounces in weight in the round or (e) Whitefish less than one and three-fourths pounds in weight in the round No person shall purchase sell or expose for sale any blue pike or sauger pike less than eleven inches in length in the round or blue pike or sauger pike fillets less than seven inches in length dressed and cut out caught in waters under the control of the Commonwealth or in waters without this Commonwealth and received in interstate commerce or otherwise Any person violating the provisions of this section shall on conviction as provided in chapter fourteen of this act be subject to a penalty of ten dollars for each fish or fillet so taken [or] had in possession purchased sold or offered for sale The foregoing provisions of this section shall not apply to a person who having caught any fish less than the size or weight permitted returns such fish in the condition in which they were caught to the waters from which they were taken."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth, fifth and sixth sections of the bill were read as follows and agreed to.

Section 4 That sections 220 and 224 of said act as amended by the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred fifty-one) are hereby further amended to read as follows

Section 220 Resident Fishing License Fees For the purpose of this article every person sixteen years of age and upward upon application to any county treasurer within the Commonwealth or to the Department of Revenue and the presentation of proof that he has been a bona fide resident of this Commonwealth for a period of thirty days next preceding his application and was born in the United States or was fully naturalized under the laws of the United States and in the case of a naturalized foreign born applicant the production of such applicant's naturalization papers shall upon the payment to the county treasurer or the Department of Revenue of a license fee of one dollar and fifty cents for the use of the Commonwealth and in the event that the license is issued by a county treasurer a fee of ten cents for the use of the county treasurer be entitled to the license herein referred to as "a resident fishing license"

Section 224 [Weekly] Monthly Returns of licenses issued by the County Treasurer Every county treasurer of this Commonwealth shall each [week] month forward to the Department of Revenue a complete list of the resident and non-resident licenses granted with the names and addresses of the licensees on blanks to be furnished by the Department of Revenue at the cost of the Commonwealth

Section 5 That sections 226 228 240 255 and 272 of said act are hereby amended to read as follows

Section 226 Unlawful to Fish Without License No person shall angle or fish in any of the waters public or private within or bounding on or adjacent to this Commonwealth unless the license hereinbefore provided be at such time continually kept about the person of the licensee and exhibited upon the requst of any fish warden sheriff constable or other officer of the Commonwealth No person shall angle or fish in any of the waters within or bounding on or adjacent to this Commonwealth unless the license button be at such time continually displayed on the outer garment in such manner that the license figures are plainly visible

Section 228 Penalty Revocation of Licenses Any person violating any provisions of this article shall on conviction in the manner provided in chapter fourteen of this act be sentenced for each offense to pay a fine of twenty-five dollars [In addition to such penalty the license of any person convicted or signing an acknowledgment as hereinafter provided shall be void and the license and license button shall be surrendered by any such person and immediately sent by the court making the conviction or the officer taking acknowledgment to the Commissioner at Harrisburg] The Department of Revenue upon request of the board shall revoke any fishing license and deny the holder thereof the right to secure a fishing license or to fish anywhere in this Commonwealth with or without a license for a period of from one to two years if said licensee or person has either been convicted or signed an acknowledgment of violating any law relating to fish or fishing or to frogs or terrapin or if such licensee or person has been convicted in any court of record of having destroyed or carried away any notice posted by the Commonwealth or personal property or crops of any kind on lands upon which any such licensee or person may have entered for the purpose of fishing

The license of any person convicted of a second or subsequent offense of violating any of the laws relating to fish or fishing or to frogs or terrapin shall be revoked by the Department of Revenue upon request of the board as herein provided and such person is hereby denied the right to secure a license or to fish anywhere in this Commonwealth with or without a fishing license for a period of not less than two or more than three years from the date of such conviction

To revoke a license then in force or to deny any person the right to secure a license or to fish anywhere the Department of Revenue shall send a written notice to that effect to such person at his address either by registered mail or have it delivered in person by a representative of the Department The Department of Revenue shall furnish in writing to the county treasurer of each county the name address and the term for

which such person has been denied the right to secure a license or to fish in this Commonwealth together with any other data the Department may deem necessary

Any person who fishes in this Commonwealth while his license is revoked or while he is denied the right to fish shall be subject to the penalties provided by this article for unlawfully fishing without a fishing license

Section 240 Unnaturalized Foreign-born Not to Fish It shall be unlawful for any unnaturalized foreign-born resident to go fishing for or capture or kill in this Commonwealth any fish of any description Each and every person violating any provisions of this section shall upon conviction thereof in the manner provided in chapter fourteen of this act be sentenced to pay a penalty of twenty dollars for each offense

The provisions of the above section shall not prohibit the Commissioner of Fisheries from issuing special fishing privileges to unnaturalized foreign-born persons for a period of ten days

Section 255 Nursery Waters The board is authorized to set aside at its discretion [or upon petition of one hundred and fifty residents who shall be holders of fishing licenses] such [small] streams [not exceeding one in any one county at the same time and such lakes] rivers lakes dams ponds or parts thereof as it may judge best as nursery [streams or lakes] waters in which fishing shall be prohibited at all times of the year and in its discretion to open said waters at any time to fishing Before setting aside such stream [or] river lake dam or pond or part or parts thereof the board through the Commissioner shall give public notice of closing such stream [or water] river lake dam or pond or part or parts thereof by publishing the prohibition and the duration thereof in two newspapers of general circulation published in the county or counties where such streams [or water] river lake dam or pond or part or parts thereof is located once a week for three consecutive weeks Notice of such closing shall also be posted at the [outlet] end of the closed portion of the stream river or at the outlet of any closed lake [so closed] dam or pond and at intervals of three hundred yards along the banks thereof Where only a portion of a lake dam or pond is closed to fishing the portion so closed shall be conspicuously marked along the banks thereof by a marker at each end of the closed area and by markers in the lake dam or pond indicating the extent of the closed area In order to accurately indicate such closed area or areas of a lake dam or pond the same may be enclosed within a single strand of wire as in the case of game sanctuaries Where feasible any nursery stream or closed portion of a stream or river may likewise be enclosed within a single strand of wire

Any person fishing catching or killing any fish from any stream [or water] river lake dam or pond or part or parts thereof so closed or being within any area thereof enclosed within a wire with any fishing device whatever shall on conviction in the manner provided by chapter fourteen be sentenced to pay a fine of one hundred dollars

Section 272 Payment of Costs in Certain Cases In case any fish warden or any other officer hereinbefore named fails to prove his case and the defendant is discharged or in case the defendant is convicted and sent to jail in lieu of the payment of fine the county in which the case is heard shall pay the costs

All fines for violations of the fish law collected by any alderman magistrate or justice of the peace shall be transmitted in their full amount within ten days after sentence has been imposed and the fine paid to the Board of Fish Commissioners Harrisburg Pennsylvania

Whenever the Board is satisfied that any fine paid into the State Treasury under the foregoing provisions was erroneously collected and deposited the Board within six months after such deposit may by resolution direct the secretary to draw a requisition upon the fund in which such fine was deposited for the refund of the amount involved Upon receipt of such requisition and an extract of the minutes of the board the Auditor General shall draw his warrant upon the State Treasurer in favor of the person from whom such fine was erroneously collected and for the purposes of such refunds any moneys in such fund are hereby appropriated to the board

Section 6 This act shall become effective on the first day of January one thousand nine hundred and thirty-four

The title of the bill was read as follows and agreed to.

An Act to amend section 11 sections 20 30 and 40 as amended sections 50 71 72 98 and 202 sections 220 and 224 as amended and sections 226 228 240 255 and 272 of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" defining bait-fish changing closed seasons legal sizes and creel limits regulating minnow traps prohibiting the possession of certain fillets regulating the issuing of resident fishing licenses providing for monthly returns by county treasurers and the revocation of fishing licenses authorizing the Commissioner of Fisheries to accord special fishing privileges to unnaturalized foreign-born persons empowering the board to create nursery waters providing for the payment over of fines and for refunds generally regulating fishing and providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. ARON. Mr. President, I ask unanimous consent that Senate Bill No. 1281 (House Bill No. 1726), on second reading, entitled:

An Act creating a commission to study the laws relating to poor districts and to draft such new laws as may be necessary to revise and codify such laws and establish State supervision over poor boards.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1291 (House Bill No. 1104), entitled:

An Act to amend sections one and two as amended and section seventy of the act, approved the seventh day of June, one thousand nine hundred and eleven (P. L. 680), entitled "An act providing for the examination, licensure and registration of persons, forms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules and regulations and requirements for the construction of plumbing, house drainage and cesspools in cities of the first class and imposing fines, penalties and forfeitures for violation thereof," by including water piping, additions, alterations and repairs to plumbing, house drainage, water-piping, cesspools, wastes, traps or vents, changing the terms of the certificate of master plumbers, changing the fees for examinations, requirements for registration and re-registration of master plumbers and journeymen and providing for the penalty for the violation of the provisions herein.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1339, as follows:

An Act to amend section thirty-seven of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the

time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" providing a fee for consents and certificates to transfer stock of decedents

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirty-seven of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is hereby amended to read as follows

Section 37 Whenever the tax imposed by this act upon the transfer of the stock of any corporation of this Commonwealth or national banking association located in this Commonwealth standing in the name of a decedent resident or nonresident or in the joint names of the decedent and one or more persons or in trust for such decedent has been paid it shall be the duty of the [Auditor General] Department of Revenue upon the request of any interested party or of said corporation or association or upon [his] its own motion to file with the said corporation or banking association a certificate of such payment and the [Auditor General] department is hereby further authorized and empowered in [his] its discretion to consent to the transfer of such stock prior to the payment of the said taxes whenever [he] it deems such transfer may be so made without prejudice or peril to the rights of the Commonwealth

The Department of Revenue shall collect a fee of one dollar for each such certificate of payment or consent to the transfer of stock prior to payment for the use of the Commonwealth

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1382 (House Bill No. 1418), entitled:

An Act declaring and adopting the azalea nudiflora also known as the wild azalea, wild honeysuckle and pinxter bloom, as the Pennsylvania State flower.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ROBERTS. Mr. President, I move that Senate Bill No. 1382 (House Bill No. 1418), the bill just read, be recommitted to the Committee on Agriculture.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1398 (House Bill No. 1519), entitled:

An Act to regulate insurance companies chartered under general or special laws of this Commonwealth by providing that no director need be a resident of any particular city or county that the directors shall elect the president or appoint the secretaries that the residence of the president and secretaries need not be in the county wherein the principal office of the company is located and that the annual meeting shall be held and reports shall be published as provided in the by-laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SHAPIRO. Mr. President, I move that Senate Bill No. 1399 (House Bill No. 1566), on second reading, entitled:

An Act establishing a State Public Works Planning Board; prescribing and defining its powers and duties; granting authority to counties of the first, second and third classes and cities to create local public works planning boards and defining their powers and duties; defining the relationship of the state board to such local boards and to such classes of counties and such cities where no such approved local boards exist on and after January first, one thousand nine hundred and thirty-six

be recommitted to the Committee on Municipal Affairs.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1407 (House Bill No. 1351), entitled:

An Act to amend section two hundred and thirteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended by adding thereto provisions granting hearings before reports of examinations of insurance companies by the Insurance Department are filed and providing for authority to the Insurance Commissioner to publish such reports and authorizing the Insurance Commissioner accept the report of examination of insurance companies made by or upon the authority of the supervising official of any other state

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1408 (House Bill No. 1353), entitled:

An Act to amend section six hundred fifty-two of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amend-

ing revising and consolidating the law providing for the incorporations of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing that all premiums and interest charges on account of policies insuring employers against workmen's compensation liability and all judgments recovered for same shall be preferred claims in all insolvency or bankruptcy proceedings and trustees proceedings for administration of estates and receiverships

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1411 (House Bill No. 1517), entitled:

An Act to amend section two hundred and five of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by fixing the minimum par value of the shares of capital stock of all stock insurance companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1412 (House Bill No. 1518), entitled:

An Act to amend section six hundred and twenty-nine of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureau, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," as amended exempting aditional corporations from the provision of subdivision (b) of Article Six of the act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1413 (House Bill No. 1704), entitled:

An Act to further amend the first paragraph of section two hundred twelve of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 1414 (House Bill No. 1812), on second reading, entitled:

An Act relating to policies of indemnity insurance; requiring such policies to contain provisions covering cases of insolvency and bankruptcy of the insured, and to permit injured persons or their personal representatives to maintain suits against the insurer in such cases,

be recommitted to the Committee on Insurance.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 1415 (House Bill No. 1971), on second reading, entitled:

An Act to amend section two hundred and twelve of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign companies associations or exchanges providing penalties and repealing existing laws" as amended by bringing public adjusters' solicitors within the retaliatory provisions relating to agents brokers and public adjusters

be recommitted to the Committee on Insurance.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 1416 (House Bill No. 1972), on second reading, entitled:

An Act to amend section six hundred and three as amended and section six hundred and twenty-two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign companies associations or exchanges providing penalties and repealing existing laws" by defining the right or corporations to be licensed as insurance agents or insurace brokers.

be recommitted to the Committee on Insurance.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 1417 (House Bill No. 1973), on second reading, entitled:

An Act to amend section six hundred and ten of the act approved the seventeenth day of May one thousand nine hun-

dred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as added by further defining resident agents of certain foreign insurance companies.

be recommitted to the Committee on Insurance.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1422, as follows:

An Act authorizing directors of building and loan associations to pro rate or with the approval of the Department of Banking to fix the maximum amount of withdrawals and maturities and applying retroactively

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvaniain General Assembly met and it is hereby enacted by the authority of the same That the board of directors of a building and loan association may at any time with respect to shares which have been or shall be voluntarily withdrawn or matured prior to the third day of July one thousand nine hundred thirty-three and which are unpaid authorize payment on a pro rata basis or with the consent of the Department of Banking fix a maximum amount to be paid periodically on such shares whether such shares were volutarily withdrawn or matured before the effective date of this act or after such date The action of the board of directors in authorizing payment to be made on a pro rata basis or in fixing a maximum amount to be paid periodically shall also apply to shares which were voluntarily withdrawn or matured prior to or which are still unpaid on the date upon which such action was taken by the board of directors

Section 2 This act is an emergency measure under the police power of the Commonwealth

Section 3 This act shall be effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1423, as follows:

An Act limiting the period within which non-assenting or dissenting shareholders of building and loan associations which have merged and consolidated or which shall merge and consolidate prior to the third day of July one thousand nine hundred thirty-three may enforce their rights

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where a building and loan association has or shall become a party to an agreement of merger and consolidation prior to the third day of July one thousand nine hundred thirty-three any shareholder of such association who has voted against or who has not voted for or against such merger and consolidation at the meeting of shareholders at which the merger and consolidation was adopted shall be forever barred from excercising any rights which he shall have as a non-assenting or as a dissenting shareholder whether at law or in equity unless he shall commence such action or suit either within six months after the effective date of this act or within six months after the date upon which the merger and consolidation has or shall become effective

Section 2 This act shall not be construed to lengthen the period within which a shareholder who has objected to and voted against a merger and consolidation may under Section five of the act approved the third day of May one thousand nine hundred nine (Pamphlet Laws four hundred eight) entitled "An act authorizing the merger and consolidation of certain corporations" petition the court of common pleas to appoint appraisers to estimate and appraise the damages if any done to him by the merger and consolidation

Section 3 This act shall be effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill 1424, as follows:

An Act providing for the preservation of the records of banks bank and trust companies trust companies savings banks and private banks and imposing penalties for violations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every bank bank and trust company trust company and savings bank incorporated under the laws of this Commonwealth and every private bank transacting business within this Commonwealth shall preserve in such form and manner that they may be readily produced upon proper demand all its records of original or final entry including cards used under the card system and deposit slips or tickets for a period of seven years from the date of making the last entry on the same

Section 2 An officer or employe of a bank bank trust company trust company savings bank or private bank and in the case of a bank bank and trust company trust company or savings bank any director or trustee who knowingly violates or knowingly causes to be violated any provision of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period of one year or a fine not exceeding one thousand dollars or both

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WILLIAMSON. Mr. President, I move that Senate Bill No. 1493 (House Bill No. 6), on second reading entitled:

An Act to further amend paragraph eight of section one thousand two hundred ten of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended decreasing the minimum salaries of county superintendents and assistant county superintendents.

be recommitted to the Committee on Education.

Mr. BELL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1446 (House Bill No. 1925), as follows:

An Act authorizing persons employed under any system of State work relief to work out the per capita school taxes of himself and members of his family and providing for the payment of such taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person employed under any system of work relief and being paid out of any appropriation made by the Commonwealth for such purpose may be permitted to work out the per capita school tax owing by himself and any other member or members of his family by working five hours during each week in addition to the time regularly allotted to him for such work at the same rate of pay which he receives for other time during which he is employed in such work

Section 2 All money earned by such extra hours of work shall be paid by the agency distributing such work relief moneys to the collector of taxes for the school district to which such taxes are due Such tax collector shall give receipt therefor in duplicate One copy thereof shall be retained by the agency making the payment and the other shall by it be delivered to the person who performed the work for the payment of such taxes

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1451, as follows:

An Act to amend the act approved the fifth day of May one thousand nine hundred twenty-one (Pamphlet Laws three hundred seventy-four) entitled " An act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties" as amended by providing for the transfer from the Departmentof Banking to the Pennsylvania Securities Commission of the rights and duties with respect to the licensing and regulation of such corporations copartnerships associations and individuals

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifth day of May one thousand nine hundred twenty-one (Pamphlet Laws three hundred seventy-four) entitled "An act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in action evidenced by writing on the partial payment or investment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments undred which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That wherever used in this act the following words shall be construed as follows

"Corporation" shall mean a corporation formed incorporated or organized under the laws of this Commonwealth or of any other State or Territory the District of Columbia or any foreign country

"Person" shall mean an individual firm partnership or association

"Contract" shall mean a bond note certificate contract obligation agreement pass book or any other chose in action evidenced by writing

["Commissioner" shall mean the Commissioner of Banking of this Commonwealth]

"Commission" shall mean the Pennsylvania Securities Commission

Section 2 That section two of the said act is hereby amended to read as follows

Section 2 After the first day of October one thousand nine hundred and twenty-one no corporation or person shall whether or not operating under a declaration of trust or other agreement engage or continue either directly or indirectly in the business within this Commowealth of receiving single payments instalment payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payment under which all or part of the total amount received is to be repaid at some future time either with or without profit unless such corporation or person is licensed to transact such business within this Commonwealth by the [commission] commission in the manner hereinafter provided

Section 3 That section three of the said act as amended by section one of the act approved the twenty-first day of April one thousand nine hundred twenty-three (Phamphlet Laws seventy-nine) is hereby further amended to read as follows

Section 3 Every corporation or person desiring to obtain a license under the provisions of this act shall file with the [commissioner] commission an application in writing in such form as may be prescribed by the [commisssioner] commission Before a license shall be issued by the [commissioner he] commission it shall make or cause to be made an investigation of the condition and affairs of the applicant and its general plan of operation [He] It shall investigate the moral character and general fitness of the applicant if an individual and of the members of a partnership or association and of the directors managers trustees and other officers of every applicant to discharge the duties reposed in them and may examine any o rall of them under oath [He] It shall require the applicant to submit [to him] a mathematical chart or calculation showing in detail the operation of the plan of investment carried on or proposed to be carried on for the purpose of determining whether the same is financially and mathematically sound and the contracts or obligations issued or proposed to be issued possible of fulfillment Unless the [commissioner] commission is satisfied as to the character and general fitness of the managing officers of the applicant to honestly and operation is financially sound and the contracts issued or posed to be issued possible of fulfillment [he] it shall refuse the license and forthwith notify the applicant of such refusal and specify in the notice the cause or causes thereof The [commissioner] commission may revoke such license at any time when conditions arise which in [his] its judgment if existing at the time when the license was granted would have been sufficient cause for refusing to issue such license

Section 4 That section four of the said act as amended by section one of the act approved the twenty-first day of April one thousaid nine hundred twenty-three (Phamphlet Laws seventy-nine) is hereby further amended to read as follows

Section 4 No corporation or person shall be licensed under the provisions of this act unless and until it has deposited with the [comismsioner] commission in cash or bonds of the United States or of the State of Pennsylvania or of cities counties boroughs or school districts of this Commonwealth or any other State of the United States approved by the [commissioner] commission of the clear market value of one hundred thousand dollars ($100,000) as security for the fulfillment of its contracts made hereto fore or hereafter with residents of Pennsylvania Exchanges of such bonds may be made fro mtime to time with the approval of the [commissioner] commission If any of said bonds are called ofr payment the proceeds thereof shall remain in the hands of the [commissioner] commission until other bonds of the character

described in this section shall be substituted in like amount for the bonds so paid The corporation or person making such deposit shall be entitled to the income therein

Section 5 That section five of the said act is hereby amended to read as follows

Section 5 Every corporation or person licensed under the provisions of this act shall before such license is issued pay to the [commissioner] commission a fee of one hundred dollars ($100) at the time such license is issued and twenty-five dollars ($25) on or before the first day of October annually thereafter All fees paid to the [commissioner] commission under the provisions of this act shall be paid by [him] it through the Department of Revenue into the State Treasury [for the use of the Banking Department]

Section 6 That section six of the said act is hereby amended to read as follows

Section 6 Every corporation or person licensed under the provisions of this act shall annually on or before the fifteenth day of January file in the office of the [commissioner] commission a report which shall exhibit its financial condition on the thirty-first day of December of the previous year and its business of that year and shall at any other time upon written request of the [commissioner] commission file a supplemental report of its financial condition and business done For cause the [commissioner] commission may extend the time for filing the annual report but not to a date later than the fifteenth day of February Such report shall be in such form as may be established from time to time by the [commissioner] commission and shall be sworn or person or in their absence by two of its principal officers empowered to act in their stead A corporation or person which neglects to file its annual report with the [commissioner] commission within the time required shall be liable to a penalty of one huidred dollars ($100) for each day during which such neglect continues Such penalty shall be collected by the Attorney General as debts due the Commonwealth are collected

Section 7 That section seven of the said act is hereby amended to read as follows

Section 7 The [commissioner] commission may require every corporation or person licensed under the provisions of this act to set apart a fund no portion of which shall be applied to the expense of such corporation or persons which shall consist of not less than ten per centum of the amount designated in each contract issued as applicable to the payment of the expenses of conducting the business of such corporation or person Such fund shall be invested at the close of each calendar year or oftener if the [commissioner] commission may require in bonds of the character described in section four of this act and forthwith deposited with the [commissioner] commission in the same manner and under the same terms as prescribed by said section as additional security for the fulfillment of its contracts provided such corporations or person may deposit cash with the [commissioner] commission in lieu of securities

Section 8 That section eight of the said act is hereby amended to read as follows

Section 8 [The commissioner shall have the same powers for the supervision and examination of any corporation or person licensed under the provisions of this act as are now or may hereafter be vested in him by law for the supervision and examination of banks trust companies and other financial institutions and every corporation or person licensed under the provisions of this act shall be subject to the same fees for supervision and examination as are now or may hereafter be imposed on other institutions under the supervision of the commissioner

For the purpose of examination or supervision the commissioner] The commission or [his] its duly authorized representative shall have free access to all the books and papers of the corporation or person which relate to its business and to the books and papers kept by any of its agents and may administer oaths to and examine as witness the directors officers and agents of said corporation or person and any individual or the members of any copartnership or association licensed hereunder and any other person relative to its affairs transactions and condition be amended to read as follows

Section 9 That section nine of the said act is hereby amended to read as follows

Section 9 Whenever any corporation or person licensed under the provisions of this act shall desire to discontinue with this Commonwealth the business of the nature hereinbefore set forth and described it may make application by petition to the court of common please of of Dauphin County setting forth its resources and liabilities within and wtihout this Commonwealth and particularly an itemized and complete list of the holders or owners of the outstanding contracts issued by such corporation or person together with the last known address of such holders or owners and in each case the total amount of the liability of such corporation or person thereon if any and thereupon the said court after due hearing of which the [commissioner] commission shall have such notice as the court may determine may make such order as will permit the withdrawal of said cash or bonds deposited with the [commissioner] commission or a part thereof and will at the same time fully protect the rights of all persons owning or holding the contracts issued by such corporation or person

Section 10 That section ten of the said act is hereby amended to read as follows

Section 10 Any corporation or person violating any of the provisions of this act or failing to comply with any requirement imposed upon it by the [commissioner] commission pursuant to any of the provisions of this act is guilty of a misdemeanor to pay a fine of not less than five hundred dollars ($500) nor more than five thousand dollars ($5,000) Each transaction carried on in violation of this act shall constitute a separate offense

Section 11 That section twelve of the said act is hereby amended to read as follows

Section 12 The provisions of this act shall not apply to any person or corporation engaged entirely in the business of issuing negotiating offering for sale or selling contracts which at the time of issuance negotiation offering for sale or sale are secured by adequate property real or personal nor to any domestic or foreign banks banking companies cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks and provident institutions or to mutual savings funds employes' savings funds building and loan associations or corporations doing a safe deposit business only nor to national banking associations nor to any corporation copartnership association exchange society or order subject to the supervision of the Insurance Commissioner of the Commonwealth nor to contracts issued by a corporation or person for the purpose of raising money for its principal business if its principal business is other than the issuing or selling of contracts or obligations described in section two of this act

The provisions of this act shall not be construed to affect in any way the act approved the thirteenth day of April one thousand nine hundred twenty-seven (Phamphlet Laws two hundred seventy-three) entitled "An act for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscriptions to or orders for or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined herein including securities issued by them conferring powers and imposing duties on the Pennsylvania Securties Commission and otherwise providing for the administration of this act providing for appeals to the court of common pleas of Dauphin County and to the Supreme Court of Pennsylvania prescribing penalties and making appropriations" its amendments and supplements

All books papers records securities and moneys of or relating to corporations and persons under the provisions of this act which are in the office of the Department of Banking shall be transferred by the Department of Banking to the commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1454, as follows:

An Act relating to milk control during the existing emergency creating a milk control board in the Department of Agriculture and defining its jurisdiction powers and duties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That LEGISLATIVE FINDING STATEMENT OF POLICY This act is enacted in the exercise of the police power of the State and its purposes generally are to protect the public health and public welfare It is hereby declared that unhealthful unfair unjust destructive demoralizing and economic trade practices have been and are now carried on in the production sale and distribution of milk and milk products in this State whereby the dairy industry in the State and the constant supply of pure milk to inhabitants of the State are imperiled That such conditions constitute a menace to the health welfare and reasonable comfort of the inhabitants of the State That in order to protect the well-being of our citizens and promote the public welfare and in order to preserve the strength and vigor of the race the production transporation manufacture storage distribution and sale of milk in the State of Pennsylvania is hereby declared to be a business affecting the public health and interest That the production and distribution of milk is a paramount industry upon which the prosperity of the State in large measure depends That the danger to the public health and welfare is immediate and impending the necessity urgent and such as will not admit of delay in public supervision and control in accord with proper standards of production sanitation and marketing The foregoing statements of fact policy and application of this act are hereby declared as a matter of legislative determination

Section 2 DEFINITIONS As used in this act unless otherwise expressly stated or unless the context or subject matter otherwise requires

"Secretary" means the Secretary of Agriculture

"Board" means the temporary state agency created by this act to be known as the "Milk Control Board"

"Director" means the Directer of Milk Control Board

"Person" means any person corporation association or corpartnership

"Milk dealer" means any person who purchases or handles within or without the State for storage manufacture or sale in this State except for consumption on the premises milk or cream in a total quantity exceeding ten thousand pounds in any one of the twelve calendar months during or immediately preceding each license period Each association and each corporation which if a natural person would be a milk dealer within the meaning of this act and any subsidiary of such corporation shall be deemed a milk dealer within the meaning of this definition

"Market" means any municipality or township of the State or two or more municipalities or townships designated by the board as a natural marketing area

"Licensee" means a licensed milk dealer

"Milk" means liquid milk or cream

"Producer" means a person producing milk within the State of Pennsylvania

"Consumer" means any person other than a milk dealer who purchases milk for fluid consumption

Section 3 MILK CONTROL BOARD There shall be in the Department of Agriculture as a departmental administrative board a milk control board to consist of the Secretary of Agriculture and the Secretary of Health and the Director of the Milk Control Board The Secretary of Agriculture and the Secretary of Health shall receive no additional compensation for services rendered pursuant to this act but shall be allowed their actual and necessary expenses incurred in the performance of their duties under this act The Director shall be appointed by the Secretary of Agriculture and serve during his pleasure The Director shall receive a compensation to be fixed by the Secretary with the approval of the Executive Board within the amount available by appropriation Technical legal and other services for such board shall be performed so far as practicable by forces or officers in the Department of Health without additional compensation but the Board may appoint and at pleasure remove such additional technical legal and other assistants and employes as may be necessary to carry out the provisions of this act prescribe their powers and duties and with the approval of the Executive Board fix their compensation within the amount available by appropriation The Secretary of Agriculture shall be the administrative head of the Board Each member of the Board shall execute and file with the State Treasurer a bond conditioned for the safekeeping and lawful application of moneys coming to the Board in such amount as may be approved by the Executive Board The commissioner shall subject to the limitations of this act and of law enforce the provisions of this act but no official act shall be taken rule or regulation promulgated or official order made or enforced with respect to the provisions of this act without the approval of a majority of the members of the Board The Secretary of Agriculture may by official order filed in the office of the Department of Agriculture designate a deputy assistant or other subordinate in the Department of Agriculture to perform the duties of the Secretary and the Secretary of Health by official order filed in the office of the Department of Health may designate a deputy assistant or other subordinate in the Department of Health to perform the duties of the Secretary of Health under this act The person if any designated pursuant to this section shall have the powers and be subject to the duties and responsibilities of the officer appointing him Such designation shall be deemed temporary only and shall not affect the retirement rights of the person designated The persons so designated shall not receive any additional compensation for the services performed but shall be allowed their actual and necessary traveling and other expenses incurred in the performance of their duties under this act The principal office of the Board shall be in the City of Harrisburg in rooms assigned by the Board of Public Grounds and Buildings but offices in other localities may be maintained by the board

Section 4 GENERAL POWERS The Board is hereby declared to be the instrumentality of the State for the purpose of attaining the ends recited in the legislative finding statement of policy and application of this act and is hereby vested with power

(a) To supervise and regulate the entire milk industry of this Commonwealth including the production transportation manufacture storage distribution delivery and sale of milk and milk products in this Commonwealth

(b) To investigate as the emergency permits all matters pertaining to the production manufacture storage transportation disposal distribution and sale of milk and milk products in this Commonwealth The Board shall have the power to subpoena milk dealers their records books and accounts and any other person from whom such information may be desired to carry out the purpose and intent of this act and may issue commissions to witnesses absent from the State Any member of the Board or designated employe may sign and issue subpoenas and may administer oaths to witnesses Obedience to any subpoena issued by the Board as authorized in this act shall be enforced by the courts of common pleas

(c) The Board shall act as mediator and arbitrator in any controversy or issue that may arise among or between milk producers and milk dealers as between themselves or that may arise between them as groups

(d) The operation and effect of any provision of this act conferring a general power upon the Board shall not be impaired or qualified by the granting to the Board by this act specific power or powers

Section 5 RULES AND ORDERS The Board may adopt and enforce all rules and all orders necessary to carry out the provisions of this act Every rule or order of the Board shall be posted for public inspection in the main office of the Board and a certified copy filed in the office of the Department of State An order applying only to a person or persons named therein shall be served on the person or persons affected An order herein required to be served shall be served by personal delivery of a certified copy or by mailing a certified copy in a sealed package with postage prepaid to each person affected thereby or in the case of a corporation to any officer or agent of the corporation upon whom a summons may be served in accordance with the provisions of the civil practice act The posting in the main office of the Board of any rule and of any order not herein required to be served in the office of the Department of State shall constitute due and sufficient notice to all persons affected by such rule or order A rule of the Board when duly posted and filed as provided in this section shall have the force and effect of law

Section 6 ENTRY AND INSPECTION Any Member of the Board or employe designated for the purpose shall have access to and may enter at all reasonable hours all places where milk is being stored bottled or manufactured into food products Any member of the Board or designated employe also shall

have power to inspect all books papers records or documents in any place within the State for the purpose of ascertaining facts to enable the Board to administer this act

Section 7 VIOLATIONS REMEDIES A violation of any provision of this act or of any rule or order of the Board lawfully made except as otherwise provided in this act shall be a misdemeanor punishable by a fine not exceeding one hundred dollars The Board may institute such action at law or in equity as may appear necessary to enforce compliance with any provision of this act or to enforce compliance with any rule or order of the Board made pursuant to the provisions of this act and in addition to any other remedy may apply to the court of common pleas of Dauphin County for relief by injunction if necessary to protect the public interest without being compelled to allege or prove that an adequate remedy at law does not exist

Section 8 LICENSES TO MILK DEALERS SUSPENSION REVOCATION REVIEW 1 No milk dealer as defined in this act shall buy milk from producers or others for storage manufacture or sale within this State unless such dealer be duly licensed as provided in this section

2 An application for a license to operate as a milk dealer shall be made within thirty days after this act takes effect and annually thereafter on or before April fifteenth for the license year commencing May first and ending April thirtieth following by mail or otherwise to the Board upon blanks prepared under authority of the Board The applicant shall state the nature of the business to be conducted the full name of the person applying for the license and if the applicant be a copartnership or association the full name of each member and if a corporation the names and addresses of all officers and directors and the municipality or township and the street number if any at which the business is to be conducted facts showing that the applicant has adequate technical personnel adequate technical and physical facilities to properly conduct the business or receiving and handling milk that he has complied with all rules and orders of the Board filed or served as required in this act and such other facts with respect to the license as may be required by the Board pursuant to this act Such application shall be accompanied by the license fee required to be paid by this section A license shall be granted to the applicant by the Board subject to the provisions of this act

3 The Board may decline to grant a license or may suspend or revoke a license already granted when satisfied of the existence of any of the following

(a) That a licensee has rejected without reasonable cause any milk purchased from a producer

(b) That the licensee has failed to account and make payment without reasonable cause for any milk purchased from a producer

(c) That the licensee has committed any act injurious to the public health public welfare or to trade or commerce and demoralization of the price structure of pure milk to such an extent as to interfere with an ample supply thereof for the inhabitants of the State affected by this act is hereby declared to be injurious to the public health public welfare and to trade and commerce and evidence of a courst of conduct on the part of the licensee tending to such demoralization shall be construed to be prima facie evidence of a violation of this section

(d) Where the licensee has made a general assignment for the benefit of creditors or has been adjudged a bankrupt or where a money judgment has been secured against him upon which an execution has been returned wholly or partly unsatisfied

(e) Where the licensee has continued in a course of dealing of such a nature as to satisfy the Board of his inability or unwillingness properly to conduct the business of receiving or selling milk

(f) Where the licensee has been a party to a combination to fix prices contrary to law

(g) Where the licensee has continued in a course of dealing of such nature as to satisfy the Board of an intent to deceive or defraud customers producers or consumers

(h) Where there has been a failure either to keep records or to furnish the statements or information required by the board

4 A milk dealer receiving during any of the twelve calendar months immediately preceding the period for which the license is issued a daily average total quantity of milk not exceeding four thousand pounds shall pay a license fee of twenty-five dollars a milk dealer receiving a daily average total quantity of milk of more than four thousand pounds and not exceeding twenty thousand pounds shall pay a license fee of seventy-five dollars a milk dealer receiving a daily average total quantity of milk of more than twenty thousand pounds and not exceeding one hundred thousand pounds shall pay a license fee of two hundred and fifty dollars and a milk dealer receiving a daily average total quantity of milk of more than one hundred thousand pounds and not exceeding five hundred thousand pounds shall pay a license fee of seven hundred fifty dollars a milk dealer receiving a daily average total quantity of milk of more than five hundred thousand pounds and not exceeding one million pounds shall pay a license fee of twenty-five hundred dollars a milk dealer receiving a daily average total quantity of milk or more than one million pounds shall pay a license fee of five thousand dollars

5 The Board may classify licenses and may issue licenses to milk dealers to store manufacture or sell milk limited to a particular city or village or to a particular market or markets in the State

6 The official order of the Board in refusing to issue a license or in revoking a license may only be reviewed by an alternative order of mandamus in the manner provided by law

7 It shall be unlawful for any milk dealer as defined in this act not possessing a license to solicit or receive manufacture sell or offer to sell any milk in this State

Section 9 RECORDS The Board may require licensees to keep the following records

(a) A record of all milk received detailed as to location and as to names and addresses of suppliers with butter fat test prices paid deductions or charges made

(b) A record of all milk sold classified as to grade location and market outlet and size and style of container with prices and amounts received therefor

(c) A record of quantities and prices of milk sold to each customer

(d) A record of the quantity of each product manufactured and quantity of milk and cream used in the manufacture of each product Also the quantity and value of milk products sold

(e) A record of wastage or loss of milk or butter fat

(f) A record of the items of the spread or handling expense and profit or loss represented by the difference between the price paid and the price received for all milk or cream or milk and cream

(g) A record of all other transactions affecting the assets liabilities or net worth of the licensee

(h) Such other records and information as the Board may deem necessary for the proper enforcement of this act

Section 10 REPORTS Each licensee shall from time to time as required by rule or order of the Board make and file a verified report on forms prescribed by the Board of all matters on account of which a record is required to be kept eogther with such other information or facts as may be pertinent and material within the scope of the purpose and intent of this act Such report shall cover a period of time specified in the order

Section 11 DISSEMINATION OF INFORMATION AND CONFERENCES 1 Licensees under this act and associations thereof and producers of milk engaged in collectively processing preparing for market handling or marketing milk may acquire exchange interpret and disseminate past present and future market statistical economic and similar information by direct exchange between such persons or such associations or by and through a common agent created or selected by them And such producers and associations may confer and discuss the cost of production of marketing market conditions and prices for sale of milk but discussion of selling prices be limited to the markets of the State

2 No licensee or other person copartnership association or corporation shall hereafter operate in any municipality or township under any mutual or secret agreement arrangement combination contract or common understanding with any other licensee or person copartnership association or corporation whereby the price for fluid milk to be paid to producers in this State is fixed or reduced or the price to be paid by consumers for such milk is fixed or increased in pursuance of such mutual or secret agreement arrangement combination contract or common understanding and each such contract arrangement agreement or understanding is hereby

prohibited and declared to be contrary to the public interest and in restraint of trade and commerce Any persons acting either as principal or agent in making any mutual or secret agreement arrangement combination contract or common understanding in violation of the provisions of this subdivision shall be guilty of a misdemeanor punishable by a fine not exceeding one thousand dollars or by imprisonment not exceeding one year or both

Section 12 REVOLVING FUND On or before the tenth doy of each month the Board shall pay over to the State Treasury through the Department of Revenue as custodian of the fund all receipts of the Board on account of license fees and other moneys received by the Board during the preceding month Such moneys shall constitute a special revolving fund for the payment of the expense of operation of the Board except personal service and be payable from time to time on the requisition of the Board When the Board shall cease to exist the balance of such moneys If any shall be paid into the State Treasury On or before the tenth day of each month the board shall make a verified and detailed report to the Department of the Auditor General of all receipts and disbursements of the Board for the preceding month Such report shall be accompanied by the proper vouchers

Section 13 ORDER FIXING PRICE OF MILK 1 The Board shall ascertain by such investigation and proof as the emergency permits what prices for milk in the several localities of the State and under varying conditions will best protect the milk industry in the State and insure a sufficient quantity of pure and wholesome milk to adults and minors of the State having special regard to the health and welfare of children and be most in the public interest The Board shall take into consideration the various grades of milk produced the varying percentages of butter fat plant volume seasonal production and other conditions affecting the cost of production cost of transportation and marketing and the amount necessary to yield to the producer and to the milk dealer a fair margin of profit It may in its discretion hold a public hearing or hearings in the State and invite producers consumers milk dealers and public health officials in the State to submit such proofs as they may desire

2 The Board after such investigation and with or without a public hearing may fix by official order the minimum price to be paid by milk dealers to producers and others and the maximum price to be paid the consumer for milk used for liquid consumption wheresoever produced The order of the board with respect to the minimum price to be paid to producers and others shall apply to the particular locality in which the milk is produced and the order with respect to the maximum price to be paid by consumers shall apply to the particular locality or market in which the milk is to be sold Orders fixing maximum and minimum prices may vary in different localities or markets according to varrying conditions and costs of production and marketing Each such order shall classify the milk by grades and uses and specify the maximum and minimum price for each grade used for fluid consumption

3 The board upon its own motion or upon application may from time to time upon such notice as it may determine necessary alter or modify an official order theretofore made with respect to the price of milk used for fluid consumption to be paid by milk dealers to producers or the price to be paid consumers

4 This section on its face may or it may not appear to be an attempt to exercise state powers affecting interstate and foreign commerce in excess of the powers which the State lawfully may exercise in relation thereto It is the intent of the Legislature that the instant whenever that may be that the handling within the State by a milk dealer of milk to be used for fluid consumption and produced outside of the State becomes a subject of regulation by the State in the exercise of its police powers the restrictions set forth in this section respecting such milk so produced shall operate and the powers conferred by this act on the Board shall attach whether the time hereby fixed for such restrictions or the exercise of such powers by the Board to begin be accurately stated or not After any such milk so produced shall have come to rest within the State for the purposes of distribution and sale for fluid consumption any sale within the State by a licensed milk dealer or a milk dealer required by this act to be licensed of any such milk purchased from the producer at a price lower than the average minimum price of the grade or grades of milk as fixed by the Board to be paid to producers shall be unlawful

Section 14 REPORTS TO GOVERNOR AND LEGISLATURE The Board shall when requested make reports of its proceedings to the Governor Chairman of the Finance Committee of the Senate and the Chairman of the Ways and Means Committee of the House of Representatives

Section 15 PARTIAL INVALIDITY If any clause sentence paragraph or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder thereof but shall be confined in its operation to the clause sentence paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered

Section 16 CONSTRUCTION The licenses required by this act shall be in addition to any other license required by law

Section 17 SAVING CLAUSE No provision of this act shall apply or be construed to apply to foreign or interstate commerce except in so far as the same may be effective pursuant to the United States Constitution and to the laws of the United States enacted pursuant thereto

Secion 18 DURATION OF BOARD The Board shall continue with all the powers and be subject to all the duties and respensibilities prescribed by this act until May first nineteen hundred thirty-five at which time the Board shall be abolished and the powers duties and jurisdiction conferred or imposed upon the board by this act shall terminate All books papers records and documents in the possession of the Board when terminated shall be delivered to the Department of Agriculture

Section 19 This act shall take effect immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1455, as follows:

An Act to amend Act Number Twelve A approved the twentieth day of April one thousand nine hundred thirty-three (Appropriation Acts of one thousand nine hundred thirty-three page) entitled "An act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania" by changing the fiscal biennium for which the appropriation is made

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Act Number Twelve A approved the twentieth day of April one thousand nine hundred thirty-three Appropriation Acts of one thousand nine hundred thirty-three page) entitled "An act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six hundred dollars ($600.00) or so much thereof as may be necessary is hereby specifically appropriated for the two fiscal years beginning June first one [thousond] thousand nine hundred and [twenty-three] thirty-three to be paid to the treasurer of Elk Township Warren County Pennsylvania for the purpose of improving and maintaining in good repair the public roads and highways passing through the Cornplanter Indian Reservation in said township Said money shall be paid on warrant drawn on the State Treasurer by the Auditor General and shall be disbursed under the direction of the supervisors of Elk Township

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1456, as follows:

An Act to authorize boroughes and townships of the first class to sue out writes of scire facias on certain tax liens where more than five years have elapsed since said liens were filed and to reduce such liens to judgment and providing for the revival and collection of such judgments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any borough or township of the first class has heretofore filed in the office of the prothonotary of the proper county any tax lien or tax liens and the borough or township of the first class has not within the period of five years after the date on which any such tax lien was filed sued out writ of scire facis to reduce the same to judgment then in any such case any such borough or township of the first class may within six months after the passage and approval of this act issued its precipe for a writ of scire facias on any such tax lien and proceed to judgment in the manner provided by law to obtain judgments upon tax liens and such judgment shall be a valid judgment and be a lien upon the real estate upon which it was a lien at the time it was filed and said judgment may be revived and collected as other judgments upon tax liens are revived and collected Provided however That the lien of any such judgment shall not reattach against any real estate transferred to any purchaser during the time when the lien of any such tax lien was lost nor shall the lien of any such judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the borough or township of the first class to sue out the writ of scire facias within the five year period or was entered of record during the time the lien of such tax lien was lost

This act shall be in effect immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. ROBERTS. Mr. President, I ask unanimous consent that Senate Bill No. 1457, on second reading, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to incur indebtedness and issue bonds for certain purposes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ROBERTS. Mr. President, I ask unanimous consent that Senate Bill No. 1458, on second reading, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to incur indebtedness and issue bonds for certain purposes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1459, as follows:

An Act to amend sections one hundred and twenty-seven one hundred and twenty-eight one hundred and twenty-nine and one hundred and thirty as added and to add section one hundred and thirty-one to the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administeded and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further regulating the creation of union school districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one hundred and twenty-seven one hundred and twenty-eight one hundred and twenty-nine and one hundred and thirty of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand twenty-three) are hereby amended to read as follows

Section 127 Any two or more school districts may form a union school district in the following manner Each of said districts desiring to form a union school district shall present a petition to the county commissioners of the county where such district is located signed by at least [one-fourth of the whole number of taxable residents in such] a majority of the members of the board of school directors of each of said districts The county commissioners shall take no action upon such petitions until they have been approved in writing by the Superintendent of Public Instruction After such petitions have been approved and filed it shall be the duty of the county commissioners to submit to the electors of the respective districts desiring to form a union school district at the next general or municipal election a question whether or not such school districts shall be united ito a union school district Such question shall be submitted in the form and manner provided by the general election laws of this Commonwealth for the submission of similar questions

Section 128 If a majority of the voters of each school district voting at said election shall be in favor of establishing a union district as shown by the returns of said election a certificate of the return shall be filed with the Superintendent of Public Instruction and with the clerk of the court of quarter sessions of the county and with the board of school directors of each of said school districts

Section 129 Whenever any union district shall be formed as herein provided such district shall become a union school district on the first Monday in July after it has been formed The classification of any such union school district shall be be determined for the purposes of this act by the combined population of all of the districts united as shown by the last preceding decennial census of the United States

Section 130 Whenever any two or more school districts shall be consolidated into a union school district as herein provided all the debts and liabilities of the several districts shall become the debts of the union school district unless otherwise provided by an agreement in writing approved by a majority vote of each board of school directors prior to the time said questions of forming a union school district is submitted to the voters All rights of creditors against any of the said district shall be preserved against the union school district All property heretofore vested in the several districts shall become vested in the union district and all debts and taxes owing to the districts uncollected in the several districts and all moneys in the treasuries of the several districts shall be paid to the treasurer of the new district

Section 2 That said acts is hereby further amended by adding after section one hundred and thirty a new section to read as follows

Section 131 Whenever any two or more school districts shall be so consolidated into a union school district the directors then in office in each of said districts shall continue in office until the expiration of their respective terms and shall jointly

constitute the board of school directors of the union school district At the first municipal election after such a union school district is created and at each subsequent municipal election there shall be elected in such union school district the same number of school directors and for like terms as is provided by this act for school districts of the class to which such union school district belongs so that upon the expiration of the terms of the directors of the former districts which were united the board of school directors of such union school district shall be composed of the same number as in other districts in said class

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 2106

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2106, entitled:

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 2156

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2156, entitled:

An Act to amend section one hundred thirty-six of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," changing the procedure to create the office of county controller, including procedures where decrees have heretofore been entered.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1140

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1140, entitled:

An Act to amend paragraph nine of section one of the act, approved the twenty-seventh day of June, on thousand nine hundred and twenty-three (P. L. 858), entitled "State Employes Retirement Law" as amended, by further extending the time limit for becoming original members of the retirement association.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1060

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1060, entitled:

An act making an appropriation to the Maple Avenue Hospital Association of DuBois, at DuBois, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1205

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1205, entitled:

An Act exempting household furniture and household goods leased, hired or conditionally sold from levy and sale on execution or distress for rent.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1415

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1415, entitled:

An Act imposing penalties for improper use of food orders issued by or under the authority of the State Emergency Relief Board, or any poor board or other relief agency and improper furnishing of money, food and other merchandise thereon.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1466

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1466, entitled:

An Act making an appropriation to the Meadville City Hospital, Meadville, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 752

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 752, entitled:

An Act making an appropriation to the Northern Tier Home, Harrison Valley, Potter County, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 982

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 982, entitled:

An Act making an appropriation to the Home for Aged Couples of the City of Philadelphia, located at seventeen hundred and twenty-three Francis Street, Philadelphia, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 513

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 513, entitled:

An Act making an appropriation to the Wayne County Memorial Hospital, at Honesdale, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 425

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 425, entitled:

An Act making an appropriation to The Glen Mills Schools for Boys, situate in Delaware County, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 427

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 427, entitled:

An Act making an appropriation to the Sleighton Farm School For Girls, situate in Delaware County, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 254

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 254, entitled:

An Act making an appropriation to the Abington Memorial Hospital, Montgomery County, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 266

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 266, entitled:

An Act making an appropriation to the Hospital of the Women's Medical College of Pennsylvania, located at Henry Avenue and Abbotsford Road, East Falls, Philadelphia, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 92

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 92, entitled:

An Act permitting fishing on Sunday with one rod and two hooks and fixing penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1647

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1647, entitled:

An Act to amend Sections 8 and 15 of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 465), entitled "Fire Safety Building Regulation Law," as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

RESOLUTION RECALLING FROM THE GOVERNOR BILL No. 744

The Clerk of the House of Representatives being introduced presented extracts from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 25, 1933

Resolved (if the Senate concur), That House Bill No. 744, entitled:

An Act to amend section one thousand seven hundred and five of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one, (P. L. 932), entitled "Third Class City Laws," by requiring the city controller to file his audit in the court of common pleas of the proper county, and providing for a method of appeal therefrom, who may appeal, providing for a bond of the appellant the intervention by a taxpayer in an appeal by others, entry and enforcement of a judgment in favor of the city, a bond by intervening taxpayers, the effect of the intervention or appeal and the hearing of appeal.

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1659

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 25, 1933.

Resolved (if the Senate concur), That House Bill No. 1659, entitled:

An Act to further amend section seventeen of the act approved the fourteenth day of June, one thousand nine hundred and twenty-three (P. L. 710), entitled "Boxing and Wrestling Law," by increasing certain license fees.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1107

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 25, 1933.

Resolved (if the Senate concur), That House Bill No. 1107, entitled:

An Act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Public Health and Sanitation reported as committed Senate Bill No. 1378 (House Bill No. 1097), entitled:

An Act to safeguard human health and life in counties of the second class by providing for the licensing and regulation of persons and entities engaged in the disposal of garbage through the construction keeping maintenance or conduct of garbage disposal plants conferring powers and imposing duties on the county commissioners of such counties and otherwise providing for the administration of the act and imposing penalties.

Mr. BELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The chair hears none.

Mr. BELL, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 1380 (House Bill No. 1373), entitled:

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws five hundred and fifty-five), entitled "An act to further amend section seven of the act, approved the second day of May, one thousand eight hundred ninety-nine (Pamphlet Laws, one hundred eighty-four), entitled 'An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax,' by changing the date upon which the city or county treasurer is required to sue for the recovery of certain licenses duly returned to him by the mercantile appraiser and not paid."

Mr. ARMSTRONG. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARMSTRONG, from the Committee on Public Health and Sanitation reported as committed, Senate Bill No. 1369 (House Bill No. 244) entitled:

An Act to amend section fourteen of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by giving the courts of the county wherein alleged violation occurs or the residence or place of business of the complainant, jurisdiction in equity proceedings under the act.

Mr. BRANDT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is theire objection? The chair hears none.

Mr. BRANDT, from the Committee on New Counties and County Seats reported as amended, Senate Bill No. 1362 (House Bill No.), entitled:

An Act to amend section fifty-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; permitting individual sureties on the bonds of county officers; regulating and controlling the acceptance of such bonds.

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZIESENHEIM, from the Committee on Aeronautics, reported as committed, Senate Bill No. 1438 (House Bill No. 1642), entitled:

An Act to authorize incorporated towns to secure lands for the purpose of establishing and maintaining municipal airports, airdomes, aviation landing fields, intermediate landing fields, and airport facilities; to establish, equip, condition, operate and maintain municipal airports, airdomes, landing fields, or intermediate landing fields, and lease the same, either separately or jointly with other political subdivisions of this Commonwealth.

Mr. REED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED, from the Committee on New Counties and County Seats reported as committed, Senate Bill No. 534, entitled:

An Act creating in counties of the fourth, fifth, sixth, seventh and eighth classes a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commisisoners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities.

Mr. HARRIS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS, from the Committee on New Counties and County Seats reported as committed, Senate Bill No. 1440 (House Bill No. 188), entitled:

An Act to amend section one hundred and seventy-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," prescribing the oath to be taken by members of the board of viewers.

Mr. TRAINER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TRAINER, from the Committee on Law and Order reported as amended, Senate Bill No. 1450, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale transprotation and distribution of such beverages imposing license fees and providing for collections and distribution of revenues therefrom restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, legislative bodies of political subdivisions of the State and election officers; providing penalties and repealing existing acts.

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on New Coounties and County Seats, reported as committed, Senate Bill No. 1405 (House Bill No. 1229), entitled:

An Act to amend section one hundred and thirty-five of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight), entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes

and revising amending and consolidating the laws relating thereto" as amended by limiting the salary of the solicitor to the controller in counties of the fifth class.

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Education, reported as committed, Senate Bill No. 869 (House Bill No. 1279), entitled:

An Act to amend article fourteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine), entitled "An act to established a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribed penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by adding thereto a new section providing that the Department of Public Instruction shall reimburse school districts for educating children of employes of public institutions.

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there obpection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on New Counties and County Seat, reported as committed, Senate Bill No. 1358 (House Bill No. 1701) entitled:

An Act to amend section two hundred and twenty-two of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; providing a procedure to provide for the holding of two or more county offices in certain counties by the same person.

Mr. PETHICK. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PETHICK, from the Committee on New Counties and County Seats reported as committed, Senate Bill No. 1449 (House Bill No. 1235) entitled:

An Act to amend section two hundred and twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by changing the qualifications of the first deputy prothonotary in counties of the third class.

Mr. LANIUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANIUS., from the Committee on Public Health and Sanitation reported as commited, Senate Bill No. 1019 (House Bill No. 1847) entitled:

An Act to protect the public health; defining and providing for the licensing of bakeries and regulating the inspection, maintenance and operation of bakeries, and premises, stores and shops connected therewith; defining and regulating the manufacture, sale and offering for sale of baker products; conferring powers on the Department of Agriculture; and providing penalties.

BILL INTRODUCED

Mr. BRANDT. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BRANDT read in his place and presented to the Chair Senate Bill No. 1460, entitled:

A supplement to the act providing the twenty-second day of June, one thousand nine hundred and thirty-one (Act. No. 203), entitled "An act establishing certain township roads as State Highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Allegheny.

Which was committed to the Committee on Public Roads and Highways.

RECESS

Mr. KRAUSE. Mr. President, I move that the Senate do now take a recess until 4 o'clock this afternoon.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Finance, reported as committed, amended, Senate Bill No. 1377 (House Bill No. 1196) entitled:

An Act to amend section three of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing certain duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," providing that such distributors may deposit bonds of the United States or of this Commonwealth in lieu of surety bonds.

Mr. PETHICK. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PETHICK, from the Committee on Game and Fisheries, reported as committed, amended, Senate Bill No. 1001 (House Bill No. 1200) entitled:

An Act making it unlawful to unnecessarily crop or cut off the ear or ears of dogs or to show or exhibit such dogs and

providing for the registration of dogs so cut or cropped before this act becomes effective with the county treasurer.

Also from the Committee on New Counties and County Seats reported as amended, Senate Bill No. 1011 (House Bill No. 1278) entitled:

An Act to amend section four hundred and twenty-six of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; as amended, providing for the graves of service men, foundations for headstones furnished by the United States Government, and proper lettering on family monuments placed in lots containing the bodies of service men.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Finance reported as committed, Senate Bill No. 1409 (House Bill No. 1372), entitled:

An Act to provide reciprocal relations in respect to death duties in taxation of estates of non-resident decedents.

Also from the Committee on Finance re-reported as committed, Senate Bill No. 819 (House Bill No. 1543), entitled:

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties"; extending the period for payment of part of the tax.

Mr. SORDONI. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none

Mr. SORDONI, from the Committee on Finance re-reported as committed, Senate Bill No. 1349 (House Bill No. 2155), entitled:

An Act to amend section twenty of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties by abolishing the fee payable to police officers for killing and disposing of unlicensed dogs

Mr. ROBERTS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ROBERTS, from the Committee on Agriculture reported as committed, Senate Bill No. 1432 (House Bill No. 1127), entitled:

An Act declaring and adopting the Mountain Laurel (Kalmia latifolia) as the State flower of Pennsylvania.

Mr. FAY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is their objection? The Chair hears none.

Mr. FAY, from the Committee on Finance reported as committed, Senate Bill No. 980 (House Bill No. 1666), entitled:

An Act to amend section nine of the act approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes" by increasing the fees to be charged by the Department of Welfare for certificates of registration.

RECONSIDERATION OF SENATE BILL No. 1376

Mr. TRAINER. Mr. President, I move to reconsider the vote by which Senate Bill No. 1376, entitled:

An Act to amend section seven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen), entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party offices including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent signers required for nomination petitions for magistrates in cities of the first class

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. TRAINER. Mr. President, I voted "aye".

Mr. SCOTT. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye".

The motion was agreed to,

And the question recurring,

Shall the bill pass finally?

Mr. TRAINER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. TRAINER. Mr. President, I voted "aye".

Mr. SCOTT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. TRAINER. Mr. President, I ask unanimous consent to amend title, page 2, line 2, from top of page, by inserting after the word "inconsistent" the following legislation, "as amended by increasing the number of."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

REPORT FROM COMMITTEE

Mr. HOWELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on Finance, reported as committed, Senate Bill No. 1433 (House Bill No. 933), entitled:

An Act reducing the salaries and compensation of certain county city borough town township and poor district officers and employes and requesting and urging public officers of counties cities boroughs towns townships and poor districts now in office to agree to voluntary reductions of salaries.

QUESTION OF PERSONAL PRIVILEGE

Mr. McCLURE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Delaware, Mr. McClure, will state his question of personal privilege.

Mr. McCLURE. Mr. President and members of the Senate: Of the ten million people of Pennsylvania one stands out preeminently as a showman of the first dimension. All of us are familiar with his work and not one of us will deny him credit. All mediums are great in his mill. Familiar with every method, he is a master of personal publicity.

The Commonwealth of Pennsylvania has urgent need for that man's services. This State is the brightest star in the American galaxy. But its story is not well told and its glory is partly a closed book.

For that reason I suggest that the Senate of Pennsylvania call upon Governor Gifford Pinchot to abandon his successful attempts at personal exaltation, and devote his time and efforts solely to the well-being of the State which twice has elected him its chief executive.

Mr. President, and Members of the Senate, I have no doubt that with a little practice Governor Pinchot might advance this State's interests with the facility he now employs in his detractions.

I have no doubt that if he so desires he can point with pride to the greatness of Pennsylvania, rather than to what he calls its rottenness and corruption. As general manager of a ten-billion dollar business it is his duty to further its interests and promote its good reputation.

In my opinion his mistaken attitude toward the State, which has twice honored him, toward the party which has twice elected him, and toward a Senate and Assembly, which over a period of more than six years has tried to work with him for Pennsylvania's best interests, comes from a combination of ego-saturated cosmos and chronic sour stomach. Neither is incurable.

The Governor is not willing to admit that we members of the Legislature owe a single duty to the folks back home. It is his idea that his simple O. K. will square us with our constituents. He claims to voice the unanimous sentiment and opinion of Pennsyvania's ten million people. But the truth is that in the general election of 1930 the narrow margin of approximately 58,000 votes separteed him from defeat. So close was he to a life of ease among the trout streams and bass pools of Pike County.

For more than a century the Pinchot family has been identified with Pennsylvania affairs. It seems to me that loyalty alone should dictate a different course than that pursued by the Governor. It seems to me that he should be glad to confer with Senators and Assemblymen, with party leaders, and with citizens generally, in an effort to determine what must be done to make Pennsylvania even a greater State, and life in Pennsylvania even more worth living.

As members of the Legislature we are bound to do the right thing. But by written and spoken word the Governor charges that the majority of the members of the Senate and House are bondservants of special interests.

Is it reasonable to believe that if the accusation were true we would dare face the men and women who sent us to Harrisburg?

If it were true even the children in the street would be justified in reviling us. But it is not true. None knows it more than the Governor of Pennsylvania.

Unfortunately the mind of the average citizen is not an indexed filing cabinet. If it were the Governor would be more careful of what he says. During his speech Monday night of last week he showered praise upon four of his appointees to the Public Service Commission, and heaped abuse upon the fifth. But as the Philadelphia Ledger put it so truthfully.

> "There was an element of inconsistency in Governor Pinchot's discrimination against the Chairman of the commission with whom he has a personal quarrel, in the hearty encomiums he bestowed on the commission as a whole, for undoubtedly Dr. King must be entitled to a share of the credit given to his associates."

The truth is, Mr. President, and Members of the Senate, that in all decisions of the Public Service Commission since the Governor gained control not a dissenting vote has been cast. So Dr. King, and Commissioners Shelby and Walker, deserve as much credit for meritorious deeds as the quartet of commissioners eulogized by the Governor.

Or take the subject of unemployment relief. For weeks the Governor has ding-donged on the subject of huge state advances. On every first page in the state he has advertised his tears and lamentations, while he demanded that the legislature appropriate great sums to be matched by the Federal Government.

But in all that he has said he has made no mention of the fact that some day Pennsyuvania must return to the treasury at Washington the millions in gold that jingle so musically in the cup.

The return, of course, is for our sons and daughters to worry about. It is nothing in the lives of those who borrow it so cheerfully.

But the Governor has not always pleaded for state appropriations. Not long ago his idea was vastly different. On Sunday afternoon, October 25, 1931, he delivered an address at the men's club of the First Congregational Church in Flushing, New York City. And in that speech he said:

> "If the burden of unemployment relief is to fall where it rightly and justly should, then there is no way to escape and increase in the higher brackets of the Federal income tax, or an excess profits tax, or similar enactments."
> But he went farther than that. He said:
> "The present effort to take every possible cent of the cost of unemployment relief from the less well-to-do is not only unsound morally and economically, but it is utterly foolish from the point of view of those who are guilty of it, and it is dangerous as well."

Apparently the Governor has found it politically advisable to abandon that viewpoint, for he complacently directs the legislature to use vast totals of tax money for relief purposes. Where does tax money come from, if not directly and indirectly from the less well-to-do? It is all very well to say that corporations pay the bulk of our revenues, but what they pay is added to the cost of what they produce, or sell, and

comes eventually from the pockets of the little fellow—the less well-to-do. All taxes come eventually from the little fellow.

But it is not my intention to go deeply into that subject. I merely remind you that we do not owe sole allegiance to the Governor of Pennsylvania. Our duty is to the people of Pennsylvania. We must enact legislation demanded by our constituents.

We know what they want.

We mingle among them continually. We are not political deities, surrounded by lesser Rasputins and denied human contacts that bring enlightenment. Let us continue to see our duty and do it.

And let the Governor of Pennsylvania join us in doing it.

SENATE BILL No. 246 RETURNED WITH AMENDMENTS

The Clerk of the House being introduced returned to the Senate, Senate Bill No. 246, entitled:

An Act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows: Amend Section 4, page 6, line 5, by inserting after the word "township" the following section: "3 There shall be no preliminary hearings in any cases affecting dependent delinquent or neglected children under the age of sixteen years"; also section 8, page 8, line 22, by inserting after the word "purpose" the words "willing to receive it"; also section 9, page 9, line 11, by inserting after the word "county" the word "proper"; also by striking out after the words "for the" the following: "care and maintenance and the expenses of placing and replacing such child and may fix the amount which shall be paid for such care and maintenance" and inserting in lieu thereof the following: "board and clothing of and necessary medical and surgical attendance upon and the care of such child and its maintenance generally and the necessary expenses of placing and replacing the child and may fix the amount which shall be paid for the child Provided That in all cases of commitments to houses of refuge that are not exclusively under State control or that are exclusively under State control the amount of the order for maintenance clothing instruction medical and surgical care shall be fixed according to existing legislation governing the payment of expenses of maintenance clothing instruction medical and surgical care of children committed to such institutions" "Section 29 ACTS SAVED FROM REPEAL This act shall not repeal or modify any of the provisions of the following acts" "The act approved the twenty-second day of April one thousand eight hundred and fifty (Pamphlet Laws five hundred thirty-eight) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" "The act approved the seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws six hundred seventy-seven) entitled "An act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and juvenile courts and imposing certain expenses upon counties" "The act approved the seventh day of April one thousands nine hundred and twenty-five (Pamphlet Laws one hundred fifty-six) entitled "An act to amend section one of the act approved the twenty-seventh day of March one thousand nine hundred and three (Pamphlet Laws eighty-three) entitled 'An act to provide for the payment of the expenses of the Maintenance and instruction of children committee to Houses of Refuge which are not exclusively under State control jointly by the State and by the counties from which they may be sent and providing a method for determining the amount due and collecting the same from said counties' by changing the time of payment by counties" also section 10, page 9, line 29, by striking out after the word "of" the word "each" and inserting in lieu thereof the word "such"; also by inserting after word "in" the following: "cases of commitments to Glen Mills School Sleighton Farm and Pennsylvania Training School and to public county institutions in"; also page 10, line 1, by striking out after the word "own" the word "institution" and inserting in lieu thereof the word "institutions"; also section 11, line 17, by inserting after the word "commitment" the following: "It shall not be lawful to commit the custody of any neglected or dependent child under the age of twelve years to any intitution in which delinquent children are received"; also line 18, by striking out the heavy faced bracket before the word "neglected" and the heavy faced bracket after the word "or"; also line 20, by striking out after the word "delinquent" the words 'or neglected"; also line 21, by striking out after the word "built" the word "and" and inserting in lieu thereof the word "or"; also line 22, by striking out after the word "on" the words "the cottage plan" and inserting in lieu thereof the following: "a building plan providing for separate housing and supervision"; also line 23, by inserting after the word "all" the words "neglected and"; also line 24, by striking out after the word delinquent" the words "or neglected"; also section 28, page 2, line 10, inserting after the word "repealer" the following:

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken to the provisions of the Constitution, and were as follows, viz:

NAYS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

YEAS—0

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON THIRD READING POSTPONED FOR THE PRESENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 989, on third reading postponed for the present, entitled:

A Joint Resolution continuing the joint legislative committee created to study the production and marketing of milk

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

On the question,

Shall the bill pass finally?

Br. BUCKMAN. Mr. President, if I am in order to discuss this bill, permit me to say this is the bill to continue the joint legislative committee which has been holding hearings during the present session on the question of the production and marketing of milk. The committee has had hearings each week, which have been very largely attended. We have a volume of data which has been produced, and testimony which has been taken before the committee, and it is the feeling of the committee, which had a meeting today, that this work should be continued during the recess, in order that we may at the next session of the Legislature recommend appropriate legislation on the subject.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Staudenmeier,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—1

Aron,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING POSTPONED FOR THE PRESENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 1203, on third reading postponed for the present, entitled:

An Act requiring certain persons, associations, copartnerships and corporations to keep full accounts and records with respect to the sales and transactions relating to dairy products and to submit the same to inspection by the Secretary of Agriculture, and prescribing the effect of failure to comply with the orders of the Secretary of Agriculture.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

MOTION TO RECOMMIT BILL

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 1203 be recommitted to the Committee on Agriculture.

Mr. TRAINER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. TRAINER. Mr. President, I want to say to you that the farmer and the dairyman have troubles of their own just now, and this bill, when it goes into effect, is going to ask them to bring in expert accountants and do everything that will add to their troubles and worries, and it is just adding another thing to the farmer's expense; and I do not think it should be done at this time.

Mr. BUCKMAN. Mr. President, I hope this motion will not prevail. This bill has been considered by the Committee on Agriculture and fully considered by a sub-committee thereof. I realize that my friend from Philadelphia, Senator Trainer, is by profession a farmer, but I did not know he was fighting the farmer's battle in this Senate. I understand he is in the wholesale milk business as well. But I want to say to this Senate that this bill is in the interest of the farmer and not in the interest of the milk dealer. We feel it is a proper bill and should be passed by the Senate and become a law. The farmers of the State are in back of it. If you are voting to recommit this bill you are voting against the farmers of this State; and I hope that the motion will not prevail.

Mr. TRAINER. Mr. President, I might remark, to the distinguished Senator from Bucks, Mr. Buckman, that there was a mistake made in the bill when it was introduced. Last week we had the hair dressers and everybody else up here; and they should have had a manicurists' organization to go out on the farms and see that the cows were properly manicured, and everything else, before we could milk them.

And the question recurring,

Will the Senate agree to the motion?

It was not agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1203, entitled:

An Act requiring certain persons associations copartnerships and corporations to keep full accounts and records with respect to the sales and transactions relating to dairy products and to submit the same to inspection by the Secretary of Agriculture and prescribing the effect of failure to comply with the orders of the Secretary of Agriculture.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Baumer,	Graff,	Quigley,	Snyder,
Bennett,	Harris,	Reed,	Sones,
Buckman,	Howell,	Rice,	Thompson
Chapman,	Lanius,	Roberts,	Williamson,
Clark,	Mansfield,	Salus,	Woodward,
Ealy,	Owlett,	Shapiro,	Ziesenheim.
Fay,	Pierson,		

NAYS—17

Armstrong,	Frazier,	Miller,	Scott,
Aron,	Hunsicker,	Norton,	Sordoni,
Batchelor,	Krause,	Parkinson,	Staudenmeier,
Bell,	McClure,	Pethick,	Trainer,
Coyne,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurence.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 95, entitled:

An Act to amend section one of the act approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage, stationery and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," as amended, decreasing the compensation of members of the General Assembly, and the amount they shall receive for postage and mileage.

House Bill No. 173, entitled:

An Act to amend section one thousand five hundred and eight of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," as amended, providing for cooperation by school districts with municipal districts in health work.

House Bill No. 257, entitled:

An Act to amend section thirty-seven of the act approved the tenth day of July, one thousand nine hundred and nineteen, (P. L. 857), entitled "Personal Registration Law, First Class Cities"; regulating the correction of registers upon petitions of electors.

House Bill No. 324, entitled:

An Act to further amend section one of the act approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws, one hundred eighteen), entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States," by providing that certain descriptions and plans heretofore required to be filed with the Secretary of the Commonwealth shall hereafter be filed in the Department of Internal Affairs, and requiring the transfer to the Department of the Internal Affairs of such descriptions and plans now filed with the Secretary of the Commonwealth.

House Bill No. 380, entitled:

An Act to amend section three of the act approved the fifth day of March, one thousand nine hundred and six (P. L. 63), entitled "Personal Registration Law, Third Class Cities"; as amended, by changing the hours when registrars are to sit.

House Bill No. 1025, entitled:

An Act giving courts of common pleas jurisdiction of actions for injuries to or breaches of contracts or covenants relative to lands situate without the Commonwealth or estates or interests in such lands

House Bill No. 1340, entitled:

An Act to amend clause (d) as amended of section fifty-nine of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "Fiduciaries Act of 1917," by providing for the action by the natural guardian, or the person by whom the minor is maintained, for the minor upon leave of court and without formal appointment, in matters relating to real estate in which the share of the minor does not exceed two hundred dollars.

House Bill No. 1635, entitled:

An Act to amend section eleven of the act approved, the eleventh day of May, one thousand nine hundred and twenty-five (P. L. 561), entitled "Second Class County Jury Law," by changing the method of giving notice to persons selected as jurors.

House Bill No. 1824, entitled:

An Act to amend section two of the act approved the third day of April, one thousand nine hundred and twenty-nine (P. L. 135), entitled, "An act authorizing the Department of Justice, acting for the Department of Forests and Waters, to institute suits on behalf of the Commonwealth to recover from persons, associations, copartnerships, and corporations, and their officers, agents, and employes, causing forest fires, the expenses incurred by the Department of Forests and Waters on account of such fires," authorizing the Department of Forests and Waters to institute suit for such purposes where such expenses do not exceed three hundred dollars

House Bill No. 1945, entitled:

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended and paragraph one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment of State Annuity Reserve Account Number Two.

House Bill No. 2061, entitled:

An Act providing for the transfer of the State Nursery at Milton from the Department of Highways to the Department of Forests and Waters.

House Bill No. 1374, entitled:

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools; granting power to the State Council of Education to permit, as to certain school districts, temporary reductions in the salary schedules; authorizing the State Council of Education to suspend mandatory provisions of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," and of its amendments and supplements; prohibiting school districts from demanding, requesting or accepting gifts or donations from members of the teaching and supervisory staffs, and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof; and temporarily superseding any inconsistent acts and parts of acts.

House Bill No. 267, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, located at East Falls, Philadelphia.

House Bill No. 276, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania.

House Bill No. 415, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries.

House Bill No. 901, entitled:

An Act making an appropriation to the West Side Hospital Association of Scranton, Lackawanna County, Pennsylvania.

House Bill No. 1007, entitled:

An Act making an appropriation to the Franklin Hospital, Franklin, Pennsylvania.

House Bill No. 1198, entitled:

An Act relating to dentistry; defining and providing for the licensing and registration of dentists, and dental hygienists, and for the revocation and suspension of such licenses and registrations subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws.

House Bill No. 1371, entitled:

An Act to further amend sections three, five and six of the act approved the tenth day of June, one thousand eight hundred and ninety-three (P. L. 419), entitled "General Election Law," by increasing the numbers of signers to nomination papers, changing the time for filing same and changing the time for filing objections thereto.

House Bill No. 1476, entitled:

An Act providing for the deferring of sentences in certain cases pending the mental examination of defendants; authorizing trial judges and the Department of Welfare to require psychiatrists employed by county and state mental hospitals to examine certain such defendants without additional compensation except expenses payable by counties; providing for the commitment of defendants to certain institutions where the reports show the same to be advisable; providing for the payment by individuals, counties, or the Commonwealth of the cost of admission, care and discharge of such defendants.

House Bill No. 1837, entitled:

An Act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes.

House Bill No. 1934, entitled:

An Act providing for receipt by the Commonwealth of personal property bequeathed to the Commonwealth; providing for the vesting of title in the Commonwealth of real estate devised to the Commonwealth, the custody, repairs, leasing and sale thereof by the Department of Property and Supplies with approval of the Department fo Justice; and providing the payment of costs of repair of such property.

House Bill No. 167, entitled:

An Act making an appropriation to the Miners' Hospital of Northern Cambria at Spangler, Cambria County, Pennsylvania.

House Bill No. 186, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

House Bill No. 707, entitled:

An Act making an appropriation to the Carbondale General Hospital, Carbondale, Pennsylvania.

House Bill No. 708, entitled:

An Act making an appropriation to the Mid-Valley Hospital Association at Blakely, Pennsylvania.

House Bill No. 709, entitled:

An Act making an appropriation to the Saint Joseph's Hospital, Carbondale, Pennsylvania.

House Bill No. 710, entitled:

An Act making an appropriation to the Robert Packer Hospital of Sayre, Pennsylvania.

House Bill No. 714, entitled:

An Act making an appropriation to the Tuberculosis League of Pittsburgh Pennsylvania.

House Bill No. 1129, entitled:

An Act making an appropriation to the Eagleville Sanatorium for Consumptives, located at Eagleville, Montgomery County, Pennsylvania.

House Bill No. 1328, entitled:

An Act making an appropriation to the Community Hospital of Kane Pennsylvania

House Bill No. 1332, entitled:

An Act making an appropriation to the Home for the Friendless for the city of Scranton.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

BILL INTRODUCED

Mr. SHAPIRO. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO read in his place and presented to the Chair Senate Bill No. 1461, entitled:

An Act providing for the reduction by a building and loan association, with the approval of the Department of Banking and upon order of the court of common pleas, of its liability to shareholders; applying to building and loan associations, whether or not in possession of the Secretary of Banking.

Which was committed to the Committee on Banks and Building and Loan Associations.

REPORTS FROM COMMITTEES

Mr. NORTON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection. The Chair hears none.

Mr. NORTON, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 1285 (House Bill No. 2010), entitled:

An Act establishing a court of record in the County of Allegheny for control care and treatment of delinquent neglected and dependent children under sixteen years of age defining their jurisdiction powers and duties and regulating procedure therein providing for the transfer of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of referees probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities.

Mr. NORTON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection. The Chair hears none.

Mr. NORTON, from the Committee on Insurance, re-reported as committed, Senate Bill No. 1415 (House Bill No. 1971), entitled:

An Act to amend section two hundred and twelve of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended, "An act relating to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign

companies, associations or exchanges; providing penalties; and repealing existing laws," as amended, by bringing public adjusters' solicitors within the retialiatory provisions relating to agents, brokers and public adjusters.

Also from the Committee on Insurance, re-reported as committed, Senate Bill No. 1416 (House Bill No. 1972), entitled:

An Act to amend section six hundred and three as amended and section six hundred and twenty-two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign companies associations or exchanges providing penalties and repealing existing laws" by defining the right of corporations to be licensed as insurance agents or insurance brokers

Also from the Committee on Insurance, re-reported as committed, Senate Bill No. 1417 (House Bill No. 1973), entitled:

An Act to amend section six hundred and ten of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," as added, by further defining resident agents of certain foreign insurance companies.

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 1069 (House Bill No. 1791), entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction and providing for the repayment of such moneys from the General Fund.

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1244 (House Bill No. 1536) entitled:

An Act to amend the title and to amend section one of the act approved the tenth day of May one thousand nine hundred and twenty-seven (P. L. 879) entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods wares or merchandise of any kind fixtures machinery equipment or real estate by every corporation joint-stock association limited partnership or company providing certain requirements therefor and imposing certain duties upon the seller and buyer and fixing penalties" by extending the provisions of the said act to individuals copartnerships and other unincorporated associations and including notice thereof in the title of said act.

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as committed, Senate Bill No. 953, entitled:

An Act to further amend section three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six), entitled "An Act appropriating the moneys in the Motor License Fund," by making the moneys in the Motor License Fund available for administering the laws, rules and regulations relating to aeronautics.

BILLS INTRODUCED

Mr. BUCKMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 1462, entitled:

An Act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund; providing for subsequent transfers of equal sums between such funds; and making appropriations necessary to effect such transfers.

Which was committed to the Committee on Appropriations.

HOUSE MESSAGES

LEGISLATIVE INVESTIGATING COMMITTEE OF ALLEGHENY COUNTY GOVERNMENT CONTINUED

The Clerk of the House of Representatives being introduced, presented communication from the House informing the Senate that the House of Representatives has concurred in resolution of the Senate as follows:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur), That the Legislative Committee authorized to be appointed pursuant to concurrent resolution approved July 12, 1932 (Serial No. 102, Special Session of 1932), to investigate the cost of government in Allegheny County in order to determine the cause of the high cost thereof, is hereby continued for a further period of two years, and shall make a report of their recommendations to the General Assembly of 1935. Any vacancy existing on said committee for any cause shall be filled by an appointment of a Senator or Member or the President pro tempore of the Senate or the Speaker of the House of Representatives, as the case may be.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 361

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 361, entitled: "An act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; prinicipal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improve-

ment, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth govtrning same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, providing that in awarding damages to abutting property owners for changing the width or existing lines and location of State highways, the benefits to such property may be considered in mitigation thereof" be recalled from the Governor for further consideration.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 223

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate April 24, 1933.

(Resolved (if the House of Representatives concur), That Senate Bill No. 223, entitled: "An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Fennsylvania" be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 583

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 583, entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg, Pennsylvania

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 756

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 756, entitled:

An Act to amend part of section two of the Appropriation Acts of one thousand nine hundred and thirty-one (Act No. 15-A, p. 16), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one;" amending the appropriation relating to the Coaldale State Hospital.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 638 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 638, entitled:

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors providing for the appointment and compensation of a director of welfare investigators assistants experts and employes and for the employment and compensation of elected directors whose terms have not expired and repealing existing laws

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE INSISTS UPON AMENDMENTS TO SENATE BILL No. 306

He also presented communications from the House of Representatives informing the Senate that the House insists upon the amendments made by the House to Senate Bill No. 306, entitled:

An act making an appropriation to the Women's Hospital of Philadelphia Preston and Parrish Streets Philadelphia, Pennsylvania.

APPOINTMENT OF COMMITTEE OF CONFERENCE

Mr. FRAZIER. Mr. President, I move that the Senate insist upon it non-concurrence in the amendments to the forgoing bill and that a Committee of Conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Frazier, Scott and Armstrong be said committee on the part of the Senate,, and the Clerk inform the House of Representatives accordingly.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed. the Senate will be in order.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS TO SENATE BILL No. 385

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 385, entitled:

An Act providing for the fixing of salaries or compensation of all appointed officers clerks and other employes paid from

the county funds in counties of the sixth seventh and eighth classes and creating salary boards in certain counties

and has appointed Messrs. Wood, Weidemann and Woodside as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee), to consider the differences existing between the two houses in relation to said bill.

HOUSE APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments, non-concurred in by the Senate to Senate Bill No. 671, entitled:

An Act to amend sections three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen, three hundred sixteen, three hundred seventeen, three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred twenty-one, three hundred twenty-two, three hundred twenty-three, three hundred twenty-four, three hundred twenty-five and three hundred twenty-six, and to repeal section three hundred twenty-seven as added of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating hereto," by changing the amount of contributions to the retirement fund the retirement age, the length of service necessary to entitle members to retirement allowance, upon being totally disabled, and increasing the number of members of the retirement board, and authorizing counties of the second class and the county poor district to make appropriations to an employes retirement fund.

and has appointed Messrs. Rectenwald, Kane and McBride as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the houses in relation to said bill.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1106

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 25, 1933.

Resolved (if the Senate concur), That House Bill No. 1106, entitled: "An act to provide for the incorporation and regulation of cooperative agricultural credit associations having capital stock; and defining the limitations, powers and duties of such associtions" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as committed, Senate Bill No. 1462, entitled:

An Act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the sums between such funds; and making appropriations necessary to effect such transfers.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Finance, reported as committed, Senate Bill No. 512, entitled:

An Act to amend clause twenty-five, as amended and renumbered clause eighteen of, and to add clause twenty to, section three hundred and two of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys, erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State Depository and every debtor or creditor of the Commonwealth"; by establishing the State Parks Fund and transferring certain revenues from the State School Fund to the State Parks Fund.

Also from the Committee on Finance, reported as amended, Senate Bill No. 1402 (House Bill No. 1865), entitled:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred and ninety-seven (Pamphlet Laws, two hundred and ninety-two), entitled "An act to provide revenue by taxation."

Also from the Committee on Finance, reported as amended, Senate Bill No. 1367 (House Bill No. 1866), entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred and seven (Pamphlet Laws, six hundred and forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto," approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies.

Mr. TRAINER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TRAINER, from the Committee on Finance, reported as committed, Senate Bill No. 1373 (House Bill No. 910), entitled:

An Act to amend section one of the act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred eighty-four) entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and prvoiding for the collection of said tax" as amended exempting retail venders or retail dealers engaged in compounding and dispensing medicines on prescriptions of physicians

Mr. MANSFIELD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD, from the Committee on Public Health and Sanitation, reported as committed Senate Bill No. 1383 (House Bill No. 1586), entitled:

An Act to amend section seven of the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring a certificate of death to include the military record of decedent if any

BILLS INTRODUCED

Mr. HARRIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS (by request) read in his place and presented to the Chair Senate Bill No. 1463, entitled:

An Act declaring it to be a misdemeanor for accountants or auditors to issue or permit to be issued false financial statements.

Which was committed to the Committee on Judiciary General.

Also (by request) read in his place and presented to the Chair Senate Bill No. 1464, entitled:

An Act to amend the act approved the twenty-ninth day of March, one thousand eight hundred and ninety-nine (P. L. 21), entitled "An act to establish a board for the examination of accountants, to provide for the granting of certificates to accountants, and to provide a punishment for the violation of this act," by adding thereto a section providing penalties for issuing or permitting to be issued a false financial statement.

Which was committed to the Committee on Judiciary General.

Mr. COYNE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE read in his place and presented to the Chair Senate Bill No. 1465, entitled:

An Act to amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting interest bearing accounts in any bank or banking institution, savings institution or trust company from taxation under the provisions of said act.

Which was committed to the Committee on Finance.

BILLS ON THIRD READING AND FINAL PASSAGE

Mr. SORDONI. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 315, on third reading, entitled:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons and appropriating the Banking Department Fund; authorizing the department of Banking, under certain circumstances, to examine corporations, associations, or person affiliated, or having business transactions, with supervised corporations, associations or persons; authorizing appeals to the supreme court an prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State department, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to th third reading and consideration of Senate Bill No. 315, as follows:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise tranacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts

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Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Department of Banking Code"

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Department" the Department of Banking of this Commonwealth

"Secretary" the Secretary of Banking of this Commonwealth or his duly authorized deputy or representative

"Corporation" a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Person" and individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals

"Institution" a corporation or a person as defined in this section which is subject to the supervision of the Department

"Court" the court of common pleas of the county in which the corporation or person has its principal or only place of business in this Commonwealth or where an institution of which the Secretary is receiver is concerned the particular court in which the certificate of possession as defined later in this act is filed

"Prothonotary" the prothonotary of such court

"Written" this includes printed typewritten engraved lithographed photographed photostated telephotographed

B Article and section headings shall not be construed to affect in any manner the scope or meaning of any article or section of this act

C The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 3 Notices to Corporations and Persons Unless expressly provided otherwise all written notices required by this act to be given to any corporation or person shall be (1) served in the manner now or hereafter established by law for the service of writs of summons except that such service need not be made by the sheriff or (2) mailed charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation formed under the laws of this Commonwealth to its principal office and (c) in the case of a corporation formed under the laws of some other state to the office of its duly authorized agent in Pennsylvania or if there be no duly authorized agent in Pennsylvania to its home office in the state of incorporation or in any other state

If a notice is sent by mail such notice shall be deemed to have been given to the corporation or person addressed when it is deposited in the United States mail for transmission to such corporation or person

Section 4 Advertisements or Notices in Newspapers A Unless expressly provided otherwise any advertisement or notice in a newspaper required by this act shall be published once a week for three successive weeks in a newspaper of general circulation in the county as defined by the Newspaper Advertising Act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four) its supplements and amendments published in the city borough or township in which the principal place of business of the institution is located

If there is no newspaper of general circulation published in the city borough or township then the advertisement publication or notice shall be inserted in a newspaper of general circulation in the county published at the county seat If no newspaper of general circulation in the county is published at the county seat then such advertisement publication or notice shall be inserted in the newspaper of general circulation published nearest to the city borough or township in which the principal place of business of such institution is located and within the county If there is no newspaper of general circulation published within the county then the advertisement or notice shall be inserted in the newspaper of general circulation published nearest to such city borough or township in an adjoining county

B Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act

Section 5 Waiver of Notice Any notice required by this act to be given to any corporation or persons may be waived by such corporation or person either before or after the day prescribed for the giving of such notice but any such wavier shall not dispense with any advertisement publication or notice in a newspaper required by any provision of this act Such waiver shall be in writting and signed by such corporation or person

Section 6 Fees Except as otherwise specifically provided in this act any prothonotary or recorder of deeds and any State department board commission or officer other than the Department of Banking or its employes shall be entitled to receive for services performed as required by this act such fees as it lawfully charges for such similar services

Section 7 Certification of Copies and Affixing of Department Seal all certifications by the Department of copies of books accounts reports or other papers filed with it shall bear the official seal of the Department

Section 8 Fees for Copies and Certifications by Department The Department may be general rule or regulation prescribe and charge reasonable fees for any copy of a book account report or other paper filed in its offices and for any certification thereof authorized or required by law

Section 9 Admissibility of Copies into Evidence When duly certified by the Department a copy of any book paper or document on file with it shall be evidence in any court of law or equity in any investigation or proceeding authorized by law or for any other purpose equally and with the same effect as the original but in any proceeding the court having jurisdiction may on cause shown require the production of the original

Section 10 Evidential Value of Results of Exanimations The record of any examination or investigation of an institution by the Department or the report by the examiner or employe of the Department who conducted such examination or investigation or a copy of either when duly certified by the Department shall be prima facie evidence of the facts therein stated in any action at law or in equity in which one of the parties is the Department or any officer or employe thereof either in his official capacity or otherwise where the basis of the action is an act performed by him in the name of the Department

Section 11 Appeals from Court Orders Whenever pursuant to the provisions of this act any judgment decree or other order is entered by any court in this Commonwealth either for or against the Department or any relief requested by or against the Department is refused by such court either the Department or any other party to such proceeding shall have a right of appeal to the Supreme Court in the manner provided by law for appeals to the court regardless of the amount in controversy

Section 12 Construction of References A Any reference in this act to any act by title or otherwise shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

B Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act as well as those then in existence

Section 13 Saving Clause A The provisions of this act in so far as they are the same as those of existing acts shall be construed as a continuation of such acts and not as new enactments The repeal by this act of any existing act or any part thereof shall not be construed to revive any act or part of any act heretofore repealed or superseded

B The provisions of this act shall not affect any act done liability incurred or right accrued or any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any act repealed or superseded by this act

C Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term subject to the conditions attached to such office prior to the passage of this act

D All resolutions regulations and rules made pursuant to any act repealed by this act shall unless inconsistent with any provision of this act continue with the same force as if such act had not been repealed

Section 14 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 15 Act Not Applicable to Small Loan Companies and certain private banks A This act does not apply to and does not affect any act relating to corporations and persons licensed

by the Department to make small loans as provided by the act approved the seventeenth day of June one thousand nine hundred fifteen (Pamphlet Laws one thousand twelve) entitled "An act regulating the business of loaning money in sums of three hundred ($300.00) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" its amendments and supplements

B This act likewise does not apply to any individual partnership or unincorporated association engaged in business as a private banker or private bankers if such individual partnership or unincorporated association and his or their predecessor or predecessors or one or more of the members thereof have continuously and in the same locality conducted the business since a date not less than seven years prior to the nineteenth day of June one thousand nine hundred eleven

ARTICLE II
JURISDICTION AND MAINTENANCE OF DEPARTMENT

Section 201 Corporations and Persons Subject to Supervision of Department The Department shall have the power to supervise

(1)All corporations and persons which are authorized to receive or which do receive in this Commonwealth money on deposit or for safe-keeping or which are authorized to engage or which do engage in this Commonwealth in a banking business and all corporations which are authorized to act or which do act in this Commonwealth as trustees guardians executors administrators or in other fiduciary capacities including banks bank and trust companies trust companies private banks other than those exempted by this act savings banks mutual savings funds and safe-deposit companies but not including hotels or clubs which receive money from guests or members for temporary safe-keeping express steamship or telegraph companies which receive money for transmission and attorneys at law real estate agents and attorneys in fact who are not engaged in the business of receiving moneys in this Commonwealth for deposit or for transmission but receive and transmit moneys only as an incident to their general business or profession brokers licensed under the laws of this Commonwealth holding membership in a lawfully constituted brokerage exchange who do and have authority to do such banking as is incidental to their brokerage business

(2) All building and loan associations authorized to transact or transacting business in this Commonwealth

(3) All national banking associations incorporated under the laws of the United States which are authorized to act and which do act in this Commonwealth as trustees guardians executors administrators or in any other fiduciary capacities to the extent to which supervision by state authorities is or may be permitted under the laws of the United States

However when any corporation subject to the supervision of the Department of Banking shall also engage in a title insurance business a mortgage guarantee business or any other business subject to the supervision of the Insurance Department such branch of its business shall not be subject to the supervision of the Department of Banking

Section 202 General Scope of Supervision Exercise of Discretion A In addition to the powers and duties provided for in this act the Department shall exercise any power and fulfill any duty imposed upon it by any other law of this Commonwealth Except where otherwise specifically provided the Department shall enforce and administer all laws of this Commonwealth which relate to any institution and shall exercise such general supervision over institutions as will afford the greatest possible safety to depositors other creditors and shareholders thereof

B Whenever under this act discretion is vested in the Department as to whether or the manner in which to exercise a power or fulfill a duty the Department shall after such examination or investigation as it shall deem appropriate under the circumstances take such action as it deems to the best interests of the depositors other creditors and shareholders of such institution

Section 203 Appropriation for Expenses of Department Receipts A All moneys collected or received by the Department arising from fees assessments charges and penalties from the sale by the Department of Property and Supplies of unserviceable property originally paid for out of the Banking Department Fund and from similar sources are hereby specifically appropriated to the Department of Banking to be used to pay its expenses including the following

(1) Salaries of the Secretary the deputies the examiners the other employes of the Department and such deputy attorneys general special deputy attorneys general assistant deputy attorneys general and other counsel as may be assigned by the Department of Justice to the Department or to the handling of any legal business pertaining to its work

(2) Rental and other expenses for office rooms garage space and other accommodations outside of the Capitol Buildings either in or outside of the capital city occupied by the Department

(3) Premiums for Workmen's Compensation Insurance covering the officers and employes of the Department

(4) Premiums for surety bonds for such officers or employes of the Department as may be required by law to furnish such bonds

(5) Purchase and operating costs of motor vehicles required by the Department for full-time use including premiums for liability insurance covering such motor vehicles and the Department officers and employes operating them also the amount payable to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use by the Department of Banking

(6) Furniture stationery materials supplies and all other overhead expenses of the Department

All such purchases and leases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as agent

B Estimates of the amounts to be expended under this act by the Department of Banking either itself or through the Department of Property and Supplies as purchasing agent shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Banking or by the Department of Property and Supplies as its agent in excess of the estimates approved by the Governor Subject to this provision the Auditor General shall from time to time draw warrants upon the State Treasury for the amounts specified in such requisitions not exceeding however the amount in the Banking Department Fund at the time of the making of any such requisition

Section 204 Assesment of Express of Department upon Institutions A All the expenses of the Department including those enumerated in this act or otherwise authorized by law shall be charged to and paid by all institutions in such equitable amounts at such times and in such manner as the Department shall by general rule or regulation prescribe The expenses incurred by the Department in connection with any examination or investigation whether regular or special including a proportionate part of the salary of any examiner or other employe of the Department engaged in such examination or investigation and all counsel assigned by the Department of Justice at the request of the Department of Banking to an examination or investigation may be assessed by the Department of Banking upon the particular institution examined or investigated

B The Department shall give written notice to each institution of the amount lawfully charged against it under the provisions of this act The institution shall pay the amount of such assessment to the Department within thirty days after such notice If payment is not made by any institution within such thirty-day period the Department through the Department of Justice may institute an appropriate action at law for the amount lawfully assessed against such institution together with any additional costs incurred by the Department of Banking or the Department of Justice by virtue of such failure to pay

ARTICLE III
RESTRICTIONS UPON DEPARTMENT AND EMPLOYES THEREOF

Section 301 Relationship of Employes of Department with Institutions Penalty A Neither the Secretary nor any deputy examiner clerk or other employe of the Department shall be an officer director trustee manager employe or shareholder of or directly or indirectly have any pecuniary interest in any institution nor shall he after becoming Secretary deputy ex-

aminer clerk or other employe of the Department directly or indirectly receive from any institution or from any officer director or employe thereof any sum of money or other property whether as a gift credit loan or otherwise However the Secretary or any deputy examiner clerk or other employe of the Department may secure from any institution a mortgage loan upon his own home upon the same terms and in the same manner as are provided by law for mortgage loans by such institutions upon real property and as are customarily imposed and followed by the institution making such loan

This section shall not be construed to prohibit the Secretary or any deputy examiner clerk or other employe of the department from becoming a depositor in any institution

B A violation by the Secretary deputy examiner clerk or other employe of the prohibitions of this section shall constitute sufficient ground for his removal from office In addition the Secretary deputy examiner clerk or other employe committing such violation shall be deemed guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount of the gift credit loan or other sum of money which he has directly or indirectly received in violation of this section

Section 302 Disclosure of Information Forbidden Penalty Exceptions A Neither the Secretary nor any deputy examiner clerk or other employe of the Department shall publish or divulge to any one any information contained in or ascertained from any examination or investigation made by the Department or any letter report or statement sent to the Department or any other paper or document in the custody of the Department except when the publication or divulgement of such information is made by the Department pursuant to the provisions of this act or of any other law of this Commonwealth or when the production of such information is required by subpoena or other legal process of a court of competent jurisdiction or when it is used in prosecution or other court actions instituted by or on behalf of the Department

B A violation of the provisions of this section by the Secretary or by any deputy examiner clerk or other employe of the Department shall be sufficient ground for his removal from office In addition the Secretary deputy examiner clerk or other employe committing such violation shall be deemed guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both

ARTICLE IV
EXAMINATIONS BY AND REPORTS TO THE DEPARTMENT

Section 401 Examinations of Institutions (a) The Department shall examine all institutions thoroughly at least once each year and more frequently if it deems such action necessary or advisable to safeguard the interests of depositors other creditors or shareholders of such institutions This examination shall include a complete review of the property assets and resources of the institution the loans and discounts made by it and the collateral deposited with it as security for such loans the mode of conducting its affairs the investment of its funds the interest taken in its affairs by its officers directors and employes if a corporation or by its employes and the partners or individuals owning it if a person its compliance with the law and with the terms of its charter or license if it has either and any other matters bearing any relation to its condition which the Department shall prescribe

The Department may also make special examinations or investigations of any institution at any time the Department deems such action necessary or advisable to protect depositors other creditors or shareholders thereof

(b) The Department when requested in writing by a person subject to its supervision or by the board of directors or the holders of a majority of the shares of capital stock of a corporation subject to its supervision shall examine or investigate the affairs and condition of such institution However this provision shall not be construed to mean that such person directors or shareholders shall have any greater right to require the Department to disclose to them the results of any such examination or investigation than they have in the case of any regular examination or investigation

(c) The Department upon the receipt of notice from the Insurance Commissioner that he has become receiver of a corporation or person any branch of the business of which is subject to the supervision of the Department of Banking shall examine or investigate the affairs and condition of such institution in order to determine whether any action should be taken by the Department of Banking pursuant to the provisions of this act

(d) Examinations or investigations shall be made by the Secretary or by qualified examiners or other qualified employes designated for that purpose by the Secretary or by his duly authorized deputy and empowered in writing by the Department to make examinations or investigations of institutions

(e) In the case of an institution which is a member of a Federal Reserve Bank the Department may in its discretion accept the examinations or reports made under the Federal Reserve Act in lieu of those required by this act

(f) In connection with any examination or investigation the Department shall have power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by the officers directors agents employes or members respectively of any corporation or person which the Department is authorized under the provisions of this act to examine The Department shall also have the power to question such witnesses under oath or affirmation and to examine such books and papers

Any witness who refuses to obey a subpoena issued under this section or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court and for this purpose an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed for which purpose such court is hereby given jurisdiction

Section 402 Examination of Corporations or Persons Affiliated with Institutions The Department of Banking shall have the power to supervise regulate limit or prohibit the activities of corporations or persons affiliated with institutions to the same extent as such activities of corporations or persons affiliated with national banking associations or with members of a Federal Reserve Bank are or shall be supervised regulated limited or prohibited by general law or by regulations issued by any Federal authority pursuant to law

Section 403 Reports to Department Publication Penalties A Every institution except building and loan associations shall send to the Department at least twice each year and more frequently if the Department shall so order a complete report of its condition exhibiting in detail under appropriate headings the resources and liabilites of the institution Every building and loan association shall send such a report to the the Department once each year unless the Department orders more frequent reports

The Department may also require special reports on the condition of or any particular facts concerning any institution at any time the Department deems it necessary or advisable for the protection of the depositors other creditors or shareholders thereof

B The form of all reports the information to be contained in them and the date on which they shall be due shall be prescribed by the Department The reports shall be verified by the oath or affirmation of the president cashier secretary treasurer or other managing officer of a corporation or by one of the firm in the case of a partnership or other unincorporated association or by the banker if an individual In the case of a corporation the report shall also be attested as correct by the signatures of at least three of its directors or trustees

C Every institution except building and loan associations shall publish during each year in a newspaper or newspapers in the manner provided by this act abstract summaries of any two of its reports designated for this purpose by the Department and shall send proof of such publication to the Department Such publication shall be required only once in a newspaper of general circulation and in first and second class counties once in a legal newspaper Building and loan associations shall not be required to publish any abstract summaries of reports

D The Department shall furnish to anyone requesting it upon payment of a reasonable fee to be fixed by the Department an abstract summary of any report then in its possession of any building and loan association subject to its supervision showing the assets liabilities receipts and disbursements of such building and loan association

E Any institution which fails to make or publish any report or to furnish any proof of publication in accordance with the provisions of this section shall pay to the Depart-

ment a penalty of one hundred dollars for each day after the time fixed by the Department for filing such report making such publication or furnishing such proof of publication but the Department may in its its discretion relieve any institution from the payment of such penalty in whole or in part if good cause be shown to it for the failure of such institution to file or publish the report or to furnish proof of publication thereof If an institution fails to pay a penalty from which it has not been relieved the Department may through the Department of Justice maintain an action at law to recover it

Section 404 Disclosure of Information A The Department may divulge to an institution or to any officer or any director or trustee thereof any information contained in or ascertained from an examination or investigation of such institution made by the Department

(b) The Department on the written request or consent of any institution authorized in the case of corporations by resolution of its board of directors or its board of trustees as the case may be may discuss with any person or persons selected by the Department or selected by such institution and approved by the Department any maters relating to the financial condition of such institution

(c) The Department on the written request or consent of any institution authorized in the case of corporations by resolution of its board of directors or its board of trustees as the case may be may furnish to the Federal Reserve Board to the Federal Reserve Bank of the district in which the place of business of any institution is located or to any agency or instrumentality of the United States government or of the Commonwealth of Pennsylvania any information in its possession relating to such institution

(d) The Department may from time to time with the approval of the Governor cause to be published a summary of the condition of institutions under its supervision containing such information in relation to such institutions as in its judgment is desirable

(e) This section shall not be construed to require the Department to publish or divulge any such information when in the opinion of the Department such publication or divulgement is undesirable

ARTICLE V

ACTION BY DEPARTMENT AFTER OFFENSES BY OR CHANGES IN CONDITION OF INSTITUTIONS

Section 501 Orders by Department A Whenever it shall appear to the Department that any institution is violating any provision of its charter or of this act or of any other law regarding the business of such institution or that such institution is conducting business in an unsafe or unsound manner the Department may issue a written order under the seal of the Department directing such institution to discontinue within such period as shall be specified in the order such violation of law or such unsafe or unsound practice

B Whenever it shall appear to the Department that the capital of a corporation under its supervision has been impaired or the capital and surplus reduced below the minimum required by law or below the amount required by its articles of incorporation the Department may issue a written order under the seal of the Department directing such corporation to make good the deficiency within such period as shall be specified in the order

C Whenever it shall appear to the Department that the bond or securities of a person under its supervision which are required by law to be deposited with the Department have depreciated in value so that their present value is below the minimum amount required by law the Department may issue a writen order under the seal of the Department directing such person to make good the deficiency within such period as shall be specified in the order

D Whenever it shall appear to the Department that any institution is not keeping its books and accounts in such manner as to enable the Department with reasonable facility to ascertain the true condition of the institution the Department may issue a written order under the seal of the Department requiring such institution within such period as shall be specified in the order to open and keep such books as the Department may in its discretion reasonably determine are essential for the purpose of keeping accurate and convenient records of the transactions and accounts of such institution

E Whenever any institution shall refuse to submit its records and affairs to a legally conducted examination or investigation by the Department the Department may issue a written order under its seal requiring such institution to permit the Secretary or other duly authorized examiner to make such examination or investigation within such period as shall be specified in the order

Section 502 Enforcement of Department's Order by Court Whenever an institution shall not comply with the terms of an order of the Department which has been properly issued under the circumstances the Department upon notice to the institution may through the Department of Justice petition the court of common pleas either of Dauphin County or of the county in which the institution has its principal or only place of business for an order directing the institution to obey the order of the Department within such period as shall be fixed by the court Upon the filing of such petition the court shall allow a rule to show cause why it should not be granted Whenever after a hearing upon the merits it shall appear that the order of the Department was lawfully issued the court shall grant the petition of the Department

Section 503 Quo Warranto or Injunction Proceedings A When any corporation subject to the supervision of the Department (1) has not had its capital surplus or expense fund paid in as required by law or (2) has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation within two years after the issuance of its certificate of incorporation by the department of State or (3) has formerly exercised any of its corporate powers but for a period of two years has not exercised at least one of them the Department shall notify the Department of Justice of these facts and the Department of Justice may then proceed by quo warranto against such corporation in the manner provided by law to oust it from its corporate powers and privileges

B When any institution violates any provisions of its articles of incorporation and refuses to obey a lawfully issued order of the Department that it cease such violation the Department may notify the Department of Justice of these facts and the Department of Justice may then institute quo warranto proceedings against such corporation in the manner provided by law

C When any person subject to the supervision of the Department has not for a period of two years done any act in pursuance of its banking powers the Department shall notify the Department of Justice of these facts and the Department of Justice may then proceed against such person by the method provided by law to enjoin it permanently from doing a banking business in this Commonwealth

D Quo warranto or injunction proceedings brought pursuant to the provisions of this section may be instituted either in the court of common pleas of the county in which the institution has its place of business or in the Court of Common Pleas of Dauphin County

Section 504 Taking of Possession by Department A The Department may take possession of the business and property of any institution subject to its supervision whenever it shall appear to it that such institution

(1) Is violating its articles of incorporation any order of the court issued upon application of the Department or any law of the Commonwealth regulating its business or

(2) Is conducting its business in an unauthorized or unsafe manner or

(3) Is in an unsafe or unsound condition to transact its business or

(4) In the case of a corporation has an impairment of its capital below the minimum required by law or by its articles of incorporation and in the case of a person has not made good a depreciation in the value of the bonds or securities deposited with the Department below the minimum required by law or

(5) Has suspended payment of its obligations without authority of law and in the case of a building and loan association has not for a period of one year after due demand or notice by a shareholder paid any matured share or any withdrawal or

(6) Has refused to submit its records and affairs to or its officers or directors have refused to be examined upon oath or affirmation concerning its affairs by the Secretary or any other duly authorized examiner in connection with any lawful examination or investigation or

(7) Requests the Department by its board of directors or its board of trustees in the case of a corporation and in the case

of a person by its individual owner or owners to take possession for the benefit of depositors other creditors and shareholders

B Before taking possession the Department shall conduct a hearing before the Department and the Department of Justice which may be attended only by and notice of which shall be given only to the officers and directors of the corporation or the officers and individual owners of the person After such hearing the Department may if it first procures the consent of the Department of Justice take possession

Provided however that whenever immediate action shall be necessary in order to protect the interests of the depositors other creditors or shareholders of an institution it may take possession without conducting a hearing and without the approval of the Department of Justice

C In addition whenever the Secretary in his official capacity is appointed receiver by any court of equity as provided by law the Department shall take possession of the business and property and the Secretary shall act as receiver of the institution in the same way and with the same rights and limitations as when the Department takes possession in the customary manner provided by this act

Section 505 Suits by Department Jurisdiction of Courts This act shall not be construed to limit the right of the Department in the Course of its supervision of institutions to bring any suit in courts of law or of equity in pursuance of any remedy permitted by the laws of this Commonwealth or by those of any other state in which the Department brings suit

ARTICLE VI
TAKING POSSESSION BY SECRETARY AS RECEIVER AND SURRENDER THEREOF

Section 601 Taking Over Possession by Secretary as Receiver Whenever the Department takes possession of the business and property of an institution the Secretary shall by operation of law simultaneously take over such poossession from the Department and become receiver of such institution subject to the provisions of this act His official title when thus in possession of the business and property of an institution shall be receiver of such institution

Section 602 Posting of Notice of Possession The Secretary upon taking possession of the business and property of an institution as receiver shall post notice of such fact on the front door of the institution

Section 603 Notice to Insurance Commissioner Whenever the Secretary shall become receiver of an institution which engages in the business of insuring titles or guaranteeing bonds secured by mortgages or which transacts any other business which is subject to the supervision of the Insurance Department he shall inform the Insurance Department that has taken possession of the business and property of such institution

Section 604 Certificates of Possession Filing A The Secretary upon taking possession of the business and property of an institution as receiver shall forthwith under the seal of the Department prepare in duplicate a certificate to be known as the certificate of possession setting forth that he has become receiver of the institution It shall state the name of the deputy receiver whom the Secretary pursuant to the provisions of this act appoints to take charge of the affairs of the institution and shall set forth the duties which he delegates to such deputy receiver If the secretary does not appoint a deputy receiver prior to the date of the filing of the certificate of possession or if he appoints a new deputy receiver or an additional one or if he adds to the duties of the deputy receiver he shall prepare in duplicate and file a supplement to the certificate of possession

B The Secretary shall file the original certificate of possession and the original of any supplement thereto in his office in Harrisburg and the duplicate certificate of possession and the duplicate of any supplement thereto in the office of the prothonotary The certificate of possession filed in the prothonotary's office and any supplement thereto shall be listed in the judgment index in the name of the institution as defendant and of the Secretary as plaintiff

C In addition the Secretary shall as soon as possible file a certified copy of the certificate of possession and of any supplement thereto in the office of the recorder of deeds in each county in the Commonwealth or with the proper official in any other state or country in which any real property shall be situated which belongs to the institution or title to which is in its name or upon which there is a mortgage or other lien which belongs to the institution or title to which it in its name Such copy shall be recorded in the current deed book and shall be indexed in the grantors' index in the name of the institution and in the grantees' index in the name of the Secretary or it shall be filed indexed or registered by whatever other method is provided by the law of the particular county state or country in which such real property is located

Section 605 Injunction to Restrain Secretary Any institution of whose business or property the Secretary has taken possession as receiver may at any time within ten days after the Secretary has become receiver apply to the court for an order requiring the Secretary to show cause why he should not be enjoined from continuing as receiver Service may be made in such action by serving the Secretary personally or by leaving a copy with the deputy in charge of his office in the Department or by serving the deputy receiver appointed by the Secretary to manage the affairs of such institution The court shall after a hearing upon the merits either dismiss the application or order the Secretary to surrender to the institution possession of its business and property but no such injunction shall issue where the Secretary has been appointed receiver by action of a court of competent jurisdiction or by action of the institution itself in accordance with the provisions of this act

Section 606 Power of Courts to Appoint Receivers No court shall appoint anyone but the Secretary as receiver of an institution Whenever any court at the instance of a depositor shareholder or other person entitled by law to institute such proceedings shall determine that a receiver should be appointed for any reason whatsoever it shall appoint the Secretary as such receiver

When thus appointed receiver by a court the Secretary shall serve in the same manner and with the same limitations and he shall have the same rights powers and duties as when he becomes receiver by operation of law and without appointment by any court No court shall impose upon the Secretary as receiver any duties or restrictions which are in conflict with the provisions of this act

Section 607 Taking of Possession upon Request of Institution No institution shall make a general assignment of its business and property for the benefit of its creditors by the appointment of an assignee or a trustee or otherwise In lieu of the power to make an assignment for the benefit of creditors an institution may request the Department to take possession in the regular manner provided by law In such cases the Department shall take possession and the Secretary shall take over such possession and become receiver in the same manner and subject to the same provisions of this act as when the Department takes possession of the business and property of an institution without the request of such institution

Section 608 Surrender of Possession Special Liquidations and Reorganizations A The Secretary may upon conditions approved by him surrender possession of an institution of which he has taken possession as receiver at any time prior to final liquidation and distribution under the following circumstances

(1) He may surrender possession to the institution itself when he finds it to be in a safe and sound condition to resume its business

(2) He may surrender possession to the institution itself when he is without funds to liquidate its business and property In such case the Secretary shall first accord to the shareholders and the depositors or other creditors of the institution a period of not less than two weeks in which to advance sufficient funds for the Secretary to liquidate the business Where such funds are advanced they shall be considered an expense of administration and shall be given the same preference in the distribution of assets as any other expenses of administration Where possession has been surrendered to an institution under such circumstances the institution may not conduct any business except the liquidation of the assets In the distribution of any moneys realized by the institution on its assets it shall follow the same order and preference as is established by this act for distribution by the Secretary of the assets of an institution of which he is in possession as receiver Upon the approval of his account by the court and upon the filing of the supplement to the certificate of pos-

session pursuant to the provisions of this section the secretary shall be relieved of all duties with reference to such institution However if the Department shall deem i tadvisable to resume possession of the institution at any time it may do so in the same manner as is provided for the taking possession of any institution in which case the Secretary shall again take over possession and become receiver with all tne right powers and duties granted to or imposed upon the Secretary as receiver by this act

(3) He may surrender to the institution itself or to any other corporation or person possession of all or part of the business property moneys credits or other assets of the institution of which he is in possession as receiver to permit to be carried into effect a special plan of liquidation reorganization or rehabilitation which has been approved by the court and by (a) depositors and other creditors of the institution to whom is due ninety per cent. in amount regardless of the number of the claims stated in writing by the Secretary to be due to depositors and other creditors of such institution and (b) the holders of a majority of the shares of stock or such institution if a corporation except that in the case of a building and loan association the approval of the holders of eighty per cent of the shares of stock of such corporation shall be required

However the Secretary shall not authorize any decrease of capital by a corporation affected by the provisions of this section except upon compliance by such corporation with the provisions of law as to such decrease

B Whenever the Secretary shall surrender possession under the provisions of this section he shall forthwith under the seal of the Department prepare in duplicate a supplement to the certificate of possession setting forth in detail all the conditions and purposes of such surrender He shall file the original of such supplement in his office in Harrisburg and the duplicate in the office of the prothonotary where it shall be indexed in a manner which will in so far as necessary satisfy the prior record of the certificate of possession He shall also file a certified copy of such supplement in the office of the recorder of deeds in each county in the Commonwealth or with the proper official in any other state or county in which any real property so surrendered or any real property upon which there shall be a mortgage or other lien so surrendered shall be situated

C Whenever the Secretary shall under the provisions of this section surrender possession of the entire business and property of an institution of which he is in possession as receiver he shall file in the court an account which shall correspond to any other final account which he is required by this act to file Such account shall be subject to exceptions by shareholders or depositors or other creditors and to confirmation by the court in the same manner as is provided by this act for any account filed by the Secretary as receiver

ARTICLE VII

RIGHTS POWERS AND DUTIES OF SECRETARY AS RECEIVER

Section 701 Status of Secretary as Receiver Except as otherwise provided in this act the Secretary when he has taken possession of the business and property of an institution shall be responsible to the court in which the certificate of possession is filed and not to any other court His rights powers and duties shall be those of a general receiver appointed by any court of equity in this Commonwealth except as such rights powers and duties are increased or limited by the provisions of this act He shall be vested in his official capacity with all the rights powers and duties of such institution with the title or the right to possession of all property to which the institution has title or the right to possession including debts due and liens and other security therefor and with the institution's rights of action or redemption This shall be so whether such property and debts due such liens or other security therefor or such rights of action or redemption are held in the name of such institution or in the name of some other corporation or person He shall have power to execute in his name as receiver any instrument incident to the exercise of any power granted to or any duty imposed upon him as receiver of such institution

The Secretary shall be the representative of the creditors of the institution and shall be entitled as such to have vacated and set aside for the benefit of the creditors any judgment execution attachment sequestration payment pledge assignment transfer conveyance or encumbrances which could have been avoided by any of the creditors or by which one creditor is given an unlawful preference over another

Section 702 Appointment of Deputy Receivers Counsel and Other Assistants The Secretary may appoint one or more official agents to be known as deputy receivers to assist him in the management reorganization consolidation liquidation or distribution of the assets and affairs of any institution of which he has taken possession as receiver The Secretary may delegate to each deputy receiver any duty imposed upon or any right or power granted to him as receiver The Secretary may also employ such other assistants as he deems necessary including such deputy attorneys general special deputy attorneys general assistant deputy attorneys general or other attorneys as may be appointed by the Department of Justice and assigned to the Secretary for the handling of any legal business pertaining to the affairs or property of such institution The Secretary may also retain to assist him in the management reorganization consolidation liquidation or distribution any officer or other employe of the institution of which he has taken possession

Section 703 Exercise of Discretion by Secretary A Whenever under this act discretion as to whether or the manner in which to exercise a power or fulfill a duty is vested in the Secretary in possession of an institution as receiver he shall after such examination or insevtigation as shall seem appropriate under the circumstances take such action as he deems to the best interests of the depositors or other creditors and in the case of building and loan associations also of the shareholders of such institution

B The words "the best interests of the estate" whenever used in this act shall be construed to refer to the best interests of the depositors or other creditors and in the case of building and loan associations also of the shareholders of such institution

Section 704 Suspension or Continuation of Business The Secretary is authorized upon taking possession of the business and property of an institution as receiver to continue or to suspend the business for such period as he may deem necessary to enable him to determine whether to surrender such possession to the institution to authorize a merger or consolidation to liquidate the affairs of such institution or to take such other action as is authorized by law During such period he shall take any action he deems necessary to conserve the assets and business or to protect the best interests of the estate

Section 705 Determination to Liquidate Filing of Supplemental Certificates The Secretary shall within six months after the date on which he takes possession of any institution as receiver determine whether or not to liquidate the business and property and distribute the assets of the institution If he shall determine to liquidate he shall forthwith under the seal of the Department prepare in duplicate a supplement to the certificate of possession setting forth this fact He shall file the original supplement in his office in Harrisburg and the duplicate in the office of the prothonotary He shall then proceed to liquidate the affairs of the institution with as much dispatch as shall appear to be expedient under the circumstances

Section 706 Powers and Duties before and after Determination to Liquidate Except where otherwise specifically provided all powers and duties granted by this act to the Secretary in possession of the business and property of an institution as receiver may be exercised by him both before and after his formal determination pursuant to the provisions of this act to liquidate the affairs of such institution

Section 707 Inventory and Appraisement A When the Secretary has taken possession of the business and property of an institution as receiver he shall forthwith prepare in duplicate a complete and detailed inventory of the assets of such institution The inventory shall be verified by oath or affirmation of the Secretary or other person making it

B As soon as expedient after taking possession the Secretary shall cause a complete appraisement of the assets of the institution to be made in duplicate under oath or affimation by not less than two nor more than three disinterested appraisers selected by him Such appraisement shall be included upon the same document or documents as the inventory The value of the assets shall be computed in such appraisement as of the date on which the Secretary took possession

C The original and duplicate of both the inventory and the appraisement shall be filed in the office of the Secretary in Harrisburg However if the Secretary shall determine in accordance with the provisions of this act to liquidate the affairs of the institution he shall immediately after such deter-

mination to liquidate file the duplicate inventory and appraisement in the office of the prothonotary

Section 708 Issuance of Subpoenas Questioning of Witnesses A In order to enable the Secretary to secure a complete inventory and appraisement or to carry out any other right power or duty granted to or imposed upon him as receiver by this act the Secretary shall have the power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by any officer director agent employe or member respectively of the corporation or person of which he has taken possession or any other individual whom the Secretary believes to have information of importance regarding the affairs of the institution He shall also have the power to question such witnesses under oath or affirmation and to examine such books and papers

The Secretary may delegate to the appraisers appointed by him or to any other duly authorized agent the power granted to him as receiver under this section

Any witness who refuses to obey a subpoena issued under this section or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court by the court in which the certificate of possession of the institution concerning the affairs of which the witness was subpoenaed is filed

B Every witness called by the Secretary or his duly authorized agent in connection with the affairs of an institution in possession shall be entitled to the fees and mileage customarily paid to witnesses in the courts of the county in which the institution has its place of business

Section 709 Power of Court to Make and Enforce Orders The court in which the certificate of possession is filed shall sit as a court of equity It shall have the power upon petition of the Secretary to make and enforce any appropriate order to enable him with the utmost dispatch to discharge his duties in connection with the business and property of any institution of which he has taken possession as receiver pursuant to the provisions of this act

The court shall grant to the party against whom the order is sought the right to appear within ten days after notice is given to show cause why the order should not be made The court shall have the power at the end of the ten-day period ex parte if the other party does not appear to show cause or upon the merits if the party does appear to issue the aforementioned order

Section 710 Notice to Holders of Assets Power of Court to Order Transfer A Upon becoming receiver of any institution the Secretary shall forthwith give notice in writing of such fact to all corporations and persons having custody or possession of any assets or other property which the institution of which he is receiver owns or to which it has the right to possession or custody for any purpose whatsoever

B The court shall have the power upon petition of the Secretary to order any corporation or person which has custody or possession of assets or other property to which such institution shall have the right of custody or possession for any reason whatsoever to transfer or convey such property to the Secretary and to execute and deliver any instrument necessary to accomplish that purpose

The court shall grant to such corporation or person the right to appear within ten days after notice is given to show cause why the order should not be made The court shall have the power at the end of the ten-day period to issue the aforementioned order ex parte if the corporation or person does not appear to show cause or upon the merits if the corporation or person does appear

Section 711 Sale of Assets Repledged by Institution Repledge after Possession A Where assets belonging to others shall be pledged or given as collateral by an institution of which the Secretary subsequently takes possession as receiver and the pledge has actual knowledge at the time of the pledge that the assets are not assets of the institution such pledgee shall not forfeit or sell any such collateral or pledged assets after the Secretary has taken possession without the written permission of the Secretary any provision in any collateral note or agreement to the contrary notwithstanding but if the Secretary refuses such permission the pledgee may after notice to the Secretary petition the court for leave to sell such assets The court may after giving the pledgee and the Secretary an opportunity to be heard grant such leave or it may make such other order as it deems to the best interests of all parties concerned

However if the assets so pledged by any such institution are accompanied by the obligation of the corporation or person owning them the pledgee shall have the power to exercise all the rights powers and privileges contained in such obligation held by such pledgee including the sale of the assets

B Where assets belonging to an institution of which the Secretary has taken possession as receiver have been pledged or given as collateral by such institution or where assets belonging to others shall have been pledged or given as collateral by an institution of which the Secretary subsequently takes possession as receiver and the pledgee does not have actual knowledge ate the time of the pledge that such assets are not assets of the institution such pledges may forfeit or sell any such collateral or pledged assets after the Secretary has taken possession in accordance with the right of such pledgee under the agerement under which such assets or collateral were pledged

C The Secretary shall not repledge any assets held by an institution of which he is in possession in pledge or as collateral but belonging to other corporations or persons unless such repledge is accompanied by the obligation of the original borrower from the institution and is for an amount not exceeding the amount of the original obligation due at the time the collateral is repledged

Section 712 Liens Judgments and Executions Assignments of Claims A The status of all parties shall become fixed on the date the Secretary takes possession of the business and property of the institution as receiver No corporation or persons shall thereafter acquire any lien or charge against any of the assets of the institution of which the Secretary is receiver including mechanics' liens for charges payments advances or clearances thereafter made or thereafter incurred or liens by reason of the entry of any judgment against such institution after the Secretary has taken possession

B Assignments of claims of depositors or other creditors of the institution which are made before the Secretary takes possession but notice of which is not received by the institution before such taking of possession shall be regarded as and shall have only the legal incidents of assignments made after the Secretary takes possession

C No execution or attachment pending or otherwise shall respectively issue or be proceeded with against any property moneys or assets owned by or legally in the custody or possession of an institution of which the Secretary is in possession as receiver except that an execution may be permitted by special leave of the court In lieu of the right to issue an attachment against money or property belonging to others which is legally in the custody or possession of such institution a plaintiff may proceed as follows He may give written notice of his claim to the Secretary or to the deputy receiver of such institution and he shall thereafter present proof in the regular manner provided by this act for the proof of the claim which he is attempting to attach After the filing of the regular account of the Secretary the court shall adjudicate the matter as in the case of other disputed claims Where two or more plaintiffs attempt to attach the same claim in this manner the order in which they shall take as among themselves shall be determined by the order in which written notice of their claims was received by the Secretary

Section 713 Actions and Suits by and against Secretary A For the purpose of executing any of the powers and performing any of the duties respectively conferred or imposed upon him as receiver by this act the Secretary may in his name as receiver of such institution prosecute any action at law or in equity in any court of this Commonwealth or of any other state whether or not such action is pending on behalf of the institution at the time he takes possession He may likewise similarly defend any action at law or in equity pending against the institution at the time he takes possession

The Secretary may in his name as receiver of a corporation institute and maintain against any officer director trustee manager or other employe of such corporation any action at law or in equity which such corporation or any shareholder or creditor thereof could have instituted or maintained and he may likeswise in the case of a person of which he is receiver maintain any similar action against the individuals owning the business or against any employe thereof which a depositor or other creditor of the person could have instituted or maintained

B All claims against the institution suit upon which has not been commenced prior to the time the Secretary took possession shall be presented in the regular manner provided

by this act for the presentation of claims Neither a depositor or other creditor of the institution nor any other claimant may maintain any action at law or in equity upon such claim except by regular method provided by this act for exceptions to the accounting of the Secretary as receiver However an action for the return of specific property which could have been recovered fro mthe institution of which he is receiver may be maintained against the Secretary in his name as receiver of the institution

C Any action at law or in equity based upon a cause of action against the institution of which the Secretary is receiver which may be brought against the Secretary as receiver shall be instituted only in the court in which the certificate of possession is filed

Section 714 Power of Secretary to Borrow from Government Agencies The Secretary may without leave of court borrow money from any agency or instrumentality of the United States government except national banks or of the Commonwealth of Pennsylvania and pledge or hypothecate as security therefor any real or personal property of the institution for the purpose of expediting the liquidation of the assets of the institution of which he is receiver and the distribution of the proceeds thereof to the depositors the other creditors or the shareholders thereof

Section 715 Surrender or Transfer of Burdensome Assets The Secretary may with leave of court surrender to the institution of which he is receiver any assets including choses in action whether the subject of pending proceedings or not which appear to be burdensome and of no advantage to the estate He may likewise with leave of court convey title to of any other holder of a mortgage or a lien against property in his possession where it shall appear that to continue to hold such property is burdensome and of no advantage to the estate

The Secretary shall give notice to the depositors or other creditors of the institution and in the case of building and loan associations to the shareholders of the filing of the petition for leave to transfer or convey such property pursuant to the provisions of this section Such notice shall be given at the addresses which appear for such depositors other creditors or shareholders upon the books or other records of the institution or if none appear there then at their last known addresses However the court may if it shall appear to the best interests of the estate order the Secretary to substitute a single advertisement in a newspaper or newspapers for the individual notice to the depositors and other creditors and in the case of a building and loan association the shareholders The court shall grant at least ten days for the filing of objections by the depositors or other creditors of the institution and in the case of a building and loan association the shareholders of such institution

Section 716 Compromise of Claims Extension of Mortgages A The Secretary may with leave of court compound or compromise any debt claim or judgment due to the institution of which he is in possession as receiver and discontinue any action or other proceeding pending therefor

B The Secretary may without leave of court enter into an agreement in writing upon such terms as shall seem reasonable to him with any mortgagor or owner to extend for a period not to exceed three years the maturity of any mortgage obligation in his possession However the Secretary shall not enter into any agreement extending any mortgage which shall have been pledged by the institution of which he is in possession as receiver unless he shall first obtain the written consent of the pledgee of such mortgage to such extension

Section 717 Payment of Mortgages and Liens Protection of an Equity The Secretary may with leave of court pay off all mortgages contracts of conditional sale pledges and liens of or upon any real or personal property which belongs to the institution He may without leave of court purchase at a judicial sale or at any sale authorized by an order of a court of competent jurisdiction any real or personal property in order to protect any equity which such institution has in such real or personal property

Section 718 Sales of Real Property A The Secretary may with leave of and upon the terms and conditions prescribed by the court sell any real property of the institution of which he is in possession as receiver The order of the court authorizing such sale shall state whether the sale shall be entirely for cash or partly for cash and partly for evidences of indebtedness whether it shall be public or private whether notice shall be given to depositors other creditors and shareholders or to any of these groups and whether advertisement shall be made Unless the court in any case deems advertisement or notice necessary or desirable to protect the interests of the estate such advertisement or notice shall not be required

Where the order of the court provides for advertisement it shall in no case require that there be more than a single insertion in one newspaper of general circulation in the county and in first and second class counties in one legal newspaper Where real property which is to be sold is situated in a county other than the one in which the institution is located the court may also authorize a single insertion in a newspaper of general circulation in such other county and in first and second class counties in one legal newspaper

Every such sale of real property shall be confirmed by the court if all the terms and conditions of its order authorizing such sale have been complied with

B When any real property of an institution of which the Secretary is in possession as receiver is situated in a county other than the one in which the institution is located the Secretary shall proceed in the same manner as is provided by this section for the sale of real property within the county In addition he shall petition the court of common pleas of the county in which the real property is located and it shall be the duty of such court to issue an order authorizing the sale upon the terms or conditions prescribed by the order of the court having jurisdiction of the receivership The Secretary shall file a return of the sale in the court of common pleas in the county in which the real estate is located which court if all the terms and conditions of the order of the court in which the certificate of possession is filed have been met shall confirm the sale and shall give the Secretary a certified copy of the return of the sale and a certified copy of the confirmation thereof Such certified copies shall be filed with the prothonotary of the court in which the certificate of possession is filed

Section 719 Effect of Sale upon Liens A The sale by the Secretary of any real property of an institution of which he is in possession as receiver shall not affect any lien thereon except that in the case of a lien which would under the laws of the Commonwealth ordinarily be discharged by a judicial sale the court in its order authorizing the sale may prescribe that such lien shall be discharged by the sale Whenever such liens are to be discharged by a sale the Secretary shall give notice of the sale to all creditors who appear by the books of the institution or by the records of the county or otherwise to have such or to claim to have liens upon such property The proceeds of the sale shall then take the place of the property sold and shall be distributed in the order prescribed by and to the parties entitled to take under the laws of the Commonwealth which relate to the discharge of liens by a judicial sale

B If real property is situated in a county other than that in which the institution is located the court in which the certificate of possession is filed shall be the one empowered to issue the original order prescribing the discharge of liens The procedure shall be the same as in the case of any other terms or conditions prescribed in its order for the sale of real property situated in another county

Section 720 Leases for Property The Secretary may without leave of court enter into leases for real or personal property belonging to the institution of which he is in possession as receiver for a period not to exceed one year He may with leave of court enter into such leases for a period not to exceed ten years upon the terms and under the conditions prescribed by the order of the court

The court shall not require advertisement or notice of leases entered into upon its order except where special circumstances shall appear to require such action in order to protect the interests of the estate

Section 721 Sale or Exchange of Listed and Unlisted Securities A The Secretary may without leave of court sell on any stock exchange or otherwise at such times and in such manner as he shall deem to be to the best interests of the estate listed or unlisted securities which belong to the institution of which he is in possession as receiver or which such institution has the power to sell

B The Secretary may without leave of court exchange listed or unlisted securities for other securities of the corporation issuing the securities or of a corporation which has merged or consolidated with or has taken over such corporation

C The Secretary may without leave of court sell any mortgage or other lien upon real property or any judgment at such times and in such manner as he shall deem to the best interests of the estate

D Except as otherwise specifically provided by this act the Secretary may without leave of court sell (1) at public sale or (2) at private sale for a net consideration not below the amount at which such personal property has been valued in the appraisement required by this act any personal property which belongs to the institution of which he is in possession as receiver or which such institution has the power to sell He may with leave of court sell such personal property at private sale upon such terms and under such conditions as the court shall prescribe

Section 722 Deposit of Moneys by Secretary All moneys received by the Secretary as receiver of an institution shall be deposited by him with one or more corporations or persons authorized by law to receive deposits and subject to the supervision either of Federal or State banking authorities He shall require of such depository security therefor in such amount and of such nature as the Secretary shall deem adequate

Section 723 Enforcement of Shareholders' Liability A If at any time after he takes possession of a corporation as receiver it shall appear to the Secretary that the assets of such corporation will be insufficient to pay in full its debts to depositors and other creditors he shall as soon as expedient estimate the amount which shall be assessed against all shareholders who are under these circumstances personally liable for any part of the debts of such corporation by reason of their ownership of such shares He shall assess against such shareholders the amount which he then deems necessary for the payment of such debts not however exceeding the maximum liability of such shareholders as provided by law The Secretary shall send to every such shareholder by registered mail to the address which appears on the records of the corporation or if none appears there then to his last known address a demand that the amount assessed against him be paid Such demand shall state the total amount assessed by the Secretary against all the shareholders and the specific amount to be paid by the particular shareholder It shall also designate a period within such assessment shall be paid such period to be not less than thirty days after the date of the sending of the notice If any shareholders shall not pay the amount assessed against them the Secretary may institute actions at law or in equity against them either severally or jointly for the amount of such assessment together with interest from the date designated in the notice from the Secretary for the payment of such assessment In such action the written statement of the Secretary signed by him in his official capacity as receiver and bearing the seal of the Department asserting that the assets of the corporation appear insufficient to meet its liabilities to depositors and other creditors that consequently he has made an assessment against the shareholder or shareholders being sued that the period designated for the payment of the assessment has expired and that the value of the assets of the corporation and the liabilities of such corporations are as set forth shall be prima facie evidence of the facts therein stated

B The Secretary may make as many partial assessments as shall appear expedient until the total liability of the shareholders or the total amount necessary to pay in full the depositors and other creditors of the corporation has been assessed

Section 724 Property in Safe Deposit Vault or Held for Safe-Keeping The Secretary may any time after taking possesison of an institution as receiver give written notice to anyone claiming or appearing on the books of such institution to be the owner or to be entitled to the possession of any personal property left with such institution as bailee for safe-keeping or depository for hire and to anyone appearing on the books of the institution to be the lessee of any safe vault deposit box notifying such bailor or lessee respectively to remove all such personal property within the period fixed by the notice provided that such period shall in no case be less than sixty days after the date of the notice

At the expiration of such period if the lessee of a safe vault or safe deposit box has not removed the contents thereof the Secretary may cause such safe vault or safe deposit box to be opened either in his presence or in the presence of the deputy receiver of the institution and in the presence of a notary public not an officer or employe of the institution or of the Department The contents if any of such safe vault or safe deposit box shall then be sealed and marked by such notary with the name and address of the lessee in whose name such safe vault or safe deposit box appeared on the books of the institution and with a list and description of the property therein The Secretary shall take such action as he shall deem desirable to safeguard such property until it is delivered to the owner or is otherwise disposed of in accordance with law

The Secretary shall follow the same procedure and have the same powers with regard to the property left with the institution as bailee for safe-keeping or depository for hire and not called for within the period specified by the notice

The contract of bailment or lease if any shall be considered at an end upon the date designated by the Secretary for the removal of the property therein The amount of unearned rent or charges if any paid by the bailor or lessee shall become a debt of the institution

ARTICLE VIII

SECRETARY IN POSSESSION OF TRUST DEPARTMENT

Section 801 Institution as Fiduciary References in this act to funds property or investments held in a fiduciary capacity by an institution of which the Secretary has taken possession shall apply only to funds property or investments held in such fiduciary capacity by the trust department of such institution and shall not apply to funds property or investments which were held by the commercial department of such institution

Section 802 Secretary in Possession of Trust Department A The Secretary upon taking possession of an institution as receiver shall keep all the funds property and investments if any which are held by such institution in a fiduciary capacity separate from the assets of the institution itself

B The Secretary when in possession of an institution as receiver shall have all the rights powers and duties which such institution had in its fiduciary capacity He shall have title to all the assets including debts due liens and other security therefor and all rights of action or redemption of all estates of which the institution either alone or jointly with someone else was trustee executor administrator guardian assignee or other similar fiduciary and shall have the power to administer such estates In pursuance of this power the Secretary may institute any action at law or in equity or execute and sign any written instruments which the institution itself could have instituted executed or signed

The Secretary shall not however have the power to invest funds or property of any such estate except where it shall appear necessary to purchase any real or personal property or any interest therein in order to protect an equity which such estate has in such property Such purchase by the Secretary shall not however be made without the approval of any corporation or person whose approval would have been necessary to such purchase by the institution prior to the taking of possession by the Secretary and of the court which has exercised jurisdiction over such estate If no court has yet exercised jurisdiction over the estate then the approval either of the court of common pleas or of the orphan's court of the county in which the place of business of the institution is situated shall be procured

Except where otherwise specifically provided references in this act to the court which has exercised jurisdiction over an estate of which an institution in possession of the Secretary was fiduciary shall be construed to refer in cases in which the institution was executor or administrator to the orphans' court of the county of which the register of wills issued the letters testamentary or letters of administration respectively and in all other cases to the court of common pleas or the orphans' court in which an account of the estate has been filed or which has in any manner exercised control or supervision over the administration of such estate by the institution as fiduciary

Section 803 Disputes as to Identity of Trust Funds All disputes as to the identity of the funds property or investments of an estate of which an institution in the possession of the Secretary was fiduciary arising either because such funds property or investments have become or are alleged to have become mingled with other funds property or investments or for any other reason shall be determined by the court in which the certificate of possession is filed Such court shall have exclusive jurisidiction over such disputes

Section 804 Appointment of Substituted Fiduciaries Upon filing a supplement to the certificate of possession setting forth his determination to liquidate the affairs of the institution the Secretary shall forthwith give written notice in so far as the giving of such notice is practicable to all parties of whom he has notice who are interested in any funds property or

investments held by such institution in a fiduciary capacity Such notice shall require such parties within thirty days after the giving of notice to apply for the appointment of substituted fiduciaries Such application shall be made as follows In any case in which the institution was executor or administrator application shall be made to the register of wills naving jurisdiction to grant new letters in such form as the case shall require in any other case application shall be made to any court which has exercised jurisdiction over the estate or if no court has exercised such jurisdiction then to the court of common pleas or the orphans' court of the county in which the institution has its place of business However if the instrument under which the fiduciary relationship was established provides a particular method for the selection of fiduciaries such method shall be followed

If the parties to whom such notice has been given do not within the thiry-day period designated make such application or pursue whatever method is prescribed by the instrument under which the fiduciary relationship was established for the appointment of a substituted fiduciary or if it is impracticable to give notice to the parties interested in the estate then he Secretary shall make the application for the appointment of a substituted fiduciary to the court or the register of wills whichever the case may be designated above Such court or register of wills shall appoint a substituted fiduciary upon such petition of the Secretary

Section 805 Transfer of Assets to Substituted Fiduciary without Filing Account If a substituted fiduciary has been appointed in accordance with the provisions of this act and if there is no dispute as to the amount or identity of the funds property or investments of the particular estate and as to the fees commissions and expenses due either to the institution before the Secretary took possession or to the Secretary as receiver since the taking of possession and if all the parties in interest being sui juris agree in writing to waive an accounting in court the Secretary in possession of an institution as receiver may transfer to such substituted fiduciary all the funds property and investments of the particular estate without filing an account in any court Upon such transfer he shall procure from all the parties in interest and from the substituted fiduciary a receipt and release in full which shall discharge the Secretary and the institution from any further duty or liability with reference to such estate

Section 806 Filing of Account Transfer of Assets to Substituted Fiduciary A Except in cases in which the Secretary is authorized by the provisions of this act to transfer to a substituted fiduciary without filing an account the funds property or investments of an estate of which the institution was fiduciary he shall file an account for every estate of which such institution was fiduciary The Secretary shall file each such account upon the date fixed by the instrument creating the fiduciary relationship or if there is no such date fixed then as soon as expedient after the filing of a supplement to the certificate of possession setting forth his determination to liquidate the affairs of the institution Such account shall be filed in the court which has exercised jurisdiction over the particular estate or if no court has yet exercised jurisdiction then in the court of common pleas or the orphans' court of the county in which the place of business of the institution is situated The Secretary shall then transfer or pay to the substituted fiduciary appointed pursuant to the provisions of this act any funds property or investments in his possession which belong to such estate Such transfer or payment shall be made in accordance with the order of the court in which the account for such estate is filed The court in directing such transfer or payment may reserve for future determination any question of surcharge

B The court which has exercised jurisdiction over a particular estate of which the institution was fiduciary or if no court has exercised such jurisdiction then the court of common pleas or the orphans' court of the county in which the institution has its place of business may order the Secretary to transfer the funds property or investments of the estate to the substituted fiduciary even prior to the filing of an account The court in such order may reserve for future determination any question of surcharge or any other question which may arise upon the audit of the account

C This section shall not be construed to give any court other than the one in which the certificate of possession is filed jurisdiction over disputes involving the identity of funds property or investments of an estate of which the institution was fiduciary

Section 807 Deficiencies in Assets Held by Institution as Fiduciary Whenever the court in which the Secretry has filed the account of an estate of which an institution in his possession was fiduciary shall in the manner provided by law rule that there is a deficiency in the funds property or investments of such estate or that the institution is liable to surcharge in respect thereto the amount determined by such court to be due shall constitute a claim against the institution and shall be presented in the same manner as other claims except that it may be presented at any time within six months after the appointment of a substituted fiduciary of the estate and the adjudication of the account of such estate by the competent court Such order or decree of such court shall be conclusive as to the amount due except for the right of appeal provided by law Any dispute as to the classification or order of payment of such claim as distinguished from the amount shall be adjudicated by the court in which the certificate of possession is filed

If the existence or amount of any such deficiency or surcharge or the liability of the institution therefor is in litigation but undetermined at the time dividends for claims having no priority in order of payment over such claims are being distributed the Secretary shall upon notice of such fact from the substituted fiduciary withhold and set apart a sufficient amount to pay the proportionate dividend which will be due upon such undetermined claim if it is finally adjudicated in favor of the estate of which the institution was fiduciary

Section 808 Compensation Due Institution and Secretary from Estates The Secretary in possession of an institution as receiver shall be entitled to collect such reasonable fees and commisions as were earned both as to income and as to principal and such reasonable expenses as were incurred by the institution in its capacity as fiduciary prior to the date on which possession was taken by the Secretary He shall also be entitled to reasonable fees and commissions both as to income and as to principal for any services performed and all reasonable expenses incurred by him on behalf of any estate of which the institution was fiduciary The Secretary shall be entitled to such commissions on principal as shall appear reasonable under all the circumstances whether or not the trust has terminated at the time of the filing of the account or of the transfer by the Secretary of the funds property and investments of the estate in accordance with the provisions of the instrument creating the fiduciary relationship All sums received by the Secretary under this section shall become assets of the institution of which he is in possession as receiver

Except in cases where the Secretary pursuant to the provisions of this act transfers funds property or investments of the estate without filing an account the court in which the Secretary shall file the account for the estate of which the institution was fiduciary shall award to the Secretary the fees commissions and expenses provided for in this section

ARTICLE IX

SECRETARY IN POSSESSION OF A MORTGAGE OR SECURITY POOL OR OF AN ASSET IN WHICH UNDIVIDED INTERESTS ARE HELD

Section 901 Mortgage and Security Pools and Participations Accounts Whenever the Secretary shall have filed a supplement to the certificate of possession setting forth his determination to liquidate the affairs of an institution of which he is in possession as receiver he shall as soon as it may be convenient file in the court in which the certificate of possession shall have been filed an account as to any mortgages securities or other assets comprising any mortgage or securities pool operated by such institution or as to any mortgage security or other asset in which undivided interests shall have been created by the institution regardless of whether certificates of participation in such mortgage or securities pool or in such mortgage security or other asset shall have been actually issued by the institution and regardless of whether the relation of the institution to the owners of the undivided interests in such mortgage or securities pool or in any such mortgage security or other asset is technically that of a trustee

A mortgage or securities pool shall be regarded as having been operated by the institution regardless of whether any or all of the mortgages securities or other assets in such pool shall be held in the name of the institution or in the name of a nominee of the institution Where undivided interests have been created in any mortgage security or other asset by any

corporation or person holding such mortgage secruity or other asset as nominee of the institution such undivided interests shall be regarded as having been created by the institution

The prothonotary shall not be under any duty to recopy or otherwise record any such account filed by the Secretary He shall make no charge except the regular fee for filing such or similar papers

Section 902 Transfer of Pools and Participations without Filing an Account If all the corporations or persons who are the owners of all the undivided interests in any mortgage or securities pool or in any mortgage security or other asset in which the institution shall have created undivided interests are sui juris and if they shall agree to the amount asserted by the Secretary to be due him as receiver for services rendered by the institution or by him and for expenses incurred by either and if they shall authorize the Secretary to transfer any such mortgage or securities pool or any such mortgage security or other asset to them or to a substituted fiduciary or any other corporation or person agreed upon by them and if they shall execute proper instruments releasing the Secretary and the institution from any further liability to them the Secretary may transfer to such substituted fiduciary or to such corporation or person without filing an account all the mortgages securities or other assets comprising such mortgage or securities pool or the mortgage security or other asset in which undivided interests have been created In any case where the institution as fiduciary of an estate is the owner on behalf of such estate of any undivided interest in any such mortgage or securities pool or in any such mortgage security or other asset and no substituted fiduciary has been appointed for such estate the Secretary shall not transfer such mortgage or securities pool or such mortgage security or other asset in which undivided interests were created by the institution unless he shall also be authorized to make such transfer by all corporations or persons having an interest in the estate of which the institution was fiduciary except that where substituted fiduciaries have not been appointed for unborn beneficiaries of the estate or for other beneficiaries who are not sui juris the Secretary shall not be required to obtain such authority from anyone in behalf of such unborn beneficiaries or other persons who are not sui juris

Section 903 Notice of Filing Account A Upon filing an account as to any mortgages securities or other assets comprising any mortgage or securities pool operated by an institution of which he is in possession as receiver or as to any mortgage security or other asset in which the institution shall have created undivided interests the Secretary shall give notice thereof in so far as it may be practicable to all corporations or persons who are the owners of the undivided interests in any such mortgage or securities pool or in any such mortgage security or other asset and in any case where the institution as fiduciary of an estate is the owner on behalf of such estate of any such undivided interest then to all corporations or persons having an interest in such estate except that no such notice need be given to anyone on behalf of unborn beneficiaries who are not sui juris where no substituted fiduciary has been appointed for such beneficiaries Such notice shall be given to the corporations or persons entitled thereto under this section at their addresses as they appear on the books or other records of the institution or if the address of any such corporation or person does not appear thereon then at the last known address of such corporation or person

B Such notice shall state the time and place of the audit of such account and except where an application for a substituted fiduciary shall have been made by any other method authorized by this act it shall also state the intention of the Secretary to apply for a substituted fiduciary for such mortgage or securities pool or for such mortgage security or other asset in which undivided interests were created by the institution and the time and place of any hearing upon such application which may be fixed by the court

Section 904 Appointment of Substituted Fiduciary Transfer of Pools or Participations upon Order of Court A After the filing by the Secretary of a supplement to the certificate of possession setting forth his determination to liquidate the business and property of an institution but either before or after the filing of an account by him as to any mortgages securities or other assets comprising any mortgage or securities pool operated by such institution or as to any mortgage security or other assets in which the institution shall have created undivided interests the owner of any undivided interest in such mortgage or securities pool or in such mortgage security or other asset may file in the court in which the certificate of possession is filed a petition for the appointment of a substituted fiduciary for such mortgage or securities pool or for such mortgage security or other asset in which undivided interests were created

If such petition shall not have been filed by the owner of any such undivided interest within thirty days after the notice by the Secretary of the filing of an account as to such mortgage or security pool or as to such mortgage security or other asset the Secretary shall file in the court in which the certificate of possession is filed a petition for the appointment of a substituted fiduciary for such mortgage or securities pool or for any such mortgage security or other asset in which undivided interests were created by the institution

Upon the filing of such a petition by the owner of any such undivided interest or by the Secretary for such mortgage or security pool or for such mortgage security or other asset in which undivided interests were created by the institution the court shall upon a day fixed by it conduct a hearing upon such application after which it shall appoint a substituted fiduciary

B The Secretary shall transfer to the substituted fiduciary appointed by the court all such mortgages securities or other assets comprising any such mortgage or securities pool or any such mortgage security or other asset in which undivided interests were created as are in his possession as receiver and as to which he shall have filed an account The substituted fiduciary shall take such mortgages securities or other assets without liability for the nature or value of the mortgages securities or other assets as investments Such transfer shall be made in accordance with the order of the court and in directing such transfer the court may reserve for future determination any question of surcharge against the institution or the Secretary

The court may after petition filed pursuant to the provisions of this section order the Secretary to make such transfer even prior to filing an account in which case it may also reserve for future determination any question which may arise upon the audit of the account

Section 905 Advances by Secretary to Substituted Fiduciary Whenever the Secretary shall have filed an account as to any such mortgage or securities pool or as to any mortgage security or other asset in which the institution shall have created undivided interests and it shall appear to the court that any sum of cash will be needed by the substituted fiduciary for the protection of the owners of undivided interests in such mortgage or securities pools or in any such mortgage security or other asset as to which account shall have been filed and if it shall appear from the account that the Secretary does not have any cash held by him in connection with such mortgages or securities pool or in connection with any such mortgage security or other asset or if the account discloses that the cash in his hands for that purpose is sufficient for the protection of the owners of the undivided interests in such mortgage or securities pool or any such mortgage or security or other asset or where no account is filed if the Secretary shall demonstrate these facts to the satisfaction of the court the court may upon petition of the Secretary and in the exercise of its discretion order the Secretary to advance to the substituted fiduciary out of the general assets of the institution such cash as may be necessary for the protection of the owners of such undivided interest such order shall provide that the amount of cash so advanced by the Secretary shall be repaid by the substituted fiduciary out of the first moneys realized by such substituted fiduciary on the mortgages securities and other assets transferred to him

Section 906 Compensation and Expenses The court in its adjudication of any account filed by the Secretary as to any mortgage or securities pool operated by an institution of which the Secretary is in possession as receiver or as to any mortgage security or other asset in which the institution shall have created undivided interests shall award to the Secretary such compensation for services rendered and expenses properly incurred by the institution or by the Secretary as the court shall deem reasonable and proper under all the circumstances The order of the court making any such award to the Secretary shall provide for the payment of such compensation or expenses out of any cash included in the account or if there be no cash in the account or if the amount of cash included therein is insufficient to pay the amount awarded to the Secretary the order shall provide for the payment of such compen-

sation or expenses out of the first moneys realized by the substituted fiduciary on the mortgages securities or other assets so transferred to such substituted fiduciary All sums received by the Secretary under this section shall become assets of the institution of which he is in possession as receiver

When the court shall pursuant to the provisions of this act order the Secretary to transfer such mortgages securities or other assets prior to the filing of an account it shall similarly make provision for the payment of the compensation earned or the expenses incurred by the institution or by the Secretary

ARTICLE X

PROOF OF CLAIMS ACCOUNTING AND DISTRIBUTION

Section 1001 Notice to Depositors Shareholders and Other Creditors After filing a supplement to the certificate of possession setting forth his determination to liquidate the affairs of an institution of which he has taken possession as receiver the Secretary shall forthwith give notice of such fact to all corporations or persons who appear upon the books of the institution as or who are otherwise known to the Secretary to be or claim to be depositors or other creditors and in the case of a building and loan association shareholders of such institution He shall likewise give notice to any corporation or person who pursuant to the provisions of this act has given the Secretary notice of his claim to the right of execution or attachment against any assets owned by or legally in the custody or possession of the Secretary as receiver of the institution

The notice to each depositor or in the case of a building and loan association to each shareholder shall state the amount which the books or other records of the institution show to be due to such depositor or shareholder It shall also state that unless such depositor or shareholder shall within a specified time present to the Secretary for settlement his deposit or pass book or other evidence of his account showing a different amount to be due or unless such depositor or shareholder shall within a specified time from the date of such notice prove in the manner provided by this act that a different amount is due the amount shown to be due by the books of the institution will be conclusively presumed to be correct unless the court pursuant to the provisions of this act grants him an extension of time

The notice to each creditor other than a depositor or in the case of a building and loan association other than a shareholder shall inform such creditor that he must present his claim in the manner provided by this act within a specified time from the date of such notice or else be permanently barred from sharing in any distribution of the assets of the institution unless the court pursuant to the provisions of this act grants him an extension of time

The Secretary shall also advertise in a newspaper or newspapers as provided in this act the fact that he has determined to liquidate the affairs of the institution and that he has filed an inventory and appraisement in the office of the prothonotary Such advertisement shall state that all depositors or in the case of building and loan associations all shareholders must prove their claims within a specified period or be bound by the amount shown by the books or records of the institution to be due them and that any corporation or person not appearing upon the books of the institution to be a depositor or in the case of a building and loan association a shareholder and not presenting his pass book or other evidence of the state of his account or otherwise presenting his claim will be permanently barred from sharing in any distribution of the assets of the institution unless the court pursuant to the provisions of this act grants him an extension of time It shall also state that all creditors other than depositors or in the case of building and loan associations other than shareholders not proving their claims in the manner provided by this act and within a specified perior will likewise be permanently barred from sharing in any distribution of the assets of the institution except where the court pursuant to the provisions of this act grants to a creditor an extension of time

The Secretary shall specify as the last day upon which depositors creditors and in the case of a building and loan association shareholders can present their claims a date not less than one hundred twenty days after the taking of possession of the institution by him as receiver provided that such date shall be at least thirty days after the date of the sending of such notice However claims based upon deficiencies in or surcharges with respect to funds property or investments which such institution held in a fiduciary capacity may be presented at any time within six months after the appointment of a substituted fiduciary of the estate of which such funds property or investments were a part and the adjudication of the account of such estate by the competent court

Section 1002 Proof of Claims of Depositors or in Building and Loan Associations Shareholders Any depositor or in the case of a building and loan association any shareholder who disagrees with the amount shown by the books or other records of the institution to be due to him shall present his claims to the Secretary by presenting his deposit or pass books or other evidence of indebtednes sto the Secretary within the time and in the manner designated by the Secretary pursuant to the provisions of this act Any such depositor or shareholder who shall not have received or shall have lost his deposit or pass book or other evidence of indebtedness or who shall believe that the amount shown by such deposit or pass book or other evidence of indebtedness due to him is incorrect shall within the time designated by the Secretary present his claim to the Secretary by whatever method he shall designate

Any depositor or in the case of a building and loan association any shareholder who shall not present his claim within the designated time and in the manner provided by this section shall be bound by the amount appearing to be due to him upon the books or records of the institution or where the name of such depositor or shareholder does not appear at all upon the books or records of the institution or appears on such books or records but with no balance appearing to be due to him by the institution shall be permanently barred from sharing in any distribution of the assets of the institution However the court may upon petition and adequate cause shown permit any depositor or in the case of a building and loan association any shareholder to file his claim upon a later date but no claim shall in any event be allowed to be filed after the last day for the filing of exceptions to the first account of the Secretary

This section shall not however be construed to deprive any such depositor or shareholder of any right of action at law or in equity which he may have against an employe or former employe of the institution or upon the bond of such employe or former employe for any act committed by such employe which resulted in such depostor's or shareholder's not appearing upon the books of the institution or appearing upon them but being credited with an amount below that actually due

The Secretary shall prescribe the form for the proof of claim of all depositors or in the case of building and loan associations shareholders and for the affidavit to be included therein Whenever requested by any such depositor or shareholder to prepare such proof of claim or to take the affidavit thereto the Secretary shall do so without any charge to such depositor or shareholder

Section 1003 Proof of Claims of Creditors A Creditors other than depositors or in the case of a building and loan association other than shareholders shall not share in any distribution of the assets of the institution unless the creditor or someone for him shall within the time specified by the Secretary pursuant to the provisions of this act present to the Secretary a statement of his claim together with a copy of any book entries pertaining thereto any note or other instrument received as evidence thereof and a list of any collateral or agreement of pledge received in connection therewith

However the court may upon petition and adequate cause shown permit any creditor to file his claim upon a later date but no claim shall in any event be allowed to be filed after the last day for the filing of exceptions to the first account of the Secretary

The statement of a creditor's claim required by this section shall be verified by affidavit in substantially the following form

"I (name of claimant) do solemnly swear (or affirm) that the above is a true statement of my claim against (name of institution) that there are no credits or allowances against this claim except as therein set forth that there is no collateral security for this indebtedness or any part thereof held by me or by anyone else other than as above set forth and that I am not the owner or the obligee directly or indirectly of any contract of indemnity or insurance covering this claim except as set forth above"

If the creditor shall be a corporation such affidavit shall be made by the treasurer or assistant treasurer thereof and if a partnership by any member thereof In either such case the form of the affidavit shall be modified accordingly

B The provisions of this section shall not apply to the claims of parties interested in the custody possession or control of funds property or investments held by such institution in a fiduciary capacity However except as otherwise provided in this act the provisions of this section shall apply to disputes concerning the identity of such funds property or investments or to claims based upon deficiencies therein or the liability of the institution to surcharge thereon

Section 1004 Allowance of Claims For the purposes of the accounting provided for in this act the Secretary shall allow the claims of depositors or in the case of a building and loan association shareholders for the amounts shown to be due to them upon the books or other records of the institution or for such other amounts as they shall within the time and in the manner provided by this act prove to the satisfaction of the Secretary are due to them He shall likewise allow the claims of all other creditors when presented within the time and in the manner provided by this act if he shall be satisfied that the amounts claimed are rightfully due He shall reject all other claims of depositors other creditors and in the case of building and loan associations shareholders

Section 1005 Advance Payments of Dividends to Depositors After the expiration of the period fixed by the Secretary pursuant to the provisions of this act for the presentation of claims he may without leave of court and without filing an account make an advance payment of a dividend to all depositors the amounts of whose claims as they appear upon the books or other records of the institution are undisputed The dividend shall be calculated as if the claims of all other depositors as they appear upon the books or other records of the institution and the claims of all creditors or other corporations or persons who assert priority over or parity with depositors in the order of distribution of the assets were valid and uncontested

However the Secretary shall not make such an advance payment of a dividend to any depositor until he shall set aside an amount sufficient to pay in full the claims of all creditors or other corporations or persons asserting or entitled to priority over depositors in the order of distribution and to pay the proportionate dividend on the amounts claimed by the other depositors and by any creditors or other corporations or persons who are entitled to or who claim parity with depositors in the order of distribution provided for by law He shall likewise set aside before making such advance payment such amount as he shall deem necessary for the expenses of administration of the institution by him as receiver

Section 1006 Expenses of Administration Any reasonable expenditure made by the Secretary as receiver of an institution including any expense incurred in the management reorganization consolidation liquidation or distribution of the assets and affairs of the institution and any compensation paid to the deputy receiver or any other person employed to assist the Secretary in such management reorganization consolidation liquidation or distribution and to any deputy attorney general special deputy attorney general assistant deputy attorney general or other attorney who has been assigned by the Department of Justice to the Secretary to handle for him any legal business pertaining to the affairs or property of such institution shall be paid out of the assets of the institution provided it is included in any partial or final account filed by the Secretary pursuant to the provisions of this act and is approved by the court in which such account is filed

Where such expenses are incurred or such compensation is paid for the benefit of the estate of more than one institution in the possession of the Secretary as receiver an equitable portion of such expenses or compensation shall be paid out of the assets of each institution on whose behalf such expenditures were made

Section 1007 Partial or Final Account Objections A At any time after the expiration of the period fixed by the Secretary pursuant to the provisions of this act for the presentation of claims he shall file a partial or final account of his administration of the business and property of the institution duly verified by him under oath or affirmation

If the Secretary shall not file his first account within one year after he takes possession of an institution any depositor other creditor or shareholder of such institution may petition the court to order the Secretary to file an account The court may in its discretion grant or refuse the petition

The account shall present his administrative of the estate including a statement of all receipts or expenditures by the Secretary as receiver a list of all claims which have been allowed and a separate list of claims which have been objected to or are disputed showing as to all depositors other creditors and in the case of a building and loan association shareholders their names and addresses the amounts due or claimed to be due to them and any priorities in the order of distribution granted to or claimed by them

B The Secretary shall forthwith give written or printed notice of such filing of an account to all corporations or persons whom he knows to be or to claim to be depositors other creditors and in the case of building and loan associations shareholders of the institution at the addresses which respectively appear for them upon the books of the institution or if none appear there at their last known respective addresses Such notice shall also state that unless an exception to the account or to any item therein is filed with the court within thirty days from the date of the filing thereof it will be confirmed absolutely

He shall likewise give notice to any corporation or person who pursuant to the provisions of this act has given the Secretary notice of his claim to the right of execution or attachment against any assets owned by or legally in the custody or possession of the Secretary as receiver of the institution

He shall also advertise such notice in a newspaper or newspapers as provided in this act stating the date upon which he has filed his partial or final account and the fact that all exceptions to the account must be filed within thirty days from the date of the filing of such account

The Secretary shall forthwith file with the court under oath affirmation a statement that he has in the manner provided by this act sent both the notice of his determination to liquidate and the notice of his filing of an account to all corporations or persons entitled thereto whose names appear in the account at the addresses state therein He shall also file the proofs of publication of the advertisements which he has inserted pursuant to the provisions of this act which respectively set forth his determination to liquidate and his filing of an account

C The prothonotary shall not be under any duty to recopy or otherwise record such account He shall make no charge except the regular fee for filing such or similar papers

Section 1008 Exceptions to Account A Any corporation or person who is or who claims to be a depositor other creditor or shareholder of an institution or who has given to the Secretary notice of his claim to the right of execution or attachment against any assets owned by or legally in the custody of the Secretary as receiver of an institution or who assets any other type of claim against an institution may within thirty days after the filing of an account by the Secretary file in the court specific exceptions in writing under oath or affirmation to such account or to any item therein

Notice of any exception to an individual item in an account shall forthwith be personally served upon or sent by registered mail to the corporation or person whose claim is thus objected to or his counsel and also the Secretary or the deputy receiver managing the affairs of the particular institution or the counsel of either Affidavit of the serving or sending of such notice shall forthwith be filed with the court

B Whenever an exception is filed to any expenditure made by the Secretary as an expense of administration the Secretary shall keep an accurate record of the salaries and other expenses exclusive of counsel fees properly incurred by him in the contesting of such exception If the exception is overruled and the expenditure is sustained the court may in its discretion assess such expenses and salaries together with the regular costs provided by law upon the depositor other creditor or shareholder filing such exception

Section 1009 Adjudication of Rejected Claims and Exceptions to Account A If any claim has been rejected by the Secretary or any exception has been filed to the account or to any item thereof the court shall as soon as expedient after the expiration of the period for the filing of exceptions to the account fix a date for hearing in court arguments on all rejected claims and all exceptions to the account or to any item thereof

The Secretary shall give notice of such hearing to all corporations or persons whose claims have been rejected by the Secretary or objected to in the manner provided by this act He shall likewise give notice to all corporations or persons who have filed exceptions to the account or to any item thereof Such notice shall set forth in so far as possible the reasons for the rejection of the claim or the nature of the exception to the item of the account and shall state that all parties

whose claims are rejected or objected to must appear in court upon the date fixed by the court to prove their claims or they will be bound by the ex parte decision of the court

B The court in which the account is filed shall itself hear arguments upon any rejected claim or upon any exception to an account or to any exception to an account or to any item thereof upon the date fixed by it for this purpose The court shall itself decide without delay all matters in controversy If any party does not appear in court on the day fixed the court shall conduct the hearing ex parte and shall render its decision upon the merits as they appear after such hearing

Section 1010 Confirmation of Account Distribution of Dividends A If the Secretary has approved all depositors' claims or in the case of building and loan associations all shareholders' claims as presented by them pursuant to the provisions of this act or if not presented as they appear upon the books or other records of the institution and if no exception has been filed to an account or to any item thereof within thirty days after the filing of such account by the Secretary the court shall confirm the account absolutely If any funds are available for distribution the Secretary shall then declare and pay out of such funds a partial or a final dividend according to the priorities established by law

If the Secretary has rejected any such deposit or claim or if any such exception has been filed the court shall confirm the account as to all other matters and claims The Secretary may then declare and pay out of the funds available for distribution if any dividend according to the priorities established by law The dividend shall be calculated as if all deposits and other claims were valid and approved The Secretary before paying any such dividend shall set apart the proportion of such dividend which would be properly apportionable to any claim which has been rejected by the Secretary or to which an exception has been filed if the amount and the priority claimed were sustained by the court If any such claim shall be determined by the court to be valid the Secretary shall pay to the corporation or person entitled thereto the dividend which has been set apart in the manner provided by this section If any such claim shall be determined by the court to be invalid the dividend which has been set apart in the manner provided by this section shall be distributed in the order of the priorities established by law to those whose claims have been approved by the court

B The confirmation of any account after the adjudication of all claims therein which have been rejected by the Secretary or to which exceptions have been filed and of all other exceptions to such account shall be conclusive as to all matters therein Except as otherwise provided in this act no claim of any depositor or other creditor or in the case of a building and loan association any shareholder shall be valid if not listed and approved in the first account which has been filed

The confirmation of the final account and distribution thereunder shall discharge the Secretary the deputy receiver any other employe and the legal counsel as well as the surety for any of them from all further civil liability for any act done in his official capacity as receiver deputy receiver employe or legal counsel of the institution

Section 1011 Order of Preference in Distribution A The following shall be the order followed by the Secretary in the distribution pursuant to the provisions of this act of the assets of any institution with the exception of a building and loan association which he as receiver is liquidating

First Any expenditure made by the Secretary as receiver which under the provisions of this act is to be paid out of the assets of the institution

Second Any fee or other debt owing to the Department for examinations or other services rendered or penalties incurred prior to the taking of possession by the Secretary as receiver any deposit or other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Third Any deposit and any interest due thereon which has been or according to the by-laws or rules and regulations of the institution should have been credited to such deposit prior to the date of the taking of possession of the institution by the Secretary as receiver whether subject to withdrawal by check or by any other method not requiring notice or to withdrawal only after notice or after the expiration of a fixed period whether or not such notice has been given or such period has expired at the date of distribution any holder of a certified check drawn on the institution the claim of any holder of a certificate of deposit of the institution which evidences an actual deposit of moneys in such institution and any interest which may be due thereon whether such certificate of deposit is payable upon demand or is payable only after notice or after the expiration of a fixed period whether or not such notice has been given or such period has expired at the date of distribution the claim of any holder of a check or draft of the institution which has been given in exchange for or in payment of a check or draft drawn upon such institution by a depositor therein or which has otherwise been charged to the account of a depositor therein provided that the amount of such check or draft does not exceed the balance to the credit of such depositor or which has been given in exchange for cash or for any check or draft the proceeds of which have been received by the institution any claim for cash or for any check or draft the proceeds of which have been received by the institution which was delivered to the commercial department of such institution as fiduciary either for transmission or for any purpose other than as a deposit irrespective of whether all or part of such cash or the funds realized from such check or draft has been mingled with the assets of such institution

Fourth Any claim for the amount of any deficiency in the funds property or investments of an estate of which the institution was fiduciary or any surcharge with respect to such estate which is found to be done by the court in which the account for such estate is filed and any claim of a creditor of the institution not listed under any other category in this section

Fifth Any part of the amounts paid by shareholders after an assessment upon them by the Secretary pursuant to the provisions of this act which has proved unnecessary to pay in full all depositors or other creditors of the institution such payments are to be made pro rata up to the respective amounts paid by each shareholder This clause shall not be construed to refer to payments made by shareholders on account of unpaid subscriptions to shares

Sixth Any moneys of the institution which still remain in the hands of the Secretary shall be paid to shareholders in proportion to the number of shares held by them respectively minus any amounts still owing by them on the assessment made by the Secretary pursuant to the provisions of this act or on unpaid subscriptions to shares

Seventh Any unliquidated assets to trustees for shareholders appointed pursuant to the provisions of this act

B The following shall be the order and preference followed by the Secretary in the distribution pursuant to the provisions of this act of the assets of any building and loan association the affairs of which he as receiver is liquidating

First Any expenditure made by the Secretary as receiver which under the provisions of this act is to be paid out of the assets of the institution

Second Any fee or other debt owing to the Department for examinations or other services rendered or penalties incurred prior to the taking of possession by the Secretary as receiver any other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Third Any claim of a creditor of the association other than the claim of a shareholder arising from his ownership of shares

Fourth Any claim of a shareholder arising from his ownership of shares whether such shares be installment full-paid prepaid matured or any other type The amount of the claim arising from each share shall be the amount actually paid in on account of such share less any amount lawfully deductible therefrom by the association except in the case of a lawfully and properly matured share in which case the amount of the claim shall be the actual par value of the share less any payment received on account thereof from the association and less any other amount lawfully deductible therefrom by the association

C Every claim enumerated above shall have the same rank and priority as every other claim in the same numbered paragraph regardless of the order in which such claims are enumerated

D All claims provided for in this section shall be construed to refer only to claims presented to the Secretary and approved by the court in accordance with the provisions of this act

Section 1012 Liquidation of Balance by Trustees Except in the case of a building and loan association the Secretary shall dispose in the following manner of any unliquidated as-

sets of an institution of which he was receiver which are still in his possession after the filing and confirmation of his final account the payment in full of the claims of all depositors creditors and other claimants which have been approved by the court the return of shareholders pro rata of any amounts paid by them pursuant to an assessment made by the Secretary under the provisions of this act which have proved unnecessary to pay in full the duly presented and approved claims of depositors and other creditors and the distribution to shareholders of any cash balance remaining thereafter

The Secretary shall call a meeting of all the shareholders of the institution by giving them written notice at least thirty days before the day fixed for the meeting At such meeting the shareholders shall elect by ballot a trustee or trustees who sholl complete the liquidation A majority of the shares present in person or by proxy shall be necessary to elect such trustee or trustees The Secretary shall file one copy of the proceedings of such shareholders' meeting in his office and one in the office of the prothonotary Both copies shall be prepared by him under oath or affirmation

If no trustee is elected in this manner on the day designated the Secretary shall petition the court in which the certificate of possession is filed for the appointment of a trustee or trustees

The trustee or trustees who are thus elected by the shareholders or appointed by the court shall give bond to the Commonwealth in such amount wtih such surety and under such conditions as the court may direct The Secretary shall then transfer to such trustee or trustees all the assets of the institution which are still in his possession

After such transfer by the Secretary to a trustee or trustees for the benefit of the shareholders the institution shall have no corporate powers or privileges whatsoever The trustee or trustees shall not succeed to any of its powers or privileges except such as shall be necessary to the liquidation of the remaining assets which have been transfered to such trustee or trustees by the Secretary

Section 1013 Unclaimed Dividends Whenever upon the audit or adjudication of the final account of the Secretary in possession of an institution as receiver there shall be and remain in his possession any dividends or any dividends which shall have been awarded to any depositor or other creditor the whereabouts of whom or of whose legal representatives the Secretary has been unable to ascertain or any dividends which otherwise are by law escheatable to the Commonwealth he shall file in the court the sworn statement required by law and shall thereupon pay the dividends into the State Treasury through the Department of Revenue in accordance with the provisions of law such moneys to be subject to refund to any corporation or person entitled thereto pursuant to the provisions of law

This section shall not be construed to relieve the Secretary of any of the duties with respect to such unclaimed or escheatable dividends imposed by law upon any receiver appointed by any court within this Commonwealth

Section 1014 Destruction of Records The Secretary is authorized to destroy all records of the institution of which he was in possession as receiver and all records of such receivership at the experiation of six years from the date of the absolute confirmation of his final account except where any provision of this act expressly or impliedly provides a different method for the disposition of the records or a longer period for their preservation

ARTICLE XI

SPECIAL CRIMINAL PROVISIONS

Section 1101 Criminal Prosecutions Upon discovery by report or otherwise of any violation of any criminal law of this Commonwealth which relates to an institution the Department shall institute criminal proceedings in the manner provided by law

Section 1102 Perjury Anyone who shall wilfully and corruptly make a false statement under any oath or affirmation provided for in this act or anyone who shall by any means procure or suborn any other person to do so shall be guilty of the crime of perjury and upon conviction thereof shall be subject to the same punishment as is or may be provided by law for perjury

Section 1103 Statute of Limitations for Violations of Act Any prosecution for the commission of any criminal offense under the provisions of this act may be commenced at any time within six years after the date upon which the alleged offense shall have been committed However if the person against whom such prosecution is brought shall not have been an inhabitant of this Commonwealth or a usual resident therein for six years then such indictment may be commenced and prosecuted at any time within six years after he shall have become an inhabitant of or usual resident within this Commonwealth

ARTICLE XII

EFFECTIVE DATE AND REPEALER

Section 1201 Effective Date This act shall become effective on the third day of July one thousand nine hundred and thirty-three and shall apply to all corporations and persons described herein whether in existence on such date or coming into existence at any time thereafter

Section 1202 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed

Section twenty-eight of the act approved the thirteenth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" in so far as it relates to distribution of assets by the Secretary as receiver

Section one of the act approved the eighth day of May one thousand nine hundred and seven (Pamphlet Laws one hundred ninety-two) entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five eleventh day of June Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twety-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five iter alia providing for the establishment and regulation of trust companies" in so far as it relates to distribution of assets by the Secretary as receiver

Section one of the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand sixty) entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" in so far as it relates to distribution of assets by the Secretary as receiver

The act approved the twenty-first day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred ninety-four) entitled "An act to give the status of a depositor as to preference over other creditors to persons firms or corporations accepting from a bank or trust company its check in payment of a depositor's check" in so far as it relates to distribution of assets by the Secretary as receiver

The act approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred fifty-four) entitled "An act to amend section one of an act entitled 'A supplement to an act of Assembly of the Commonwealth of Pennsylvania entitled "An act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five eleventh day of June Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight

hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment and regulation of trust companies' approved the eighth day of May Anno Domini one thousand nine hundred and seven by enlarging and extending the preference given to depositors so as to include payable only after specified notice or at the expiration of a fixed period and defining and including as depositors bona-fide holders for value of certified checks on or of certificates of deposit issued by trust company or of checks or drafts given in exchange for or in payment of checks or drafts of depositors of a trust company drawn thereon" in so far as it relates to distribution of assets by the Secretary as receiver

The act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred seventy-eight) entitled "An act authorizing the reorganization of building and loa nassociations and savings and loan associations with the approval of the Banking Commissioner requiring the interest of all stockholders thereof to remain in the association for a period of two years and providing for the payment at the end of such period of their respective interests to stockholders who failed to approve the plan of reorganization" absolutely

The act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents" absolutely

The act approved the fifth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws one hundred six) entitled "An act to amend section one of an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and sixty) entitled 'An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof providing for the distribution of the assts of private bankers in case of insolvency" in so far as it relates to distribution of assets by the Secretary as receiver

The act approved the thirteenth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws one hundred eighty-two) entitled "An act to amend section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated association and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' requiring building and loan associations to pay the cost of examinations by the Department of Banking" absolutely

The act approved the fifth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws seven hundred sixty-two) entitled "An act to amend sections two three eleven twelve fourteen seventeen twenty-one twenty-thre twenty-five twenty-eight twenty-nine thirty thirty-two thirty-four thirty-six thirty-eight forty-four forty-six forty-seven and forty-eight of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' " absolutely

The act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred sixteen) entitled "An act to amend section nine of the act approved the fifteenth day of June one thousand nine hundred twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' as amended" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred thirteen) entitled "An act to further amend section one of an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand sixty) entitled 'An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" as amended by providing that all moneys or securities deposited with the Secretary of Banking shall pending their approval be turned into the State Treasury" absolutely

The act approved the twelfth day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred twelve) entitled "An act to further amend section twelve of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorportaed associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' by authorizing the Department of Banking to disclose certain contents of reports of building and loan associations" absolutely

The act approved the twenty-eighth day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred ninety-three) entitled "An act to amend section twenty-eight as amended Clause II of section thirty-one clause (b) of section thirty-two as amended section forty-one section forty-two as amended and section forty-five of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' by conferring additional powers on the Secretary of the Department of Banking and changing the procedure to be followed in the liquidation reorganization and rehabilitation of the corporations partnerships and persons over which the department has supervision and control" absolutely

The act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred ninety-six) entitled "An act to further amend paragraph (a) of section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents" absolutely

The act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred sixty-three) entitled "An act to amend section thirty-six of the act approved the fifteenth day of June one thousand nine hundred twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unin-

corporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' as amended by providing that pledges of assets of institutions in the possession of the Secretary of Banking may not forfeit or sell the same except under certain conditions and providing penalties" absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred seventy-six) entitled 'An act to amend section three of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' as amended in part providing additional regulations for all advertisements publications and notices required by the said act to be made in newspapers" asbsolutely

The act approved the twentieth day of July one thousand nine hundred and thirty-two (Pamphlet Laws seven) entitled "An act to further amend section twenty-nine and clauses (b) and (d) of section thirty-two of an act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' by conferring additional powers on the Secretary of aBnking with regard to the leasing of real estate the pledge of assets in his possession as security for loans the sale of listed and unlitsed secruities and the extension of the period for the payment of mortgages" absolutely

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Section 1203 General Repeal of Act All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed tt,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORTS FROM COMMITTEES

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO, from the Committee on Judiciary General, reported as amended, Senate Bill No. 907 (House Bill No. 860), entitled:

An Act conferring jurisdiction on the Municipal Court of Philadelphia with respect to civil proceedings arising in magistrates' courts; providing for the filing of transcripts of judgments entered by magistrates in said court, and validating proceedings heretofore filed in said court.

Also from the Committee on Judiciary General, reported as amended, Senate Bill No. 710 (House Bill No. 183), entitled:

An act to amend sections twenty-five and thirty-eight of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto; clarifying the ground for divorce where the respondent has been convicted of certain crimes; providing for the amendment of libels to include additional grounds for divorce; providing for service of notice of hearing on correspondents; and providing for alimony pendente lite in cases of divorce from bed and board.

Also from the Committee on Banks and Building and Loan Associations, reported as amended, Senate Bill No. 1461, entitled:

An Act providing for the reduction by a building and loan association, with the approval of the Department of Banking and upon order of the court of common pleas, of its liability to shareholders; applying to building and loan associations, whether or not in possession of the Secretary of Banking.

MOTION TO READ BILLS FOR THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 512, entitled:

An Act to amend clause twenty-five, as amended and renumbered clause eighteen of, and to add clause twenty to, section three hundred and two of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys, erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or

any agency thereof, every State Depository and every debtor or creditor of the Commonwealth"; by establishing the State Parks Fund and transferring certain revenues from the State School Fund to the State Parks Fund

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 534, entitled:

An Act creating in counties of the fourth, fifth, sixth, seventh and eighth classes a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 710 (House Bill No. 183), entitled:

An act to amend section twenty five and thirty-eight of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred thirty-seven) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" clarifying the ground for divorce where the respondent has been convicted of certain crimes providing for the amendment of libels to include additional grounds for divorce providing for service of notice of hearing on correspondents and providing for alimony pendente lite in cases of divorce from bed and board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 869 (House Bill No. 1279), entitled:

An Act to amend article fourteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by adding thereto a new section providing that the Department of Public Instruction shall reimburse school districts for educating children of employes of public institutions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 907 (House Bill No. 860), entitled:

An Act conferring jurisdiction on the Municipal Court of Philadelphia with respect to civil proceedings arising in magistrates' courts providing for the filing of transcripts of judgments entered by magistrates in said court and validating proceedings heretofore filed in said court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 953, entitled:

An Act to further amend section three of the act approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand forty-six), entitled "An act appropriating the moneys in the Motor License Fund by making the moneys in the Motor License Fund available for administering the laws, rules and regulations relating to aeronautics.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 980 (House Bill No. 1666), entitled:

An Act to amend section 9 of the act approved the thirteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, six hundred forty-four) entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes" by increasing the fee to be charged by the Department of Welfare for certificates of registration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1011 (House Bill No. 1278), entitled:

An Act to amend section four hundred and twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended providing that the county commissioners shall provide for the graves of service men foundations for headstones furnished by the United States Government placed in lots containing the bodies of servicemen

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1019 (House Bill No. 1847), entitled:

An Act to protect the public health; defining and providing for the licensing of bakeries and regulating the inspection, maintenance and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale and offering for sale of baker products; conferring powers on the Department of Agriculture; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1244 (House Bill No. 1536), entitled:

An Act to amend the title, and to amend section one of the act, approved the tenth day of May, one thousand nine hundred and twenty-seven (P. L. 879), entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods, wares, or merchandise of any kind, fixtures, machinery, equipment or real estate, by every corporation, joint-stock association, limited partnership or company; providing certain

requirements, therefor and imposing certain duties upon the seller and buyer; and fixing penalties" by extending the provisions of the said act to individuals, copartnerships, and other unincorporated associations, and including notice thereof in the title of said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1358 (House Bill No. 1701), entitled:

An Act to amend section two hundred and twenty-two of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing a procedure to provide for the holding of two or more county offices in counties of the sixth class by the same person.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1362, entitled:

An Act to amend section fifty-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; permitting individual sureties on the bonds of county officers in counties of the sixth, seventh and eighth classes and regulating and controlling the acceptance of such bonds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1367 (House Bill No. 1866), entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred and seven (Pamphlet Laws six hundred and forty) entitled "An act to provide revenue by levying a tax upon the shares of stock companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages and others interests in real estate, from loss by reason of defective titles, liens and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled, 'An act conferring upon certain fidelity, insurance, safety deposit, trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine, of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1369 (House Bill No. 244), entitled:

An Act to amend section fourteen of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" by giving the courts of the county wherein alleged violation occurs or the residence or place of business of the complainant jurisdiction in equity proceedings under the act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1373 (House Bill No. 910), entitled:

An Act to amend section one of the act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred eighty-four) entitled "An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of said tax" as amended exempting retail vendors or retail dealers engaged in compounding and dispensing medicines on prescriptions of physicians

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1377 (House Bill No. 1196), entitled:

An Act to amend section three of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" providing that such distributors may deposit bonds of the United States or of this Commonwealth in lieu of surety bonds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1378 (House Bill No. 1097), entitled:

An Act to safeguard human health and life in counties of the second class by providing for the licensing and regulation of persons and entities engaged in the disposal of garbage through the construction keeping maintenance or conduct of garbage disposal plants conferring powers and imposing duties on the State Department of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1380 (House Bill No. 1373), entitled:

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and thirty-one (P. L. 555), entitled "An act to further amend section seven of the act approved the second day of May, one thousand eight hundred ninety-nine (P. L. 184), entitled 'An act to provide revenue by imposing a mercantile license tax on venders of or dealers in

goods, wares and merchandise, and providing for the collection of said tax,' by changing the date upon which the city or county treasurer is required to sue for the recovery of certain licenses duly returned to him by the mercantile appraiser and not paid."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1383 (House Bill No. 1586), entitled:

An Act to amend section seven of the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring a certificate of death to include the military record of decedent if any

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1402 (House Bill No. 1865), entitled:

An Act to further amend section one of the act, approved the fifteenth of July one thousand eight hundred and ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1405 (House Bill No. 1229), entitled:

An Act to amend section one hundred and thirty-five of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as amended; by limiting the salary of the solicitor to the controller in counties of the fifth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1409 (House Bill No. 1372), entitled:

An Act to provide reciprocal relations in respect to death duties in taxation of estates of non-resident decedents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1432 (House Bill No. 1127), entitled:

An Act declaring and adopting the Mountain Laurel (Kalmia latifolia) as the State flower of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1433 (House Bill No. 933), entitled:

An Act reducing the salaries and compensation of certain county city borough town township and poor district employes and requesting and urging public officers of counties cities boroughs towns townships and poor districts to agree to voluntary reductions of salaries

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1438 (House Bill No. 1642), entitled:

An Act to authorize incorporated towons to secure lands for the purpose of establishing and maintaining municipal airports airdromes aviation landing fields intermediate landing fields and airport facilities to establish equip condition operate and maintain municipal airports airdromes landing fields or intermediate landing fields and lease the same either separately or jointly with other political subdivisions of this Commonowealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1440 (House Bill No. 188), entitled:

An Act to amend section one hundred and seventy-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eight classes; and revising, amending, and consolidating the laws relating thereto; prescribing the oath to be taken by members of the board of viewers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1449 (House Bill No. 1235), entitled:

An Act to amend section two hundred and twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by changing the qualification of the first deputy prothonotary in counties of the third class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1461, entitled:

An Act providing for the reduction by a building and loan association, with the approval of the Department of Banking and upon order of the court of common pleas, of its liability to shareholders; applying to building and loan associations, whether or not in possession of the Secretary of Banking.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1462, entitled:

An Act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License

Fund and the General Fund; providing for subsequent transfers of equal sums between such funds; and making appropriations necessary to effect such transfers.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11 o'clock.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6.12 P. M. until Wednesday morning, April 26, 1933, at 11 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, April 25, 1933

The House met at 11 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Almighty and all-wise Father, we have beheld Thy hand in all the wondrous domain of creation, as we wended our various ways to these Legislative Halls. In our cities, where cross the crowded ways of life, over templed hills and flower bedecked valleys, along beautiful streams, through fertile farm lands, rugged mining country and majestic forests; in all of Thy wondrous domain of creation we have beheld Thy handiwork, and felt the pulsations of new life.

But everywhere amidst the beauty and mystery of life, we are aware of bristling problems to be solved, and these ladies and gentlemen have been commissioned for that task.

Now Lord, in behalf of Thy chief creation, humanity, we pray that divine guidance may be given to these Thy servants, that they may bring peace and order out of confusion and chaos. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when on motion of Mr. Malina, the further reading was dispensed with and the Journal approved.

RESOLUTION

FIXING ORDER OF BUSINESS

Mr. HUTTON offered a resolution from the Committee on Rules, fixing the order of business for the day, which was twice read as follows:

Resolved, That the order of the business of the House for the Session Tuesday, April 25, 1933, shall be as follows:

1. Communications from the Governor and the Senate, reference of bills or petitions to committees; signing of bills or other papers; and clearing the table privileged at any time.
2. The asking of leave of absence.
3. The receiving reports of committees. Reports from committees may also be received immediately before or after a recess or before adjournment. (All bills reported from committee, shall be read for the first time).
4. Resolutions:

A House and concurrent resolutions originating in the House other than those to discharge committees from consideration of bills.

B Resolution recalling bills from the Governor or resolutions returning bills to the Governor are privileged.

5. Motions to recommit (this motion is also made when a bill is reached in its regular order).
6. Motions to reconsider privileged at any time.
7. Bills on first reading.
8. Bills on second reading.
9. Bills on final passage recalled from the Governor.
10. Bills on final passage (bills on the final passage postponed calendar may be called up under this order of business).
11. Bills on third reading (bills on the third reading or final passage postponed calendars may be called up under this order of business).
12. Conference reports may be received or called up for consideration at any time.

RULES COMMITTEE:
GROVER C. TALBOT,
T. B. WILSON,
A. J. WHITE HUTTON,
WILSON G. SARIG.

On the question,

Will the House adopt the resolution?

QUESTION OF INFORMATION

Mr. SOWERS. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. SOWERS. Mr. Speaker, is there a time fixed for House resolutions in this order of business.

The SPEAKER. The gentleman is informed that under Order No. 4A, "House and Concurrent resolutions originating in the House other than those to discharge committees from consideration of bills," resolutions may be introduced.

On the question recurring,

Will the House adopt the resolution?

Mr. HUTTON. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Peters, Ederer, Bennett, Yeakel, Spann, Simon, Griffith, Wahl, Moore, Nothnagle, Weidemann, Rice, Shreiner, Woodside, Habbyshaw, Way, John L. Holmes, George W. Williams, Wilson, Wood, Snyder, Conner and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 451, 810, 1086, 1407 and 1800

Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 451, Printer's No. 163, entitled, "An Act to amend section one of the act approved the twenty-sixth day of August, one thousand nine hundred and thirty-two (P. L. 101), entitled "An act authorizing collectors of delinquent taxes, except in cities of the first class, to accept payments of delinquent taxes or water-rents or rates in installments;" extending the provisions thereof to county taxes, other than county taxes in counties of the second class, and clarifying the term "delinquent tax collector."

House Bill No. 810, Printer's No. 315, entitled, "An Act to amend section thirteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality and purity" as amended removing liver products from the provision which prohibits the sale of medicines containing substances of glandular origin except by registered pharmacists and assistants.

House Bill No. 1086, Printer's No. 853, entitled, "An Act to amend section one of the act approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine (P. L. 117), entitled, "An act making it unlawful for any person to hold himself out or advertise himself as a lawyer, attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania, unless duly admitted to practice by a court of record of any county in this Commonwealth, and providing a penalty therefor," as amended, by defining and prohibiting certain acts related to the practice of law by persons, partnerships, associations and corporations not duly and regularly admitted to practice law.

House Bill No. 1407, Printer's No. 305, entitled, "An Act to amend sections ten eleven and thirteen of the act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred thirty-three) entitled "An act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners defining the power and duties of said board of examiners and providing penalties for the violation of this act" fixing the fee for renewal certificates and extending the powers of the board as to revocation and suspension of certificates

House Bill No. 1800, Printer's No. 321, entitled, "An Act providing for the control and eradication of white pine blister rust providing for the destruction of trees plants and bushes infected with the white pine blister rust authorizing the Department of Forests and Waters to remove appraise and pay for healthy host plants necessarily destroyed declaring certain plants and bushes to be a public nuisance authorizing the Department of Forests and Waters to set aside fruiting currant and gooseberry and white pine growing districts as control areas authorizing the collection of the expense of destroying the plants from owners failing to destroy and providing penalties for its violation

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 664

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 664, Printer's No. 283, entitled, "An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced ,presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 738 AND RESOLUTION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 21, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 738, Printer's No. 187, entitled, "An Act authorizing and directing the Secretary of Property and Supplies to convey in behalf of the Commonwealth certain lands to the City of Harrisburg and setting forth the conditions under which such conveyance shall be made."

A Resolution of the House of Representatives and Senate requesting institutions receiving State aid to make all purchases of supplies for the institution within the Commonwealth unless lack of competition among the Pennsylvania bidders would make such purchases uneconomic.

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1163

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 1163, Printer's No. 528, entitled, "A Supplement to the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred thirty) entitled 'An act relating to the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir for the flood control of the Shenango and Beaver rivers conferring and continuing certain powers and duties on the Department of Forests and Waters in relation to the establishment and maintenance of such reservoir providing for the acquisition of necessary lands therefor and the necessary agreements and releases relating thereto and the disposition of surplus land and materials' and making an appropriation to the Department of Forests and Waters to carry into effect the provisions of said act."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RETURNING HOUSE BILL No. 747

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate returning to the Governor House Bill No. 747, Printer's No. 172, without amendment.

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RETURNING HOUSE BILL No. 1240

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate returning to the Governor House Bill No. 1240, Printer's No. 176, without amendment.

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from is Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 720

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith without my approval, House Bill No. 720, Printer's No. 196, entitled "An Act to amend section one thousand seven hundred and sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as added by further defining the term 'cost of tuition' or 'cost of tuition text book and school supplies' ".

This bill would change the basis for determining the tuition which school districts may charge for pupils who come to their high schools from other districts. At present the rate of tuition is based on the cost of instruction, books, supplies, fuel, light, water and janitor service, plus an additional ten per centum for overhead. This bill would add to this the cost of "rent paid by the district or districts maintaining the high school."

The provision of the present law for the addition of ten per centum of the cost of the specified items was intended to cover all overhead costs such as this. If it is inadequate, it should be increased. But rent is an unusual expense. It would be illogical to provide for it and omit numerous other extraordinary expenses to which districts may at times be put. Moreover, I am informed that in some instances school buildings have been built with private capital and are used by the school district at a rental which includes installment payments on account of purchase of the building. It would be highly unfair to use such rentals as a basis for tuition charges.

For these reasons the bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall the bill become a law, the veto of the Governor to the contrary notwithstanding?

Mr. McCLURE. Mr. Speaker, I move that the communication, together with the bill be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1035

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1035, Printer's No. 174, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. HOUGH. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. HOUGH. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HOUGH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 1 of the title by inserting after the word "To" and before the word "amend" the word: "further."

Amend section 1, page 2, line 1, by inserting after the word "thereto" and before the word "is" the following: "as last amended by the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws four hundred forty-four)."

Amend section 1, page 2, line 1, by inserting after the word "hereby" and before the word "amended" the word: "further."

Amend section 302, page 2, line 6, by striking out after the word "Commonwealth" and before the word "the" the word: "[and]."

Amend section 302, page 2, line 9, by striking out after the word "and" and before the word "his" the word: "[establish]," and inserting in lieu thereof the words: "the establishment of."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The SPEAKER laid before the House, submitted by the Governor, a report by the Pennsylvania Commission on Compensation for Industrial Diseases, which was read by the Clerk,

The SPEAKER. The report will be noted in the Journal and printer in the Appendix to the Legislative Journal.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 254.

An Act making an appropriation to the Abington Memorial Hospital, Montgomery County, Pennsylvania.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 4, by striking out the words: "one hundred"; also line 5 by striking out the numerals: "($125,000)" and inserting in lieu thereof the numerals' "($25,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Griffith,	McGinnis,	Shellenberger,
Baker,	Habbyshaw,	McGrail,	Shenkel,
Baldi,	Haines,	McGregor,	Shettel,
Barnhardt,	Hamilton,	McHenry,	Shortz,
Bechtel,	Harmuth,	McKay,	Shreiner,
Beech,	Hartman,	McKinney,	Shugarts,
Bennett,	Heffernan,	Meredith,	Simon,
Bernhard,	Hefferon,	Merrell,	Sinwell,
Blumberg,	Heffner,	Metzler,	Sowers,
Boyd,	Hermansen,	Mohn,	Spann,
Brancato,	Hester,	Moore,	Stank,
Brennan,	Hewitt,	Mumford,	Steedle,
Brown, J. E.,	Himes, H. E.,	Munley,	Sterling, P.,
Brown, W. L.,	Himes, L. R.,	Myers,	Sterling, R. B.,
Brownfield,	Hoffman,	Negley,	Stevenson,
Cannon,	Holmes, J. B.,	Nothnagle,	Stiteler,
Caputo,	Holmes, J. L.,	O'Connor,	Stone,
Carey,	Hoopes,	O'Keefe,	Storb,
Carson,	Horst,	O'Neill,	Stott,
Chervenak,	Hough,	O'Rourke,	Surface,
Conner,	Hutton,	Patterson,	Tahl,
Cooke,	Jaffe,	Peelor,	Terry,
Cordier,	Jones,	Pennock,	Turner,
Craig,	Kane, J. J.,	Perry, D. R.,	Wade,
Cramer,	Kane, L. P.,	Perry, J. J.,	Wagner,
Dane,	King,	Peters,	Walker, G. E.,
Davies,	Kinney,	Powell,	Walker, W. A.,
DeFrehn,	Labar,	Powers,	Wall,
Denning,	Lane,	Price,	Wasserman,
Downey, G. E.,	Laubach,	Quinn,	Way,
Downey, J.,	Lenahan,	Raub,	Weidemann,
Duffy,	Lewis,	Rectenwald,	Welsh,
Dunmire,	Long,	Reed,	Westrick,
Ederer,	Lord,	Reilly,	White,
Emhardt,	Lose,	Rice,	Wike,
Eroe,	Lovett, J. E.,	Roan,	Williams, G. W.,
Evans,	Lovett, W. S.,	Root,	Williams, J. J.,
Fitzgerald,	Lynch, J. R.,	Roth,	Wilson, L. M.,
Flanagan,	Male,	Royle,	Wilson, T. B.,
Fleisher,	Malina,	Ruby,	Witkin,
Flinchbaugh,	Maloney,	Ruth,	Wood,
Flynn,	Marcks,	Sarig,	Woodside,
Forrest,	Mason,	Schrock,	Wright,
Gallagher,	McBride,	Schrope,	Yeakel,
Gartner,	McCandless,	Schwab,	Yourishin,
Gillette,	McClure,	Scorza,	Zimmerman,
Gorman,	McCreary,	Scott,	Talbot,
Green,	McElwee,	Sheffer,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 425.

An Act making an appropriation to The Glen Mills Schools for Boys situate in Delaware County Pennsylvania.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 4, by striking out the word: "Two" and inserting in lieu thereof the word: "three"; also in the same line strike out the word: "forty-three" and insert in lieu thereof the word: "twenty-five"; also line 5 by striking out th enumerals "($243,000)" and inserting in lieu thereof the numerals "($325,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Greenstein,	McGinnis,	Shellenberger,
Baker,	Griffith,	McGrail,	Shettel,
Baldi,	Habbyshaw,	McGregor,	Shortz,
Barnhardt,	Haines,	McHenry,	Shreiner,
Bechtel,	Hamilton,	McKay,	Shugarts,
Beech,	Harmuth,	McKinney,	Simon,
Bennett,	Hartman,	Melchiorre,	Sinwell,
Bernhard,	Heffernan,	Meredith,	Snyder,
Blumberg,	Hefferon,	Merrell,	Sowers,
Boyd,	Heffner,	Metzler,	Spann,
Brancato,	Hermansen,	Mohn,	Stank,
Brennan,	Hester,	Moore,	Steedle,
Brown, J. E.,	Hewitt,	Mumford,	Sterling, P.,
Brown, W. L.,	Himes, H. E.,	Munley,	Sterling, R. B.,
Brownfield,	Himes, L. R.,	Myers,	Stevens,
Cannon,	Holmes, J. B.,	Negley,	Stevenson,
Caputo,	Holmes, J. L.,	Nothnagle,	Stiteler,
Carey,	Hoopes,	O'Connor,	Stone,
Carson,	Horst,	O'Neill,	Storb,
Chervenak,	Hough,	Patterson,	Stott,
Cohen,	Howard,	Peelor,	Surface,
Conner,	Hutton,	Pennock,	Tahl,
Cooke,	Jaffe,	Perry, D. R.,	Terry,
Cordier,	Jones,	Perry, J. J.,	Turner,
Craig,	Kane, J. J.,	Peters,	Wade,
Cramer,	Kane, L. P.,	Powell,	Wagner,
Dane,	King,	Powers,	Walker, G. E.,
Davies,	Kinney,	Price,	Walker, W. A.,
DeFrehn,	Labar,	Quinn,	Wall,
Denning,	Lane,	Raub,	Wasserman,
Downey, G. E.,	Laubach,	Rectenwald,	Way,
Downey, J.,	Lenahan,	Reilly,	Weidemann,
Duffy,	Lewis,	Rhodes,	Welsh,
Dunmire,	Long,	Rice,	Westrick,
Ederer,	Lord,	Roan,	White,
Emhardt,	Lose,	Root,	Wike,
Eroe,	Lovett, J. E.,	Roth,	Williams, G. W.,
Evans,	Lovett, W. S.,	Royle,	Williams, J. J.,
Fitzgerald,	Lynch, M.,	Ruby,	Wilson, L. M.,
Flanagan,	Male,	Ruth,	Witkin,
Fleisher,	Malina,	Sarig,	Wood,
Flinchbaugh,	Maloney,	Sautter,	Woodside,
Flynn,	Marcks,	Schrock,	Wright,
Forrest,	Mason,	Schrope,	Yeakel,
Furman,	McBride,	Schwab,	Yourishin,
Gallagher,	McCandless,	Schwartz,	Zimmerman,
Gillette,	McCreary,	Scott,	Talbot,
Gorman,	McElwee,	Sheffer,	Speaker.
Green,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 427.

An Act making an appropriation to The Sleighton Farm School for Girls situate in Delaware County Pennsylvania.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 4, by striking out the word: "Two" and inserting in lieu thereof the word "three"; also in the same line strike out the word: "and"; also in the same line strike out the word: "forty-three"; also in line 6 by striking out the numerals: "($243,000) and inserting in lieu thereof the numerals: "($300,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Habbyshaw,	McGregor,	Shellenberger,
Baker,	Haines,	McHenry,	Shettel,
Barnhardt,	Hamilton,	McKay,	Shortz,
Bechtel,	Harmuth,	McKinney,	Shreiner,
Beech,	Harris,	Melchiorre,	Shugarts,
Bernhard,	Hartman,	Meredith,	Simon,
Blumberg,	Heffernan,	Merrell,	Sinwell,
Boyd,	Hefferon,	Metzler,	Snyder,
Brennan,	Heffner,	Mohn,	Sowers,
Brown, J. E.,	Hermansen,	Moore,	Spann,
Brown, W. L.,	Hester,	Mumford,	Stank,
Brownfield,	Hewitt,	Munley,	Steedle,
Cannon,	Himes, H. E.,	Myers,	Sterling, P.,
Caputo,	Himes, L. R.,	Negley,	Sterling, R. B.,
Carey,	Hoffman,	Nothnagle,	Stevens,
Carson,	Holmes, J. B.,	O'Connor,	Stevenson,
Chervenak,	Holmes, J. L.,	O'Keefe,	Stiteler,
Cohen,	Horst,	O'Neill,	Stone,
Conner,	Hough,	O'Rourke,	Storb,
Cooke,	Hutton,	Patterson,	Stott,
Cordier,	Jaffe,	Peelor,	Surface,
Craig,	Jones,	Pennock,	Tahl,
Cramer,	Kane, L. P.,	Perry, D. R.,	Terry,
Dane,	King,	Perry, J. J.,	Turner,
Davies,	Kinney,	Peters,	Wade,
DeFrehn,	Labar,	Powell,	Wagner,
Denning,	Lane,	Powers,	Walker, G. E.,
Downey, G. E.,	Laubach,	Price,	Walker, W. A.,
Downey, J.,	Lenahan,	Quinn,	Wall,
Duffy,	Lewis,	Raub,	Wasserman,
Dunmire,	Long,	Rectenwald,	Way,
Ederer,	Lord,	Reed,	Weidemann,
Emhardt,	Lose,	Reilly,	Welsh,
Eroe,	Lovett, J. E.,	Rhodes,	Westrick,
Evans,	Lovett, W. S.,	Rice,	White,
Fitzgerald,	Lynch, J. R.,	Roan,	Wike,
Flanagan,	Lynch, M.,	Root,	Williams, G. W.,
Fleisher,	Male,	Roth,	Wilson, L. M.,
Flinchbaugh,	Malina,	Royle,	Wilson, T. B.,
Flynn,	Maloney,	Ruby,	Witkin,
Forrest,	Marcks,	Ruth,	Wood,
Furman,	Mason,	Sarig,	Woodside,
Gallagher,	McCandless,	Sautter,	Wright,
Gartner,	McClure,	Schrock,	Yeakel,
Gillette,	McCreary,	Schrope,	Yourishin,
Gorman,	McElwee,	Schwab,	Zimmerman,
Green,	McGinnis,	Scott,	Talbot,
Greenstein,	McGrail,	Sheffer,	Speaker.
Griffith,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 513.

An Act making an appropriation to the Wayne County Memorial Hospital at Honesdale Pennsylvania

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 4 by striking out the word "four" and inserting in lieu thereof the word "five"; also in the same line by striking out the words: "four hundred"; inserting in lieu thereof the numerals: "($5,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Greenstein,	McClure,	Sheffer,
Baker,	Griffith,	McCreary,	Shellenberger,
Baldi,	Habbyshaw,	McElwee,	Shenkel,
Barnhardt,	Haines,	McGinnis,	Shettel,
Bechtel,	Hamilton,	McHenry,	Shortz,
Beech,	Harmuth,	McKay,	Shreiner,
Bennett,	Harris,	McKinney,	Shugarts,
Bernhard,	Hart,	Melchiorre,	Simon,
Blumberg,	Hartman,	Meredith,	Sinwell,
Boyd,	Heffernan,	Merrell,	Snyder,
Brancato,	Hefferon,	Metzler,	Spann,
Brennan,	Heffner,	Mohn,	Stank,
Brown, J. E.,	Hermansen,	Moore,	Steedle,
Brown, W. L.,	Hewitt,	Mumford,	Sterling, R. B.,
Brownfield,	Himes, H. E.,	Munley,	Stevens,
Cannon,	Himes, L. R.,	Myers,	Stevenson,
Caputo,	Hoffman,	Negley,	Stone,
Carson,	Holmes, J. B.,	Nothnagle,	Storb,
Chervenak,	Holmes, J. L.,	O'Connor,	Stott,
Cohen,	Hoopes,	O'Neill,	Surface,
Conner,	Horst,	O'Rourke,	Tahl,
Cooke,	Hough,	Peelor,	Terry,
Cordier,	Howard,	Pennock,	Turner,
Craig,	Hutton,	Perry, D. R.,	Wade,
Cramer,	Jaffe,	Perry, J. J.,	Wagner,
Dane,	Jones,	Peters,	Walker, G. E.,
Davies,	Kane, J. J.,	Powell,	Walker, W. A.,
DeFrehn,	King,	Powers,	Wall,
Denning,	Kinney,	Price,	Wasserman,
Downey, G. E.,	Labar,	Quinn,	Way,
Downey, J.,	Lane,	Raub,	Weidemann,
Duffy,	Laubach,	Rectenwald,	Welsh,
Dunmire,	Lenahaan,	Reed,	Westrick,
Dwyer,	Lewis,	Reilly,	White,
Ederer,	Long,	Rhodes,	Wike,
Emhardt,	Lord,	Roan,	Williams, G. W.,
Eroe,	Lose,	Root,	Williams, J. J.,
Evans,	Lovett, J. E.,	Roth,	Wilson, L. M.,
Flanagan,	Lovett, W. S.,	Ruby,	Wilson, T. B.,
Fleisher,	Lynch, M.,	Ruth,	Witkin,
Flinchbaugh,	Male,	Sarig,	Wood,
Flynn,	Malina,	Sautter,	Woodside,
Forrest,	Maloney,	Schrock,	Wright,
Furman,	Marcks,	Schrope,	Yeakel,
Gallagher,	Mason,	Schwab,	Yourishin,

Gartner,	Mathay,	Schwartz,	Zimmerman,
Gillette,	McBride,	Scorza,	Talbot,
Gorman,	McCandless,	Scott,	Speaker.
Green,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 752.

An Act making an appropriation to the Northern Tier Home Harrison Valley Potter County Pennsylvania

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 4, by inserting after the word "thousand" the words: "six hundred"; also in the same line by striking out the numerals: "($4,000)" and inserting in lieu thereof the numerals: "($4,600)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Haines,	McGregor,	Shettel,
Baker,	Hamilton,	McHenry,	Shortz,
Barnhardt,	Harmuth,	McKay,	Shreiner,
Bechtel,	Harris,	McKinney,	Shugarts,
Bennett,	Hart,	Melchiorre,	Simon,
Bernhard,	Hartman,	Meredith,	Sinwell,
Blumberg,	Heffernan,	Merrell,	Snyder,
Boyd,	Hefferon,	Metzler,	Sowers,
Brennan,	Heffner,	Mohn,	Spann,
Brown, J. E.,	Hermansen,	Moore,	Stank,
Brown, W. L.,	Hester,	Mumford,	Steedle,
Brownfield,	Hewitt,	Munley,	Sterling, P.,
Cannon,	Himes, H. E.,	Myers,	Sterling, R. B.,
Caputo,	Himes, L. R.,	Negley,	Stevens,
Carey,	Hoffman,	Nothnagle,	Stevenson,
Carson,	Holmes, J. B.,	O'Conner,	Stiteler,
Chervenak,	Holmes, J. L.,	O'Keefe,	Stone,
Cohen,	Hoopes,	O'Neill,	Storb,
Conner,	Howard,	O'Rourke,	Stott,
Cooke,	Hutton,	Patterson,	Surface,
Cordier,	Jones,	Peelor,	Tahl,
Craig,	Kane, J. J.,	Pennock,	Terry,
Cramer,	King,	Perry, D. R.,	Turner,
Dane,	Kinney,	Perry, J. J.,	Wade,
Davies,	Labar,	Peters,	Wagner,
DeFrehn,	Lane,	Powell,	Walker, G. E.,
Denning,	Laubach,	Powers,	Walker, W. A.,
Downey, G. E.,	Lenahan,	Price,	Wall,
Downey, J.,	Lewis,	Quinn,	Wasserman,
Duffy,	Long,	Raub,	Way,
Dunmire,	Lord,	Rectenwald,	Weidemann,
Ederer,	Lose,	Reilly,	Welsh,
Emhardt,	Lovett, J. E.,	Rhodes,	Westrick,
Eroe,	Lovett, W. S.,	Roan,	White,
Evans,	Lynch, J. R.,	Root,	Wike,
Fitzgerald,	Lynch, M.,	Royle,	Williams, G. W.,
Flanagan,	Male,	Ruby,	Williams, J. J.,
Fleisher,	Malina,	Ruth,	Wilson, L. M.,
Flynn,	Maloney,	Sarig,	Wilson, T. B.,
Forrest,	Marcks,	Sautter,	Witkin,
Furman,	Mason,	Schrock,	Wood,
Gallagher,	McBride,	Schrope,	Woodside,
Gartner,	McCandless,	Schwab,	Wright,
Gillette,	McClure,	Schwartz,	Yeakel,
Gorman,	McCreary,	Scorza,	Yourishin,
Green,	McElwee,	Scott,	Zimmerman,
Greenstein,	McGinnis,	Sheffer,	Talbot,
Griffith,	McGrail,	Shellenberger,	Speaker.
Habbyshaw,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 982.

An Act making an appropriation to the Home for Aged Couples of the City of Philadelphia located at seventeen hundred and twenty-three Francis Street Philadelphia Pennsylvania

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 1, line 4 by striking out the word: "eight" and inserting in lieu thereof the word "two"; also in the same line by striking out the numerals: "($8,000)" and inserting in lieu thereof the numerals: "($2,000)"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Habbyshaw,	McGregor,	Scott,
Baker,	Haines,	McHenry,	Sheffer,
Baldi,	Hamilton,	McKay,	Shellenberger,
Barnhardt,	Harmuth,	McKinney,	Shettel,
Bechtel,	Harris,	Melchiorre,	Shortz,
Beech,	Hart,	Meredith,	Shreiner,
Bennett,	Heffernan,	Merrell,	Shugarts,
Bernhard,	Hefferon,	Metzler,	Simon,
Blumberg,	Heffner,	Mohn,	Sinwell,
Boyd,	Hermansen,	Moore,	Snyder,
Brancato,	Hester,	Mumford,	Sowers,
Brennan,	Hewitt,	Munley,	Spann,
Brown, J. E.,	Himes, H. E.,	Myers,	Stank,
Brown, W. L.,	Himes, L. R.,	Negley,	Sterling, P.,
Brownfield,	Hoffman,	Nothnagle,	Sterling, R. B.,
Cannon,	Holmes, J. B.,	O'Connor,	Stevens,
Caputo,	Holmes, J. L.,	O'Keefe,	Stevenson,
Carey,	Hoopes,	O'Neill,	Stiteler,
Chervenak,	Horst,	O'Rourke,	Stone,
Conner,	Hough,	Patterson,	Storb,
Cooke,	Howard,	Peelor,	Stott,
Cordier,	Kane, J. J.,	Pennock,	Surface,
Craig,	Kane, L. P.,	Perry, D. R.,	Terry,
Dane,	Kinney,	Perry, J. J.,	Wade,
Davies,	Labar,	Peters,	Wagner,
DeFrehn,	Lane,	Powell,	Walker, G. E.,
Denning,	Laubach,	Powers,	Walker, W. A.
Duffy,	Lenahan,	Price,	Wall,
Dunmire,	Lewis,	Quinn,	Wasserman,
Dwyer,	Long,	Raub,	Way,
Ederer,	Lord,	Rectenwald,	Weidemann,
Emhardt,	Lose,	Reed,	Welsh,
Eroe,	Lovett, J. E.,	Reilly,	Westrick,

Evans,	Lovett, W. S.,	Rhodes,	White,
Fitzgerald,	Lynch, J. R.,	Rice,	Wike,
Flanagan,	Lynch, M.,	Roan,	Williams, G. W.,
Fleisher,	Male,	Root,	Williams, J. J.,
Flinchbaugh,	Malina,	Roth,	Wilson, L. M.,
Flynn,	Maloney,	Royle,	Wilson, T. B.,
Forrest,	Marcks,	Ruby,	Witkin,
Furman,	Mason,	Ruth,	Wood,
Gallagher,	McBride,	Sarig,	Woodside,
Gartner,	McCandless,	Sautter,	Wright,
Gillette,	McClure,	Schrock,	Yeakel,
Gorman,	McCreary,	Schrope,	Yourishin,
Green,	McElwee,	Schwab,	Zimmerman,
Greenstein,	McGinnis,	Schwartz,	Talbot,
Griffith,	McGrail,	Scorza,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1060.

An Act making an appropriation to the Maple Avenue Hospital Association of DuBois at DuBois Pennsylvania

With the information that the Senate has passed the same same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 1, line 4, by striking out the word "fifteen" and inserting in lieu thereof the word: "twenty"; also in the same line by striking out the words: "six hundred"; also in line 5 by striking out the numerals "($15,000)" and inserting in lieu thereof the numerals: ($20,000)"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Haines,	McGregor,	Scott,
Baker,	Hamilton,	McHenry,	Sheffer,
Baldi,	Harmuth,	McKay,	Shellenberger,
Barnhardt,	Harris,	McKinney,	Shenkel,
Bechtel,	Hart,	Melchiorre,	Shettel,
Beech,	Hartman,	Meredith,	Shortz,
Bennett,	Heffernan,	Merrell,	Shreiner,
Bernhard,	Hefferon,	Metzler,	Shugarts,
Blumberg,	Heffner,	Mohn,	Simon,
Boyd,	Hermansen,	Moore,	Sinwell,
Brennan,	Hester,	Mumford,	Snyder,
Brown, J. E.,	Hewitt,	Munley,	Sowers,
Brown, W. L.,	Himes, H. E.,	Myers,	Spann,
Brownfield,	Himes, L. R.,	Negley,	Stank,
Cannon,	Hoffman,	Nothnagle,	Steedle,
Caputo,	Holmes, J. B.,	O'Connor,	Sterling, P.,
Carey,	Holmes J. L.,	O'Keefe,	Sterling, R. B.,
Carson,	Hoopes,	O'Neill,	Stevens,
Cohen,	Hough,	O'Rourke,	Stevenson,
Conner,	Horst,	Patterson,	Stiteler,
Cooke,	Howard,	Peelor,	Stone,
Cordier,	Hutton,	Pennock,	Storb,
Craig,	Jaffe,	Perry, D. R.,	Stott,
Dane,	Jones,	Perry, J. J.,	Surface,
Davies,	Kane, J. J.,	Peters,	Tahl,
DeFrehn,	King,	Powell,	Terry,
Downey, G. E.,	Kinney,	Powers,	Turner,
Duffy,	Labar,	Price,	Wade,
Dunmire,	Laubach,	Quinn,	Wagner,
Dwyer,	Lewis,	Raub,	Walker, G. E.,
Ederer,	Lord,	Rectenwald,	Walker, W. A.,
Emhardt,	Lose,	Reed,	Wall,
Eroe,	Lovett, J. E.,	Reilly,	Wasserman,
Evans,	Lovett, W. S.,	Rhodes,	Way,
Fitzgerald,	Lynch, J. R.,	Rice,	Weidemann,
Flanagan,	Lynch, M.,	Roan,	Welsh,
Fleisher,	Male,	Root,	Westrick,
Flinchbaugh,	Malina,	Roth,	White,
Flynn,	Maloney,	Royle,	Wike,
Forrest,	Marcks,	Ruby,	Williams, G. W.,
Furman,	Mason,	Ruth,	Williams, J. J.,
Gallagher,	McBride,	Sarig,	Wilson, L. M.,
Gartner,	McCandless,	Sautter,	Wilson, T. B.,
Gillette,	McClure,	Schrock,	Yeakel,
Gorman,	McCreary,	Schrope,	Yourishin,
Green,	McElwee,	Schwab,	Zimmerman,
Greenstein,	McGinnis,	Schwartz,	Talbot,
Griffith,	McGrail,	Scorza,	Speaker.
Habbyshaw,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment were concured in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 24, 1933.

Resolved (if the Senate concur), That House Bill No. 1, Printer's No. 473, entitled "An act relating to baseball and football on Sunday prohibiting baseball and football on Sunday during certain hours and also during certain other hours unless the electors of a municipality are in favor of the same and in certain cases a license has first been secured from the municipal authorities providing for referendums to ascretain the will of the electors and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws," be returned to the Governor without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 266.

An Act making an appropriation to the Hospital of the Woman's Medical College of Pennsylvania located at Henry Avenue and Abbotsford Road East Falls Philadelphia Pennsylvania.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 1, line 4, by striking out the word: "seventy-two" and inserting in lieu thereof the word "ninety"; also in line 5 by striking out the numerals: "($72,000)" and inserting in lieu thereof the numerals: "($90,000)"

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Gorman,	McGregor,	Scott,
Baker,	Green,	McHenry,	Sheffer,
Baldi,	Greenstein,	McKay,	Shellenberger,
Barnhardt,	Griffith,	McKinney,	Shenkel,
Bechtel,	Habbyshaw,	Melchiorre,	Shettel,
Beech,	Haines,	Meredith,	Shortz,
Bennett,	Hamilton,	Mererll,	Shreiner,
Bernhard,	Harmuth,	Metzler,	Shugarts,
Blumberg,	Harris,	Mohn,	Simon,
Boyd,	Hart,	Moore,	Sinwell,
Brancato,	Hartman,	Mumford,	Spann,
Brennan,	Heffernan,	Munley,	Steedle,
Brown, J. E.,	Hefferon,	Myers,	Sterling, R. B.,
Brown, W. L.,	Heffner,	Negley,	Stevens,
Brownfield,	Himes, H. E.,	Nothnagle,	Stevenson,
Cannon,	Holmes, J. B.,	O'Connor,	Stiteler,
Caupto,	Holmes, J. J.,	O'Keefe,	Stone,
Carey,	Hoopes,	O'Neill,	Storb,
Carson,	Horst,	O'Rourke,	Stott,
Chervenak,	Hough,	Patterson,	Surface,
Cohen,	Howard,	Peelor,	Tahl,
Conner,	Hutton,	Pennock,	Terry,
Cooke,	Jaffe,	Perry, D. R.,	Turner,
Cordier,	Jones,	Perry, J. J.,	Wade,
Craig,	Kane, J. J.,	Peters,	Wagner,
Cramer,	Kane, L. P.,	Powell,	Walker, G. E.,
Dane,	King,	Powers,	Walker, W. A.,
Davies,	Kinney,	Price,	Wall,
DeFrehn,	Labar,	Quinn,	Wasserman,
Denning,	Lane,	Raub,	Way,
Downey, G. E.,	Laubach,	Rectenwald,	Weidemann,
Downey, J.,	Lenahan,	Reed,	Welsh,
Duffy,	Lewis,	Reilly,	Westrick,
Dunmire,	Lose,	Rhodes,	White,
Dwyer,	Lovett, W. S.,	Rice,	Wike,
Ederer,	Lynch, M.,	Roan,	Williams, G. W.,
Emhardt,	Male,	Root,	Williams, J. J.,
Eroe,	Malina,	Roth,	Wilson, L. M.,
Evans,	Maloney,	Royle,	Wilson, T. B.,
Fitzgerald,	Marcks,	Ruby,	Witkin,
Flanagan,	Mason,	Ruth,	Wood,
Fleisher,	McBride,	Sarig,	Woodside,
Flinchbaugh,	McCandless,	Sautter,	Wright,
Flynn,	McClure,	Schrock,	Yeakel,
Forrest,	McCreary,	Schrope,	Yourishin,
Furman,	McElwee,	Schwab,	Zimmerman,
Gallagher,	McGinnis,	Schwartz,	Talbot,
Gartner,	McGrail,	Scorza,	Speaker.
Gillette,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1140.

An Act to amend paragraph nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred fifty-eight) entitled "An act establishing a state employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties as amended by further extending the time limit for becoming original members of the retirement association.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 15, by striking out the words: "as amended"; also line 17, by inserting after the word "association" the following: "and limiting total annuities to five thousand dollars."

Amend section 1, page 3, line 18, by inserting after the word "appointed" the following:

Section 2 That section thirteen of said act is hereby amended to read as follows

Superannuation Retirement

Section 13 Retirement for superannuation shall be as follows

(1) Any contributor who has reached the superannuation retirement age may retire for superannuation by filing with the retirement board a written statement duly attested setting forth at what time subsequent to the execution of said application he or she desires to be retired Said application shall retire said contributor at the time so specified or in the discretion of the retirement board at the end of the year in which the time so specified occurs

Allowance on Superannuation Retirement

(2) On retirement for superannuation a contributor shall receive a retirement allowance which shall consist of

(a) A member's annuity which shall be the actuarial equivalent to his or her accumulated deductions and

(b) A State annuity of one one-hundreth-sixtieth (1-160) or one one-hundreth (1-100) of his or her final salary for each year of total service and

(c) In addition thereto if an original member of the retirement association a further State annuity of one one-hundred-sixtieth (1-160) or one one-hundreth (1-100) of his or her final salary for each year of prior service as certified to said original member in the certificate issued to him or her by the retirement board under the provisions of section ten of this act but in no event shall the total State annuity exceed fifty per centum of his or her final salary nor shall the total annuity exceed the sum of five thousand dollars

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Haines,	McGregor,	Shettel,
Baker,	Hamilton,	McHenry,	Shortz,
Baldi,	Harmuth,	McKay,	Shreiner,
Barnhardt,	Harris,	McKinney,	Shugarts,
Bechtel,	Hart,	Melchiorre,	Simon,
Bernhard,	Hartman,	Meredith,	Sinwell,
Boyd,	Heffernan,	Merrell,	Snyder,
Brancato,	Hefferon,	Metzler,	Sowers,
Brennan,	Heffner,	Mohn,	Spann,
Brown, J. E.,	Hermansen,	Moore,	Stank,
Brown, W. L.,	Hester,	Mumford,	Steedle,
Brownfield,	Hewitt,	Munley,	Sterling, P.,
Cannon,	Himes, H. E.,	Myers,	Sterling, R. B.,
Caputo,	Himes, L. R.,	Negley,	Stevens,
Carey,	Hoffman,	Nothnagle,	Stevenson,
Carson,	Holmes, J. B.,	O'Connor,	Stiteler,
Chervenak,	Holmes, J. L.,	O'Keefe,	Stone,
Cohen,	Hoopes,	O'Neill,	Storb,
Conner,	Horst,	O'Rourke,	Stott,
Cooke,	Hough,	Patterson,	Surface,
Cramer,	Howard,	Peelor,	Tahl,
Dane,	Hutton,	Pennock,	Terry,
Davies,	Jaffe,	Perry, D. R.,	Turner,
DeFrehn,	Jones,	Perry, J. J.,	Wade,
Denning,	Kane, L. P.,	Peters,	Wagner,
Downey, G. E.,	King,	Powell,	Walker, G. E.,
Downey, J.,	Kinney,	Powers,	Walker, W. A.,
Duffy,	Labar,	Price,	Wall,
Dunmire,	Lane,	Quinn,	Wasserman,
Dwyer,	Laubach,	Raub,	Way,
Ederer,	Lenahan,	Rectenwald,	Weidemann,
Emhardt,	Lewis,	Reed,	Welsh,
Eroe,	Long,	Rhodes,	Westrick,
Evans,	Lord,	Roan,	White,
Fitzgerald,	Lose,	Roth,	Wike,

Flanagan,	Lovett, J. E.,	Ruby,	Williams, G. W.,
Fleisher,	Lovett, W. S.,	Ruth,	Williams, J. J.,
Flinchbaugh,	Lynch, M.,	Sarig,	Wilson, L. M.,
Flynn,	Male,	Sautter,	Wilson, T. B.,
Forrest,	Malina,	Schrock,	Witkin,
Furman,	Maloney,	Schrope,	Wood,
Gallagher,	Marcks,	Schwab,	Woodside,
Gartner,	Mason,	Schwartz,	Wright,
Gillette,	McBride,	Scorza,	Yeakel,
Gorman,	McCandless,	Scott,	Yourishin,
Green,	McCreary,	Sheffer,	Zimmerman,
Greenstein,	McElwee,	Shellenberger,	Talbot,
Griffith,	McGrail,	Shenkel,	Speaker.
Habbyshaw,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1205.

An Act exempting household furniture and household goods leased hired or conditionally sold from levy and sale on execution or distress for rent

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 3 by inserting after the word "rent" the words: "under certain conditions."

Amend section 1, page 2, line 3, by striking out the following: "before any levy or distraint has been made thereon by such landlord or his agent," and inserting in lieu thereof the following: "at the time the said household furniture or household goods are placed upon the demised premises or within five days thereafter"; also in line 4, by inserting after the word "notice," the following shall contain a statement of the respective amounts due to the lessor or conditional vendor on each of the articles named therein and; also in line 6 after the word "premises," by inserting the following: "Upon request of any reasonable time the owner of said furntiure or goods shall advise the landlord as to the status of the account with the tenant relative thereto Nothing herein contained shall prevent the landlord or his agent from levying upon and selling on execution or distress for rent any right or interest of the bailment lessee or conditional vendee under such bailment lease or contract of conditional sale subject to the rights therein of the bailment lessor or conditional vendor"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Haines,	McGregor,	Scott,
Barnhardt,	Hamilton,	McHenry,	Shellenberger,
Bernhard,	Harmuth,	McKay,	Shenkel,
Blumberg,	Harris,	McKinney,	Shettel,
Boyd	Hart,	Melchiorre,	Shortz,
Brancato,	Hartman	Meredith,	Shreiner,
Brennan	Heffernan,	Mesrell,	Shugarts,
Brown, J. E.,	Heffernan,	Metzler,	Simon,
Brown, W. L.,	Heffner,	Mohn,	Sinwell,
Brownfield,	Hermansen,	Moore,	Snyder,
Cannon,	Hester,	Mumford,	Sowers,
Caputo,	Hewitt,	Munley,	Spann,
Carey,	Himes, H. E.,	Myers,	Stank,
Carson,	Himes, L. R.,	Negley,	Steedle,
Chervenak,	Hoffman,	Nothnagle,	Sterling, F.,
Cohen,	Holmes, J. B.,	O'Connor,	Sterling, R. B.,
Conner,	Holmes, J. L.,	O'Keefe,	Stevens,
Cooke,	Hoopes,	O'Neill,	Stevenson,
Cordier,	Horst,	O'Rourke,	Stiteler,
Craig,	Hough,	Patterson,	Stone,
Cramer,	Howard,	Peelor,	Stott,
Dane,	Hutton,	Pennock,	Surface,
Davies,	Jaffe,	Perry, D. R.,	Tahl,
DeFrehn,	Jones,	Perry, J. J.,	Turner,
Denning,	Kane, J. J.,	Peters,	Wade,
Downey, G. E.,	Kane, L. P.,	Powell,	Wagner,
Downey, J.,	King,	Powers,	Walker, G. E.,
Duffy,	Kinney,	Price,	Walker, W. A.,
Dunmire,	Labar,	Quinn,	Wall,
Dwyer,	Lane,	Raub,	Wasserman,
Ederer,	Laubach,	Rectenwald,	Way,
Emhardt,	Lenahan,	Reed,	Weidemann,
Eroe,	Long,	Reilly,	Westrick,
Evans,	Lord,	Rhodes,	White,
Fitzgerald,	Lose,	Rice,	Wike,
Flanagan,	Lynch, M.,	Roan,	Williams, G. W.,
Fleisher,	Male,	Root,	Williams, J. J.,
Flinchbaugh,	Malina,	Roth,	Wilson, L. M.,
Flynn,	Maloney,	Royle,	Wilson, T. B.,
Forrest,	Marcks,	Ruby,	Witkin,
Furman,	Mason,	Ruth,	Wood,
Gallagher,	McBride,	Sarig,	Woodside,
Gartner,	McCandless,	Sautter,	Wright,
Gillette,	McClure,	Schrock,	Yeakel,
Gorman,	McCreary,	Schrope,	Yourishin,
Green,	McElwee,	Schwab,	Zimmerman,
Greenstein,	McGinnis,	Schwartz,	Talbot,
Griffith,	McGrail,	Scorza,	Speaker,
Habbyshaw,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1415.

An Act imposing penalties for improper use of food orders issued by or under the authority of the State Emergency Relief Board or any poor board or other relief agency and improper furnishing of money food and other merchandise thereon

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 5, page 2, line 16, by striking out the following: "less than fifty dollars ($50.00) nor"

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Habbyshaw,	McCreary,	Scott,
Baker,	Haines,	McElwee,	Sheffer,
Baldi,	Hamilton,	McGinnis,	Shellenberger,
Barnhardt,	Harmuth,	McGrail,	Shettel,
Bechtel,	Harris,	McGregor,	Shortz,

Beech,	Hart,	McHenry,	Shreiner,
Bennett,	Hartman,	McKay,	Shugarts,
Bernhard,	Hefferon,	McKinney,	Simon,
Blumberg,	Heffner,	Melchiorre,	Sinwell,
Boyd,	Hermansen,	Meredith,	Snyder,
Brancato,	Hester,	Merrell,	Sowers,
Brennan,	Hewitt,	Mumford,	Spann,
Brown, J. E.,	Himes, H. E.,	Myers,	Stank,
Brown, W. L.,	Himes, L. R.,	Negley,	Steedle,
Brownfield,	Hoffman,	Nothnagle,	Sterling, P.,
Cannon,	Holmes, J. B.,	O'Connor,	Sterling, R. B.,
Caputo,	Holmes, J. L.,	O'Keefe,	Stevens,
Carey,	Hoopes,	O'Neill,	Stevenson,
Carson,	Horst,	O'Rourke,	Stiteler,
Chervenak,	Hough,	Patterson,	Stone,
Cohen,	Howard,	Peelor,	Storb,
Conner,	Hutton,	Pennock,	Stott,
Cooke,	Jaffee,	Perry, D. R.,	Surface,
Cordier,	Jones,	Perry, J. J.,	Tahl,
Craig,	Kane, J. J.,	Peters,	Terry,
Cramer,	Kane, L. P.,	Powell,	Turner,
Dane,	King,	Powers,	Wade,
Davies,	Kinney,	Price,	Wagner,
DeFrehn,	Labar,	Quinn,	Walker, G. E.,
Denning,	Lane,	Raub,	Walker, W. A.,
Duffy,	Laubach,	Rectenwald,	Wasserman,
Ederer,	Lenahan,	Reed,	Way,
Emhardt,	Lewis,	Reilly,	Weidemann,
Eroe,	Long,	Rhodes,	Welsh,
Evans,	Lord,	Rice,	Westrick,
Fitzgerald,	Lose,	Roan,	Wike,
Flanagan,	Lovett, J. E.,	Root,	Williams, G. W.,
Fleisher,	Lovett, W. S.,	Roth,	Williams, J. J.,
Flinchbaugh,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Flynn,	Lynch, M.,	Ruby,	Witkin,
Forrest,	Male,	Ruth,	Wood,
Furman,	Malina,	Sarig,	Woodside,
Gallagher,	Maloney,	Sautter,	Wright,
Gartner,	Marcks,	Schrock,	Yeakel,
Gillette,	Mason,	Schrope,	Yourishin,
Gorman,	McBride,	Schwab,	Zimmerman,
Green,	McCandless,	Schwartz,	Talbot,
Greenstein,	McClure,	Scorza,	Speaker.
Griffith,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1466.

An Act making an appropriation to the Meadville City Hospital Meadville Pennsylvania

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 1, line 4, by striking out the word "sixteen" and inserting in lieu thereof the word: "twenty-seven; also in line 5, by striking out the numerals "($16,800)" and inserting in lieu thereof the numerals "($27,000)"

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Haines,	McCreary,	Shettel,
Baker,	Hamilton,	McElwee,	Shortz,
Baldi,	Harmuth,	McGinnis,	Shreiner,
Barnhardt,	Harris,	McGrail,	Shugarts,
Bechtel,	Hart,	McGregor,	Simon,
Beech,	Hartman,	McHenry,	Sinwell,
Bennett,	Heffernan,	McKay,	Snyder,
Bernhard,	Hefferon,	McKinney,	Sowers,
Blumberg,	Heffner,	Melchiorre,	Spann,
Boyd,	Hermansen,	Meredith,	Stank,
Brancato,	Hester,	Merrell,	Steedle,
Brennan,	Hewitt,	Metzler,	Sterling, P.,
Brown, J. E.,	Himes, H. E.,	Mohn,	Sterling, R. B.,
Brownfield,	Himes, L. R.,	Moore,	Stevens,
Cannon,	Hoffman,	Mumford,	Stevenson,
Caputo,	Holmes, J. B.,	Munley,	Stiteler,
Carey,	Holmes, J. L.,	Myers,	Stone,
Carson,	Hoopes,	Negley,	Storb,
Chervenak,	Horst,	Nothnagle,	Stott,
Cohen,	Hough,	O'Connor,	Surface,
Conner,	Howard,	O'Keefe,	Tahl,
Cooke,	Hutton,	O'Neill,	Terry,
Cordier,	Jaffe,	O'Rourke,	Turner,
Craig,	Jones,	Patterson,	Wade,
Cramer,	Kane, J. J.,	Peelor,	Wagner,
Dane,	Kane, L. P.,	Pennock,	Walker, G. E.,
Davies,	King,	Perry, D. R.,	Walker, W. A.
DeFrehn,	Kinney,	Perry, J. J.,	Wall,
Denning,	Labar,	Peters,	Wasserman,
Downey, G. E.,	Lane,	Powell,	Way,
Downey, J.,	Laubach,	Rectenwald,	Weidemann,
Duffy,	Lenahan,	Reed,	Welsh,
Dunmire,	Lewis,	Reilly,	Westrick,
Dwyer,	Long,	Rhodes,	White,
Ederer,	Lord,	Rice,	Wike,
Eroe,	Lose,	Roan,	Williams, G. W.,
Flanagan,	Lovett, J. E.,	Root,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Ruby,	Wilson, L. M.,
Flynn,	Lynch, J. R.,	Sautter,	Wilson, T. B.,
Forrest,	Lynch, M.,	Schrock,	Witkin,
Furman,	Male,	Schrope,	Wood.
Gallagher,	Malina,	Schwab,	Woodside,
Gartner,	Maloney,	Schwartz,	Wright,
Gillette,	Marcks,	Scorza,	Yeakel,
Gorman,	Mason,	Scott,	Yourishin,
Green,	McBride,	Sheffer,	Zimmerman,
Greenstein,	McCandless,	Shellenberger,	Talbot,
Griffith,	McClure,	Shenkel,	Speaker.
Habbyshaw,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2106.

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 1, line 4, by striking out the word: "thirty-one" and and inserting in lieu thereof the word: "thirty-five"; also in the same line by striking out the words: "five hundred"; also in line 5 by striking out the numerals: "($31,500)" and inserting in lieu thereof the numerals: "($35,000)"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Haines,	McGregor,	Scott,
Baker,	Hamilton,	McHenry,	Sheffer,
Baldi,	Harmuth,	McKay,	Shellenberger,
Barnhardt,	Harris,	McKinney,	Shettel,
Bechtel,	Hart,	Melchiorre,	Shortz,
Beech,	Hartman,	Meredith,	Shreiner,
Bennett,	Heffernan,	Merrell,	Shugarts,
Bernhard,	Hefferon,	Metzler,	Simon,
Blumberg,	Heffner,	Mohn,	Sinwell,
Boyd,	Hermansen,	Moore,	Snyder,
Brennan,	Hester,	Mumford,	Stank,
Brown, J. E.,	Hewitt,	Munley,	Sterling, P.,
Brown, W. L.,	Himes, H. E.,	Myers,	Sterling, R. B.,
Cannon,	Himes, L. R.,	Negley,	Stevens,
Carey,	Hoffman,	Nothnagle,	Stevenson,
Cohen,	Holmes, J. B.,	O'Connor,	Stiteler,
Conner,	Holmes, J. L.,	O'Keefe,	Stone,
Cooke,	Hoopes,	O'Neill,	Storb,
Cordier,	Horst,	O'Rourke,	Stott,
Craig,	Hough,	Patterson,	Surface,
Cramer,	Howard,	Peelor,	Tahl,
Dane,	Hutton,	Pennock,	Terry,
Davies,	Jaffe,	Perry, D. R.,	Turner,
DeFrehn,	Jones,	Perry, J. J.,	Wade,
Denning,	Kane, J. J.,	Peters,	Wagner,
Downey, G. E.,	Kane, L. P.,	Powell,	Walker, G. E.,
Downey, J.,	King,	Powers,	Walker, W. A.,
Duffy,	Kinney,	Price,	Wall,
Dunmire,	Labar,	Quinn,	Wasserman,
Dwyer,	Lane,	Raub,	Way,
Ederer,	Laubach,	Rectenwald,	Weidemann,
Emhardt,	Lenahan,	Reed,	Welsh,
Eroe,	Lewis,	Reilly,	Westrick,
Evans,	Long,	Rhodes,	White,
Fitzgerald,	Lord,	Rice,	Wike,
Flanagan,	Lose,	Roan,	Williams, G. W.,
Fleisher,	Lovett, J. E.,	Root,	Williams, J. J.,
Flinchbaugh,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flynn,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Forrest,	Lynch, M.,	Ruby,	Witkin,
Furman,	Male,	Ruth,	Wood,
Gallagher,	Malina,	Sarig,	Woodside,
Gartner	Maloney,	Sautter,	Wright,
Gillette,	Marcks,	Schrock,	Yeakel,
Gorman,	Mason,	Schrope,	Yourishin,
Green,	McCandless,	Schwab,	Zimmerman,
Greenstein,	McCreary,	Schwartz,	Talbot,
Griffith,	McElwee,	Scorza,	Speaker.
Habbyshaw,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2156.

An Act to amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifty sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the procedure to create the office of county controller including procedures where decrees have heretofore been entered

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend title, page 1, line 5, by striking out the word "fifty" and inserting in lieu thereof the word "fifth."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Haines,	McGregor,	Shettel,
Baker,	Hamilton,	McHenry,	Shortz,
Bechtel,	Harmuth,	McKay,	Shreiner,
Blumberg,	Harris,	McKinney,	Shugarts,
Boyd,	Hart,	Melchiorre,	Simon,
Brancato,	Hartman,	Meredith,	Sinwell,
Brennan,	Heffernan,	Merrell,	Snyder,
Brown, J. E.,	Hefferon,	Metzler,	Sowers,
Brown, W. L.,	Heffner,	Mohn,	Spann,
Brownfield,	Hermansen,	Moore,	Stank,
Cannon,	Hester,	Mumford,	Steedle,
Caputo,	Hewitt,	Munley,	Sterling, P.,
Carey,	Himes, H. E.,	Myers,	Sterling, R. B.,
Carson,	Himes, L. R.,	Negley,	Stevens,
Chervenak,	Hoffman,	Nothnagle,	Stevenson,
Cohen,	Holmes, J. B.,	O'Connor,	Stiteler,
Conner,	Holmes, J. L.,	O'Keefe,	Stone,
Cooke,	Hoopes,	O'Neill,	Storb,
Cordier,	Horst,	O'Rourke,	Stott,
Craig,	Hough,	Patterson,	Surface,
Cramer,	Howard,	Peelor,	Tahl,
Dane,	Jaffe,	Pennock,	Terry,
Davies,	Jones,	Perry, D. R.,	Turner,
DeFrehn,	Kane, J. J.,	Perry, J. J.,	Wade,
Denning,	King,	Peters,	Wagner,
Downey, G. E.,	Kinney,	Powell,	Walker, G. E.,
Downey, J.,	Labar,	Powers,	Walker, W. A.,
Duffy,	Laubach,	Price,	Wall,
Dunmire,	Lewis,	Quinn,	Wasserman,
Dwyer,	Long,	Raub,	Way,
Ederer,	Lord,	Rectenwald,	Weidemann,
Emhardt,	Lose,	Reed,	Welsh,
Eroe,	Lovett, J. E.,	Reilly,	Westrick,
Evans,	Lovett, W. S.,	Rhodes,	White,
Fitzgerald,	Lynch, J. R.,	Rice,	Wike,
Flanagan,	Lynch, M.,	Roan,	Williams, G. W.,
Fleisher,	Male,	Root,	Williams, J. J.,
Flinchbaugh,	Malina,	Roth,	Wilson, L. M.,
Flynn,	Maloney,	Royle,	Wilson, T. B.,
Forrest,	Marcks,	Ruby,	Witkin,
Furman,	Mason,	Ruth,	Wood,
Gallagher,	McBride,	Sarig,	Woodside,
Gartner,	McCandless,	Schrope,	Wright,
Gillette,	McClure,	Schwab,	Yeakel,
Gorman,	McCreary,	Scorza,	Yourishin,
Green,	McElwee,	Scott,	Zimmerman,
Greenstein,	McGinnis,	Sheffer,	Talbot,
Griffith,	McGrail,	Shellenberger,	Speaker.
Habbyshaw,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 92.

An Act permitting fishing on Sunday with one rod and two hooks and fixing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by inserting after the word "hooks" the words "in boundary streams."

Amend section 1, page 1, line 7, by inserting after the word "Sunday" the following: "in any streams on the boundaries of this Commonwealth"; also in the same line by inserting after the word "fishing" the words: "in such streams."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Habbyshaw,	McGregor,	Shettel,
Baker,	Haines,	McHenry,	Shortz,
Baldi,	Hamilton,	McKay,	Shreiner,
Barnhardt,	Harmuth,	McKinney,	Shugarts,
Bechtel,	Harris,	Melchiorre,	Simon,
Beech,	Hart,	Meredith,	Sinwell,
Bennett,	Hartman,	Merrell,	Snyder,
Bernhard,	Heffernan,	Metzler,	Sowers,
Blumberg,	Hefferon,	Mohn,	Spann,
Brancato,	Heffner,	Moore,	Stank,
Brennan,	Hermansen,	Mumford,	Steedle,
Brown, J. E.,	Hester,	Munley,	Sterling, P.,
Brown, W. L.,	Hewitt,	Myers,	Sterling, R. B.,
Caputo,	Himes, H. E.,	Negley,	Stevens,
Carey,	Himes, L. R.,	Nothnagle,	Stevenson,
Cohen,	Holmes, J. B.,	O'Connor,	Stiteler,
Conner,	Holmes, J. L.,	O'Keefe,	Stone,
Cooke,	Hoopes,	O'Neill,	Storb,
Cordier,	Hutton,	O'Rourke,	Stott,
Craig,	Jaffe,	Patterson,	Surface,
Cramer,	Jones,	Peelor,	Tahl,
Dane,	Kane, J. J.,	Pennock,	Terry.
Davies,	Kane, L. P.,	Perry, D. R.,	Turner,
DeFrehn,	King,	Perry, J. J.,	Wade,
Denning,	Kinney,	Peters,	Wagner,
Downey, G. E.,	Labar,	Powell,	Walker, G. E.,
Downey, J.,	Lane,	Powers,	Walker, W. A.,
Duffy,	Laubach,	Price,	Wall,
Dunmire,	Lenahan,	Quinn,	Wasserman,
Dwyer,	Lewis,	Raub,	Way,
Ederer,	Long,	Rectenwald,	Weidemann,
Emhardt,	Lord,	Reed,	Welsh,
Eroe,	Lose,	Reilly,	Westrick,
Evans,	Lovett, J. E.,	Rhodes,	White,
Fitzgerald,	Lovett, W. S.,	Rice,	Wike,
Flanagan,	Lynch, M.,	Roan,	Williams, G. W.,
Fleisher,	Male,	Root,	Williams, J. J.,
Flinchbaugh,	Malina,	Roth,	Wilson, L. M.,
Flynn,	Maloney,	Royle,	Wilson, T. B.,
Forrest,	Marcks,	Ruby,	Witkin,
Furman,	Mason,	Ruth,	Wood.
Gallagher,	McBride,	Sarig,	Woodside,
Gartner,	McCandless,	Schrock,	Wright,
Gillette,	McClure,	Schwartz,	Yeakel,
Gorman,	McCreary,	Scorza,	Yourishin,
Green,	McElwee,	Scott,	Zimmerman,
Greenstein,	McGinnis,	Sheffer,	Talbot,
Griffith,	McGrail,	Shellenberger,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1647.

An Act to amend sections eight and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 4, by striking out the following: "unless such drawings and specifications are for the erection adapting remodeling or altering of buildings or structures for the Commonwealth and have already submitted to and approved by the Department of Property and Supplies."

Amend section 2, page 4, line 13, by striking out the following: "or in cities of the third class boroughs incorporated towns and townships which have adopted building codes or provide for the inspection of plans of buildings"; also in line 25 by striking out the following: "In cities of the third class boroughs incorporated towns and townships which have adopted building codes or provided for the inspection of the plans of buildings the approval thereof by the proper authority shall be deemed a compliance with the provisions of this act but all such buildings shall be erected in accordance with the requirements hereof."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Haines,	McGregor,	Scott,
Baker,	Hamilton,	McHenry,	Sheffer,
Baldi,	Harmuth,	McKay,	Shellenberger,
Barnhardt,	Harris,	McKinney,	Shenkel,
Bechtel,	Hart,	Melchiorre,	Shettel,
Beech,	Hartman,	Meredith,	Shortz,
Bennett,	Heffernan,	Merrell,	Shreiner,
Bernhard,	Hefferon,	Metzler,	Shugarts,
Blumberg,	Heffner,	Mohn,	Simon,
Boyd,	Hermansen,	Moore,	Sinwell,
Brancato,	Hester,	Mumford,	Snyder,
Brennan,	Hewitt,	Munley,	Sowers,
Brown, J. E.,	Himes, H. E.,	Myers,	Spann,
Brown, W. L.,	Himes, L. R.,	Negley,	Stank,
Brownfield,	Hoffman,	Nothnagle,	Steedle,
Cannon,	Holmes, J. B.,	O'Connor,	Sterling, P.,
Caputo,	Holmes, J. L.,	O'Keefe,	Sterling, R. B.,
Carey,	Hoopes,	O'Neill,	Stevens,
Carson,	Horst,	O'Rourke,	Stevenson,
Chervenak,	Hough,	Patterson,	Stiteler,
Cohen,	Howard,	Peelor,	Stone,
Conner,	Hutton,	Pennock,	Storb,
Cooke,	Jaffe,	Perry, D. R.,	Stott,
Cordier,	Jones,	Perry, J. J.,	Surface,
Craig,	Kane, J. J.,	Peters,	Tahl,
Cramer,	Kane, L. P.,	Powell,	Terry,
Dane,	King,	Powers,	Turner,
Davies,	Kinney,	Price,	Wade,
DeFrehn,	Labar,	Quinn,	Wall,
Denning,	Laubach,	Raub,	Wasserman,
Downey, G. E.,	Lenahan,	Rectenwald,	Way,
Downey, J.,	Lewis,	Reed,	Weidemann,
Duffy,	Lord,	Reilly,	Welsh,
Dunmire,	Lose,	Rhodes,	White,
Dwyer,	Lovett, J. E.,	Rice,	Wike,
Ederer,	Lovett, W. S.,	Roan,	Williams, G. W.,
Emhardt,	Lynch, J. R.,	Root,	Williams, J. J.,

Eroe,	Lynch, M.,	Roth,	Wilson, L. M.,
Flinchbaugh,	Male,	Royle,	Wilson, T. B.,
Forrest,	Malina,	Ruby,	Witkin,
Furman,	Maloney,	Ruth,	Wood,
Gallagher,	Marcks,	Sarig,	Woodside,
Gartner,	Mason,	Sautter,	Wright,
Gillette,	McBride,	Schrock,	Yeakel,
Gorman,	McCandless,	Schrope,	Yourishin,
Green,	McCreary,	Schwab,	Zimmerman,
Greenstein,	McGinnis,	Schwartz,	Talbot,
Griffith,	McGrail,	Scorza,	Speaker.
Habbyshaw,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 571.

An Act to amend section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by decreasing and limiting the compensation of the members of the board of viewers in counties of the fourth fifth and sixth classes

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 3, line 1, by striking out the following: "seven dollars and fifty cents ($7.50)" and inserting in lieu thereof the following: "ten dollars ($10.00)."

On the question,

Will the House concur in the amendment made by the Senate?

McCREARY. Mr. Speaker, I move that the House do nonconcur in the amendment made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1185.

An Act creating borough and township poor districts in the County of Wyoming to be administered by overseers of the poor and abolishing the county poor district

HOUSE BILL No. 1337.

An Act to amend section one of the act approved the eleventh day of July one thousand nine hundred and seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treament of the drug habit by providing for the revocation and suspension of licenses physicians dentists veterinarians pharmacists druggists and registered nurses for certain cases and by providing for the enforcement of this act and penalties as amended by extending the provisions of said act to include marihuana

HOUSE BILL No. 1758.

An Act to repeal the act approved the eighth day of July, one thousand nine hundred nineteen (Pamphlet Laws seven hundred seventy), entitled "An act creating a Division of Township Highways in the State Highway Department; conferring powers, and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions; and providing penalties."

HOUSE BILL No. 846.

An Act to appropriate money in the Motor License Fund to the Department of Highways for the purpose of paying commissary supplies heretofore furnished said Department.

HOUSE BILL No. 903.

An Act to amend section four hundred and twenty-three of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by requiring application for payment of allowance for burial of widows of certain soldiers, sailors or marines to be made within one year.

HOUSE BILL No. 1124.

An Act to amend section two hundred and ninety-five of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by limiting the compensation of the clerk to the jury commissioners in counties of the sixth class.

HOUSE BILL No. 1383.

An Act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for depositories of county funds in counties of the third class

HOUSE BILL No. 1808.

An Act to amend section one thousand eight hundred and six of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" defining the powers of persons appointed to police State parks.

HOUSE BILL No. 1891.

An Act making an appropriation to the Department of Property and Supplies to erect steps from the Soldiers and Sailors Memorial Bridge to Baum and Linden streets.

HOUSE BILL No. 1138.

An Act making an appropriation for the purchase of a history of the One Hundred and Ninth Field Artillery of the Pennsylvania National Guard, and providing for the distribution thereof.

HOUSE BILL No. 500.

An Act to amend the act, approved the twenty-fifth day of February, one thousand eight hundred and seventy-five (P. L. 4), entitled "A supplement to the act, approved March thirty-first, one thousand eight hundred and sixty, entitled 'An act to consolidate, revise and amend the penal laws of this Commonwealth,' further defining the offence of kidnapping, and affixing additional penalties thereto," by increasing the penalty for kidnapping of children under the age of sixteen years with intent to extort money for restoration.

HOUSE BILL No. 10.

An Act to repeal the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 278), entitled "An act creating a 'Greater Pennsylvania Council' for the promotion of the economic, social, industrial, agricultural, educational, civic and recreational welfare of the Commonwealth of Pennsylvania and its citizens, prescribing the organization, powers and duties of said council and making an appropriation."

HOUSE BIL LNo. 1779.

An Act to amend section one of an act, approved the eighth day of June, one thousand nine hundred twenty-three (Pamphlet Laws, six hundred eighty-five), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth," by increasing certain fees to be collected by the Secretary of the Commonwealth.

HOUSE BILL No. 1774.

An Act establishing portions of certain highways lying partially within the corporate limits of cities boroughs or incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

HOUSE BILL No. 1550.

A Supplement to the act approved the second day of April one thousand eight hundred and sixty (Pamphlet Laws five hundred thirty-eight) entitled "An act to authorize the erection of a Poor House by the township of Wilkes-Barre in Luzerne county" authorizing the central poor district to create indebtedness

With the information that the Senate has passed the same without amendment.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1253.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1253, Printer's No. 829, for the purpose of amendment.

According, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. SIMON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. SIMON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SIMON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 2001.1, page 2, line 26, by striking out after the letter "(a)" and before the word "elect" the word "[To]" and inserting in lieu thereof the words: "Subject to the approval of the Superintendent of Public Instructions to."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL NO. 647.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 647, Printer's No. 74, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. RAUB. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. RAUB. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. RAUB. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 8 of the title by striking out at the end of the line after the word "notify" the words: "[charitable in-]."

Amend page 1, line 9 of the title by striking out at the beginning of the line before the word "of" the syllable: "[stitutions]," and inserting in lieu thereof the words: "bodies politic for religious or charitable uses."

Amend section 3, page 2, line 14, by inserting after the word "bequest" and before the word "to" the words: "direct or in trust."

Amend section 3, page 2, line 15, by striking out at the beginning of the line before the word "for" the words: "[or to any person in trust]."

Amend section 3, page 2, line 16, by striking out at the end of the line after the word "notify" the words: "[by mail]."

Amend section 3, page 2, line 17, by striking out after the word "politic" and before the word "of" the words: "[or person]."

Amend section 3, page 2, line 17, by inserting at the end of the line after the word "bequest" the words: "by mailing a notice thereof addressed to the last known address of such body politic."

Amend section 3, page 2, by striking out lines 18 and 19 inclusive.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question.

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1220.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1220, Printer's No. 228, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. WILLIAM A. WALKER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. WILLIAM A. WALKER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WILLIAM A. WALKER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 5, line 21, by striking out the bracket before the word "boroughs."

Amend section 1, page 5, line 21, by striking out the bracket after the word "towns."

Amend section 1, page 7, line 8, by inserting after the word "maintenance" and before the word "of" the words: "of the base and surface course."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1786.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1786, Printer's No. 388, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. PHILIP STERLING. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. PHILIP STERLING. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. PHILIP STERLING. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend page 1, line 10, of the title by inserting after "men's" and before the word "Fund" the word: "Insurance."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1789.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1789, Printer's No. 390, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. PHILIP STERLING. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. PHILIP STERLING. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. PHILIP STERLING. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 15, by striking out at the end of the line after the word "of" the word: "[Departments]" and inserting in lieu thereof the word: "Department."

Amend section 1, page 2, line 21, by striking out after the word "be" and before the word "for" the following: "[available]" and inserting in lieu thereof the word: "available."

Amend section 1, page 3, line 10, by inserting after the word "the" and before the word "employes" the following: "officers and."

Amend section 1, page 3, line 15, by striking out after the word "the" and before the word "affairs" the word: "[aforesaid]"

Amend section 1, page 3, line 21, by striking out at the end of the line after the "Banking" the following: "[in the performance of the duties above men-]"

Amend section 1, page 3, line 22, by striking out at the beginning of the line before the word "at" the following: "[tioned]"

Amend section 1, page 3, line 27, by striking out at the end of the line after the word "Banking" the following: "[in the perform-]"

Amend section 1, page 3, line 28, by striking out at the beginning of the line before the word "at" the following: "[ance of the above mentioned duties]"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1648

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1648, Printer's No. 381, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. PHILIP STERLING. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. PHILIP STERLING. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. PHILIP STERLING. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend section 1, page 2, by inserting between lines 13 and 14 the following new paragraph:

All licenses issued by the department, under this act, shall expire one year next following the day on which issued, shall be on a form prescribed by the department shall not be transferable shall be issued only for the premises named in the application shall be posted in a conspicuous place on the applicant's premises and may be renewed from year to year upon application investigation and payment of license fee as in the procurement of an original license

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1646

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, April 24, 1933

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1646, Printer's No. 348, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILL LAID UPON THE TABLE

Mr. PHILIP STERLING. Mr. Speaker, I move that the bill together with the message be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 131

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governo rHouse Bill No. 131, Printer's Bill No. 114, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. STEEDLE. Mr. Speaker I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. STEEDLE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. STEEDLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 3 of the title, by inserting after the word "several" and before the word "boroughs" the words "cities of the third class."

Amend page 1, line 3 of the title, by inserting after the word "boroughs" and before the word "of" the words "and townships of the first class."

Amend Section 1, page 1, line 4, by striking out after the word "any" and before the word "borough" the word "[incorporated]" and inserting in lieu thereof the words "city of the third class or of any."

Amend Section 1, page 1, line 4, by inserting at the end of the line after the word "borough" the words "or the board of commissioners of any township of the first class."

Amend Section 1, page 1, line 9, by striking out after the word "way" and before the word "footwalk" the word "[or]."

Amend Section 1, page 1, line 9, by inserting after the word "footwalk" and before the word "and" the words "or gutter."

Amend Section 1, page 2, line 10, by inserting after the word "the" and before the word "borough" the word "city."

Amend Section 1, page 2, line 10, by inserting after the word "as" the words "or township."

Amend Section 1, page 2, line 19, by striking out after the word "any" and before the word "borough" the word "[incorporated]" and inserting in lieu thereof the words "city of the third class or of any."

Amend Section 1, page 2, line 19, by inserting after the word "borough" and before the word "of" the words "or the board of commissioners of any township of the first class."

Amend Section 1, page 2, line 23, by striking out after the word "cartway" and before the syllable "foot-" the word "[or]."

Amend Section 1, page 2, line 24, by inserting after the word "walk" and before the word "or" the words "or gutter."

Amend Section 1, page 2, line 27, by inserting after the word "caused" and before the word "sewers" the word "any."

Amend Section 1, page 2, line 27, by inserting after the word "sewers" and before the word "to" the word "whatsoever."

Amend Section 1, page 2, line 27, by striking out at the end of the line the word "constructed" the syllable "[there-]."

Amend Section 1, page 2, line 28, by striking out at the beginning of the line before the word "or" the syllable "[in]" and inserting in lieu thereof the words "within or without any such city borough or township."

Amend Section 1, page 2, line 29, by inserting after the word "or" and before the word "has" the following: "has heretofore in accordance with existing law assessed a portion of the cost of such sewer as a sewage tax against property abutting on the side of said street alley or highway which is located outside the limits of the borough the owners of such property being given permission by the borough to use such sewer and such property not being then provided with sewer facilities and."

Amend Section 1, page 3, line 3, by inserting after the word "council" and before the word "notice" the words "or of the board of commissioners."

Amend Section 1, page 3, line 7, by inserting after the word "council" and before the word "or" the words "or board of commissioners."

Amend Section 1, page 3, line 14, by inserting at the end of the line after the word "or" the words "such ordinance."

Amend Section 1, page 3, line 18, by inserting after the word "improvement" and before the word "or" the following: "or because of the neglect of viewers appointed to assess damages and benefits caused or accruing as a result thereof to file their report within the time required by law for the filing thereof."

Amend Section 1, page 3, line 29, by striking out at the end of the line after the word "within" the following: "[six (6)]."

Amend Section 1, page 4, by striking out line 1.

Amend Section 1, page 4, line 2, by striking out at the beginning of the line before the word "or' the words "[vided for under such ordinance]" and inserting in lieu thereof the following: "the time provided by law."

Amend section 1, page 4, line 3, by striking out at the end of the line, after the word "therefor" the words "[on the basis of the foot-front rule]."

Amend Section 1, page 4, by striking out lines 4 and 5 inclusive.

Amend Section, page 4, line 6, by striking out at the beginning of the line before the word "or" the words "[of such improvement]" and inserting in lieu thereof the words "in the manner now provided by law."

Amend Section 1, page 4, line 13, by inserting after the word "thereof" and before the word "cannot" the words "were not or."

Amend Section 1, page 4, line 13, by striking out after the word legally" and before the syllable up-" the word "[assessed]" and inserting in lieu thereof the word "assessed."

Amend Section 1, page 4, line 17, by striking out after the word "the" and before the word "to" the words "[Borough Solicitor]" and inserting in lieu thereof the words "city borough or township solicitor."

Amend Section 1, page 4, line 18, by inserting after the word "same" and before the word "for" the following: "or to have stamped thereon a facsimile signature of the said solicitor or chief executive of the claimant."

Amend section 1, page 4, line 21, by inserting after the word "enforced" and before the word "as" the following: "or if the ordinance of the city borough or township authorizing the construction of any improvement was in fact adopted before such city borough or township was legally empowered to make such assessments on property outside the limits of such city borough or township if such improvement was actually constructed and such assessments against property outside the limits of such city borough or township made subsequent to the time when such city borough or township was legally empowered to levy such assessments."

Amend Section 1, page 4, line 25, by inserting after the syllable "ing" and before the word "and" the following: "and also any statement of claims heretofore filed if any to secure the liens therefor ar ealso made valid and binding.

Amend Section 1, page 4, line 27, by inserting after the word "proceedings" and before the word "shall" the following: "against property within or without the limits of any such city borough or township."

Amend Section 1, page 4, line 28, by striking out after the word "binding" and before the word "the" the word "[or]" and inserting in lieu thereof the word "and."

Amend Section 1, page 4, line 28, by striking out after the word "such" and before the word "borough" the word "[incorporated]" and inserting in lieu thereof the following "city or."

Amend Section 1, page 4, line 28, by inserting at the end of the line after the word "borough" the following "and the commissioners of such township."

Amend Section 1, page 5, line 2, by striking out at the end of the line after the word "assessed" the word "[by]."

Amend Section 1, page 5, line 3, by striking out at the beginning of the line before the word "or" the words "[the foot-front rule]," and inserting in lieu thereof the following "in the manner now provided by law."

Amend Section 1, page 5, line 10, by inserting after the word "validated" and before the word "Such" the following "and any statement of claims heretofore filed if any to secure the liens therefor are also hereby ratified confirmed and validated."

Amend Section 1, page 5, line 13, by inserting after the word "assessed" and before the word "The" the following "and any lien heretorfore filed for benefits assessed or for the cost of such improvement or any part thereof although the report of the viewers assessing the same was not filed within the time required by law for the filing thereof is hereby made valid and binding with the same force and effect as though such report was filed within the time required by law for filing the same."

Amend Section 1, page 5, line 16, by inserting after the word "contracts" and before the word "and" the following "or from the date of filing the same."

Amend Section 2, page 6, line 1, by striking out after the word "any" and before the word "borough" the word "[incorporated]" and inserting in lieu thereof the following "city of the third class or of any."

Amend Section 2, page 6, line 1, by inserting after the word "borough" and before the word "of" the following "or the board of commissioners of any township of the first class."

Amend Section 2, page 6, line 6, by striking out after the word "within" and before the word "months" the words "[six (6)]" and inserting in lieu thereof the words: "twelve (12)."

Amend Section 2, page 6, line 9, by striking out after the word "within" and before the word "months" the words: "[six (6)]" and inserting in lieu thereof the words "twelve (12)."

Amend Section 2, page 6, line 11, by inserting after the syllable "pleted" and before the word "or" the following: "if no lien has been heretofore filed for the same."

Amend Section 2, page 6, line 11, by striking out after the word "within" and before the word "months" the words "[six (6)]," and inserting in lieu thereof the words: "twelve (12)."

Amend Section 2, page 6, line 17, by inserting after the word "the" and before the word "borough" the word: "city."

Amend Section 2, page 6, line 17, by inserting after the word "borough" and before the word "making" the words "or township."

Amend Section 2, page 6, line 26, by inserting after the word "the" and before the word "borough" the word "city."

Amend Section 2, page 6, line 26, by inserting after the word "borough" and before the word "to" the words "or township."

Amend page 7 by adding after line 5 the following

"Section 4 This act shall become effective immediately upon final enactment."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 421

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 421, Printer's No. 117, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILL LAID UPON THE TABLE

Mr. CRAIG. Mr. Speaker, I move that the bill together with the message be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 320

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 320, Printer's No. 571, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILL LAID UPON THE TABLE

Mr. ROOT. Mr. Speaker, I move that the bill together with the message be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 1219

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 1219, Printer's No. 223, entitled "An act to amend section eight and sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns

and extending to the State line describing and defining the same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or of authority over same requiring boroughs and incorporated maintain the same and relieving said townships or counties towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise, in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' as amended by providing for the payment of all damages due to the change of width grades lines and locations of State highways in boroughs towns and townships including the revomal of structures by the Commonwealth."

This bill amends Section 16 of the Sproul Act of May 31, 1911, P. L. 468. It would place upon the Commonwealth all of the damages for the taking of land for State highways and in that respect is similar to Senate Bill No. 19, Printer's No. 6, which I vetoed on February 17, 1933.

I have approved Senate Bill No. 435, which places upon the Commonwealth the damages for the taking of land for the relocation or widening of State highways when the county commissioners have not agreed to the change. This bills is inconsistent with that act.

For these reasons the bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall the bill become a law, the veto of the Governor to the contrary notwithstanding?

Mr. WILLIAM A. WALKER. Mr. Speaker, I move that the communication, together with the bill be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 265.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor Hill Bill No. 265, Printer's No. 87, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILL LAID UPON THE TABLE

Mr. STEEDLE. Mr. Speaker, I move that the bill together with the message be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 583.

An Act making an appropriation to the several fire companies of the city of Harrisburg Pennsylvania.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 4, by striking out the word "four" and inserting i nlieu thereof the word "five"; also in the same line by striking out the words "five hundred"; also in line 5 by striking out the numerals "($4,500)" and inserting in lieu thereof the numrals "($5,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Haines,	McCreary,	Shettel,
Baker,	Hamilton,	McElwee,	Shortz,
Baldi,	Harmuth,	McGinnis,	Shreiner,
Barnhardt,	Harris,	McGrail,	Shugarts,
Bechtel,	Hart,	McGregor,	Simon,
Beech,	Hartman,	McHenry,	Sinwell,
Bennett,	Heffernan,	McKay,	Snyder,
Bernhard,	Hefferon,	McKinney,	Sowers,
Blumberg,	Heffner,	Melchiorre,	Spann,
Boyd,	Hermansen,	Meredith,	Stank,
Brancato,	Hester,	Merrell,	Steedle,
Brennan,	Hewitt,	Metzler,	Sterling, P.,
Brown, J. E.,	Himes, H. E.,	Mohn,	Sterling, R. B.,
Brown, W. L.,	Himes, L. R.,	Moore,	Stevens,
Brownfield,	Hoffman,	Mumford,	Stevenson,
Cannon,	Holmes, J. B.,	Munley,	Stiteler,
Caputo,	Holmes, J. L.,	Myers,	Stone,
Carey,	Hoopes,	Negley,	Storb,
Conner,	Horst,	Nothnagle,	Stott,
Cooke,	Hough,	O'Neill,	Surface,
Cordier,	Howard,	O'Rourke,	Tahl,
Craig,	Hutton,	Patterson,	Terry,
Cramer,	Jaffe,	Peelor,	Turner,
Dane,	Jones,	Pennock,	Wade,
DeFrehn,	Kane, J. J.,	Perry, D. R.,	Wagner,
Downey, G. E.,	Kane, L. P.,	Perry, J. J.,	Walker, G. E.,
Downey, J.,	King,	Peters,	Walker, W. A.,
Duffy,	Kinney,	Powell,	Wall,
Dunmire,	Labar,	Price,	Wasserman,
Dwyer,	Lane,	Raub,	Way,
Ederer,	Laubach,	Rectenwald,	Weidemann,
Emhardt,	Lenahan,	Reed,	Welsh,
Eroe,	Lewis,	Roan,	Westrick,
Evans,	Long,	Root,	White,
Fitzgerald,	Lord,	Royle,	Wike,
Flanagan,	Lose,	Ruby,	Williams, G. W.,
Fleisher,	Lovett, J. E.,	Ruth,	Williams, J. J.,
Flinchbaugh,	Lovett, W. S.,	Sarig,	Wilson, L. M.,
Flynn,	Lynch, J. R.,	Sautter,	Wilson, T. B.,

Forrest,	Lynch, M.,	Schrock,	Witkin,
Furman,	Male,	Schrope,	Wood,
Gallagher,	Malina,	Schwab,	Woodside,
Gartner,	Maloney,	Schwartz,	Wright,
Gillette,	Marcks,	Scorza,	Yeakel,
Gorman,	Mason,	Scott,	Yourishin,
Green,	McBride,	Sheffer,	Zimmerman,
Greenstein,	McCandless,	Shellenberger,	Talbot,
Griffith,	McClure,	Shenkel,	Speaker,
Habbyshaw,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 756.

An Act to amend part of section two of the Appropriation Acts of one thousand nine hundred and thirty-one (Act Number fifteen-A page sixteen) entited "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred an dthirty-one" amending the appropriation relating to the Coaldale State Hospital.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 26, by inserting at the end of the line the following: "Provided that not more than the sum of thirteen thousand dollars ($13,000) shall be used for reconditioning the nurses' home."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Haines,	McCreary,	Scott,
Baker,	Hamilton,	McElwee,	Sheffer,
Baldi,	Harmuth,	McGinnis,	Shellenberger,
Barnhardt,	Harris,	McGrail,	Shenkel,
Bechtel,	Hart,	McGregor,	Shettel,
Beech,	Hartman,	McHenry,	Shortz,
Bennett,	Heffernan,	McKay,	Shreiner,
Bernhard,	Hefferon,	Melchiorre,	Shugarts,
Blumberg,	Heffner,	Meredith,	Simon,
Boyd,	Hermansen,	Metzler,	Sinwell,
Brancato,	Hester,	Mohn,	Snyder,
Brennan,	Hewitt,	Moore,	Sowers,
Brown, J. E.,	Himes, H. E.,	Mumford,	Spann,
Brown, W. L.,	Himes, L. R.,	Munley,	Stank,
Brownfield,	Hoffman,	Myers,	Steedle,
Cannon,	Holmes, J. B.,	Negley,	Sterling, P.,
Caputo,	Hilmes, J. L.,	O'Connor,	Sterling, R. B.,
Carey,	Hoopes,	O'Neill,	Stevens,
Carson,	Horst,	O'Rourke,	Stevenson,
Chervenak,	Hough,	Patterson,	Stiteler,
Cohen,	Howard,	Peelor,	Stone,
Conner,	Hutton,	Pennock,	Storb,
Cooke,	Jaffe,	Perry, D. R.,	Stott,
Cordier,	Jones,	Perry, J. J.,	Surface,
Craig,	Kane, J. J.,	Peters,	Tahl,
Cramer,	Kane, L. P.,	Powell,	Terry,
Dane,	King,	Powers,	Turner,
Davies,	Kinney,	Price,	Wade,
DeFrehn,	Labar,	Quinn,	Wagner,
Denning,	Lane,	Raub,	Walker, G. E.,
Downey, J.,	Laubach,	Rectenwald,	Walker, W. A.,
Duffy,	Lenahan,	Reed,	Wall,
Dwyer,	Lewis,	Reilly,	Wasserman,
Emhardt,	Long,	Rhodes,	Way,
Eroe,	Lord,	Rice,	Weidemann,
Fitzgerald,	Lose,	Roan,	Welsh,
Fleisher,	Lovett, J. E.,	Root,	Westrick,
Flinchbaugh,	Lovett, W. S.,	Roth,	White,
Flynn,	Lynch, J. R.,	Royle,	Wike,
Forrest,	Lynch, M.,	Ruby,	Williams, G. W.,
Furman,	Male,	Ruth,	Wilson, L. M.,
Gallagher,	Malina,	Sarig,	Wood,
Gartner,	Maloney,	Sautter,	Wright,
Gillette,	Marcks,	Schrock,	Yeakel,
Gorman,	Mason,	Schrope,	Yourishin,
Green,	McBride,	Schwab,	Zimmerman,
Greenstein,	McCandless,	Schwartz,	Talbot,
Griffith,	McClure,	Scorza,	Speaker,
Habbyshaw,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 360.

An Act to validate sheriffs' deeds acknowledged previous to the return day of the writ by virtue of which the real estate was sold or acknowledged defectively.

Said bill having been recalled from the Governor for amendment the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 10, by inserting at the end of the line the following: "Provided that the provisions of this act shall not apply in any instance where the validity of any sheriff's deed has been made the subject of litigation in any court of this Commonwealth prior to the effective date of this act nor to any litigation in any court of this Commonwealth instituted prior to the effective date of this act and still pending and undetermined."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Griffith,	McGrail,	Scorza,
Baker,	Habbyshaw,	McGregor,	Scott,
Baldi,	Haines,	McHenry,	Sheffer,
Barnhardt,	Hamilton,	McKay,	Shellenberger,
Bechtel,	Harmuth,	McKinney,	Shenkel,
Beech,	Harris,	Melchiorre,	Shettel,
Bennett,	Hartman,	Meredith,	Shortz,
Bernhard,	Heffernan,	Merrell,	Shreiner,
Blumberg,	Hefferon,	Metzler,	Shugarts,
Boyd,	Heffner,	Mohn,	Simon,
Brancato,	Hermansen,	Moore,	Sinwell,

Brennan,	Hester,	Mumford,	Snyder,
Brown, J. E.,	Hewitt,	Munley,	Sowers,
Brown, W. L.,	Himes, H. E.,	Myers,	Stank,
Brownfield,	Himes, L. R.,	Negley,	Sterling, P.,
Cannon,	Hoffman,	Nothnagle,	Stevens,
Caputo,	Holmes, J. B.,	O'Connor,	Stevenson,
Carey,	Holmes, J. L.,	O'Keefe,	Stiteler,
Carson,	Hoopes,	O'Neill,	Storb,
Chervenak,	Horst,	O'Rourke,	Stott,
Cohen,	Hough,	Patterson,	Surface,
Conner,	Howard,	Peelor,	Terry,
Cooke,	Hutton,	Pennock,	Turner,
Cordier,	Jaffe,	Perry, D. R.,	Wade,
Craig,	Jones,	Perry, J. J.,	Wagner,
Cramer,	Kane, J. J.,	Peters,	Walker, G. E.,
Davies,	Kane, L. P.,	Powell,	Walker, W. A.,
Denning,	King,	Powers,	Wall,
Dokney, J.,	Kinney,	Price,	Wasserman,
Dunmire,	Lane,	Quinn,	Way,
Dwyer,	Lenahan,	Raub,	Weidemann,
Ederer,	Long,	Rectenwald,	Welsh,
Emhardt,	Lose,	Reed,	Westrick,
Eroe,	Lovett, J. E.,	Reilly,	White,
Evans,	Lovett, W. S.,	Rhodes,	Wike,
Fitzgerald,	Lynch, J. R.,	Rice,	Williams, G. W.
Flanagan,	Lynch, M.,	Roan,	Williams, J. J.,
Fleisher,	Male,	Root,	Wilson, L. M.,
Flinchbaugh,	Malina,	Roth,	Wilson, T. B.,
Flynn,	Maloney,	Royle,	Witkin,
Forrest,	Marcks,	Ruby,	Wood,
Furman,	Mason,	Ruth,	Woodside,
Gallagher,	McBride,	Sarig,	Wright,
Gartner,	McCandless,	Sautter,	Yeakel,
Gillette,	McClure,	Schrock,	Yourishin,
Gorman,	McCreary,	Schrope,	Zimmerman,
Green,	McElwee,	Schwab,	Talbot,
Greenstein,	McGinnis,	Schwartz,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILLS NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 306.

An Act making an appropriation to the Women's Hospital of Philadelphia Preston and Parrish Streets Philadelphia Pennsylvania

Mr. STEEDLE. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 361, Printer's No. 521, entitled

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended providing that in awarding damages to abutting property owners for changing the width of existing lines and location of State highways the benefits to such property may be considered in mitigation thereof

be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 223, Printer's No. 277, entitled

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 24, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 538, Printer's No. 544, entitled

An Act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies, associations, exchanges or persons not authorized to do business in this Commonwealth; requiring certificates from the Insurance Department before accepting insurance advertisements or broadcasting the same by radio; and fixing penalties.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 26, 1933.

Resolved (if the House of Representatives concur), That the Legislative Committee authorized to be appointed pursuant to concurrent resolution approved July 12, 1932 (Serial No. 102, Special Session of 1932), to investigate the cost of government in Allegheny County in order to determine the cause of the high cost thereof, is hereby continued for a further period of two years, and shall make a report of their recommendations to the General Assembly of 1935. Any vacancy existing on said committee for any cause shall be filed by an appointment of a Senator or Member of the President pro tempore of the Senate or the Speaker of the House of Representatives, as the case may be.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows, viz:

SENATE BILL No. 748.

An Act authorizing and regulating the reorganization of banks and trust companies.

SENATE BILL No. 109.

An Act to amend section six hundred and thirty of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing school districts to lay water pipe lines in certain cases, and to condemn a right-of-way therefor.

SENATE BILL No. 102.

An Act authorizing county treasurers to make, execute, acknowledge and deliver deeds of seated lands sold by them for delinquent taxes under the provisions of an act of Assembly of the Commonwealth of Pennsylvania, approved the ninth day of May, one thousand nine hundred and twenty-nine (P. L. 1684), entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assessed on such seated lands by authority of any county, borough, town, township, school district and poor district are delinquent and remain unpaid, and fixing penalties for such delinquency; authorizing county commissioners to purchase such lands under certain circumstances"; prior to its repeal, notwithstanding that said deeds were not made, issued, acknowledged or delivered and surplus bond not given prior to said repeal; and authorizing the making, execution, acknowledgment and delivery of said deeds by said county treasurers after the expiration of term of office or by their successors in office; and confirming the title to lands so sold where the deeds have been made, executed and delivered and the surplus bonds filed since the repeal of said act, and whether the said deeds were made, executed or delivered by the county treasurer who made said sale during the term of his office or after its expiration or by his successor in office.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 14, 1933.

Resolved (if the Senate concur), That House Bill No. 456, Printer's No. 598, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring certain motor vehicles to be equipped with laminated safety glass fixing penalties and providing for the suspension or revocation by the Public Service Commission of certificates of public convenience of common carriers for violation of the provisions of this act.

be returned to the Governor without amendments.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 24, 1933.

Resolved (if the Senate concur), That House Bill No. 1676, entitled "An act to further amend paragraph (b) of Section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred nine), entitled 'An act relating to the organization, maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations, partnerships, unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents' by requiring building and loan associations to pay the full cost of examinations by the Department of Banking," be recalled from the Governor for further consideration.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1374

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1374.

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools; granting power to the State Council of Education to permit, as to certain school districts temporary reductions in the salary schedules; authorizing the State Council of Education to suspend mandatory provisions of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," and of its amendments and supplements; prohibiting school districts from demanding, requesting or accepting gifts or donations from members of the teaching and supervisory staffs, and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof; and temporarily superseding any inconsistent acts and parts of acts

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1374.

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the Superintendent of Public Instruction to permit as to certain school district temporary reductions in the salary schedules autorizing Superintendent of Public Instruction to suspend mandatory provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements prohibiting school districts from demanding requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instructior to forfeit certain State subsides for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules granting certain options to the members of the School employes' retirement system and temporarily superseding any inconsistent acts and parts of acts.

HOUSE BILL No. 167.

An Act making an appropriation to the Miners' Hospital of Northern Cambria at Spangler Cambria County Pennsylvania

HOUSE BILL No. 186.

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property

HOUSE BILL No. 707.

An Act making an appropriation to the Carbondale General Hospital Carbondale Pennsylvania

HOUSE BILL No. 708.

An Act making an appropriation to the Mid-Valley Hospital Association at Blakely Pennsylvania.

HOUSE BILL No. 709.

An Act making an appropriation to the Saint Joseph's Hospital Carbondale Pennsylvania.

HOUSE BILL No. 710.

An Act making an appropriation to the Robert Packer Hospital of Sayre, Pennsylvania.

HOUSE BILL No. 714.

An Act making an appropriation to the Tuberculosis League of Pittsburgh, Pennsylvania.

HOUSE BILL No. 1129.

An Act making an appropriation to the Eagleville Sanatorium for Consumptives located at Eagleville Montgomery County Pennsylvania

HOUSE BILL No. 1328.

An Act making an appropriation to the Community Hospital of Kane Pennsylvania

HOUSE BILL No. 1332.

An Act making an appropriation to the Home for the Friendless for the City of Scranton

HOUSE BILL No. 267.

An Act making an appropriation to the Woman's Medical College of Pennsylvania located at East Falls Philadelphia

HOUSE BILL No. 270.

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania

HOUSE BILL No. 415.

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries

HOUSE BILL No. 901.

An Act making an dappropriation to the West Side Hospital Association of Scranton Lackawanna County Pennsylvania.

HOUSE BILL No. 1007.

An Act making an appropriation to the Franklin Hospital Franklin Pennsylvania.

HOUSE BILL No. 1198.

An Act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws.

HOUSE BILL No. 1371.

An Act to further amend sections five and six of the act approved the tenth day of June one thousand eight hundred

and ninety-three (Pamphlet Laws four hundred nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" by changing the time for filing nomination papers and changing the time for filing objections thereto.

HOUSE BILL No. 1476.

An Act providing for the deferring of sentences in certain cases pending the mental examination of defendants authorizing trial judges to require psychiatrists employed by the Department of Welfare or county or state mental hospitals to examine certain such defendants without additional compensation except expenses payable by counties providing for the commitment of defendants to certain institutions where the reports show the same to be advisable and providing for the payment by individuals counties or the Commonwealth of the cost of admission care and discharge of such defendants.

HOUSE BILL No. 1837.

An Act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes.

HOUSE BILL No. 1934.

An Act providing for receipt by the Commonwealth of personal property bequeathed to the Commonwealth providing for the vesting of title in the Commonwealth of real estate devised to the Commonwealth the custody repair leasing and sale thereof by the Department of Property and Supplies with approval of the Department of Justice and providing the payment of costs of repair of such property

Whereupon,

The SPEAKER in the presence of the House signed the same.

APPOINTMENT OF COMMITTEE TO INVESTIGAE UNEMPLOYMENT AND WORK RELIEF

The SPEAKER. Pursuant to Resolution No. 64 adopted by this House April 12, the Chair now appoints as a committee to investigate unemployment and work relief Messrs. Habbyshaw, Flynn, David R. Perry, Philip Sterling and Wade.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 638.

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors; providing for the appointment and compensation of a director of welfare, investigators, assistants, experts and employes, and for the employment and compensation of elected directors whose terms have not expired; and repealing existing laws.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requestd.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 6, by inserting after the word "court" the following: "Such directors shall not be county officers and shall not be subject to the general laws relating to county officers."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Green,	McGregor,	Shettel,
Baker,	Greenstein,	McHenry,	Shortz,
Baldi,	Griffith,	McKay,	Shreiner,
Barnhardt,	Habbyshaw,	McKinney,	Shugarts,
Bechtel,	Haines,	Melchiorre,	Simon,
Bennett,	Hamilton,	Meredith,	Sinwell,
Bernhard,	Harmuth,	Merrell,	Snyder,
Blumberg,	Harris,	Metzler,	Sowers,
Boyd,	Hart,	Mohn,	Spann,
Brancato,	Hartman,	Moore,	Stank,
Brennan,	Heffernan,	Mumford,	Steedle,
Brown, J. E.,	Hefferon,	Munley,	Sterling, P.,
Brown, W. L.,	Heffner,	Myers,	Sterling, R. B.,
Brownfield,	Hermansen,	Negley,	Stevens,
Cannon,	Hester,	Nothnagle,	Stevenson,
Caputo,	Holmes, J. B.,	O'Connor,	Stiteler,
Carey,	Holmes, J. L.,	O'Keefe,	Stone,
Carson,	Hoopes,	O'Neill,	Storb,
Chervenak,	Horst,	O'Rourke,	Stott,
Cohen,	Hough,	Patterson,	Surface,
Conner,	Howard,	Peelor,	Tahl,
Cooke,	Hutton,	Pennock,	Terry,
Cordier,	Jaffe,	Perry, D. R.,	Turner,
Craig,	Jones,	Perry, J. J.,	Wade,
Cramer,	Kane, J. J.,	Peters,	Wagner,
Dane,	Kane, L. P.,	Powell,	Walker, G. E.,
Davies,	King,	Powers,	Walker, W. A.,
DeFrehn,	Kinney,	Price,	Wall,
Denning,	Labar,	Quinn,	Wasserman,
Downey, G. E.,	Lane,	Raub,	Way,
Downey, J.,	Laubach,	Rectenwald,	Weidemann,
Duffy,	Lenahan,	Roan,	Welsh,
Dunmire,	Lewis,	Root,	Westrick,
Dwyer,	Long,	Roth,	White,
Ederer,	Lord,	Royle,	Wike,
Emhardt,	Lose,	Ruby,	Williams, G. W.,
Eroe,	Lovett, W. S.,	Ruth,	Williams, J. J.,
Evans,	Lovett, J. E.,	Sarig,	Wilson, L. M.,
Fitzgerald,	Lynch, J. R.,	Sautter,	Wilson, T. B.,
Flanagan,	Lynch, M.,	Schrock,	Witkin,
Fleisher,	Male,	Schrope,	Wood,
Flinchbaugh,	Malina,	Schwab,	Woodside,
Flynn,	Maloney,	Schwartz,	Wright,
Forrest,	Marcks,	Scorza,	Yeakel,
Furman,	Mason,	Scott,	Yourishin,
Gallagher,	McBride,	Sheffer,	Zimmerman,
Gartner,	McCandless,	Shellenberger,	Talbot,
Gillette,	McClure,	Shenkel,	Speaker.
Gorman,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES

Mrs. PENNOCK, from the Committee on Elections, reported as committed, House Bill No. 2318 (Senate Bill No. 893), entitled:

An Act to amend section one of the act approved the twenty-sixth day of April, one thousand nine hundred and twenty-nine (P. L. 836), entitled "An act providing for a separate ballot when constitutional amendments or other questions are submitted to the vote of the people" by providing that such constitutional amendments or other questions may be printed upon a separate ballot.

Mr. HABBYSHAW, from the Committee on Elections, reported as amended, House Bill No. 782 (Senate Bill No. 13), entitled:

An Act to amend section two of the act, approved the thirtieth day of January, one thousand eight hundred and seventy-four (P. L. 31), entitled "A further supplement to

the act regulating elections in this Commonwealth," as amended, eliminating one of the days required of registry assessors sitting at the polling places.

Mr. SYNDER, from the Committee on Fisheries, reported as committed, House Bill No. 2321 (Senate Bill No. 1033), entitled:

An Act to amend section two of the act approved the twenty-eighth day of May, one thousand nine hundred and thirty-one (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties or certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties"; by requiring such boats to be equipped with effective mufflers.

Mr. HEWITT, from the Committee on Fisheries, reported as amended, House Bill No. 2323 (Senate Bill No. 1205), entitled:

An Act to amend the act approved the twenty-eighth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred two) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any stream artificial or natural body of water or non-tidal water of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" providing for liability for damages caused by the negligent operation of a motor boat.

Mr. METZIER, from the Committee on Elections, reported as committed, House Bill No. 2297 (Senate Bill No. 518), entitled:

An Act to amend section one of the act approved the twenty-seventh day of April, one thousand nine hundred twenty-five (Pamphlet Laws three hundred five) entitled "An act fixing the pay of election officers and clerks in counties of the second class," as amended, by fixing the compensation of judges of election for services, mileage and expenses of delivering the primary and election returns and ballots boxes into proper custody, providing compensation to minority inspectors, in certain cases, for services, mileage and expenses of delivering the minority inspector's primary and election returns, if any, and the ballot boxes into proper custody, and repealing inconsistent general, local and special legislation.

Mr. EROE, from the Committee on Elections, reported as amended, House Bill No. 2295 (Senate Bill No. 103), entitled:

An Act to abolish the December assessment of voters and repealing inconsistent legislation.

Mr. EROE, from the Committee on Elections, reported as as committed, House Bill No. 2340 (Senate Bill No. 1331), entitled:

An Act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts.

Mr. BOYD, from the Committee on Elections, reported as committed, House Bill No. 2319 (Senate Bill No. 894), entitled:

An Act to repeal an act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 627), entitled "An act providing a method for preventing any elector from depositing in the ballot box, at primary, municipal, general or other elections, any ballot other than that received from the election officer; and imposing penalties."

Mr. SPANN, from the Committee on Elections, reported as amended, House Bill No. 2309 (Senate Bill No. 426), entitled:

An Act prescribing the filing fees for the filing of nomination petitions and nomination papers for candidates at any primary, general, special or municipal election, by the Secretary of the Commonwealth and by the county commissioners in the several counties of this Commonwealth

Mr. TAHL, from the Committee on Elections, re-reported as committed, House Bill No. 780 (Senate Bill No. 7), entitled:

An Act to amend sections ten and thirteen of the act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorzing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended, requiring the county commissioners to deliver to the election officers in boroughs, towns and townships before each primary, the assessor's "original Registry List," and providing that such lists be used to determine electors right to vote in certain cases.

BILLS ON FIRST READING

The following bills were read the first time pursuant to resolution presented by the Rules Committee fixing the order of the day.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2318 (Senate Bill No. 893), entitled:

An Act to amend section one of the act approved the twenty-sixth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred thirty-six) entitled "An act providing for a separate ballot when constitutional amendments or other questions are submitted to the vote of the people" by providing that such constitutional amendments or other questions may be printed upon a separate ballot

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 782 (Senate Bill No. 13), entitled:

An Act to amend section two of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended eliminating one of the days required of registry assessors sitting at the polling places.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2321 (Senate Bill No. 1033), entitled:

An Act to amend section two of the act approved the twenty-eighth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred two) entitled "An act providing

for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or nontidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by requiring such board to be equipped with effective mufflers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2323 (Senate Bill No. 1205), entitled:

An Act to amend the act approved the twenty-eighth day of May, one thousand nine hundred and thirty-one (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties," providing for liability for damages caused by the negligent operation of a motor boat.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2297 (Senate Bill No. 518), entitled:

An Act to amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws three hundred five) entitled "An act fixing the pay of election officers and clerks in counties of the second class" as amended by fixing the compensation of judges of elections for services mileages and expenses of delivering the primary and election returns and ballot boxes into proper custody providing compensation to minority inspectors in certain cases for services mileage and expenses of delivering the minority inspectors primary and election returns if any and the ballot boxes into proper custody and repealing inconsistent general local and special legislation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2295 (Senate Bill No. 103), entitled:

An Act to abolish the December assessment of voters and repealing inconsistent legislation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2340 (Senate Bill No. 1331), entitled:

An Act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance and navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2319 (Senate Bill No. 894), entitled:

An Act to repeal an act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws six hundred twenty-seven) entitled "An act providing a method for preventing any elector from depositing in the ballot box, at primary, municipal, general or other elections, any ballot other than that received from the election officer; and imposing penalties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2309 (Senate Bill No. 426), entitled:

An Act prescribing the filing fees for the filing of nomination petitions and nomination papers for candidates at any primary general special or municipal election by the Secretary of the Commonwealth and by the county commissioners in the several counties of this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RESOLUTION

RECALLING HOUSE BILL No. 1107 FROM THE GOVERNOR

Mr. METZIER asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 24, 1933.

Resolved (if the Senate concur), That House Bill No. 1107, Printer's No. 929, entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1659 FROM THE GOVERNOR

Mr. PHILIP STERLING asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 25, 1933.

Resolved (if the Senate concur), that House Bill No. 1659, entitled "An act to further amend Section seventeen of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled 'An act to amend section seventeen of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties"' by increasing certain license fees" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 744 FROM THE GOVERNOR

Mr. MASON asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 24, 1933.

Resolved (if the Senate concur), That House Bill No. 744, entitled "An act to amend section one thousand seven hundred and five of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet laws nine hundred thirty-two) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' by requiring the city controller to file his audit in the court of common pleas of the proper county and providing a method of appeal therefrom who may appeal providing for a bond of the appellant the intervention by a taxpayer in an appeal by others entry and enforcement of a judgment in favor of the city a bond by intervening taxpayers the effect of intervention or appeal and the hearing of appeal," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 3.00 P. M. Are there objections? The Chair hears none, and (at 12.50 P. M.) declares a recess until 3.00 P. M.

AFTER RECESS

The House reconvened at 3.00 P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

RESOLUTION No. 55

Mr. SOWERS. Mr. Speaker, I desire to call up at this time Resolution No. 55.

The resolution was read by the Clerk as follows:

In the House of Representatives, March 23, 1933.

Whereas, This House by resolution Number twenty-four Serial Number thirty-nine, Printer's Number fifty-seven appointed a Committee to draft a bill to regulate liquor control and on Monday last amended the resolution substantially creating the Committee to draft consider amend and hold public hearings on all liquor control bills and for the said Committee to better and more efficiently function all liquor control bills ought to be referred to it for consideration and action as is done and practiced by the other Committees of the House Now therefore be it

Resolved, By the House of Representatives that all Bills on the subject of liquor control be referred to the said special committee appointed by the Speaker for consideration and action in conformity to the usual practice of committees of the House

On the question,

Will the House adopt the resolution?

Mr. BLUMBERG, Mr. Speaker, I move that the resolution be laid on the table for the present.

The motion was agreed to.

BILL RE-REFERRED

Mr. SOWERS returned from the Select Committee on Liquor Control with the recommendation that it be re-referred to the Committee on Ways and Means, House Bill No. 1854, entitled:

An Act to regulate and restrain the traffic in malt, brewed and vinous beverages as herein defined; creating a commission for each of several districts, defining their powers and duties; providing for the licensing of the manufacture, sale, transportation and distribution of such beverages; imposing taxes and license fees; and providing for collection and distribution of revenues therefrom; restricting ownership and interest in licensed places; making appropriations for carrying the same into effect; providing penalties and repealing existing acts.

The SPEAKER. The bill is now re-referred to the Committee on Ways and Means.

AMENDMENT TO ORDER OF THE DAY

Mr. HOOPES. Mr. Speaker, I desire to offer the following motion.

The motion was read by the Clerk as follows:

Moved by Mr. Hoopes that on Wednesday, April 26, 1933, at 12.00 o'clock noon it shall became a special order of business of the House to consider a motion that the Committee on Elections be discharged from further consideration of House Bill 900, "An Act imposing an annual state tax upon each resident of the Commonwealth over the age of twenty-one years for the purpose of quaifying such persons to vote at elections," which bill was referred to the Committee on Elections on February 14, 1933, and has been in the hands of said Committee for a period of more than ten days.

The SPEAKER. The Chair desires to render an opinion relative to the motion offered by the gentleman from Berks, Mr. Hoopes.

The gentleman has sent to the desk a motion that it shall become a special order of business for Wednesday, April 26, 1933, at 12.00 o'clock noon, to consider a motion to discharge the Committee on Elections for further consideration of House Bill No. 900.

The Chair is of the opinion, and so rulees, that in order of the day, No. 4A "House and Concurrent Resolutions originating in the House other than those to discharge committees from consideration of bills," there is no provision which would permit a resolution or a motion to be considered to fix a special order of business for either today or tomorrow.

The motion is, therefore, ruled out of order under the order of the day.

RESOLUTION

INDORSING EIGHT HOUR DAY

Mr. HERMANSEN offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, April 25, 1933.

Whereas, The Federal Government has recognized the advisability of a shorter working day; as the best means of restoring stability in industry, therefore be it

Resolved, That this House now indorse the principal of an eight hour day and forty-four hour week for women, and children in the Commonwealth of Pennsylvania.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 5. (HOUSE BILL No. 2347).

An Act making an appropriation for the preparation of the Eightieth Division History; and creating a commission for such purposes.

Referred to the Committee on Appropriations.

SENATE BILL No. 446. (HOUSE BILL No. 2348).

An Act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of banking corporations, with or without fiduciary powers, including the conversation of national banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts.

Referred to the Committee on Banking.

SENATE BILL No. 519. (HOUSE BILL No. 2349).

A Supplement to the act, approved the tenth day of July, one thousand nine hundred nineteen (Pamphlet Laws, eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of board of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties," its amendments and supplements; authorizing, in certain cases, the payment of grants accrued and unpaid at the date of death of a mother.

Referred to the Committee on Judiciary General.

SENATE BILL No. 875. (HOUSE BILL No. 2350).

An Act to require county commissioners, poor boards, public officers, voluntary relief organizations, trustees and others having jurisdiction of funds available for poor or unemployment relief, or to tax or borrow for such purposes, to furnish information and exhibit their records to the State Emergency Relief Board; and providing penalties.

Referred to the Committee on Judiciary General.

SENATE BILL No. 644. (HOUSE BILL No. 2351).

An Act making an appropriation to the Department of Forests and Waters for the maintenance and improvement of Fort Washington Park.

Referred to the Committee on Appropriations.

SENATE BILL No. 775. (HOUSE BILL No. 2352).

An Act to amend article eleven of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 762), entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth, except in counties of the first and second class; and revising, amending, consolidating and changing the law relating thereto," as amended, by extending the time of temporary loans to meet unusual expenditures; and authorizing the directors to make temporary loans payable out of current revenue, when the district is out of funds.

Referred to the Committee on Counties.

SENATE BILL No. 880. (HOUSE BILL No. 2353).

An Act authorizing repayment to the Federal Unemployment Relief Fund and the State Emergency Relief Board of relief funds paid into the Motor License Fund in certain cases, and appropriating moneys in the Motor License Fund for that purpose.

Referred to the Committee on Appropriations.

SENATE BILL No. 1338. (HOUSE BILL No. 2354).

An Act fixing fee for the filing of application for pardon.

Referred to the Committee on State Government.

SENATE BILL No. 1340. (HOUSE BILL No. 2355).

An Act fixing the fee for the analysis of water by the Department of Health.

Referred to the Committee on State Government.

SENATE BILL No. 1354. (HOUSE BILL No. 2356).

An Act creating a commission to make a study of local government and report thereon and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 1389. (HOUSE BILL No. 2357).

An Act to amend paragraph (c) of section five and section seven of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 899), entitled "An act regulating public bathing places, swimming pools, public bath houses, public and private natatoriums, turkish bath houses, all places hired for any form of bathing or swimming, and all related appurtenances; fixing license fees; providing, in matters of sanitation, cleanliness and safety, for supervision by the Department of Health; and prescribing penalties for violtaions," by increasing the inspection and license fees chargeable by the Department of Health.

Referred to the Committee on State Government.

SENATE BILL No. 1391. (HOUSE BILL No. 2358).

An Act to amend section eleven of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of elevators outside of cities of the first and second and second A classes; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," fixing the fees for the approval of plans of elevators.

Referred to the Committee on State Government.

SENATE BILL No. 1425. (HOUSE BILL No. 2359).

An Act to further amend part of section one of the act, approved the thirteenth day of June, one thousand nine hundred thirty-one (Act number eighteen-A, Appropriation Acts of one thousand nine hundred thirty-one), entitled "An act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings for the Commonwealth, and the erection and construction of new buildings and additions, alterations or improvements to and replacement of new or existing buildings of the Commonwealth, including fixtures and heating or sewerage systems and service lines for the accommodation of buildings", by extending the scope of the appropriation made to the Department of Property and Supplies for the erection and construction of buildings at the State Industrial Home for Women at Muncy.

Referred to the Committee on Appropriations.

SENATE BILL No. 1363. (HOUSE BILL No. 2360).

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-

insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges, providing penalties, and repealing existing laws," by adding certain new sections, including corporations which have the power to insure owners of real property, mortgagees and other to interested in real property from loss by reason of defective titles, liens, and encumbrances within the scope of the act, and further providing for the supervision, examination, regulation, suspension, involuntary dissolution and liquidation of such corporations,

Referred to the Committee on Insurance.

SENATE BILL No. 1388. (HOUSE BILL No. 2361).

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws, one hundred seventy-seven), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" by adding a new section providing for the reimbursement of the General Fund by the special operating funds for services rendered by the Department of Property and Supplies, and for space occupied in the Capitol buildings by departments, boards and commissions supported from the operating funds.

Referred to the Committee on Appropriations.

SENATE BILL No. 1390. (HOUSE BILL No. 2362).

An Act to amend section twenty, sections twenty-six, twenty-seven, twenty-nine, thirty and thirty-two, as amended, and to repeal section twenty-eight of the act, approved the eleventh day of May one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," changing the fee for killing dogs and disposing of their carcasses; and providing that appraisements for damages to live stock and poultry shall be made by an agent of the Commonwealth.

Referred to the Committee on Agriculture.

SENATE BILL No. 1343. (HOUSE BILL No. 2363).

An Act creating and appropriating a special fund in the State Treasury to be utilized by the Department of Property and Supplies in purchasing fuel, equipment, supplies, and services, for departments, boards, and commissions; providing for the reimbursement of the fund from appropriations to departments, boards, and commissions upon bills rendered by the Department of Property and Supplies; and making an appropriation.

Referred to the Committee on Appropriations.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2305 (Senate Bill No. 206), entitled:

An Act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations

Articles I, II, III, IV, V and VI were separately read and agreed to as follows:

ARTICLE I

GENERAL PROVISIONS

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Nonprofit Corporation Law"

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Articles" includes both the original articles of incorporation and any and all amendments thereto

"Business" in the case of a domestic nonprofit corporation includes any or all of the activities for which it has been organized and in the case of a foreign nonprofit corporation any or all of the activities in which its certificate of authority authorizes it to engage within this Commonwealth

"Court" means the court of common pleas of the county where the registered office of the corporation is or is to be located

"Directors" includes persons designated in the articles as such and persons designated elected or appointed by any other name or title to act as directors and their successors The term when used in relation to any power or duty requiring collective action shall be construed to mean "Board of Directors"

"Domestic Nonprofit Corporation" means a corporation formed under this act or a corporation heretofore organized or created in this Commonwealth which becomes subject to this act

"Foreign Nonprofit Corporation" means a corporation not for pecuniary profit formed under any laws other than those of this Commonwealth

"Incorporator" is one of the signers of the original articles of incorporation

"Member" includes each person signing the articles of incorporation and each person admitted to membership in the corporation The term "member" shall be construed to include "shareholder" if the corporation issues shares of stock

"Nonprofit Corporation" means a corporation organized for a purpose or purposes not involving pecuniary profit incidental or otherwise to its members

"Registered Office" means in the case of a domestic nonprofit corporation that office in this Commonwealth at which its books and records are kept and the address of which is filed in the office of the recorder of deeds as required by this act and in the case of a foreign nonprofit corporation authorized to do business within this Commonwealth that office in this

Commonwealth the address of which is filed with the Secretary of the Commonwealth as required by this act

"Trust Instrument" includes any lawful deed of gift grant last will and testament or other document by which the donor grantor or testator shall give grant devise or bequeath any real or personal property or the income therefrom in trust for any charitable religious benevolent educational scientific or literary purpose or public benefaction of whatever name or nature

"Written" includes printed typewritten engraved lithographed telegraphed cabled radiogramed photographed photostated telephotographed or other form of recordation

Section headings shall not be taken to govern or limit the scope of the sections of this act

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Applicability and Acceptance of Act A Every corporation of the first class heretofore organized and incorporated under the Corporation Act of 1874 its amendments and supplements and every corporation heretofore created by any special act or formed under any general act which has accepted in any manner whatsoever the Constitution of Pennsylvania and which if not existing would be required to incorporate under this act shall hereafter be subject to the provisions of this act without formal reorganization hereunder and shall be deemed to exist under this act the provisions of this act shall govern all such corporations heretofore incorporated in this Commonwealth

B Any corporation incorporated prior to one thousand eight hundred and seventy-four by any general or special act which has not accepted the Constitution of Pennsylvania in any manner whatsoever and which if not existing would be required to incorporate under this act shall be deemed to exist under and shall be governed by the provisions of this act upon filing with the Department of State a certificate accepting the provisions of the Constitution of Pennsylvania and of this act The certificate shall be executed under the seal of the corporation shall be signed by two duly authorized officers of the corporation and shall set forth

(1) The name of the corporation

(2) The Act of Assembly by or under which it was created

(3) A statement that the corporation accepts the Constitution of Pennsylvania and the provisions of this act and

(4) A statement that the acceptance of the Constitution of Pennsylvania and of the provisions of this act was duly authorized by a meeting of the members called for that purpose

C Every foreign nonprofit corporation heretofore admitted to do business in this Commonwealth which if now seeking admission would be required to comply with the provisions of this act shall within ninety days after the effective date of this act secure a certificate of authority from the Department of State and shall thereafter be subject to the provisions of this act

D This act shall not be construed as attempting to deprive any existing corporation of any corporate power right privilege or franchise which such corporation now enjoys except that such corporation shall not hereafter operate in any manner resulting in pecuniary profit or gain to its members

Section 4 Scope of the Act This act does not relate to does not affect and does not apply to

(1) Cooperative associations whether for profit or not for profit

(2) Beneficial benevolent fraternal and fraternal benefit societies having a lodge system and a representative form of government or transacting any type of insurance whatsoever

(3) Any corporation whatsoever organized for any purpose or purposes involving pecuniary profit to its members or shareholders

(4) Any corporation which by the laws of this Commonwealth is subject to the supervision of the Department of Banking the Insurance Department The Public Service Commission or the Water and Power Resources Board

Section 5 Saving Clause A This act shall not impair or affect any act done offense committed or right accruing accrued or acquired or liability duty obligation penalty judgment or punishment incurred prior to the time this act takes effect but the same may be enjoyed asserted enforced prosecuted or inflicted as fully and to the same extent as if this act had not been passed

B The provisions of all acts or parts of acts which are repealed by this act or are reenacted in this act shall be considered as remaining continuously in force so far as concerns all rights vested and accrued and liabilities duties and obligations incurred under such provisions before the effective date of this act shall be preserved or may be enforced as if this act had not been passed

C The provisions of this act as far as they are the same as those of existing laws shall be contrued as a continuation of such laws and not as new enactments The repeal of any acts by this act shall not affect the corporate existence of any corporation heretofore created Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

Section 6 Fees Any prothonotary or recorder of deeds and any State department board commission or officer shall be entitled to receive for services performed as required by this act such fees as are or may be lawfully charged for those or similar services

Section 7 Jurisdiction of Courts Not Limited This act shall not be deemed to curtail in any manner whatsoever the law or equity jurisdiction of the courts of this Commonwealth

Section 8 Severable Clause The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 9 Construction of References Whenever in this act reference is made to any act by title or otherwise such reference shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

Section 10 Notice of Meetings A Whenever written notice is required to be given to any person under the provisions of this act or by the articles or by-laws of any nonprofit corporation it may be given to such person either by sending a copy thereof through the mail or by telegram charges prepaid to his address appearing on the books of the corporation or supplied by him to the corporation for the purpose of notice If the notice is sent by mail or by telegraph it shall be deemed to have been given to the person entitled thereto when deposited in the United States mail or with a telegraph office for transmission to such person Such notice shall specify the place day and hour of the meeting and in the case of a special meeting the general nature of the business to be transacted

B Whenever any written notice is required to be given under the provisions of this act or the articles or by-laws of any corporation a waiver thereof in writing signed by the person or persons entitled to such notice whether before or after the time stated therein shall be deemed equivalent to the giving of such notice Except in the case of a special meeting neither the business to be transacted at nor the purpose of the meeting need be specified in the waiver of notice of such meeting

C Attendance of a person either in person or by proxy if the by-laws permit voting by proxy at any meeting shall constitute a waiver of notice of such meeting except where a person attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened

Section 11 Effect of Filing or Recording Papers Required to be Filed The filing or recording of the articles or of any other papers or documents pursuant to the provisions of this act is required for the purpose of affording all persons the opportunity of acquiring knowledge of the contents thereof but no person dealing with the corporation shall be charged with constructive notice of the contents of any such articles papers or documents by reason of such filing or recording

ARTICLE II

FORMATION OF NONPROFIT CORPORATIONS

Section 201 Purpose of Incorporation and Qualification of Incorporators Five or more natural persons of full age and of either sex married or single at least three of whom are residents of the Commonwealth and citizens of the United States its territories or possessions may form a nonprofit corporation under the provisions of this act for any purpose or purposes which are lawful and not injurious to the community

Section 202 The Corporate Name A The corporate name may be in any language but must be expressed in English letters or characters The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking or of the Insurance Department and shall not contain the word "bank" "banking" "banker" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "benevolent" "public service" "building and loan" "surety" "security" "guaranty" "guarantee" "co-operative" "State" "Commonwealth" "National" "Federal" or "United States"

B The corporate name shall not be the same as or deceptively similar to

(1) The name of any other domestic corporation or of any foreign corporation authorized to do business in this Commonwealth or the name of any unincorporated body whatsoever voluntarily registered with the Department of State under any Act of Assembly unless such other domestic or foreign corporation or unincorporated body is about to change its name or to cease to do business or is being wound up or such foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other domestic or foreign coropration or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the application to the Department of State for the registration of the name Provided that nothing herein contained shall be construed to refer or apply to any assumed or fictitious name required by law to be filed with the Department of State

(2) The name of any administrative department board or commission or other agency of the Commonwealth

(3) A name the exclusive right to which is at the time reserved by any other corporation whatsoever in the manner provided in this act or any Act of Assembly

C Nothing in this act shall abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principals of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

D The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the Court of Common Pleas of Dauphin County may upon the application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth and the court of common pleas of any county having jurisdiction over the corporation may upon the application of any persons unincorporated association or corporation adversely affected enjoin the corporation from using or continuing to use a name assumed in violation of this section

Section 203 Articles of Incorporation Articles of incorporation shall be signed by each of the incorporators and acknowledged by at least three of them before any officer within or without this Commonwealth authorized to take acknowledgments and shall set forth in the English language

(1) The name of the proposed corporation unless the name is in a foreign language in which case it shall be set forth in English letters or characters

(2) The location and post office address of its initial registered office in this Commonwealth

(3) A precise and accurate statement of the purpose or purposes for which it is to be formed and that it is a corporation which does not contemplate precuniary gain or profit incidental or otherwise to its members

(4) The term for which it is to exist which may be perpetual

(5) The name place of residence and post office address of each of the incorporators

(6) The name and addresses of three or more persons who are to act as directors until the election of their successors and who may be given such titles as may be deemed appropriate but who shall be subject to all of the provisions of this act relating to directors The number of persons so named shall constitute the number of directors of the corporation until changed by the by-laws

(7) A statement whether the corporation is to be organized upon a non-stock basis or a stock share basis and the aggregate number of shares if any which the corporation shall have authority to issue and the par value of each of the shares

(8) The amount of assets classified as to real and personal property which the corporation will have to start its corporate functions If the corporation is authorized to issue shares the amount which has been paid in cash therefor to the treasurer of the intended corporation and the name and residence of the treasurer

(9) Any lawful provisions desired for the regulation of the affairs of the corporation including restrictions upon the power to amend all or part of the articles

The authorized number and qualifications of its members the different classes of membership if any the property voting and other rights and privileges of each class of membership and the liability of each class or all classes to dues or assessments and the method of collection thereof may be set forth either in the articles or in the by-laws

Section 204 Registration of Corporate Name The incorporators shall make application to the Department of State for the registration of the proposed corporate name The application shall set forth the name which the incorporators desire to use and the address of the proposed registered office of the corporation If the Department of State finds that the proposed name is available for corporate use the department shall register the name and shall issue to the incorporators a certificate that the proposed name has been duly registered If the proposed name is not available for corporate use the department shall refuse to register such name and shall forthwith notify the incorporators of this fact Upon application of any party interested either for or against the granting of the proposed charter the department shall include in any certificate issued by it under this section any information desired as to the names registered with the department The Department of State shall keep a properly indexed record of the registrations and cancellations of registrations provided for in this act

Section 205. Articles and Certificate to be Filed with the Prothonotary The articles together with the certificate from the Department of State relating to the registration of the proposed corporate name shall be filed by the incorporators in the office of the prothonotary of the court of commn pleas of the county wherein the registered office of the proposed corporation is to be located The articles and the certificate shall remain on file in the office of the prothonotary at least three days prior to the day the application for a charter will be made to the court as hereinafter provided and shall be open to the inspection of the public during the business hours of such office

Section 206 Advertisement The incorporators shall advertise their intention to apply to the courts for a charter one time in two newspapers published in the English language one of which shall be a newspaper of general circulation and the other the legal newspaper if any designated by the rules of court for the publication of legal notices otherwise in two newspapers of general circulation printed in the county in which the initial registered office of the corporation is to be located Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient Advertisements shall appear at least three days prior to the day fixed for the presentation of the application to the court and shall set forth briefly

(1) The name of the proposed corporation

(2) A statement that the proposed corporation is to be organized under the provisions of this act

(3) The purpose or purposes of the proposed corporation

(4) A statement that the articles of incorporation have been filed in the office of the prothonotary and the time when the application will be made to the court

Section 207 Court to Decree or Refuse Incorporation On the day specified in the advertisement or as soon thereafter as the matter may be heard the incorporators shall present an application for a charter to the court and shall present to the court the articles of incorporation proof of the advertisement required by the preceding section and the certificate of the Department of State pertaining to the registration of the corporate name. The court shall consider the application It may hear evidence if any there be on behalf of the applicants and against the application or it may refer the application to a master to make report as to the propriety of granting application In such case upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them If the court shall find the articles to be in proper form and within the provisions of this act and the purpose or purposes given in the articles to be lawful and not injurious to the community the court shall so certify on the articles and shall order and decree

thereon that the articles are approved and that upon the recording of the articles and the order the corporation shall come into existence for the purpose or purposes and upon the terms stated therein otherwise the court shall refuse the application for a charter

Section 208 Recording of Articles a Condition Precedent to Corporate Existence After the court shall have approved the articles of incorporation as required by the preceding section the prothonotary shall transmit the articles approved by the court to the office of the recorder of deeds of the county where they shall be recorded Upon the recording of the articles the corporate existence shall begin and thenceforth the incorporators their associates and successors shall be a corporation The articles upon being recorded shall constitute the charter of the corporation and shall be returned to the prothonotary who shall retain and file them as part of the records of the court and who shall issue a certified copy thereof to the incorporators or their representative Certified copies of the articles so recorded shall be competent evidence for all purposes in the courts of this Commonwealth No corporation formed under this act shall incur any debts or begin the transaction of any business except such as is incidental to its organization or to the obtaining of subscriptions to membership until its articles have been recorded in the office of the recorder of deeds If the corporation has transacted any business in violation of this section the officers who participated therein and the directors except those who dissented therefrom and caused their dissent to be filed at the time in th proposed registered office of the corporation or who being absent so filed their dissent upon learning of the action shall be severally liable for the debts or liabilities of the corporation arising therefrom

Section 209 Validity and Effectiveness of the Articles The articles of incorporation approved by a judge and recorded by the recorder of deeds shall be conclusive evidence of the fact that the corporation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate a corporation which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed in this act as precedent to incorporation

Section 210 Prothonotary to Make Monthly Report to Department of State The prothonotary of each court of common pleas shall on or before the tenth day of each month report to the Department of State the name the address of the registered office and the date of incorporation of each nonprofit corporation incorporated by the court during the preceding month and for so doing shall receive a fee of one dollar ($1.00) from each corporation which shall be taxed as part of the prothonotary's filing fee The Department of State shall note after the registered name of each corporation the date of its incorporation If any incorporators shall have registered a name with the department and the corporation is not formed within six months from the date of such registration the department shall cancel the registration of such name

Section 211 Special Procedure for Incorporation of Educational Institutions Desiring to Confer Degrees A In the case of the incorporation of a college university or theological seminary as a nonprofit corporation with power to confer degrees in art pure and applied science philosophy literature law medicine and theology or any of them the articles of incorporation shall in addition to the information heretofore required by this article and in conformity with the requirements and limitations contained in the following article set forth

(1) The amount of assets in the possession of the incorporators which are to be devoted to the purpose of establishing and conducting the college university or theological seminary

(2) The minimum number of persons whom it is intended to employ regularly as members of the faculty of the corporation

(3) A brief statement of the requirements for admission to and of the course or courses of study to be pursued in the institution

(4) The information hereinafter required by this article in the case of corporations formed to carry out the directions or purposes of a trust instrument if the corporation is being formed under such circumstances

B When the articles and other papers are presented to the court for approval the court shall examine them If they are found to be in proper form and in conformity with the provisions of this act and shall appear lawful and not injurious to the community the court shall so certify thereon The court shall then direct the prothonotary or clerk of the court to transmit to the Superintendent of Public Instruction the articles The superintendent of Public Instruction shall within sixty days after the receipt of the articles cause the State Council of Education to be convened at such time and place as he may designate Thereupon the council shall consider the articles and shall make such investigations and hold such hearings as it may deem necessary in the premises If the courses of instruction the standards of admission to the institution and the composition of the faculty shall appear to be sufficient and to conform to the requirements hereinafter prescribed in this act for such institutions and if the educational needs of the particular locality in which the institution is to be situated and of the Commonwealth at large are likely to be furthered by the granting of the charter the council shall endorse upon the articles its findings and its approval of the same together with a recommendation to the court before which the articles were originally presented that the application for a charter be granted If in the judgment of the council the application for a charter should not be granted the council shall endorse upon the articles its findings and its disapproval together with a recommendation to the court that the application be refused Thereupon the Superintendent of Public Instruction shall return the articles to the court which in passing finally upon the application shall be guided in its decree by the findings of the council If the court after giving consideration to the approval of the council shall be satisfied with the propriety of the application for a charter in view of all the facts it shall approve the application but if the council has disapproved the application the court shall refuse to approve the application The court in no case shall have power to grant a charter to a college university or theological seminary with power to confer degrees until the application has been approved by the State Council of Education

Section 212 Special Procedure for Incorporation of certain Charitable and Eleemosynary Institutions Whenever articles of incorporation for the incorporation of a nonsectarian hospital or other nonsectarian charitable or eleemosynary institution or society in which indigent persons are treated or are to be treated or maintained are filed with the prothonotary he shall forthwith transmit the articles to the Department of Welfare of the Commonwealth Thereupon the department shall make a thorough investigation as to the need for such a corporation in the community wherein the work if the corporation is to be carried on and within sixty days shall certify upon the articles whether or not the needs of the community wherein the work of the corporation is to be carried on require the incorporation of such hospital institution or society and the reasons for its conclusion The court shall not approve such application unless and until the articles are returned by the department and unless the department shall certify that the incorporation of such hospital charitable or eleemosynary institution or society is required by the needs of the community in which its work is to be carried on The certification of the department as to such necessity shall be conclusive upon the court

Section 213 Corporations for the Execution of Trust Instruments Whenever the terms of a trust instrument shall direct designated trustees to form a nonprofit corporation for the purpose of carrying out the intents and purposes of the trust instrument or whenever the trustees of a trust instrument shall deem it advisable to incorporate to carry out the intents and purposes of the trust instrument the articles of incorporation filed for this purpose shall in addition to the information heretofore required by this article set forth

(1) The general terms and provisions of the trust instrument as the purpose or purposes of the corporation

(2) The nature and value of the trust property

(3) The number of persons who shall constitute the permanent board of directors the qualifications of the directors the length of time for which the directors are authorized to act after election and appointment the mode in which their successors shall be elected or appointed and the manner in which vacancies shall be filled as prescribed by the trust instrument

(4) Such other provisions of an organic nature as may be necessary to carry out the intent of the donor or testator

When the articles are presented to the court they shall have attached thereto a verified copy of each trust instrument relating to the trust for the carrying out of which the nonprofit corporation is being formed

Section 214 Religious Corporations In the case of the incorporation of any church or religious congregation the articles of incorporation may in addition to the information heretofore required by this article contain all or any one of the following

(1) A provision that the church or congregation acknowledges itself to be a member of and to belong to a specific church or religious denomination and that as such it accedes to recognizes and adopts the constitution canons or eccelesiastical laws doctrines discipline and worship of such specified church or religious denomination in the United States and the constitution and canons or ecclesiastiel laws of the diocese or district of such church or religious denomination embracing the whole or a part of the Commonwealth with which the particular church or congregation is or expects to be connected

(2) A provision that the rector or minister chosen by such corporation to take charge of the religious services by it maintained shall during his continuance in the office of rector or minister be exofficio president of the board of directors

(3) A provision that the church or religious denomination is chartered for the further collateral purpose of conducting a public burial ground or cemetery not for profit other than is necessary for the proper maintenance of the burial ground or cemetery

Section 215 Young Men's Christian Associations In the case of the incorporation of a Young Men's Christian Association the articles of incorporation shall in addition to the information heretofore required by this article set forth

(1) The names and addresses of at least six trustees (in addition to the names of the directors) who together with the president of the association shall form a board of trustees having the powers and duties hereinafter expressly prescribed by this act

(2) A statement that the proposed corporation is for the improvement of the spiritual mental social and physical condition of young men by the support and maintenance of lecture rooms libraries reading rooms religious and social meetings gymnasiums and such other means and services as may conduce to the accomplishment of that object according to the general rules and regulations of the State Young Men's Christian Association of Pennsylvania

Section 216 Cemetery and Burial Companies In the case of the incorporation of a cemetery or burial company as a nonprofit corporation the articles of incorporation shall in addition to the information heretofore required by this article contain a provision that a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in the burial ground or cemetery of the company shall be set apart for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property of such company and that such sum shall be invested by the board of directors in investments similar to those constituted as legal investments for trustees under the laws of this Commonwealth and that the income arisng therefrom shall be applied by the board of directors to the above purposes

Section 217 Unincorporated Associations In the case of the incorporation of an unincorporated association society league or club as a nonprofit corporation the articles of incorporation when presented to the court shall in addition to the other papers heretofore required in this article have attached thereto a copy of the constitution and by-laws of the association and an affidavit of at least three of the incorporators stating

(1) That the purpose or purposes set forth in the articles are the same as those of the unincorporated association

(2) That the incorporators constitute a majority of the members of a committee authorized to incorporate such association society league or club by the requisite vote required by the organic law of the association society league or club for the amendment of such organic law

ARTICLE III

CORPORATE POWERS DUTIES AND SAFEGUARDS

Section 301 Corporate Capacity and Authority A nonprofit corporation shall have the capacity to act possessed by natural persons but shall have authority to perform only such acts as are necessary to accomplish the purpose or purposes for which it is organized and which are not repugnant to law

Section 302 General Powers Subject to the limitations and restrictions contained in this act or in its articles every nonprofit corporation shall have power

(1) To continue as a corporation for the time specified in its articles subject to the power of the General Assembly under the Constitution of this Commonwealth

(2) To sue and be sued complain and defend its corporate name

(3) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile thereof to be impressed or affixed or in any manner reproduced

(4) To purchase take receive lease as lessee take by gift devise or bequest or otherwise acquire and to own hold use and otherwise deal with any real or personal property or any interest therein situated in or out of this Commonwealth which may be appropriate to enable it to accomplish fully and properly its corporate purpose or purposes

(5) To sell and convey lease as lessor and otherwise dispose of all or any part of its property and assets

(6) To borrow money for any or all of the purposes for which it is organized to issue its promissory notes bonds or other forms of certificates of indebtedness for the repayment thereof with interest and to secure any of its obligations by mortgage pledge of deed of trust of or on any of its property franchises and income

(7) To elect or appoint and remove officers and agents of the corporation and to define their duties and fix their compensation

(8) To make alter amend and repeal by-laws not inconsistent with its articles or with law for the administration and regulation of its affairs

(9) To enter into any obligation necessary for the transaction of its ordinary affairs

(10) To purchase take by gift devise or bequest or otherwise acquire and to hold shares of stock or bonds securities or evidences of indebtedness issued or created by any other corporation or corporations of this or any other state and while the owner thereof to exercise all the rights powers and privileges of ownership including the right to vote thereon provided however that such ownership of such shares securities or evidences of indebtedness does not result in pecuniary profit or gain to the members of the nonprofit corporation

(11) To have and exercise all of the powers and means necessary or essential to effect the purpose or purposes for which the corporation is organized

(12) To dissolve and wind up

The powers herein enumerated shall not be construed as limiting or enlarging the grant of authority hereinbefore made by this article or as a limitation on the purposes for which a corporation may be organized It shall not be necessary to set forth any of such enumerated powers in the articles of the corporation Except as otherwise provided in this act or in the articles or in the by-laws the powers herein enumerated shall be exercised by the board of directors

Section 303 Defense of Ultra Vires (A) No limitation upon the business purpose or purposes or powers of a nonprofit corporation expressed or implied in its articles or implied by law shall be asserted in order to defend any action at law or in equity between the corporation and a third person or between a member and a third person involving any contract to which the corporation is a party or any right of property or any alleged liability of whatsoever nature but such limitation may be asserted

(1) In an action by a member against the corporation to enjoin the doing of unauthorized acts or the transaction or continuation of unauthorized business If the unauthorized acts or the business sought to be enjoined are being transacted pursuant to any contract to which the corporation is a party the court may if all of the parties to the contract are parties to the suit and if it deems the same to be equitable set aside and enjoin the performance of such contract and in so doing shall allow to the corporation or the other parties as the case may be compensation for the loss or damage sustained by either of them which may result from the action of the court in setting aside and enjoining the performance of such contract but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained

(2) In an action at law or in equity by the corporation whether acting through a receiver trustee or other legal representative or through members in a representative suit against the officers or directors of the corporation for exceeding their authority

(3) In a proceeding by the Commonwealth as authorized by law to dissolve the corporation or in a proceeding by the

Commonwealth to enjoin the corporation from the transaction of unauthorized or unlawful business

(B) No conveyance or transfer by or to a corporation of property real or personal of any kind or description shall be invalid or fail because in making such conveyance or transfer or in acquiring the property real and personal the board of directors or any of the officers of the corporation acting within the scope of the actual or apparent authority given to them by the board of directors have in so doing exceeded any of the corporation's purposes or powers

(C) The provisions of this section shall extend to contracts and conveyances made by foreign corporations in this Commonwealth and to all conveyances by foreign corporations of real property situated in this Commonwealth

Section 304 Membership Certificates and Capital Stock A nonprofit corporation may be organized upon either a non-stock basis or upon a stock share basis as set forth in its articles A nonprofit corporation organized upon a non-stock basis shall not issue shares of stock but membership in such corporation may be evidenced by certificates of membership Upon the face of each such certificate there shall be printed in clear type a statement that the corporation is a nonprofit corporation The shares of nonprofit corporations organized upon a stock share plan shall be of such denominations not exceeding One Hundred Dollars ($100.00) as the articles shall provide and shall be represented by share certificates Upon the face of each share certificate there shall be printed in clear type a statement that the corporation is a nonprofit corporation Unless the articles or by-laws otherwise provide each share shall entitle the holder thereof to one vote No dividends shall be directly paid on any such shares nor shall the shareholders be entitled to any portion of the earnings of such corporation derived through increment of value upon its property or otherwise incidentally made but upon dissolution of any such corporation the shareholders shall be entitled to a proa rata distribution of the assets thereof after the payment of all debts and the liquidation of all liabilities based upon their several holdings therein as represented by the shares standing in the names of such shareholders at the time of dissolution except that no property held subject to any trust shall be diverted from the purpose or object of the trust Such shares shall not be transferable by assignment or sale nor be transferred through legal heirs or devisees upon the death of the owner thereof unless the by-laws of such corporation make express provision therefor Such nonprofit corporation shall have power to exclude from further membership any shareholder who fails to comply with the reasonable and lawful requirements of the laws rules and regulations duly made by such corporation for the government of its members and may cancel the shares of any such offending member without liability for an accounting excepting as may be provided for in the articles or by-laws The provisions of the Uniform Stock Transfer Act of this Comomnwealth approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) shall not be held to apply to the shares of nonprofit corporations in any manner or to be to any extent inconsistent with the provisions of this act

Section 305 Members of Nonprofit Corporations Grouped in Local Units The articles or by-laws of a nonprofit corporation may provide that the members of the corporation and those who thereafter become members shall be grouped in local units formed upon the basis of territorial area or such other basis as may be determined in the articles or by-laws for the purpose of election of delegates or representatives to represent the members of such local units at any annual or special meeting of such corporation The articles or by-laws may provide the territorial limits or other basis from or upon which each local unit is drawn or formed to do all things necessary to insure the representation of the local unit at meetings of the corporation and to provide the basis of representation and number of delegates to which the local unit is entitled but each local unit shall be entitled to at least one delegate and a delegate or delegates representing a local unit shall not have a greater number of votes than the total membership of the local unit The local units designated by the articles or by-laws of any such corporation may be incorporated under the laws of this Commonwealth by the members thereof and shall have power to do all things necessary to give effect to this section

Sction 306 Authority to Take and Hold Trust Property Investments Subject to any limitations or restrictions contained in its articles every nonprofit corporation formed for religious educational scientific or charitable purposes may without limitations as to value take receive and hold such real and personal property including the principal or interest of any money or other fund as may be given granted conveyed bequeathed devised to or otherwise vested in such corporation in trust for the purpose or purposes set forth in its articles Such real and personal property shall be faithfully and specifically used for or applied to the purpose or purposes for which it was given in trust to the corporation. The directors of the corporation shall as trustees of such property be held to the same degree of responsibility and accountability as if not incorporated unless a less degree or a particular degree of responsibility and accountability is prescribed in the trust instrument or unless the directors remain under the control of the members of the corporation who retain the right to direct and to direct the actions of the directors as to the use of the trust property from time to time If the trust instrument by which the donor grantor or testator gave such property to the corporation in trust shall direct that only the income of the property shall be used for the accomplishment of the particular religious educational scientific or charitable purpose the directors of the corporation may unless otherwise specifically directed in the trust instrument invest the property in investments which are designated as legal investments for trust funds under the laws of this Commonwealth and such investments are hereby declared to be legal investments of such trust funds by the directors The directors of the corporation shall keep accurate accounts of all trust funds separate and apart from the other funds of the corporation and shall unless the terms of the particular trust instrument provide otherwise make an annual report signed by the treasurer to the members of the corporation concerning the trust funds held under this section and the use made of such funds and of the income thereof

Section 307 Authority to Acquire Property at a Judicial Sale A nonprofit corporation may at any judicial sale of any property upon which the corporation holds a mortgage or has a lien of any nature whatsoever bid in such property if necessary for the protection of its interests The corporation shall acquire a good and indefeasible title to any and all property so purchased irrespective of any limitation as to the acquisition of property that may exist in its articles or in this act All property so purchased may be held by the corporation until such time as it shall believe it advisable to dispose of the same except that such property shall be sold within twenty years from the time it was purchased at the judicial sale It shall be lawful for the corporation to sell the property upon such terms and for such consideration as it deems desirable The corporation may sell such property and convey a marketable title thereto without the authorization or confirmation of any court

Section 308 Procedure to Borrow Money and to Acquire or Dispose of Real Estate Unless its articles or by-laws provide for the approval of another body a nonprofit corporation shall not borrow money or purchase sell lease away or otherwise dispose of any real estate unless and until a resolution authorizing the same shall have been approved by a majority of the members of the corporation at a regular or special meeting duly convened upon proper notice of this purpose A resolution of the members authorizing the borrowing of money need not specify the particular sums rates of interest or times of maturity of the loans but such itmes may be agreed upon and authorized by the directors of the corporation Every nonprofit corporation may mortgage sell lease away or otherwise dispose of any of its real estate without application to and the authorization or confirmation of any court except in those cases where the Revised Price Act of one thousand nine hundred and seventeen approved the seventh day of June one thousand nine hundred seventeen (Pamphlet Laws three hundred eighty-eight) and its amendments and supplements confers jurisdiction upon the orphans' court or the court of common pleas of a particular county to authorize or confirm the selling leasing conveying upon ground rent or mortgaging of real estate by a corporation All proceeds derived by a nonprofit corporation from any loan sale lease ground rent or mortgage shall be faithfully and specifically used for or applied to the lawful activites of the corporation and in case such proceeds are derived from any real estate subject to a trust the trust shall be impinged upon such proceeds

Section 309 Transaction of Business Any nonprofit corporation the lawful activities of which require the receipt and

payment of money including among other things the charging of admission fees tuition or other school fees and fees for the handiwork of members of the corporation shall have the right and power to receive and collect such moneys to the extent necessary for the accomplishment of the purpose or purposes for which it is organized and in so doing may make an incidental profit All moneys so received or collected by any nonprofit corporation shall be applied to the maintenance and operation or the furtherance of the lawful activities of the corporation and in no case shall such moneys be divided or distributed in any manner whatsoever among the members of the corporation

Section 310 Appointment and Powers of Policemen Any non-profit corporation maintaining any buildings or grounds open to the public or organized for the prevention of cruelty to children and aged persons may apply to any judge of the court of common pleas of the county within which the property of such corporation is situated for the appointment of such persons as the corporation may designate to act as policemen for the corporation The court upon such application may order and decree such persons or as many of them as it may deem proper and necessary to be such policemen Every policeman so appointed shall before entering upon the duties of his office take and subscribe the oath required by the seventh article of the Constitution before the recorder of deeds of the county in which it is intended that such policeman shall act Such oath together with the decree and order of the court shall be recorded by the recorder of deeds of such county Such policemen so appointed shall severally possess and exercise all the powers of constables in this Commonwealth in and upon and in the immediate and adjacent vicinity of the property of the corporation Policemen so appointed for a corporation organized for the prevention of cruelty to aged persons and children shall severally possess and exercise all the powers of constbles in any county in which they may be directed by the corporation to act and are hereby authorized to arrest persons for the commission of any offense of cruelty to children or aged persons The keepers of jails lockups station houses or houses of detention in any county of this Commonwealth shall receive all persons arrested by such policemen for purposes of detention until they are dealt with according to law Every policeman when on duty shall wear a metallic shield with the words "special officer" and the name of the corporation for which appointed inscribed thereon The Compensation of such policemen shall be paid by the corporation for which the policemen are respectively appointed as may be agreed upon between the corporation and such policemen When any corporation shall no longer require the services of any policeman it shall file to that effect under its corporate seal in the office of the recorder of deeds where the court decree and order of appointment of such policeman is recorded The recorder of deeds shall note this information upon the margin of the record where the court decree and order is recorded and thereupon the power of such policeman shall cease and be determined It shall be the duty of the recorder of deeds to notify the clerk of the court by which such policeman was appointed of the termination of such appointment

Section 311 Adoption and Enforcement of Rules and Regulations by Certain Corporations Any nonprofit corporation maintaining buildings or grounds open to the public shall have the power to adopt promulgate and enforce such lawful rules and regulations as shall be needful to maintain peace and order on or in such grounds and buildings and to secure the safety and protection of the property of the corporation Any person violating any of the rules or regulations so adopted or promulgated shall upon conviction thereof in a summary proceeding before a justice of the peace alderman or magistrate be sentenced to pay a fine of not more than Ten Dollars ($10.00) together with the costs of prosecution and in default of the payment of the fine and costs to undergo imprisonment for not more than ten days

Section 312 Requirements of Educational Institutions Desiring to Confer Degrees A No college university or theological seminary shall be incorporated under this act with power to confer degrees in art pure and applied science philosophy literature law medicine and theology or any of them unless it has

(1) A minimum protective endowment of at least Five Hundred Thousand Dollars ($500,000) beyond all indebtedness and assets invested in buildings and apparatus for the exclusive purpose of promoting instruction except that in the case of tax-supported institutions or those maintained by religious or other organizations financial support or contributed services equivalent in value to the endowment herein specified may be substituted for such endowment

(2) A faculty consisting of at least eight regular professors who devote all their time to the instruction of its college or university classes unless the college is devoted to a specific subject in art archaeology literature or science (medical and law schools excepted) in which case the faculty shall consist of at least three regular professors who devote all their time to the instruction in the special branch for which the college is established and two or more instructors or fellows in the particular branch who shall be provided to assist in the instruction to be given the students for the promotion of original investigation and in the development and growth of the special branch of science to which such college may be devoted

B A college university or theological seminary incorporated under this act with the power to confer degrees shall have power to confer baccalaureate degrees in art science philosophy or literature only upon students who have completed a college or university course covering four years The standard of admission to these four-year courses or to advanced classes in these courses shall be not less than four years of academic or high school preparation of its equivalent and shall be subject to the approval of the State Council of Education

C Any educational corporation formed under this act with the power to confer degrees as aforesaid shall be subject to visitation and inspection by representatives of the State Council of Eduçation If any such corporation shall fail to keep up the standards required by this act the court shall upon the recommendation of the State Council of Education revoke the power to confer degrees

Section 313 Vesting of Corporate Property in Trustees to Escape Liability for Debts Any corporation for charitable uses owning any property dedicated to religious or charitable purposes such as churches school houses parsonages hospitals almshouses and the like may for the purpose of protecting such property from liability to debt thereafter contracted on the part of the corporation vest its property in trustees upon trust for the use of congregation or members of the corporation for the time being as places of worship or for the use as school houses or residences for ministers or pastors or for the maintenance of any charity When the trustees shall be so vested by deeds duly recorded the property so conveyed as long as it is used for the purposes above mentioned and is not used for any secular purpose or for a purpose from which profits are derived shall not be liable to any debts contracts or engagements of the corporation thereafter made or entered into but shall be deemed and taken to be freed therefrom in the same manner and with like effect as if the same had been conveyed or devised to the trustees by a stranger in trust for the uses of the corporation but so that the same shall not be liable for their debts contracts or engagements or to their control for any purposes other than for the uses of the same as places of worship or as free schools or schools from which no pecuniary profits are derived or as residences for ministers or pastors or for the maintenance of the charitable purpose for which it was dedicated or intended by the donors or contributors All trustees and officers of corporations having the management of property for charitable uses which is held in trust as aforesaid contracting debts or causing them to be contracted in the improvement of the property by building thereon shall be personally liable for the debts thus contracted unless they shall have notified the persons with whom the contract is made that the property is not liable for the debts contracted in building thereon but there shall be no liability to anyone other than persons with whom such contracts are made by the corporation

Section 314 Exhibition Corporations Granted Power of Eminent Domain A nonprofit corporation formed for the purpose of educating the general public by exhibiting artistic mechanical agricultural and horticultural product sand providing public instruction in the arts and sciences shall in addition to the general powers conferred on nonprofit corporations by this act have the right to enter upon take and occupy such public lands property and easements as may be required from time to time for its corporate purpose The taking of such public lands for the erection and maintenance thereon of buildings or other structures for the public exposition of manufactured articles agricultural products minerals and all articles pertaining to the arts and sciences and providing public instruc-

tion in the arts and sciences by the exercise of eminent domain is hereby declared to be a taking of land for public use Such corporations shall not exercise the right of eminent domain as to any burying ground passenger railroad station-house nor as to any street alley highway wharf landing or other property of any incorporated city town or borough without the consent of its councils first had to such appropriation by ordinance duly passed and approved nor shall such right in any event be exercised as to any tide-water wharf nor as to any part of any other public wharf or river landing which has been heretofore graded and paved by the municipality and if not so graded and paved such wharf or river landing may be appropriated as herein provided any limitation of use thereof by the municipality by donation dedication appropriation statute or otherwise to the contrary notwithstanding In the exercise of the power of eminent domain corporation shall follow the procedure prescribed by law the exercise of such power by corporations

Section 315 Burial and Cemetery Companies Churches with Burial Grounds A Every nonprofit corporation formed for the purpose of conducting or maintaining a public or private cemetery and every religious corporation authorized by its articles to maintain a burial ground shall set aside annually a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in such burial ground or cemetery for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property connected with and forming a part of the burial ground or cemetery

B Every such corporation may take receive hold and administer any grant donation or bequest of property in trust for the embellishment of the burial ground or cemetery or for the erection repair preservation or renewal of any tomb monument gravestone fence railing or other like structure or for the planting and cultivation of threes shrubs flowers or plants in or around any cemetery lot or for improving such premises in any manner or form consistent with the design and purpose of the corporation according to the terms of such grant donation or bequest

C The directors or any such corporation are hereby made trustees of any such funds so received or set aside and neither such funds nor the income derived therefrom shall be used by such trustees for any purpose other than the purpose for which the same were set aside donated bequeathed or otherwise acquired It shall be the duty of the directors of such corporation to investigate such funds in investments which are designated as legal investments for trustees under the laws of this Commonwealth and to use the income derived from such investments for the purpose of caring for preserving and maintaining such burial ground or cemetery or any other purpose which may be specified by the grantor or donor The directors of any such corporation shall cause accurate accounts to be kept of such trust funds separate and apart from the other funds of the corporation and shall make an annual report signed by the treasurer to the members of the corporation and other interested parties concerning the investment of the trust funds and the use made of the income derived from such investments The amount of such funds shown by such report to be in the hands of the directors shall be final and conclusive in favor of and against all parties in interest unless appropriate action is brought in the proper courts of this Commonwealth against the trustees within fifteen days after the regular meeting of the corporation at which such report is submitted The directors of any such corporation shall file annually in the court of quarter sessions of the county where the charter of the corporation was granted a bond with surety or sureties to be approved by such court in the full amount of any funds set aside or held in trust by such directors under authority of Subsections A and B of this section but the first bond filed by the directors covering funds set aside under Subsection A of this section shall be filed one year after the date when the corporation came into existence The court of quarter sessions of such county shall upon petition of any person related by blood or marriage to any person who has donated or bequeathed funds to any such corporation for the care preservation or maintenance of the burial ground or cemetery or to one who has purchased a lot therein for the burial of the dead or of the donors or purchasers themselves shall have the right to compel the directors of the corporation to file any bond herein provided for in the event of the failure of the directors to file the same on or before the first Monday of July of any year

D Any such corporation may permit the burial of the dead within a burial ground or cemetery free of charge or may sell lots in such burial ground or cemetery for the purpose of the burial of the dead at such prices as shall not produce a profit other than is necessary for the proper maintenance of such burial ground or cemetery and convey the same to the purchasers by conveyance duly executed under the seal of the corporation Every nonprofit corporation organized for the purpose of conducting a cemetery or burial ground may transfer the title to lots in such cemetery or burial ground upon the books of the corporation and such transfer shall be as good and valid in law as if a deed was duly acknowledged and recorded in the office for recording deeds in the proper county

Section 316 Registered Office Records A Every nonprofit corporation shall maintain an office in this Commonwealth to be known as its registered office The location and post office address of the registered office shall be stated in the articles as heretofore provided in this act After incorporation the location of the registered office may be changed

(1) From one location to another in the same county by resolution adopted by a majority of all the members including members not entitled by the articles or by-laws to vote On or before the day that such change is made notice of such change and of the post office address of the new registered office shall be filed with and recorded by the recorder of deeds of the county

(2) From one county to another county by amendment of the articles of the corporation in the manner hereinafter prescribed in this act

B Every nonprofit corporation shall keep at its registered office records of the proceedings of the members and of the directors a membership register giving the names of the members in alphabetical order and appropriate and complete records of its finances Every member shall have the right to examine in person or by agent or attorney at any reasonable time or times for any reasonable purpose the books of account the membership register and the records of the proceedings of the members and directors

ARTICLE IV
BY-LAWS

Section 401 Power to Make By-laws Except as hereinafter provided the members of a nonprofit corporation shall have the power to make alter and repeal the by-laws of a non-profit corporation The authority to make such by-laws may be expressly vested by the articles in the board of directors subject to the power of the members to change or repeal the by-laws Unless the articles or by-laws otherwise provide the by-laws shall be adopted altered or repealed by a majority vote of the members of the board of directors or of the members of the corporation entitled to vote thereon as the case may be

Section 402 Persons Bound by By-laws The by-laws of a nonprofit corporation shall operate merely as regulations among the members of the corporation and shall not affect contracts or other dealings with other persons unless such persons have actual knowledge of such by-laws Any form of execution provided in the by-laws to the contrary notwithstanding any note mortgage evidence of indebtedness contract or other instrument of writing or any assignment or endorsement thereof executed or entered into between any corporation and any other person copartnership association or corporation when signed by the president or vice president and secretary or treasurer of such corporation shall be held to have been properly executed for and in behalf of such corporation

Section 403 Contents of By-laws Subject to the provisions of this act the by-laws may contain any provisions for the regulation and management of the affairs of the corporation and may provide penalties for the breach thereof not exceeding Twenty Dollars ($20.00)

ARTICLE V
OFFICERS AND DIRECTORS

Section 501 Board of Directors The business of every nonprofit corporation shall be managed by a board of at least three directors who need not be residents of this Commonwealth or members in the corporation unless the articles or by-laws so require A director shall hold office for the term for which he was named or elected and until his successor is elected

and qualified The names and terms of office of the first directors shall be stated in the articles Except as hereinafter provided in the case of vacancies directors other than those constituting the first board shall be elected by the members A nonprofit corporation may allow compensation to its directors for their services and a director may also be a salaried officer of the corporation

Section 502 Number Qualifications and Election of Directors Subject to the provisions of this act the number qualifications terms of office manner of election the compensation and the powers and duties of the directors the time place and manner of calling giving notice of and conducting directors' meetings and the number of directors which shall constitute a quorum may be prescribed by the articles or by-laws If the by-laws so provide meetings of directors may be held outside of the Commonwealth Except as otherwise provided in the articles or by-laws

(a) A director shall be elected for a term of at least one year

(b) Vacancies in the board of directors shall be filled by the remaining members of the board though less than a quorum and each person so elected shall be a director until his successor is elected by the members who may make such election at the next annual meeting of the members or at any special meeting duly called for that purpose and held prior thereto

(c) The meetings of the board of directors may be held at such place as a majority of the directors may from time to time appoint or as may be designated in the notice calling the meeting

(d) Written notice of every meeting of the board of directors shall be given to each director at least five days prior to the day named for the meting

(e) When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken

(f) A majority of the directors in office shall be necessary to constitute a quorum for the transaction of business and the acts of a majority of the directors present at a meeting at which a quorum is present shall be the acts of the board of directors Provided That if all the directors shall severally or collectively consent in writing to any action to be taken by the corporation such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors

(g) The board of directors may by resolution adopted by a majority of the whole board delegate two or more of its number to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority o fthe board of directors in the management of the business of the corporation

Section 503 Removal of Directors A Unless the articles or by-laws otherwise provide the entire board of directors or any individual director may be removed from office by a majority vote of the members of a nonprofit corporation entitled to vote at any election of directors In case the board or any one or more directors be so removed new directors may be elected at the same meeting Unless the entire board be removed no individual director shall be removed in case the votes of a sufficient number of members are cast against the resolution for his removal which if cumulatively voted at an election of the full board would be sufficient to elect one or more directors

B Unless the articles or by-laws otherwise provide the board of directors may declare vacant the office of a director if he be declared of unsound mind by an order of court or convicted of felony or if within sixty days or such other time as the by-laws specify after notice of his election he does not accept such office either in writing or by attending a meeting of the board of directors and fulfill such other requirements of qualification as the by-laws may specify

C Unless the articles or by-laws otherwise provide the court of common pleas of the county where the registered office of the corporation is located may at the suit of five or more members remove from office any director or directors in case of fraudulent or dishonest acts or gross abuse of authority or discretion with refcrence to the corporation and may bar from reelection any director so removed for a period prescribed by the court The corporation shall be made a party to such actions

Section 504 Officers and Agents Every nonprofit corporation shall have a president a secretary and a treasurer and may have such other officers and assistant officers and agents as the needs of the corporation may require The articles or by-laws may prescribe special qualifications for such officers The officers and assistant officers and agents shall be elected or appointed either by the board of directors or by the members at such time in such manner and for such terms and compensation as the by-laws may prescribe It shall not be necessary for the officers to be directors If the by-laws so provide any two or more offices may be held by the same person except the offices of president and secretary The board of directors may secure the fidelity of any or all of such officers by bond or otherwise Unless otherwise provided in the by-laws the board of directors shall have power to fill any vacancies in any office occurring from whatever reason All officers and agents of the corporation as between themselves and the corporation shall have such authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the by-laws or in the absence of controlling provisions in the by-laws as may be determined by resolution of the board of directors

Section 505 Removal of officers and Agents Any officer or agent may be removed by the board of directors whenever in its judgment the best interests of the corporation will be served thereby but such removal shall be without prejudice to the contract rights of any person so removed

Section 506 Relation of Directors and Officers to Corporation Officers and directors shall be deemed to stand in a fiduciary relation to the corporation and shall discharge the duties of their respective positions in good faith and with that diligence care and skill which ordinary prudent men would exercise under similar circumstances in their personal business affairs

Section 507 Boards of Trustees of Young Men's Christian Associations Every Young Men's Christian Association incorporated under this act shall have in addition to a board of directors six or more trustees who together with the president of the association shall form a board of trustees Each member of the board of trustees shall be a member of one of the protestant evangelical denominations but a majority of such members exclusive of the president of the association shall not be members of any one denomination The number terms of office manner of election time and place of meeting and the powers and duties of the trustees may subject to the provisions of this act be prescribed by the articles or the by-laws Vacancies in the board of trustees shall be filled by a majority vote of the remaining trustees from nominations to be made by the board of directors All real property which shall be given to or acquired by a Young Men's Christian Association and all gifts and bequests of money to be held in trust shall be held by the board of trustees but the real property of the association shall be managed by the board of directors and real property belonging to such associations shall not be conveyed disposed of or mortgaged bv the board of trustees except with the consent of the board of directors The property of the association and all income received therefrom by the board of trustees shall be devoted to the purpose or purposes of the corporation and to no other purpose The income received from such property shall be paid over by the board of trustees to the treasurer of the board of directors so long as the directors expend the income for the purpose or purposes of the association

Section 508 Women may be Directors or Officers Women married or single may serve as directors and officers of nonprofit corporations

Section 509 Liability of Directors and Officers Neither the directors nor officers of a nonprofit corporation shall be personally liable for the debts liabilities or obligations of the corporation

ARTICLE VI

MEMBERS AND MEMBERS' MEETINGS

Section 601 Classes and Qualifications of Membership Membership in all nonprofit corporations shall be of such classes and shall be governed by such rules of admission retention suspension and expulsion as the articles or by-laws shall prescribe except that all such rules shall be reasonable germane to the purpose or purposes of the corporation and equally enforced as to all members of the same class Unless otherwise provided by the articles or by-laws there shall be one class of members

whose voting and other rights and interests shall be equal Where neither the articles nor by-laws provide for members as such or where a nonprofit corporation has in fact no members other than the persons constituting its board of directors the persons for the time being constituting the board shall for all intents and purposes be taken to be the members of the corporation and exercise all the rights and powers of members

Section 602 Membership Fees Assessments Nonprofit corporations may levy dues or assessments or both upon their members if authority to do so is conferred either by the articles or the by-laws and subject to any limitations therein contained Such dues or assessments or both may be imposed upon all classes of members alike or in different amounts or proportions or upon a different basis upon different classes of members Members of one or more classes may be made exempt from either dues or assessments or both in the manner or to the extent provided either in the articles or by-laws The amount of the levy and method of collection of such dues or assessments or both may be fixed in the articles or by-laws or the articles or by-laws may authorize the board of directors to fix the amount thereof from time to time and make them payable at such time and by such methods of collection as the directors may prescribe Such corporations may make by-laws necessary to enforce the collection of such dues or assessments including provisions for the cancellation of membership for nonpayment of such dues or assessments and reinstatement in such corporation upon reasonable notice

Section 603 Meetings of Members A Meetings of members may be held at such place within or without this Commonwealth as may be provided in the by-laws Unless the by-laws provide otherwise all meetings of the members shall be held in this Commonwealth at the registered office of the corporation

B The by-laws may provide for the number and the time of meetings of members but at least one meeting of the members shall be held in each calendar year for the election of directors at such time as shall be provided in the by-laws Failure to hold the annual meeting at the designated time shall not work any forfeiture or dissolution of the corporation If the annual meeting shall not be called and held within six months after the designated time any member may call such meeting

C Special meetings of the members may be called at any time by the president or the board of directors or by such other officers or persons as may be provided in the articles or by-laws At any time upon written request of any person entitled to call a special meeting it shall be the duty of the secretary to call a special meeting of the members to be held at such time as the secretary may fix not less than ten nor more than sixty days after the receipt of the request If the secretary shall neglect or refuse to issue such call the person or persons making the request may do so

D Adjournment or adjournments of any annual or special meeting may be taken but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected

Section 604 Notice of Meetings of Members Written notice of every meeting of the members shall be given by or at the direction of the person authorized to call the meeting to each member of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act in a particular case When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

Section 605 Quorum of Members A members' meeting duly called shall not be organized for the transaction of business unless a quorum is present Unless otherwise provided in the articles or by-laws

(1) The presence in person or by proxy if the by-laws permit voting by proxy of the members entitled to vote shall constitute a quorum

(2) The members present at a duly organized meeting can continue to do business until adjournment notwithstanding the withdrawal of enough members to leave less than a quorum

(3) If a meeting cannot be organized because a quorum has not attended those present may except as otherwise provided in this act adjourn the meeting to such time and place as they may determine but in the case of any meeting called for the election of directors those who attend the second of such adjourned meetings although less than a quorum as fixed in this section or in the articles or by-laws shall nevertheless constitute a quorum for the purpose of electing directors

Section 606 Members' Voting Rights Unless otherwise provided in the articles or by-laws every member of a non-profit corporation shall be entitled to one vote Voting by members shall be only in person unless the by-laws specifically provide for voting by proxy The manner of voting may be by ballot mail or any reasonable means provided in the articles or by-laws In all elections for directors or other officers each member having a right to vote may cast the whole number of his votes for one candidate or distribute them upon two or more candidates as he may prefer No member shall sell his vote or issue a proxy for money or anything of value Upon request of a member the books or records of membership shall be produced at any general or special meeting of the corporation If at any meeting the right of a person to vote is challenged the presiding officer shall require such books or records to be produced as evidence of the right of the person challenged to vote and all persons who appear by such books or records to be members may vote

Section 607 Reduction of Membership Below Stated Number Whenever the membership of a non-profit corporation having a stated number of members shall be reduced below such number by death withdrawal or otherwise the corporation shall not on that account be dissolved but it shall be lawful for the surviving or continuing members to continue the corporate existence unless it is otherwise provided in the articles or by-laws

Section 608 Termination and Transfer of Membership Membership in a nonprofit corporation shall be terminated in the manner provided in the articles or by-laws If the membership in any such corporation is limited to persons who are members in good standing in another corporation or in any lodge church club or society the articles shall in each case define such limitations and may provide that failure on the part of any such member to keep himself in good standing in such other corporation or association shall be sufficient cause for expelling the member from the corporation requiring such eligibility No member shall be expelled from any nonprofit corporation without notice trial and conviction the form of which shall be prescribed by the articles or by-laws Unless the articles or by-laws provide otherwise

(1) The right of a member of a nonprofit corporation to vote and his right title and interest in or to the corporation or its property shall cease on the termination of his membership

(2) No member may transfer his membership or any right arising therefrom

Section 609 Membership Book Every nonprofit corporation shall keep at its registered office a membership book containing the name and address of each member and in any case where membrship has been terminated such fact shall be recorded in the book together with the date on which the membership ceased

Section 610 Liability of Members The members of a nonprofit corporation shall not be personally liable for the debts liabilities or obligations of the corporation

Article VII, Sections 701 to 706, inclusive, were separately read and agreed to as follows:

ARTICLE VII

AMENDMENT OF ARTICLES

Section 701 Amendment of Articles Authorized A nonprofit corporation upon application to the court in the manner hereinafter provided in this article may amend its articles for any or all of the following purposes

(1) To adopt a new name subject to the restrictions heretofore provided in this act

(2) To modify any provision thereof limiting its terms of existence by increasing such term or to remove such provision and provide for perpetual existence

(3) To change the location of its registered office to any other county within the Commonwealth

(4) To change add to or diminish its powers or purposes or to set forth different or additional powers or purposes

(5) To add to remove or otherwise change any other provisions contained in the articles

Section 702 Approval of Amendments by Members Before the application is made to the court a resolution authorizing the proposed amendments shall be adopted by the affirmative vote of at least a majority of the members entitled to vote thereon at a regular or special meeting duly convened after at least ten days written notice to all the members of this purpose If a proposed amendment would make any change in the rights of the members of any class then the members of such class shall be entitled to vote as a class upon such amendment whether by the terms of the articles such class is or is not entitled to vote and in addition to the vote herein required the affirmative vote of at least a majority of the members of each class so affected by the amendment shall be necessary for the adoption thereof Any amendment which might be adopted at a meeting of the members may be adopted without a meeting if written consent to the amendment has been given by all members entitled to vote thereon The resolution shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

Section 703 Articles of Amendment Articles of amendment shall be executed under the seal of the corporation signed and verified by at least two duly authorized officers thereof and shall set forth

(1) The name and location of the registered office of the corporation

(2) The Act of Assembly under which the corporation was formed the date when the court entered the decree of incorporation and the date when and place where the original articles were recorded

(3) The time and place of the meeting of the members of the corporation the kind and period of notice of the meeting given to the members and the total vote by which the resolution authorizing the application to the court was adopted

(4) Every proposed amendment or alteration of or addition to the existing articles Amendments alterations or additions shall be set forth in full

Section 704 Registration of Corporate Name If a proposed amendment to the articles is for the purpose of changing the corporate name the corporation shall make application to the Department of State for the registration of the proposed new corporate name The application shall set forth the name and location of the registered office of the corporation the new name which the corporation desires to use and the address of the registered office of the corporation If the Department of State finds that the proposed name is available for corporate use the department shall register the name and shall issue to the corporation a certificate that the proposed name has been duly registered If the proposed name is not available for corporate use the department shall refuse to register such name and shall forthwith notify the corporation of this fact Upon application of any party interested either for or against the proposed amendment of the articles the department shall include in any certificate issued by it under this section any information desired as to the names registered with the department

Section 705 Articles of Amendment to be Filed with the Prothonotary A copy of the articles and in the case of a proposed change of the corporate name the certificate from the Department of State relating to the registration of the proposed corporate name shall be filed by the corporation in the office of the prothonotary of the court of common pleas of the county wherein the registered office of the corporation is located The articles and the certificate if any shall remain on file in the office of the prothonotary at least three days prior to the day the application for the amendment of the articles will be made to the court as hereinafter provided and shall be open to the inspection of the public during the business hours of such office

Section 706 Advertisement The corporation shall advertise its intention to apply to the court for an amendment of its charter in a manner similar to that heretofore prescribed in this act in the case of the formation of a nonprofit corporation Advertisements shall appear at least three days prior to the day fixed for the presentation of the application to the court and shall set forth briefly

(1) The name and location of the registered office of the corporation

(2) A statement that the application is to be made under the provisions of this act

(3) The nature and character of the proposed amendment

(4) A statement that the articles of amendment have been filed in the office of the prothonotary and the time when the application will be made to the court

Article VII, section 707, was read as follows:

Section 707 Court to Approve or Refuse Amendments On the day specified in the advertisement or as soon thereafter as the matter may be heard the corporation or its representative shall present an application for the amendment of its charter to the court and shall present to the court the articles of amendment a certified copy of the resolution authorizing the proposed amendments proof of the advertisement required by the preceding section and in the case of a proposed change of the corporation name a certificate of registration from the Department of State The court shall consider the application It may hear the evidence on behalf of the applicants and against the application if any there be or it may refer the application of a master to make report as to the propriety of granting the application In such case upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them If the court shall be of the opinion that the amendments are lawful will be beneficial and not injurious to the community and do not conflict with the requirements of this act the court shall so certify on the articles and shall order and decree thereon that the articles are approved and that upon the recording of the articles and the order the amendments specified in the petition shall be a part of the charter However the court shall not approve articles of amendment presented by or on behalf of an educational or nonsectarian charitable corporation unless and until the court shall receive the approval or recommendation of the State Council of Education or the Department of Welfare as the case may be in a manner similar to that prescribed by this act in the case of the formation of such corporations

On the question,

Will the House agree to the section?

Mr. BLUMBERG. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 707, page 73, by inserting between lines 16 and 17 the following: "the court shall not approve articles of amendment pre-".

Amend section 707, page 73, by striking out line 20.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article VII, sections 708 to 710, inclusively, were separately read and agreed to, as follows:

Section 708 Recording of Articles of Amendment After the court shall have approved the articles of amendment as required by the preceding section the prothonotary shall transmit the articles approved by the court to the office of the recorder of deeds of the county where they shall be recorded Upon the recording of the articles the amendment shall become effective The articles upon being recorded shall be returned to the prothonotary who shall retain and file them as part of the records of the court and who shall issue a certified copy thereof to the corporation or its representative Certified copies of the articles so recorded shall be competent evidence for all purposes in the courts of this Commonwealth

Section 709 Prothonotary to Make Monthly Report to Department of State The prothonotary in making the report to the Department of State heretofore required by this act shall include in such report the old and new name and the address of the registered office of every corporation which during the preceding month had its name changed by pro-

ceedings under this article For this service the prothonotary shall receive a fee of One Dollar ($1.00) from each corporation The Department of State shall cancel the registration of the discarded corporate names and shall note after each newly acquired name the date it was acquired by proceedings under this article If any corporation shall have registered a new name with the department and the corporation does not adopt such name by proceedings under this article within six months from the date of such registration the department shall cancel the registration of such name

Section 710 Volunteer Fire Companies Et Cetera Change of Purpose Upon the establishment of a paid fire department by a municipality any incorporated volunteer fire company of any type or designation whatsoever or any incorporated firemen's relief association having its domicil in such municipality and desiring to continue its corporate existence may amend its charter in the manner heretofore provided in this article to substitute for the purpose for which it was incorporated any literary charitable benevolent or social purpose or purposes which are lawful and not injurious to the community and which do not involve pecuniary gain or profit incidental or otherwise for its members At least one month's notice shall be given of the meeting called for the purpose of adopting the new purpose or purposes shall supersede the original object or purpose of the corporation

Articles VIII, IX, X and XI, and the Table of Contents and title were separately read and agreed to as follows:

ARTICLE VIII
MERGER OR CONSOLIDATION

Section 801 Merger or Consolidation Authorized A Two or more domestic nonprofit corporations formed for kindred purposes may upon application to the court in the manner hereinafter provided either be merged into one of such corporations hereinafter designated as the surviving corporation or be consolidated into a new nonprofit corporation Such application shall be made to the court of common pleas of the county in which the registered office of the surviving or new corporation is to be located

Section 802 Approval of Joint Plan of Merger or Consolidation Before the application is made to the court a joint plan of merger or consolidatoin and such other details and provisions as are deemed necessary shall be approved by the affirmative vote of at least a majority of the members of each of the merging or consolidating corporations entitled to vote thereon at a regular or special meeting of each corporation convened after at least ten days written notice to all the members of this purpose If the proposed plan of merger or consolidation would make any change in the rights of the members of any class of a corporation then the members of such class shall be entitled to vote as a class upon such plan whether by the terms of the articles of the corporation such class is or is not entitled to vote and in addition to the vote herein required the affirmative vote of at least a majority of the members of each class so affected by the plan shall be necessary for the adoption thereof The fact of such approval shall be certified on the joint plan by the secretary of each corporation and the plan so adopted and certified shall be signed and acknowledged by two duly authorized officers of each corporation

Section 803 Articles of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the members of the corporations desiring to merge or consolidate articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corporation shall be signed and verified by at least two duly authorized officers of each corporation and shall among other things set forth

(1) The name and location of the registered office of the surviving or new corporation

(2) The time and place of the meeting of the members of each corporation at which the joint plan was adopted the kind and period of notice given to the members and the total vote by which the joint agreement was adopted

(3) Any changes desired to be made in the articles of the surviving corporation in the case of a merger or in the case of a consolidation all of the statements required by this act to be set forth in articles of incorporation in the case of formation of a corporation

(4) The names and addresses of the persons to be directors of the surviving or new corporation until the first regular meeting of its members

(5) The plan of the merger or consolidation

Section 804 Registration of Corporate Name If the name of the surviving corporation in the case of a merger or of the new corporation in the case of a consolidation is to be different from the name of either of the constituent corporasions the constitutent corporations shall make a joint application to the Department of State for the registration of the proposed name The application shall set forth the names and location of the registered offices of the constituent corporations the name which the surviving or new corporation desires to use and the address of the registered office of the surviving or new corporation If the Department of State finds that the proposed name is available for corporate use the Department shall register the name and shall issue to the corporations or their representatives a certificate that the proposed name has been duly registered If the proposed name is not available for corporate use the Department shall refuse to register such name and shall forthwith notify the corporations or their representative of this fact Upon application of any party interested either for or against the proposed merger or consolidation the Department shall include in any certificate issued by it under this section any information desired as to the names registered with the Department

Section 805 Articles of Merger or Consolidation to be Filed with the Prothonotary A copy of the articles of merger or articles of consolidation as the case may be and in the case of a proposed change of the corporate name the certificate from the Department of State relating to the registration of the proposed corporate name shall be filed jointly by the constituent corporations in the office of the prothonotary of the court of common pleas of the county wherein the registered office of the surviving or new corporation is to be located The articles and the certificate is any shall remain on file in the office of the prothonotary at least three days prior to the day the application for merger or consolidation will be made to the court as hereinafter provided and shall be open to the inspection of the public during the business hours of such office

Section 806 Advertisement The constituent corporations shall jointly advertise their intention to apply to the court for permission to merge or consolidate in a manner similar to that heretofore prescribed in this act in the case of the formation of a nonprofit corporation Advertisements shall appear at least three days prior to the day fixed for the presentation of the application to the court and shall set forth briefly

(1) The names and location of the registered offices of the constituent corporations

(2) The name and location of the registered office of the surviving or new corporation

(3) A statement that the merger or consolidation is to be effected under the provisions of this act

(4) A brief summary of the plan of merger or consolidation

(5) A statement that the articles of merger or articles of consolidation as the case may be have been filed in the office of the prothonotary and the time when the application will be made to the court

Section 807 Court to Approve or Refuse Merger or Consolidation On the day specified in the advertisement or as soon thereafter as the matter may be heard the constituent corporations or their representative shall present an application for merger or consolidation of such corporations to the court and shall present to the court the articles of merger or articles of consolidation as the case may be a certified copy of the joint plan of merger or consolidation proof of the advertisement required by the preceding section and in the case of a proposed change of the corporate name a certificate of registration from the Department of State The Court shall consider the application It may hear evidence on behalf of the applicants and against the application if any there be or may refer the application to a master to make report as to the propriety of granting the application In such case upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them If the court shall be of the opinion that the proposed merger or consolidation is lawful will be beneficial and not injurious to the community and does not conflict with the requirements of this act the court shall so certify on the articles and shall order and decree thereon that the articles are approved and that upon the recording of the articles and the order the merger or consolidation shall take effect

However the court shall not approve articles of merger or articles of consolidation presented by or on behalf of an educational or nonsectarian charitable corporation unless and until the court shall receive the approval or recommendation of the State Council of Education or the Department of Welfare as the case may be in a manner similar to that prescribed by this act in the case of the formation of such corporations

Section 808 Recording of Articles of Merger or Consolidation After the court shall have approved the articles of merger or articles of consolidation as required by the preceding section the prothonotary shall transmit the articles approved by the court to the office of the recorder of deeds of the county where they shall be recorded Upon the recording of the articles the merger or consolidation shall become effective The articles upon being recorded shall be returned to the prothonotary who shall retain and file them as part of the records of the court and who shall issue a certified copy thereof to the surviving or new corporation as the case may be or its representative Certified copies of articles so recorded shall be competent evidence for all purposes in the Courts of this Commonwealth

Section 809 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single corporation which in the case of merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of consolidation shall be the new corporation provided for in the plan of consolidation The separate existence of the corporations parties to the plan of merger or consolidation shall cease except that of the surviving corporation in the case of a merger The surviving or new corporation as the case may be shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions for membership and other choses in action belonging to any of them shall be transferred to and vested in such surviving or new corporation as the case may be without further act or deed The surviving or new corporation shall be responsible for all the liabilities and obligations of each of the corporations merged or consolidated but the liabilities of the merging or consolidating corporations or of their members directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or again any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place If in the case of a merger the articles of incorporation shall set forth any matters with respect to which the articles of incorporation shall set forth any matters with respect to which the articles of incorporaion of the surviving corporation are to be amended the articles of incorporation shall be deemed to be amended accordingly upon the recording of the articles of merger and the order of the court In the case of a consolidation the articles of consolidation shall be deemed to be the articles of incorporation of the new corporation Any devise bequest gift or grant contained in any will or other instrument in trust or otherwise made before or after such merger or consolidation to or for any of the constituent corporations shall inure to the surviving or new consolidated corporation as the case may be

Section 810 Prothonotary to make Monthly Report to Department of State The prothonotary of the court in making the report to the Department of State heretofore required by this act shall include in such report the names and registered offices of the constitutent corporations involved in merger or consolidation proceedings consummated during the preceding month and the names of the surviving or new corporations resulting from such proceedings For this service the prothonotary shall receive a fee of One Dollar ($1.00) from the petitioners Where a constituent corporation is merged into a surviving corporation or where the constituent corporations are consolidated into a new corporation the Department of State shall cancel the registration of the names of the non-surviving corporations If any name registered with the department under the provisions of this article is not adopted by proceedings under this article within six months from the date of such registration the department shall cancel the registration of such name

ARTICLE IX

FOREIGN NONPROFIT CORPORATIONS

Section 901 Admission of Foreign Nonprofit Corporations A foreign nonprofit corporation before doing any business in this Commonwealth shall procure a certificate of authority to do so from the Department of State in the manner hereinafter provided in this article unless the entire business operations of the corporation within this Commonwealth are within the protection of the Commerce Clause of the Federal Constitution in which event the corporation may engage in such business operations without procuring a certificate of authority A foreign nonprofit corporation shall not be denied a certificate of authority by reason of the fact that the laws of the state or county governing its organization and internal affairs differ from the laws of this Commonwealth and nothing in this act contained shall be construed to authorize this Commonwealth to regulate the organization or the internal affairs of such corporation

Section 902 Restrictions on Admission of Foreign Nonprofit Corporations The Department of State shall not issue a certificate of authority to any foreign nonprofit corporation

(1) If the application for the certificate of authority hereinafter required by this article to be filed sets forth any kind of business for which a domestic nonprofit corporation could not be formed under the laws of the Commonwealth

(2) If the name of the corporation is the same as or deceptively similar to the name of any domestic corporation or any other foreign corporation authorized to do business in this Commonwealth or the name of any unincorporated body whatsoever voluntarily registered with the Department of State under any Act of Assembly unless such other domestic or foreign corporation or unincorporated body is about to change its name or to cease to do business or is being wound up or such foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other domestic or foreign corporation or foreign corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the application for a certificate of authority hereinafter provided for in this article Provided that nothing herein contained shall be construed to refer or apply to any assumed or fictitious name required by law to be filed with the Department of State

(3) If the name of the corporation contains words not permitted by this act to be part of the name of a domestic nonprofit corporation

(4) If the corporation is a college university theological seminary or other nonprofit corporation which if formed under the provisions of this act would require the approval of the State Council of Education unless the approval of the State Council of Education shall be annexed thereto Whenever the Department of State shall receive an application for a certificate of authority from this type of corporation it shall be the duty of the department to submit the application together with the certified copy of the articles or special law as the case may be to the Superintendent of Public Instruction and thereafter the procedure shall be the same as that heretofore prescribed by this act for th approval or disapproval by the State Council of Education of applications for the incorporation of similar domestic nonprofit corporations except that the documents and the findings of the State Council of Education shall be returned to the Department of State It shall be unlawful for the Department of State to issue a certificate of authority to such a corporation without the approval of the State Council of Education

(5) If the corporation is one which if formed under the provisions of this act would require the approval of the Department of Welfare unless the approval of the Department of Welfare shall be annexed thereto Whenever an application for a certificate of authority is filed with the Department of State by this type of corporation it shall be the duty of the deparment to submit all the documents to the Department of Welfare and thereafter the procedure shall be the same as that heretofore prescribed by this act for th approval or disapproval by the Department of Welfare of applications for the incorporation of similar domestic

nonprofit corporations except that the Department of Welfare shall return the documents of State It shall be unlawful for the Department of State to issue a certificate of authority to such a corporation without the favorable recommendation of the Department of Welfare

Section 903 Advertisement A foreign nonprofit corporation before it may procure a certificate of authority shall advertise its intention to apply for a certificate of authority by publication in a manner similar to that heretofore prescribed in this act in the case of the formation of a domestic nonprofit corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly

(a) The name of the corporation and of the state or country under the laws of which it is formed

(b) The address including street and number if any of its principal office in the state or country under the laws of which it is incorporated

(c) The address including street and number if any of its proposed registered office in this Commonwealth

(d) The character and nature of the business it proposes to do within this Commonwealth

(e) The date when its application for a certificate of authority will be presented to the Department of State

Section 904 Application for a Certificate of Authority The foreign nonprofit corporation or its representative shall deliver to the Department of State a copy of its articles and all amendments thereto duly certified by the proper public officer of the state or country of its incorporation or if the corporation is created by a special law and has no articles a duly certified copy of such law a verified translation of any part of such articles amendments or law which is in a foreign language proof of the advertisement heretofore required by this article and an application for a certificate for a certificate of authority executed under the seal of the corporation and signed and verified by at least two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) The name of the state or country under the laws of which it is formed

(3) The address including street and number if any of its principal office in the state or country under the laws of which it is formed

(4) The address including street and number if any of its proposed registered office in this Commonwealth

(5) A designation of the Secretary of Commonwealth and his successor in office as the true and lawful attorney of the corporation upon whom all lawful process in any action or proceeding against it may be served and that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on the corporation and that the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in this Commonwealth

(6) The character and nature of the business it proposes to do within this Commonwealth

(7) Such further and additional information as the Department of State may from time to time require for the purpose of ascertaining whether or not the applicant corporation is entitled to a certificate of authority

Section 905 Issuance and Recording of Certificate of Authority If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth it shall forthwith but not prior to the day specified in the advertisement heretofore required in this article endorse it approval upon the application for a certificate of authority and when all fees and charges have been paid as required by law shall file the application and the copy of the articles and shall issue to the corportion a certificate of authority to do business in this Commonwealth The certificate of authority shall set forth the name of the corporation the address of its initial registered office in this Commonwealth and the business which the corporation is authorized to transact in this Commonwealth Upon the issuance of the certificate of authority by the Department of State the corporation may do in this Commonwealth any of the business referred to in the certificate of authority and no other subject however to the right of the Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act The certificate of authority shall be returned to the corporation of its representative and such certificate and a verified copy of its articles shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is located The certificate of authority upon being recorded by the recorder of deeds shall be returned to the corporation or its representative

Section 906 Registered Office of Foreign Nonprofit Corporations Every foreign nonprofit corporation required by the provisions of this article to obtain a certificate of authority to do business in this Commonwealth shall have and continuously maintain in this Commonwealth a registered office which may but need not be the same as its place of business in this Commonwealth The address including street and number if any of the initial registered office of each foreign corporation shall be stated in its application for a certificate of authority to do business in this Commonwealth A foreign nonprofit corporation may from time to time change the address of its registered office upon obtaining from the Department of State before such change is made an amended certificate of authority as hereinafter provided in this article

Section 907 Amended Certificate of Authority A After receiving a certificate of authority a foreign nonprofit corporation may subject to the provisions of this act change its name or the address of its registered office in the Commonwealth or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority and proof of the advertisement hereinafter required by this section Such application shall be executed under the seal of the corporation signed and verified by two duly authorizd officers thereof and shall set forth the changes desired by the corporation

B A foreign nonprofit corporation shall before making application to the Department of State advertise its intention to apply for an amended certificate of authority by publication in a manner similar to that prescribed in this act in the case of the formation of a domestic nonprofit corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly

(1) The name of the corporation and of the state or country under the laws of which it is formed

(2) If the application is for permission to do in this Commonwealth other or additional business the character and nature of the business it proposes to do under the amended certificate of authority

(3) If the application is for a change of name the new name under which it proposes to do business

(4) If the application is for change of the registered office of the corporation to another county the address including street and number if any of its then registered office and the address including street and number if any to which the registered office is to be changed

C. If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to an amended certificate of authority it shall forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application and when all fees and charges have been paid as required by law shall file the application and issue to the applicant corporation an amended certificate of authority setting forth the desired changes The amended certificate of authority shall be recorded in the office of the recorder of deeds of the county in which the original certificate of authority was recorded If the address of the registered office of the applicant corporation was changed from one county to another county then the corporation shall have recorded in the office of the recorder of deeds of the county in which its new registered office is situated its original and amended certificates of authority and a verified copy of its articles

Section 908 Amendments to Articles of Foreign Nonprofit Corporations Upon amendment of the articles of any foreign nonprofit corporation authorized by a certificate of authority to transact business in this Commonwealth such corporation shall forthwith file with the Department of State a copy of such amendment duly authenticated by the proper official of the state or country under the laws of which such corporation is organized and shall also file a verified copy thereof in the office of the recorder of deeds of the county in which its registered office is located in this Commonwealth The filing of any such amendment shall not of itself enlarge or alter the

nature or kind of business which such corporation is authorized to transact in this Commonwealth nor authorize such corporation to transact business in this Commonwealth under any other name than the name set forth in its certificate of authority unless such corporation shall apply for and receive an amended certificate of authority as hereinbefore provided in this article

Section 909 Merger of Foreign Nonprofit Corporations Whenever a foreign nonprofit corporation authorized by a certificate of authority to transact business in this Commonwealth shall be a party to a statutory merger permitted by the laws of the state or country under which it is organized and such corporation shall be the surviving corporation it shall forthwith file with the Department of State a copy of the articles of merger duly authenticated by the proper officer of the state or country under the laws of which such statutory merger was effected and shall also file a verified copy thereof in the office of the recorder of deeds of the county in which its rgistered office is located in this Commonwealth It shall not be necessary for such corporation to procure either a new or amended certificate of authority to transact business in this Commonwealth unless the name of such corporation be changed thereby or unless the corporation desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth

Section 910 General Powers of Foreign Nonprofit Corporations A foreign nonprofit corporation which shall have received a certificate of authority under this act so long as such certificate of authority shall not be revoked or cancelled shall enjoy the same but no greater rights and privileges as a domestic nonprofit corporation and except as in this act otherwise provided shall be subject to the same liabilities restrictions duties and penalties now in force or hereafter imposed upon domestic corporations of like character to the same extent as if it had been organized under this act to transact the business set forth in its certificate of authority

Section 911 Revocation of Certificate of Authority Whenever the Department of State shall find that a foreign nonprofit corporation is doing in this Commonwealth a business which a domestic nonprofit corporation could not do or is exceeding the authority contained in its original or amended certificate of authority or has changed its name or the location of its registered office without first securing an amended certificate of authority from the Department of State or has failed to file a copy of its articles or a copy of any amendments thereto or its certificate of authority or any amended certificate of authority in the office of the recorder of deeds of the county in which its registered office is situated or is violating any of the laws of this Commonwealth the Department of State shall give notice by registered mail to such corporation that such default exists and that its certificate of authority including any amendments thereto will be revoked and cancelled unless such default shall be cured within thirty days after the mailing of such notice If such default shall not be cured within such period of thirty days the Department of State shall revoke and cancel the certificate of authority of such foreign corporation including any amendments thereto Upon revoking and cancelling any such certificate of authority the Department of State shall mail to such corporation at its registered office in this Commonwealth a certificate of revocation and shall mail a copy of such certificate to the recorder of deeds of the county in which the registered office of the corporation is situated who shall record the same without any fee therefor Upon the issuance of such certificate of revocation the authority of the corporation to transact business in this Commonwealth shall cease and such corporation shall not thereafter transact any business in this Commonwealth unless it applies for and receives a new certificate of authority

Section 912 Service of Process Service of process against a foreign nonprofit corporation upon the Secretary of the Commonwealth shall be made by the Sheriff of Dauphin County by leaving the fee the plaintiff is required by law to pay for this service and two copies of the process at the office of the Secretary of the Commonwealth The sheriff shall make due return of his service of the process to the court magistrate or justice of the peace issuing the same Such process may be issued by any court magistrate or justice of the peace having jurisdiction of the subject matter of the controversy in any county of the Commonwealth in which the corporation shall have its registered office or in the county in which the right of action arose When legal process against any such corporation has been served upon the Secretary of the Commonwealth he shall immediately send by mail postage prepaid one copy of such process directed to the corporation at its registered address The fee paid by the plaintiff to the Secretary of the Commonwealth at the time of the service shall be taxed in the plaintiff's costs if he prevails in the suit necessitating the service of the process The Secretary of the Commonwealth shall keep a record of the day and hour of the service of such process on him and a certified copy of such record shall be sufficient evidence thereof The service of process on the Secretary of the Commonwealth under this section shall be of the same legal force and validity as if the process had been served on the corporation and the authority for such service of process shall ocntinue in force as long as any liability remains outstanding against the corporation in this Commonwealth Nothing herein contained shall limit or affect the right to serve any process notice or demand required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law

Section 913 Penalty for Doing Business Without Certificate of Authority Any person agent officer or employe of a foreign nonprofit corporation who shall transact any business within this Commonwealth for any such foreign nonprofit corporation without first obtaining a certificate of authority as provided in this article shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment not exceeding thirty days and by a fine not exceeding One Thousand Dollars ($1,000.00 or either in the discretion of the court trying the same but the failure of any such corporation to apply for and secure a certificate of authority from the Department of State shall not impair or affect the validity of any contract with such corporation and actions or proceedings at law or in equity may be instituted and maintained on any such contract No such action however shall be instituted or recovery had by any such corporation on any such contract either expressed or implied in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof until such corporation shall obtain a certificate of authority and shall pay to the Department of State a fine of Two Hundred Fifty Dollars ($250.00)

Section 914 Acquisition of Real Property Every foreign nonprofit corporation authorized to transact business within this Commonwealth may acquire hold mortgage lease and transfer real property in this Commonwealth in the same manner and subject to the same limitations as nonprofit corporations formed under the laws of this Commonwealth Every such corporation may purchase in its corporate name at any sheriff's or other judicial sale any real estate within this Commonwealth upon which such corporation may have or hold a judgment or lien and may at its pleasure sell and convey such real estate All the rights privileges and duties now by law accorded to and imposed upon lien creditors purchasing at judicial sales are hereby extended to such corporations

Section 915 Surrender of Certificate of Authority A Any foreign nonprofit corporation may withdraw from doing business in this Commonwealth and surrender its certificate of authority by filing with the Department of State an application for a certificate of withdrawal executed under the seal of the corporation and signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) The state or country of its incorporation

(3) The date on which it received a certificate of authority to do business in the Commonwealth

(4) A statement that it revokes its designation of the Seretary of the Commonwealth as the person on whom process against it may be served in this Commonwealth

(5) A statement that it surrenders its certificate of authority to do business in this Commonwealth

(6) A statement that it consents that process against it in an action or proceeding upon any liability or obligation incurred within this Commonwealth before the issuance of the certificate of withdrawal may be served upon the Secretary of the Commonwealth after the filing of such certificate

(7) A post office address to which the Secretary of the Commonwealth may mail a copy of any process against it that may be served upon him

B A foreign nonprofit corporation shall before making application for a certificate of withdrawal advertise its intention to withdraw from doing business in this Commonwealth in a manner similar to that hereinafter required by

this act in the case of the voluntary dissolution of a domestic nonprofit corporation

C Upon the Filing of such application proof of the advertisement heretofore required by this section and the return for cancellation of the corporation's certificate of authority or the filing of proof that it has been lost or destroyed the Department of State after all fees and charges have been paid as require dby law shall cancel the certificate of authority if any and shall issue in duplicate a certificate of withdrawal The Department of State shall return one of such certificates of withdrawal to the corporation or its representatives and shall send the other to the recorder of deeds of the county in which the registered office of the corporation in the Commonwealth is situated who shall record the same without fee therefor Upon the issuance of the certificate of withdrawal the authority of the corporation to do business within this Commonwealth shall cease and determine and no such corporation doing business in this Commonwealth after the issuance of such certificate shall maintain any action in this Commonwealth upo nany contract made by it in this Commonwealth subsequent to the issuance of such certificate of withdrawal The issuance of such certificate shall not however affect any action pending at the time thereof or affect any right of action upon any contract made by such corporation in the Commonwealth before the issuance of the certificate Process against the corporation in an action upon any liability or obligation incurred within this Commonwealth before the issuance of such certificate may be served thereafter upon the Secretary of the Commonwealth

ARTICLE X

DISSOLUTION AND WINDING UP

Section 1001 Voluntary Dissolution A Any nonprofit corporation may upon application to the equity side of the court of Common pleas of the county in which its registered office is located or in which its principal activities are conducted be dissolved and wind up its affairs Before the application is made to the court a resolution authorizing the institution of voluntary proceedings for the dissolution of the corporation shall be approved by a majority vote or such other vote as the articles may require of each class of members of the corporation at a regular or special meeting convened after proper notice of this purpose to all members

B Application to the court shall be made by a petition of the corporation signed and verified by at least two duly authorized officers thereof The petition shall be under the seal of the corporation and shall among other things set forth

(1) The name and location of the registered office of the corporation

(2) The Act of Assembly under which the corporation was formed the date when the court entered the decree of incorporation and the date when and the place where the original articles were recorded

(3) The time and place of the meeting of the members of the corporation at which the resolution authorizing the dissolution proceeding was adopted the kind and period of notice of the meeting given to the members and the total vote by which the resolution was adopted

(4) An inventory of all the real and personal property of the corporation which shall show separately any real or personal property held in trust by the corporation

(5) A statement of all liens and encumbrances upon the corporate property and all outstanding claims of the corporation

(6) The names and addresses of all the existing members of the corporation to the extent this information is known and their respective rights if any to share in the corporate assets in excess of the debts and obligations of the corporation

The petition shall in all cases be accompanied by a certified copy of the charter of the corporation the resolution authorizing the institution of the dissolution proceedings and any trust instrument relating to any real or personal property of the corporation Upon the presentation of the petition to the court the proceedings for dissolution shall be deemed to commence and thereafter the corporation shall cease to transact any business whatsoever except insofar as may be necessary for the winding up of the affairs of the corporation

C Upon the presentation of the petition of the court shall enter a preliminary decree appointing a day for the hearing of the petition and directing all persons interested in the corporation at that time to show cause if any they have why the corporation should not be dissolved The petitioners shall advertise the contents of the decree once a week for two consecutive weeks in the county wherein the registered office of the corporation is located and also in the county where the principal activities of the corporation are conducted if the petition for dissolution is filed in such county Advertisements shall appear in a newspaper of general circulation published within the county and in the legal newspaper if any designated by the rules of court for the publication of legal notices otherwise in two newspapers of general circulation published within the county Where there is but one newspaper of general circulation published in any county advertisements in such newspapers shall be sufficient On the day fixed in the decree or as soon thereafter as the matter may be heard proof of the advertisements heretofore required shall be presented to the court whereupon the court shall consider the petition If the court shall be satisfied that the prayer of the petition may be granted without prejudice to the public welfare or the interests of the members of the corporation the court shall decree that the petition is approved and that upon the recording of the petition and decree the corporation shall be dissolved Before entering the final decree of dissolution the court shall cause the assets of the corporation to be marshaled and the property rights to be adjudicated either by proceedlnsg before the court or before a master appointed by its provided that property devoted to religious literary educational or charitable uses shall not be diverted from the objects for which it was donated granted bequeathed or devised In entering the final decree the court shall order the distribution of the property and assets of the corporation among the members entitled thereto shall direct what disposition shall be made of any real or personal property devoted to any religious literary educational or charitable use and shall designate the directors of the corporation or having proper cause a liquidating trustee to wind up the affairs of the corporation according to the decree of the court Upon the recording of the petition and decree of the court in a manner similar to that heretofore specified in this act in the case of the formation of a corporation the dissolution of the corporation shall become effective and thereafter the corporation shall become effective and thereafter by the court shall wind up the affairs of the corporation in accordance with the decree

D The prothonotary in making the monthly report to the Department of State heretofore required by this act shall include in such report the name and the location of the registered office of every corporation which during the preceding month was dissolved by proceedings under this section For this service the prothonotary shall receive a fee of One Dollar ($1.00) from each corporation The Department of State shall cancel the registration of the name of the corporation and shall note after the name the date the corporation was dissolved

Section 1002 Dissolution of Certain Religious Corporations Whenever any nonprofit corporation organized for the support of public worship by reason of the shifting of population withdrawal of membership or any other cause whatsoever has ceased to support public worship within the intent and meaning of its articles the diocesan convention presbytery synod conference council or other supervising and controlling organization of which the corporation is a member or with which it is in allegiance and to which it is subordinate may petition the equity side of the court of common pleas of the county in which the registered office of the corporation is located setting forth the facts of the case and praying for a decree of dissolution The petition shall be under the seal of the organization signed and verified by at least two duly authorized officers thereof and shall set forth the information heretofore required to be set forth in a petition for the voluntary dissolution of a corporation to the extent that such information is applicable The court shall after notice and hearing as heretofore provided in this article enter a decree of dissolution if satisfied that the prayer of the petition may be granted without prejudice to the public welfare or the interests of the members of the corporation Upon the recording of the petition and decree of the court as heretofore provided in this article the dissolution of the corporation shall become effective

Section 1003 Disposal of Real Estate of Dissolved Religious Corporations In entering a final decree of dissolution of a

corporation organized for the support of public worship the court shall by its decree provide for the disposition of the real estate of the corporation either by

(1) Vesting title thereto in such other corporation as may by its articles be organized for the purpose of holding title to the real estate held for public worship according to the formularies of the church to which the dissolved corporation was in allegiance or

(2) Authorizing the sale thereof by a master or trustee appointed for that purpose and the vesting of the proceeds upon the confirmation of such sale in such body as may be directed by the court to be held in trust for carrying out the intent and purpose of public worship or

(3) Vesting the title thereto in any incorporated or unincorporated body designated by the petitioners to the same uses and trusts as the same was theretofore held by the dissolved corporation

Any sale of real estate decreed by the court under this section shall vest in the purchaser thereof a title in fee simple discharged of any trust under which the property was theretofore held and the trust shall be impinged upon the proceeds of the sale in the hands of the holder thereof

Section 1004 Continuation of Corporation After Dissolution All nonprofit corporations whether they expire by their own limitations or are otherwise dissolved shall nevertheless continue to exist for a period of two years after the date of dissolution for the purpose of winding up their affairs prosecuting and defending actions by or against them collecting and discharging obligations disposing of and conveying their property and collecting and dividing their assets but not for the purpose of continuing business except in so far as necessary for the winding up of the corporation No action or proceeding to which a corporation is a party shall abate by the dissolution of the corporation

ARTICLE XI

EFFECTIVE DATE AND REPEALER

Section 1001 Effective Date This act shall become effective third ..... day of July one thousand nine hundred thirty-three .....

Section 1002 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed as particularly set forth .....

The act approved the sixth day of April one thousand seven hundred ninety-one (Three Smith's Laws twenty) entitled "An act to confer on certain associations of the citizens of this Commonwealth the powers and immunities of corporations or bodies politic in law" absolutely

The act approved the twenty-eighth day of March one thousand eight hundred twenty (Pamphlet Laws one hundred sixty-nine) entitled "An act to regulate proxies" in so far as it relates to nonprofit corporations

The act approved the thirty-first day of March one thousand eight hundred twenty-one (Pamphlet Laws one hundred eighty) entitled "A Supplement to an act entitled 'An act to regulate proxies'" absolutely

The act approved the sixth day of February one thousand eight hundred thirty (Pamphlet Laws forty-two) entitled "A supplement to an act entitled 'An act to incorporate the owners and occupiers of the Wicacoa and Moyamensing meadows in the county of Philadelphia for the sole purpose of keeping the banks dams sluices and flood-gates in repair and to raise a fund to defray the expenses thereof' passed twelfth April eighteen hundred and twenty-eight and for other purposes" in so far as it relates to nonprofit corporations

Section two of the act aproved the thirtieth day of April one thousand eight hundred forty-four (Pamphlet Laws five hundred thirty-two) entitled "A further supplement to the act entitled 'An act erecting a new county out of the northern part of Luzerne County to be called Wyoming' and for other purposes" in so far as it relates to nonprofit corporations

The act approved the twentieth day of Febraury one thousand eight hundred fifty-four (Pamphlet Laws ninety) (Number fifty-three) entitled "An act authorizing Courts of Common pleas to incorporate Scientific Agricultural and other Associations" absolutely

Sections four five eight nine and twelve of the act approved the twenty-sixth day of April one thousand eight hundred fifty-five (Pamphlet Laws three hundred twenty-eight) entitled "An act relating to Corporations and to Estates held for Corporate Religious and Charitable uses" in so far as it relates to nonprofit corporations

The act approved the third day of May one thousand eight hundred fifty-five (Pamphlet Laws four hundred twenty-three) (Number four hundred forty-eight) entitled "An act relating to Corporations" in so far as it relates to nonprofit corporations

The act approved the ninth day of April one thousand eight hundred fifty-six (Pamphlet Laws two hundred ninety-three) (Number three hundred eight) entitled "Supplement to the acts relating to incorporations by the Courts of Common Pleas" in so far as it relates to nonprofit corporations

The act approved the thirty-first day of March one thousand eight hundred sixty-eight (Pamphlet Laws fifty) entitled "An act to authorize incorporated companies to invest and re-invest surplus funds in mortgages stocks and other securities and fixing the time for holding elections for directors" in so far as it relates to nonprofit corporations

The act approved the fifteenth day of April one thousand eight hundred sixty-nine (Pamphlet Laws twenty-nine) entitled "An act requiring a majority of the directors or managers of corporations to constitute a quorum" in so far as it relates to nonprofit corporations

The act approved the fourth day of April one thousand eight hundred seventy-two (Pamphlet Laws forty) entitled "An act supplemental to an act entitled 'A supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" in so far as it relates to nonprofit corporations

The act approved the ninth day of April one thousand eight hundred seventy-three (Pamphlet Laws sixty-seven) (Number forty-five) entitled "An act for the further protection of cemeteries in the State of Pennsylvania'" in so far as it relates to nonprofit corporations

With the exception of section forty-one the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" and its amendments in so far as it relates to nonprofit corporations

The act approved the fourteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws one hundred sixty-five) entitled "An act to permit cemetery companies not organized for the purpose of corporate profit to take and hold any grant donation or bequest of property for the uses herein mentioned" absolutely

The act approved the twenty-third day of March one thousand eight hundred seventy-six (Pamphlet Laws nine) entitled "An act empowering camp meeting associations to employ a police force" in so far as it relates to nonprofit corporations

The act approved the seventeenth day of April one thousand eight hundred seventy-six (Pamphlet Laws thirty) entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations" in so far as it relates to nonprofit corporations

The act approved the twenty-fifth day of April one thousand eight hundred seventy-six (Pamphlet Laws forty-seven) (Number thirty-six) entitled "An act supplementary to the act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini eighteen hundred and seventy-four extending its provisions to all who may have the right to vote at elections for directors managers or trustees" in so far as it relates to non profit corporations

The act approved the eighth day of May one thousand eight hundred seventy-six (Pamphlet Laws one hundred forty-three) (Number one hundred sixteen) entitled "An act to enable hospitals schools and charitable institutions generally to purchase receive take and hold ground rents for investments" absolutely

The act approved the seventeenth day of April one thousand eight hundred seventy-eight (Pamphlet Laws twenty-one) entitled "An act to extend to park glen and pic-nic asssociations the rights and privileges conferred upon camp meeting associations by an act entitled 'An act empowering camp meeting associations to employ a police force' approved March twenty-third eighteen hundred and seventy-six" in so far as it relates to nonprofit corporations

The act approved the seventeenth day of April one thousand eight hundred seventy-eight (Pamphlet Laws twenty-two) entitled "An act to authorize exhibition companies to mortgage their real and personal property and franchises" absolutely

The act approved the twenty-second day of May one thousand eight hundred seventy-eight (Pamphlet Laws ninety-six) (Number one hundred twenty-nine) entitled "An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold" in so far as it relates to nonprofit corporations

The act approved the twenty-fifth day of May one thousand eight hundred seventy-eight (Pamphlet Laws one hundred fifty-two) (Number one hundred ninety-three entitled "An act to authorize certain corporations for charitable purposes to receive or bind out upon indenture children committed to their charge whose maintenance is unprovided for by their parents or guardians" absolutely

The act approved the ninth day of April one thousand eight hundred seventy-nine (Pamphlet Laws sixteen (Number thirteen) entitled "An act to remove the disability of disqualification of married women for acting as corporators or officers of any association incorporated heretofore or that may be hereafter incorporated for purposes of learning benevolence chairty or religion" absolutely

The act approved the thirteenth day of May one thousand eight hundred seventy-nine (Pamphlet Laws sixty) (Number sixty-one) entitled "An act to enable hospitals schools charitable literary and religious institutions generally to purchase real estate sold by the sheriff" absolutely

The act approved the tenth day of June one thousand eight hundred eighty-one (Pamphlet Laws one hundred one) entitled "An act relative to the appointment of police for corporations organized under the laws of this commonwealth for the preservation and propagation of fish" absolutely

The act approved the twenty-sixth day of April one thousand eight hundred eighty-three (Pamphlet Laws fourteen) (Number thirteen) entitled "An act for the protection of agricultural and horticultural societies in so far as it relates to nonprofit corporations

The act approved the twenty-second day of May one thousand eight hundred eighty-three (Pamphlet Laws forty-one) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-second day of May Anno Domini eighteen hundred and seventy-eight" in so far as it relates to nonprofit corporations

The act approved the twenty-fifth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred sixty-seven) entitled "An act empowering the Governor of this Commonwealth to appoint special officers or policemen for incorporated or unincorporated associations heretofore or hereafter organized for any charitable purposes" in so far as it relates to nonprofit corporations

The act approved the twenty-fifth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred seventy-seven) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four regulating the method of the choice of directors in certain corporations of the first class" absolutely

The act approved the twenty-fifth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred seventy-eight) entitled "An act to amend an act entitled 'An act to enable the officers of dissolved corporations to convey eral estate held by such corporations' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders" in so far as it relates to nonprofit corporations

The act approved the twenty-third day of May one thousand eight hundred eighty-seven (Pamphlet Laws one hundred sixty-five) (Number ninety-three) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements regulating the method of the choice of directors in certain corporations of the first class" absolutely

The act approved the twenty-third day of May one thousand eight hundred eighty-seven (Pamphlet Laws one hundred seventy-six) entitled "An act to authorize certain corporations incorporated and existing under the laws of any other State of the United States to purchase certain real estate at judicial sales and to hold and convey the same under certain conditions" in so far as it relates to nonprofit corporations

The act approved the twenty-fifth day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred sixty-five) (Number one hundred fifty-one) entitled "A further supplement to "the corporation act of one thousand eight hundred and seventy-four' authorizing the formation of associations for the prevention of cruelty to children and aged persons" absolutely

The act approved the twenty-sixth day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred seventy-four) (Number one hundred sixty) entitled "A supplement to an act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-second day of May Anno Domini one thousand eight hundred and eighty-three" in so far as it relates to nonprofit corporations

The act approved the fourteenth day of June one thousand eight hundred eighty-seven (Pamphlet Laws three hundred eighty-three) entitled "An act to provide for the incorporation and regulation of companies not for profit organized for the encouragement of the arts and sciences and of agriculture and horticulture and to confer upon such companies the right to eminent domain" absolutely

The act approved the twenty-second day of April one thousand eight hundred eighty-nine (Pamphlet Laws forty-two) (Number forty) entitled "A supplement to 'An act relating to corporations and to estates held for corporate religious and charitable uses' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and fifty-five increasing the limit of real and personal estates which may be held by such corporations" in so far as it relates to nonprofit corporations

The act approved the ninth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred sixty-three) entitled "An act providing for the incorporation and regulation of Young Men's Christian Associations" absolutely

The act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-seven) entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' amending the thirteenth section thereof" in so far as it relates to nonprofit corporations

The act approved the fifteenth day of April one thousand eight hundred ninety-one (Pamphlet Laws fifteen) entitled "An act to amend an act entitled 'An act to amend an act entitled "An ac to enable the officers of dissolved corporations to convey real estate held by such corporations' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders" approved the twenty-fifth day of June one thousand eight hundred and eighty-five' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders or their legal representatives whenever requested so to do" in so far as it relates to nonprofit corporations

The act approved the fourteenth day of May one thousand eight hundred ninety-one (Pamphlet Laws sixty-one) entitled "An act to amend the fifth section of an act entitled 'An act to provide for the incorporation and regulation of certain officers receiving salaries to be directors and receive compensations"in so far as it relates to nonprofit corporations

The act approved the sixteenth day of May one thousand eight hundred ninety-one (Pamphlet Laws eighty-eight) entitled "An act to authorize burial or cemetery companies to accept trusts in certain cases" in so far as it relates to nonprofit corporations

The act approved the twentieth day of May one thousand eight hundred ninety-one (Pamphlet Laws one hundred one) (Number seventy-seven) entitled "An act authorizing salaried officers of private or business corporations to concurrently serve as directors therein" in so far as it relates to nonprofit corporations

The act approved the eighth day of June one thousand eight hundred ninety-one (Pamphlet Laws two hundred eleven) entitled "An act relating to real estate given or devised to corporations to be used for religious or charitable purposes" in so far as it relates to nonprofit corporations

The act approved the tenth day of April one thousand eight hundred ninety-three (Pamphlet Laws fourteen) entitled "An act to enable eleemosynary corporations to secure their property from liability to be wasted or incumbered by managers or beneficiaries of the estate" absolutely

The act approved the eighteenth day of May one thousand eight hundred ninety-three (Pamphlet Laws eighty-eight) entitled "An act to revive and continue in force provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and eighty seven" absolutely

The act approved the sixth day of June one thousand eight hundred nintey-three (Pamphlet Laws three hundred twenty-four) (Number two hundred sixty) entitled "An act relating to corporations organized for religious educational literary scientific or charitable purposes" asboslutely

The act approved the eighth day of June one thousand eight hundred ninety-three (Pamphlet Laws three hundred fifty-five) entitled "An act to regulate the change of location of the principal office the place of annual and other meetings of stockholders and the time of such annual meetings of corporations of this Commonwealth" in so far as it relates to nonprofit corporations

The act approved the tenth day of June one thousand eight hundred ninety-three (Pamphlet Laws four hundred thirty-five) entitled "An act amending an act entitled 'A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" providing for further regulation of such corporations and for the incorporation and regulation of certain additional corporations' approved April seventeenth one thousand eight hundred and seventy-six authorizing the incorporation of drainage companies" in so far as it relates to nonprofit corporations

The act approved the twenty-fifth day of June one thousand eight hundred ninety-five (Pamphlet Laws three hundred ten) entitled "A further supplement to 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four" absolutely

The act approved the twenty-fifth day of June one thousand eight hundred ninety-five (Pamphlet Laws three hundred thirteen) entitled "An act to amend the second section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four providing for the incorporation and maintenance of societies for the improvement of streets and public places" absolutely

The act approved the twenty-sixth day of June one thousand eight hundred ninety-five (Pamphlet Laws three hundred twenty-seven) entitled "An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which instiutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources" absolutely

The act approved the twentieth day of April one thousand eight hundred ninety-seven (Pamphlet Laws twenty-eight) (Number twenty-three) entitled "An act to revive and continue in force provisions of an act entitled 'An act to extend the time which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the eighteenth day of May Anno Domini one thousand eight hundred and ninety-three' absolutely

The act approved the fifteenth day of July one thousand eight hundred ninety-seven (Pamphlet Laws two hundred eighty-three) entitled "An act to amend the second section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four providing for the incorporation of associations for receiving and holding property real and personal of and for unincorporated religious benevolent charitable educational and missionary societies and associations and executing trusts thereof" absolutely

The act approved the second day of May one thousand eight hundred ninety-nine (Pamphlet Laws one hundred sixty) entitled "An act to validate changes heretofore made in the names of certain corporations not conducted for profit and to provide a method of making such changes hereafter" in so far as it relates to nonprofit corporations

The act approved the ninth day of February one thousand nine hundred one (Pamphlet Laws three) entitled "An act to provide for increasing the capital stock and indebtedness of corporations" in so far as it relates to nonprofit corporations

The act approved the nineteenth day of April one thousand nine hundred one (Pamphlet Laws eighty) (Number fifty-one) entitled "An act to regulate the number of directors in corporations chartered under the laws of this Commonwealth" in so far as it relates to nonprofit corporations

The act approved the nineteenth day of June one thousand nine hundred one (Pamphlet Laws five hundred seventy-four) (Number two hundred eighty-one) entitled "An act authorizing the transfer upon the books of the corporation of lots in cemeteries owned by the corporations of the first class" absolutely

The act approved the twenty-fifth day of June one thousand nine hundred one (Pamphlet Laws five hundred ninety-nine) entitled "An act amending section three of 'An act to provide for the incorporation and regulation of companies not for profit organized for the encouragement of the arts and sciences and of agriculture and horticulture and to confer on such companies the right of eminent domain' approved the fourteenth day of June one thousand eight hundred and eighty-seven enabling said corporations to increase their bonded indebtedness from two hundred thousand dollars to five hundred thousand dollars" absolutely

The act approved the fifteenth day of April one thousand nine hundred three (Pamphlet Laws two hundred) (Number one hundred forty-five) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twentieth day of April Anno Domini one thousand eight hundred and ninety-seven" in so far as it relates to nonprofit corporations

The act approved the sixteenth day of March one thousand nine hundred five (Pamphlet Laws forty-two) (Number twenty-five) entitled "An act supplementary to an act entitled 'An act to confer upon the several courts of common pleas of this Commonwealth jurisdiction of a court of equity in all cases of dower and partition and prescribing the method of procedure' approved July seventh Anno Domini one thousand eight hundred and eighty-five" in so far as it relates to nonprofit corporations

The act approved the twenty-second day of April one thousand nine hundred five (Pamphlet Laws two hundred eighty) entitled "An act to amend section one of the act entitled 'An act to provide for increasing the capital stock and indebtedness of corporations' approved the ninth day of February Anno Domini one thousand nine hundred and one authorizing corporations to increase their capital stock and indebtedness and secure the payment of principal and interest of their indebtedness" in so far as it relates to nonprofit corporations

The act approved the first day of May one thousand nine hundred seven (Pamphlet Laws one hundred forty) (Number one hundred eleven) entitled "An act to provide for the division of charitable corporations having more than one place where their operations are carried on and of their property and providing for the performance of public duties of such corporations" absolutely

The act approved the twenty-eighth day of May one thousand nine hundred seven (Pamphlet Laws three hundred) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations'

approved April twenty-ninth Anno Domini eighteen hundred and seventy-four providing for the incorporation of trustees appointed or to be appointed under the terms of any will deed grant or gift creating a trust or trust for the benefit of the people of any incorporated city of this Commonwealth for the advancement of learning science music and art or any one or more of said purposes in which representatives of said city may have part in the management" absolutely

The act approved the eighteenth day of March one thousand nine hundred nine (Pamphlet Laws forty-one) entitled "An act to better provide for perpetual care and preservation of burial grounds or cemeteries within this Commonwealth" in so far as it relates to nonprofit corporations

The act approved the twenty-seventh day of April one thousand nine hundred nine (Pamphlet Laws two hundred six) entitled "An act to amend section six of an act entitled 'An act to provide for the incorporation of institutions, of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources' so as to empower colleges devoted to a specific subject in art archaeology literature or science (medical and law schools excepted) to work with a faculty of but three regular professors and two instructors or fellows without prejudice to their right to confer degrees" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred eleven (Pamphlet Laws eighty-two) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anna Domini eighteen hundred and seventy-four providing for the incorporation of trustees appointed or to be appointed under the terms of any will deed grant or gift creating a trust or trusts for the benefit of the people of any incorporated city of this Commonwealth for the advancement of learning science music art or of any one or more of said purposes in which representatives of said city may have part in the management with power to confer degrees in art pure and applied science philosophy literature painting music medicine law and theology and for the supervision and regulation of the same" absolutely

The act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred seventy-two) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four authorizing the insertion of certain provisions in the charters of corporations for the support of public worship and validating similar provisions in charters already granted" absolutely

The act approved the eighth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred ten) entitled "An act to regulate the doing of business in this Commonwealth by foreign corporations the registration thereof and service of process thereon and providing punishment and penalties for the violation of its provisions and repealing previous legislation on the subject" in so far as it relates to nonprofit corporations

The act approved the ninth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred thirty-eight) entitled "An act providing for the report to the Auditor General by the prothonotaries of the courts of common pleas of corporations incorporated by such courts" absolutely

The act approved the fifteenth day of May one thousand nine hundred thirteen (Pamphlet Laws two hundred fourteen) entitled "An act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars" absolutely

The act approved the twenty-second day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred one) entitled "An act to amend the second section of an act entitled 'An act empowering the Governor of this Commonwealth to appoint special officers or policemen for incorporated or unincorporated associations heretofore or hereafter organized for any charitable purpose' approved the twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five" absolutely

The act approved the twenty-second day of April one thousand nine hundred fifteen (Pamphlet Laws one hundred seventy) entitled "An act to amend section four of an act entitled 'An act to regulate the doing of business in this Commonwealth by foreign corporations the registration thereof and service of process thereon and providing punishment and penalties for the violation of its provisions and repealing previous legislation on the subject' approved the eighth day of June one thousand nine hundred and eleven" in so far as it relates to nonprofit corporations

The act approved the first day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred one) (Number three hundred eighteen) entitled "An act relating to the acquisition and holding of property real and personal by any literary scientific educational religious charitable benevolent or beneficial society church congregation association or body incorporated or any trustee or trustees of any trust for charitable or benevolent objects or purposes fixing the amount of such property which may thus be acquired and held and providing for the increase of such amount and a method of procedure for obtaining the right to such increase" absolutely

The act approved the first day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred three) (Number three hundred twenty) entitled "An act to authorize the insertion in the charter of any corporation for the support of public worship or for any like religious purpose either originally or by amendment of a provision that the rector or minister chosen by such corporation to take charge of the religious services by it maintained shall during his continuance in said office of rector or minister be ex officio president of the vestry board of trustees board of directors or governing body by whatever name designated of such corporation and to validate similar provisions in the charters of such corporations heretofore granted" absolutely

The act approved the fifteenth day of June one thousand nine hundred fifteen (Pamphlet Laws nine hundred eighty-five) (Number four hundred twenty-seven) entitled "An act to provide for the incorporation and regulation of companies not for profit organized to encourage and promote improvements in the breeding and management of poultry pigeons and game and the protection and preservation of forests fish game and wild life" absolutely

The act pproved the seventeenth day of May one thousand nine hundred seventeen (Pamphlet Laws two hundred sixteen) entitled "An act to provide for the change of object of the corporate existence of volunteer fire-companies and firemen's relief associations connected with volunteer fire departments and authorizing and providing a mode for the dissolution and surrender of the charter of said companies and associations" absolutely

The act approved the seventeenth day of May one thousand nine hundred seventeen (Pamphlet Laws two hundred twenty-eight) entitled "An act to authorize the payment by corporations to their directors of compensation for services rendered by them" in so far as it relates to nonprofit corporations

The act approved the eighteen day of May one thousand nine hundred seventeen (Pamphlet Laws two hundred fifty-seven) entitled "An act to prevent the incorporation of societies and associations not for profit with names styles or tiltes identical with or similar to the names styles or titles of State boards commissions or other activities and the use by such societies and associations already incorporated of such names styles or titles where such identity or similarity is calculated to result or has resulted in a confusion in the public mind between the recommendations and operations of such societies and associations and those of said State boards commissions or other activities" absolutely

The act approved the eleventh day of July one thousand nine hundred seventeen (Pamphlet Laws seven hundred seventy-six) entitled "An act to amend an act approved the fourteenth day of June one thousand eight hundred and eighty-seven entitled 'An act to provide for the incorporation of companies not for profit organized for the encouragement of the arts and sciences and of agriculture and horticulture and to confer upon such companies the right of eminent domain' as amended enabling said corporations to increase their bonded indebtedness from five hundred thousand dollars to one million dollars" absolutely

The act approved the nineteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand one hundred twenty) entitled "An act relative to the incorporation of hospitals and charitable or eleemosynary institutions or societies in which indigent persons are treated or to be treated or maintained in whole or in part at public expense and to the amendment of the charters thereof" absolutely

The act approved the thirtieth day of March one thousand nine hundred twenty-one (Pamphlet Laws fifty-four) (Number twenty-eight) entitled "An act permitting corporations to change the date of their annual meeting as fixed by its charter" in so far as it relates to nonprofit corporations

The act approved the twenty-sixth day of April one thousand nine hundred twenty-one (Pamphlet Laws two hundred ninety-nine) (Number one hundred fifty-one) entitled "An act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to change alter and amend by by-law such provisions of their charters as are purely administrative" absolutely

The act approved the fifth day of May one thousand nine hundred twenty-one (Pamphlet Laws three hundred ninety-five) entitled "A supplement to an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' providing that a charter may be granted to a church for the purpose of the support of public worship and for the collateral purpose of conducting a public burial ground or cemetery imposing certain duties upon the trustees in relation to the sale of burial lots the care and maintenance of the same and the care and disposition of certain funds providing for the audit of such funds by the corporation auditors the filing of a bond by said trustees and limiting the time for taking exceptions to the report of such auditors and validating charters heretofore granted or amended containing similar provisions as this act" absolutely

The act approved the twentieth day of May one thousand nine hundred twenty-one (Pamphlet Laws nine hundred eighty-eight)) entitled "An act to amend sections four and six of a supplement to an act approved the twenty-sixth day of April one thousand nine hundred and eleven (one thousand nine hundred and eleven Pamphlet Laws eighty-two) entitled 'A supplement to an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini eighteen hundred and seventy-four providing for the incorporation of trustees appointed or to be appointed under the terms of any will deed grant or gift creating a trust or trusts for the benefit of the people of any incorporated city of this Commonwealth for the advancement of learning science music art or of any one or more of said purposes in which representatives of said city may have part in the management with power to confer degrees in art pure and applied science philosophy literature painting music medicine law and theology and for the supervision and regulation of the same' conferring upon the State Council of Education powers and duties heretofore vested in the College and University Council" absolutely

The act approved the twentieth day of May one thousand nine hundred twenty-one (Pamphlet Laws one thousand eighteen) entitled "An act to amend sections five and seven and repeal sections eight and ten of an act approved the twenty-sixth day of June one thousand eight hundred ninety-five (Pamphlet Laws three hundred twenty-seven) entitled 'An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature and medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources' conferring upon the State Council of Education powers and duties heretofore vested in the College and University Council" absolutely

The act approved the twenty-fifth day of May one thousand nine hundred twenty-one (Pamphlet Laws one thousand one hundred forty-one) entitled "An act to amend section three of an act approved the fourteenth day of June one thousand eight hundred eighty-seven (Pamphlet Laws three hundred eighty-three) entitled 'An act to provide for the incorporation and regulation of companies not for profit organized for the encouragement of the arts and sciences and of agriculture and horticulture and to confer upon such companies the right of eminent domain" as amended enabling said corporations to increase their bonded indebtedness" absolutely

The act approved the sixteenth day of May one thousand nine hundred twenty-three (Pamphlet Laws two hundred forty-six) entitled "An act to provide for the registration and protection of names titles or designations of associations societies orders foundations federations organizations and corporations of the first class" in so far as it relate to nonprofit corporations

The act approved the twenty-third day of May one thousand nine hundred twenty-three (Pamphlet Laws four hundred nineteen) entitled "An act to amend section six of an act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred twenty-seven) entitled 'An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer dergees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources' as amended by prescribing additional requirements for institutions conferring degrees making certain exceptions therefrom and imposing certain duties on the State Council of Education" absolutely

The act approved the twenty-fourth day of May one thousand nine hundred twenty-three (Pamphlet Laws four hundred thirty-eight) entitled "An act authorizing corporations incorporated under the laws of any other State of the United States to acquire use encumber and dispose of such real estate and rights and interests in in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired" in so far as it relates to nonprofit corporations

The act approved the thirteenth day of June one thousand nine hundred twenty-three (Pamphlet Laws six hundred ninety-seven) entitled "An act to amend part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' by authorizing certain corporations of the first class to be incorporated by the Governor" absolutely

The act approved the seventh day of April one thousand nine hundred twenty-five (Pamphlet Laws one hundred eighty-three) entitled "An act providing that certificates of association and articles of incorporation or of any improvements amendments or alterations thereto may be acknowledged and sworn or affirmed to before a notary public or justice of the peace validating such acknowledgments made prior to the approval of this act" in so far as it relates to nonprofit corporations

The act approved the seventh day of April one thousand nine hundred twenty-five (Pamphlet Laws one hundred eighty-four) (Number one hundred thirty-three) entitled "An act to amend section one of an act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws four hundred thirty-eight) entitled 'An act authorizing corporations incorporated under the laws of any other State of the United State to acquire use encumber and dispose of such real estate and rights and interests in in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired' by extending its provisions to corporations incorporated under the laws of the Districts of Columbia or by

Act of Congress" in so far as it relates to nonprofit corporations

The act approved the thirtieth day of April one thousand nine hundred twenty-five (Pamphlet Laws four hundred three) entitled "An act relating to the dissolution of corporations and imposing certain duties on the Secretary of the Commonwealth and the prothonotaries" in so far as it relates to nonprofit corporations

The act approved the twelfth day of May one thousand nine hundred twenty-five (Pamphlet Laws six hundred fifteen) entitled "An act pertaining to corporations organized or doing business within the Commonwealth limiting the operation of their by-laws and providing for the execution of contracts notes mortgages et cetera by such corporations" in so far as it relates to nonprofit corporations

The act approved the ninth day of March one thousand nine hundred twenty-seven (Pamphlet Laws twenty-one) entitled "An act to amend the first portion of section two of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' as amended providing for the incorporation of first class corporations for the purpose of fostering the laying out adopting and improvement of highwas routes and transcontinental highways and limiting the amount of real estate to be held by first class corporations" absolutely

The act approved the twenty-ninth day of March one thousand nine hundred twenty-seven (Pamphlet Laws seventy) entitled "An act to amend section one of the act approved the twenty-fifth day of April one thousand eight hundred and seventy-six (Pamphlet Laws forty-seven) entitled 'An act supplementary to the act entitled "An act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini eighteen hundred and seventy-four extending its provisions to all who may have the right to vote at elections for directors managers or trustees' regulating the manner of voting in first class corporations" absolutely

The act approved the eighteenth day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred nine) entitled "An act to further amend part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' by eliminating the provisions authorizing certain corporations of the first class to be incorporated by the Governor" absolutely

The act approved the twenty-second day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred fifty-three) (Number two hundred eighteen) entitled "An act to amend subdivisions three of section three of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' by regulating the weekly advertisements for corporate charters" in so far as it relates to nonprofit corporations

The act approved the twenty-eight day of April one thousand nine hundred twenty-seven (Pamphlet Laws four hundred eighty-three) entitled "An act to further amend section two of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) as amended by providing for the incorporation of associations of taxpayers for the encouragement and promotion of good government in any county city borough or township" absolutely

The act approved the fifth day of May one thousand nine hundred twenty-seven (Pamphlet Laws eight hundred thirteen) entitled "An act to amend section one of an act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws four hundred thirty-eight) entitled 'An act authorizing corporations incorporated under the laws of any other State of the United States to acquire use encumber and dispose of such real estate and rights and interests in In the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired" as amended by providing that stockholders of such corporations owning real estate in this State and who reside in this State shall have the right to inspect the books documents and records of such corporations the same as in case of domestic corporations and granting to courts of common pleas jurisdiction and power to enforce such right" in so far as it relates to nonprofit corporations

The act approved the sixth day of May one thousand nine hundred twenty-seven (Pamphlet Laws eight hundred twenty-eight) (Number four hundred seventeen) entitled "An act to further amend the second paragraph of the fifth section of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations'" absolutely

The act approved the thirteenth day of March one thousand nine hundred twenty-nine (Pamphlet Laws twenty-one) entitled "An act to amend the act approved the twenty-second day of April one thousand eight hundred and eighty-nine (Pamphlet Laws forty-two) entitled 'A supplement to "An act relating to corporations and to estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini one thousand eight hundred and fifty-five increasing the limit of real and personal estates which may be held by such corporations' by further increasing the limit of such estates which may be held by such corporations societies or congregations" in so far as it relates to nonprofit corporations

The act approved the eighteenth day of April one thousand nine hundred twenty-nine (Pamphlet Laws five hundred thirty-nine) entitled "An act to amend section two of the act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and one) entitled 'An act relating to the acquisition and holding of property real and personal by any literary scientific educational religious charitable benevolent or beneficial society church congregation association or body incorporated or any trustee or trustees of any trust for charitable or benevolent objects or purposes fixing the amount of such property which may thus be acquired and held and providing for the increase of such amount and a method of procedure for obtaining the right to such increase' by increasing limit of such estates which may be held by such corporations societies or congregations" in so far as it relates to nonprofit corporations

The act approved the twenty-sixth day of March one thousand nine hundred thirty-one (Pamphlet Laws ten) (Number eight) entitled "An act to amend subdivision three of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' as amended by regulating the advertising of application of charters for corporations of the first class" in so far as it relates to nonprofit corporations

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The act approved the fourth day of May one thousand nine hundred thirty-one (Pamphlet Laws eighty) entitled "An act providing for the dissolution of corporations organized for the support of public worship and for the preservation allocation and distribution of the property and assets of such corporations" absolutely

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The act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws eight hundred ninety-seven) entitled "An act to amend section forty-two of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-

three) entitled 'An act to provide for the incorporation and regulation of certain corporations' as amended providing for the giving of notice of amendments to corporate charters" in so far as it relates to nonprofit corporations

All other acts or parts of acts inconsistent herewith are hereby repealed in so far as they relate to nonprofit corporations

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An Act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, division and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers

and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1120, as follows:

An Act providing a method for computing the time of imprisonment to be served by persons sentenced to pay any fine or costs in default of the payment thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person is sentenced to pay any fine or costs after conviction of the violation of any law or laws of the Commonwealth or after any costs have been imposed upon such person by any grand jury or petit jury and such person is unable to pay such fine or costs he or she shall serve such number of days imprisonment therefor as may be determined by computing such time to be served on the basis of a day's imprisonment for each three dollars or fine and costs (up to and including ten dollars and a day's imprisonment for each five dollars of fine and costs over ten dollars to and including thirty dollars and one day's imprisonment for each eight dollars of fine and costs exceeding thirty dollars)

Section 2 Any such prisoner may after having served such time for the liquidation of fine and costs so imposed be discharged upon the payment of that portion of the fine and costs for which he has not yet served imprisonment

Section 3 No prisoner shall be required to serve more than sixty days for fine or costs

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in, in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1050, entitled:

An Act making it unlawful to give public moneys for the relief of the unemployed or the poor to any alien who entered the United States recently

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person or any officer or employe of the Commonwealth or of any municipal subdivision thereof that supervises or is concerned in the distribution of public moneys for the relief of the distress of the unemployed or the poor to give financial aid from such public moneys to any alien without first requiring such alien to produce proof that he or she entered the United States in a lawful manner

The second section was read as follows:

Section 2 It shall be mandatory upon any person or any officers or employee of the Commonwealth or of any municipal subdivision thereof that supervises or is concerned in the distribution of public moneys for the relief of the distress of the unemployed or the poor when giving financial aid from such public moneys to an alien that reliable information indicates has entered the United States of America unlawfully to at once notify the United States Department of Immigration at Washington District of Columbia that their information is that the said alien did enter United States of America unlawfully

Section 2 Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars ($50.00)

On the question

Will the House agree to the section?

Mr. EDERER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 2, page 2, line 9, by striking out the figure "2" and inserting in lieu thereof the following: "3."

On the question,

Will the House agree to the amendments?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section and title were separately read and agreed to as follows:

Section 4 This act shall become effective immediately upon final enactment

An Act making it unlawful to give public moneys for the relief of the unemployed or the poor to any alien who entered the United States unlawfully

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2116 (Senate Bill No. 678), as follows:

An act to amend sections four hundred and twenty-two and four hundred and twenty-three of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" removing the expenditure limit within which counties may contribute to the cost of the funerals of deceased service persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred and twenty-two and four hundred and twenty-three of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" are hereby amended to read as follows

Section 422 Sum to be Spent The county commissioners of the county of this State within which a deceased service

man as hereinabove defined had a legal residence at the date of his death or the county commissioners of the county where a deceased service man died in case he or she had no legal residence in any county of this Commonwealth upon notice that the body is unclaimed by relatives or friends and who upon investigation shall find such condition to exist are hereby authorized and directed to expend the sum of seventy-five dollars ($75.00) toward the funeral expenses of such deceased service man Provided however That such county commissioners shall not contribute any moneys toward the funeral expenses of such deceased service man [where the total expenses of his or her funeral including said allowance of seventy-five dollars ($75.00) shall exceed four hundred dollars ($400.00) nor] unless application for the payment of such moneys shall be made within one year after the date of the burial of such deceased service man

Section 423 Burial of Widows of Deceased Service Men The county commissioners of each county are hereby directed to expende the sum of seventy-five dollars ($75.00) from the county funds towards the funeral expenses of any widow of any person who served in the Army or Navy of the United States during any war in which the United States was engaged or served in the Army or Navy of the United States where a state or condition of war existed in the United States or any foreign country or territory or upon the high seas or who was in active service of the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War and not duly mustered into the service of the United States and who was honorably discharged or relieved from such service upon due proof being made of such facts Provided however That the county commissioners shall not contribute any moneys toward the funeral expenses of any such widow of a soldier sailor or marine where the total expense of any such funeral including said allowance of seventy-five dollars shall exceed five hundred dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2306 (Senate Bill No. 262), as follows:

An Act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations

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ARTICLE I
GENERAL PROVISIONS

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Business Corporation Law"

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Articles" includes the original articles of incorporation any or all amendments thereto and articles of merger or consolidation and also includes what have heretofore been designated by law as certificates of incorporation or charters.

"Assets" includes all the property and rights of every kind of the corporation

"Authorized Capital Stock" means the aggregate number of shares of all classes either with or without par value which the corporation is authorized to issue

"Corporation for Profit" means a corporation organized for the direct or indirect pecuniary profit of its shareholders

"Domestic Business Corporation" or "Business Corporation" means a corporation for profit organized under this act or heretofore organized under or by virtue of any other law of this Commonwealth for any purpose or purposes for which a corporation may be organized under this act

"Foreign Business Corporation" means a corporation for profit organized under or by virtue of any laws other than those of this Commonwealth for any purpose or purposes for which a corporation may be formed under this act

"Incorporator" means a signer of the original articles of incorporation

"Paid-in Surplus" means that part of the consideration received by a business corporation for or on account of all shares issued which does not constitute stated capital

"Registered Office" means that office maintained by a domestic or foreign business corporation in this Commonwealth the address of which is filed with the Department of State

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the person or corporation therein named is the registered owner of the shares therein described and also includes the term "Certificate of Stock" as used in existing laws

"Shareholder" means a registered owner of shares in a business corporation

"Shares" are the units into which the shareholders' rights to participate in the control of a business corporation in its surplus or profits or in the distribution of its assets are divided

"Stated Capital" means at any particular time the sum of the par value of all shares then issued having a par value the consideration received by a business corporation for all shares then issued without par value except such part thereof as may have been allocated otherwise than to stated capital in a manner permitted by this act and such other amounts as may have been transferred to the stated capital account of the corporation whether from the issue of shares as a share dividend or otherwise minus such formal reductions from such sum as may have been effected in a manner permitted by this act

"Subscriber" means one who subscribes for shares in a business corporation whether before or after incorporation

"Written" includes printed typewritten engraved lithographed telegraphed cabled radiogramed photographed photostated telephotographed or other form of recordation

Section 3 Applicability and Acceptance of Act A Every corporation of the second class heretofore organized and incorporated under the Corporation Act of 1874 its amendments and supplements and every corporation heretofore created by any special act or formed under any general act which has accepted in any manner whatsoever the Constitution of Pennsylvania and which if not existing would be required to incorporate under this act shall hereafter be subject to the provisions of this act without formal reorganization hereunder and shall be deemed to exist under this act The provisions of this act shall govern all such corporations heretofore incorporated in this Commonwealth

B Any corporation incorporated prior to 1874 by any general or special act which has not accepted the Constitution of Pennsylvania in any manner whatsoever and which if not existing would be required to incorporate under this act shall be deemed to exist under and shall be governed by the provisions of this act upon filing with the Department of State a certificate accepting the provisions of the Constitution of Pennsylvania and of this act The certificate shall be executed under the seal of the corporation and shall be signed by two duly authorized officers of the corporation and shall set forth

(1) The name of the corporation

(2) The Act of Assembly by or under which it was created

(3) A statement that the corporation accepts the Constitution of Pennsylvania and the provisions of this act and

(4) A statement that the acceptance of the Constitution of Pennsylvania and of the provisions of this act was duly authorized by a meeting of the shareholders called for that purpose

C Every foreign business corporation heretofore admitted to do business in this Commonwealth which if now seeking admission would be required to comply with the provisions of this act shall within ninety days after the effective date of this act secure a certificate of authority from the Department of State and shall thereafter be subject to the provisions of this act

Section 4 Scope of Act This act does not relate to does not affect and does not apply to

(1) Cooperative associations whether for profit or not for profit

(2) Any corporation which may be organized under the Nonprofit Corporation Law or which if not existing would be required to incorporate under that act

(3) Any corporation which by the laws of this Commonwealth is subject to the supervision of the Department of Banking the Insurance Department The Public Service Commission or the Water and Power Resources Board

Section 5 Saving Clause A This act shall not impair or affect any act done offense committed or right accruing accrued or acquired or liability duty obligation penalty judgment or punishment incurred prior to the time this act takes effect but the same may be enjoyed asserted enforced prosecuted or inflicted as fully and to the same extent as if this act had not been passed

B The provisions of all acts or parts of acts which are repealed by this act or are reenacted in this act shall be considered as remaining continuously in force so far as concerns all rights vested and accrued and liabilities duties and obligations incurred under such provisions before the effective date of this act shall be preserved or may be enforced as if this act had not been passed

C The provisions of this act as far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal of any acts by this act shall not affect the corporate existence of any corporation heretofore created Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

Section 6 Interpretation of Act A The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

B Whenever in this act reference is made to any act by title such reference shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

C No corporation which might be incorporated under this act shall hereafter be incorporated except under the provisions of this act

D This act shall not be deemed to curtail in any manner whatsoever the law or equity jurisdiction of the courts of the Commonwealth

E Section headings shall not be taken to govern or limit the scope of the sections of this act The singular shall include the plural and the masculine shall include the feminine and neuter

Section 7 Fees Any State department board commission or officer shall be entitled to receive for services performed as required by this act such fees as are or may be lawfully charged for those or similar services

Section 8 Notice of Meetings A Whenever written notice is required to be given to any person under the provisions of the Constitution or of this act or by the articles or by-laws of any business corporation it may be given to such person either personally or by sending a copy thereof through the mail or by telegram charges prepaid to his address appearing on the books of the corporation or supplied by him to the corporation for the purpose of notice If the notice is sent by mail or by telegraph it shall be deemed to have been given to the person entitled thereto when deposited in the United States mail or with a telegraph office for transmission to such person Such notice shall specify the place day and hour of the meeting and in the case of a special meeting the general nature of the business to be transacted

B Whenever any written notice is required to be given under the provisions of the Constitution or of this act or the articles or by-laws of any corporation a waiver thereof in writing signed by the person or persons entitled to such notice whether before or after the time stated therein shall be deemed equivalent to the giving of such notice Except in the case of a special meeting neither the business to be transacted at nor the purpose of the meeting need be specified in the waiver of notice of such meeting

C Attendance of a person either in person or by proxy at any meeting shall constitute a waiver of notice of such meeting except where a person attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened

Section 9 Effect of Filing Papers Required to be Filed The filing of the articles or of any other papers or documents pursuant to the provisions of this act is required for the purpose of affording all persons the opportunity of acquiring knowledge of the contents thereof but no person dealing with the corporation shall be charged with constructive notice of the contents of any such articles papers or documents by reason of such filing

Section 10 Powers of Department of State The Department of State shall have the power and authority reasonably necessary to enable it to adminster this act efficiently and to perform the duties imposed upon it by this act All articles papers and other documents required by this act to be filed with the Department of State shall be made in such form as shall be prescribed by that department

Section 11 Certificates and Certified Copies of Certain Documents to be Received in Evidence—All certificates issued by the Department of State in accordance with the provisions of this act and all copies of articles papers and other documents filed wth the Department of State in accordance with the provisions of this act when certified by the Secretary of the Commonwealth shall be taken and received by all courts public offices and official bodies as prima facie evidence of the facts therein stated A certificate by the Department of State under the seal of the Commonwealth as to the existence or nonexistence of facts relating to corporations which would not appear from the foregoing documents or certificates shall be taken and received by all courts public offices and official bodies as prima facie evidence of the existence or nonexistence of the facts therein stated

ARTICLE II

FORMATION OF BUSINESS CORPORATIONS

Section 201 Purpose of Incorporation and Qualifications of Incorporators Three or more natural persons of full age and either sex married or single at least two-thirds of whom are citizens of the United States or of its territories or possessions may form a business corporation under the provisions of this act for any lawful purpose or purposes

Section 202 The Corporate Name A The corporate name may be in any lanuguage but shall be expressed in English letters or characters and shall contain the word "corporation" "company" or "incorporated" or shall end with an abbreviation of one of these words except that the word "company" or the abbreviation "Co" may be used only if that word or abbreviation is not immediately preceded by the word "and" or any symbol or substitute therefor The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking or of the Insurance Department and shall not contain the word "bank" "banking" "bankers" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "benevolent" "public service" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" "Commonwealth" "National" "Federal" or "United States"

B The corporate name shall not be the same as or deceptively similar to

(1) The name of any other domestic corporation or of any foreign corporation authorized to do business in this Common-

wealth or the name of any unincorporated body whatsoever voluntarily registered with the Department of State under any Act of Assembly unless such other domestic or foreign corporation or unincorporated body is about to change its name or to cease to do business or is being wound up or such foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other domestic or foreign corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the articles Provided that nothing herein contained shall be construed to refer or apply to any assumed or fictitious name required by law to be filed with the Department of State

(2) The name of any administrative department board or commission or other agency of the Commonwealth

(3) A name the exclusive right to which is at the time reserved by any other corporation whatsoever in the manner provided in this act or any other Act of Assembly

C Nothing in this section shall abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principles of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

D The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the Court of Common Pleas of Dauphin County may upon the application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth and the court of common pleas of any county having jurisdiction over the corporation may upon the application of any person unincorporated body or corporation adversely affected enjoin the corporation from using or continuing to use a name assumed in violation of this section

Section 203 Reservation of Corporate Name The exclusive right to the use of a corporate name may be reserved by

(1) Any person intending to organize a corporation under this act or

(2) Any domestic business corporation intending to change its name or

(3) Any foreign business corporation intending to make application for a certificate of authority to transact business in this Commonwealth or

(4) Any foreign business corporation authorized to transact business in this Commonwealth and intending to change its name or

(5) Any person intending to organize a foreign business corporation and intending to have such corporation make application for a certificate of authority to do business in this Commonwealth

B Such reservation shall be made by filing with the Department of State an application to reserve a specified corporate name executed by the applicant If that department finds that such name is available for corporate use it shall reserve the name for the exclusive use of the applicant for a period of sixty days The right to the exclusive use of a specified corporate name so reserved may be transferred to any person by filing with the Department of State a notice of such transfer executed by the person for whom such name was reserved and specifying the name and address of the transferee

Section 204 Articles of Incorporation Articles of incorporation shall be signed by each of the incorporators and acknolwedged by at least two of them before any officer within or without this Commonwealth authorized to take acknowledgments and shall set forth in the English language

(1) The name of the corporation unless the name is in a foreign language in which case it shall be set forth in English letters or characters

(2) The location and post office address of its initial registered office in this Commonwealth

(3) A precise and accurate statement of the purpose or purposes for which the corporation is organized and that it is organized under the provisions of this act

(4) The term for which it is to exist which may be perpetual

(5) The aggregate number of shares which the corporation shall have authority to issue and if the shares are to consist of one class only the par value of each of the shares or a statement that all of the shares are without par value or if the shares are to be divided into classes the number of shares of each class if any that are to have a par value and the par value of each share of each class and the number of shares of each class if any that are to be without par value

(6) If the shares are to be divided into classes a description of each class and a statement of the preferences qualifications limitations restrictions and the special or relative rights granted to or imposed upon the shares of each class

(7) If the corporation is to issue the shares of any preferred or special class in series a description of each series and a statement of the variations in the relative rights and preferences as between different series in so far as the same are to be fixed in the articles and a statement of any authority to be vested in the board of directors to establish series and fix and determine the variations in the relative rights and preferences as between series

(8) The amount of paid-in capital with which the corporation will begin business which shall not be less than Five Hundred Dollars ($500.00) in cash.

(9) The names of the first directors their post office addresses and their terms of office

(10) The name and post office address of each of the incorporators and a statement of the number of shares subscribed by each which shall not be less than one and the class of shares for which each subscribes

(11) Any provisions which the incorporators may choose to insert granting to shareholders preemptive rights to subscribe to any or all issues of shares or securities of the corporation

(12) Any provisions not inconsistent with law which the incorporators may choose to insert for the regulation of the internal affairs of the corporation and the business of the corporation

Section 205 Advertisement The incorporators shall advertise their intention to file articles of incorporation with the Department of State one time in two newspapers published in the English language one of which shall be a newspaper of general circulation and the other the legal newspaper if any designated by the rules of the court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the initial registered office of the corporation is to be located Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient Advertisements shall appear at least three days prior to the day the articles of incorporation are filed with the Department of State and shall set forth briefly

(1) The name of the proposed corporation

(2) A statement that the proposed corporation is to be organized under the provisions of this act

(3) The purpose or purposes of the proposed corporation and

(4) The time when the articles will be filed with the Department of State

Section 206 Filing of Articles Certificate of Incorporation A The incorporators shall deliver or cause to be delivered to the Department of State the articles of incorporation and proof of the advertisement required by the preceding section If the Department of State finds that the articles conform to law it shall forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and when all bonus fees and charges have been paid as required by law shall file the articles and issue to the incorporators or their representative a certificate of incorporation to which shall be attached a copy of the approved articles upon being approved and filed by the Department of State shall constitute the charter of the corporation

B If the articles of incorporation delivered to the Department of State are for the incorporation of a business corporation for the transaction of any business in which a corporation may not engage without the approval of or a license from any department board or commission of the Commonwealth the Department of State shall refer the articles to such department board or commission and shall not file the articles or issue a certificate of incorporation until the approval or consent of such department board or commission shall have been endorsed on the articles

Section 207 Effect of Issuance of Certificate of Incorporation Upon the issuance of the certificate of incorporation by the Department of State the corporate existence shall begin and those persons who subscribed for shares prior to the issuance of the certificate of incorporation or their assignees shall be shareholders in the corporation The certificate of incor-

poration shall be conclusive evidence of the fact that the corporation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate a corporation which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

Section 208 Conditions Precedent to Beginning Business Penalty for Violation of Section A A corporation formed under this act shall not incur any indebtedness or begin the transaction of any business except such as shall be incident to its organization or to the obtaining of subscriptions to or the payment for its shares until

(1) The amount of capital with which it will begin business as stated in the articles has been fully paid and

(2) There has been filed with the Department of State an affidavit signed by at least a majority of the board of directors stating that the amount of capital with which it will commence business as stated in the articles has been fully paid in

B If a corporation shall transact any business in violation of this section the officers who participated therein and the directors except those who dissented therefrom and caused their dissent to be filed at the time in the registered office of the corporation or who being absent filed their dissent upon learning of the action shall be severally liable for the debts and liabilities of the corporation arising therefrom

Section 209 Cemetery and Burial Corporations In the case of the incorporation of a cemetery or burial corporation as a business corporation the articles shall in addition to the information heretofore required by this article contain a provision that a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in the burial ground or cemetery of the corporation shall be set apart for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property of such corporation that such sum shall be invested by the board of directors in securities which are legal investments for trustees under the laws of this Commonwealth and that the income arising therefrom shall be applied by the board of directors to the foregoing purposes

Section 210 Organization Meetings After the issuance of the certificate of incorporation the first meeting of the shareholders shall be held within or without this Commonwealth at the call of the shareholders who were the incorporators of a majority of them for the purpose of adopting by-laws unless the articles provide that by-laws shall be adopted by the board of directors and for such other purposes as shall be stated in the notice of the meeting The persons calling the meeting shall give to each shareholder at least ten days' written notice of the time place and purpose or purposes of the meeting

After the issuance of the certificate of incorporation an organization meeting of the board of directors named in the articles shall be held either within or without this Commonwealth at the call of a majority of the directors for the purpose of adopting by-laws if the articles authorize the directors to adopt by-laws of electing officers and of transacting such other business as may come before the meeting The directors calling the meeting shall give at least five days' written notice to each director named in the articles of the time and place of the meeting

Section 211 Legislature Reserves Power to Alter or Revoke Charters The General Assembly may alter revoke or annul the charter of any corporation formed under this act as provided by Article XVI section ten of the Constitution

ARTICLE III
CORPORATE POWERS DUTIES AND SAFEGUARDS

Section 301 Corporate Capacity and Authority A business corporation shall have the capacity of natural persons to act but shall have authority to perform only such acts as are necessary or proper to accomplish the purpose or purposes for which it is organized and which are not repugnant to law

Section 302 General Powers Subject to the limitations and restrictions contained in this act or in its articles every business corporation shall have power

(1) To continue as a corporation for the time specified in its articles subject to the power of the General Assembly under the Constitution of this Commonwealth

(2) To sue and be sued complain and defend in its corporate name

(3) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile thereof to be impressed or affixed or in any manner reproduced

(4) To purchase take receive lease as lessee take by gift devise or bequest or otherwise acquire and to own hold use and otherwise deal with any real or personal property or any interest therein situated in or out of this Commonwealth which may be appropriate to enable it to accomplish fully and properly its corporate purpose or purposes

(5) To sell and convey mortgage pledge lease as lessor and otherwise dispose of all or any part of its property and assets

(6) Whenever appropriate to enable it to accomplish any or all of the purposes for which it is organized to guarantee purchase take receive or otherwise acquire hold sell assign transfer mortgage loan pledge or otherwise dispose of and otherwise use and deal in and with the shares bonds securities and other evidences of indebtedness of any other domestic corporation or of any corporation formed under any laws other than those of this Commonwealth and while the owner of the same to exercise all the rights powers or privileges of ownership including the right to vote thereon

(7) To purchase take receive or otherwise acquire hold on pledge transfer or otherwise dispose of its own shares except that no such purchase or acquisition shall be made at a time when the net assets of the corporation are less than its stated capital or which would reduce its net assets below its stated capital

(8) To borrow money for any or all of the purposes for which it is organized to issue its promissory notes bonds or other forms of certificates of indebtedness for the repayment thereof with interest and to secure any of its obligations by mortgage pledge or deed of trust of or on any of its property franchises and income

(9) To invest its surplus funds from time to time to lend money for any or all of the purposes for which it is organized and to take and hold real and personal property as security for the payment of funds so invested or loaned

(10) To conduct its business carry on its operations and have offices within and outside of this Commonwealth and to exercise in any other state territory district or possession of the United States or in any foreign country and the territories and colonies thereof the powers granted by this act

(11) To make alter amend and repeal by-laws not inconsistent with its articles or with law for the administration and regulation of the affairs of the corporation

(12) To elect or appoint and remove officers and agents of the corporation and to define their duties and fix their compensation

(13) To enter into any obligation necessary for the transaction of its affairs

(14) To have and exercise all of the powers and means necessary or essential to effect the purpose or purposes for which the corporation is organized

(15) To dissolve and wind up

The powers herein enumerated shall not be construed as limiting or enlarging the grant of authority hereinbefore made by this article or as a limitation on the purposes for which a corporation may be organized It shall not be necessary to set forth any of such enumerated powers in the articles of the corporation Except as otherwise provided in this act or in the articles or in the by-laws the powers herein enumerated shall be exercised by the board of directors of the corporation

Section 303 Defense of Ultra Vires A No limitation upon the business purpose or purposes or powers of a business corporation expressed or implied in its articles or implied by law shall be asserted in order to defend any action at law or in equity between the corporation and a third person or between a shareholder and a third person involving any contract to which the corporation is a party or any right of property or any alleged liability of whatsoever nature but such limitation may be asserted

(1) In an action by a shareholder against the corporation to enjoin the doing of unauthorized acts or the transaction or continuation of unauthorized business If the unauthorized acts or the business sought to be enjoined are being transacted pursuant to any contract to which the corporation is a party the court may if all of the parties to the contract are parties to the suit and if it deems the same to be equitable set aside and enjoin the performance of such contract and in so doing

shall allow to the corporation or the other parties as the case may be compensation for the loss or damage sustained by either of them which may result from the action of the court in setting aside and enjoining the performance of such contract but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained

(2) In an action at law or in equity by the corporation whether acting through a receiver trustee or other legal representative or through shareholders in a representative suit against the officers or directors of the corporation for exceeding their authority

(3) In a proceeding by the Commonwealth as authorized by law to dissolve the corporation or in a proceeding by the Commonwealth to enjoin the corporation from the transaction of unauthorized or unlawful business

B No conveyance or transfer by or to a corporation of property real or personal of any kind or description shall be invalid or fail because in making such conveyance or transfer or in acquiring the property real or personal the board of directors or any of the officers of the corporation acting within the scope of the actual or apparent authority given to them by the board of directors have exceeded any of the corporation's purposes or powers

C The provisions of this section shall extend to contracts and conveyances made by foreign corporations in this Commonwealth and to all conveyances by foreign corporations of real property situated in this Commonwealth

Section 304 Adoption and Contents of By-laws Except as hereinafter provided the shareholders shall have the power to make alter amend and repeal the by-laws of a business corporation The authority to make by-laws may be expressly vested by the articles in the board of directors subject to the power of the shareholders to change or repeal such by-laws Unless the articles or by-laws otherwise provide the by-laws shall be adopted altered amended and repealed by a majority vote of the members of the board of directors or of the shareholders entitled to vote thereon as the case may be at any regular or special meeting duly convened after notice to the shareholders or directors of that purpose The by-laws may contain any provisions for the regulation and management of the affairs of the corporation not inconsistent with law or the articles and may provide penalties for the breach thereof not exceeding twenty dollars

Section 305 Persons Bound by By-laws The by-laws of a business corporation shall operate merely as regulations among the shareholders of the corporation and shall not affect contracts or other dealings with other persons unless such persons have actual knowledge of such by-laws Any form of execution provided in the by-laws to the contrary notwithstanding any note mortgage evidence of indebtedness contract or other instrument of writing or any assignment or endorsement thereof executed or entered into btween any corporation and any other person copartneship association or corporation when signed by the president or vice president and secretary or assistant secretary or treasurer or assistant treasurer of such corporation shall be held to have been properly executed for and in behalf of the corporation

Section 306 Registered Office Every business corporation shall have and continuously maintain in this Commonwealth a registered office which may but need not be the same as its place of business The address including street and number if any of the initial registered office shall be stated in the articles of the corporation as heretofore provided in this act

Section 307 Change of Registered Office After incorporation a change of the location of the registered office may be authorized at any time by a majority vote of the members of the board of directors Before the change of location shall become effective the corporation shall file with the Department of State a statement executed under the seal of the corporation signed and verified by two duly authorized officers of the corporation setting forth

(1) The name of the corporation

(2) The address including street and number if any of its then registered office

(3) The address including street and number if any to which the registered office is to be changed

(4) That such change was authorized by resolution duly adopted by at least a majority of the members of the board of directors

The change of address of the registered office shall become effective upon the filing of such statement with the Department of State

Section 308 Corporate Records Inspection A Every business corporation shall keep at its registered office an original or duplicate record of the proceedings of the shareholders and of the directors and the original or a copy of its by-laws including all amendments or alterations thereto to date certified by the secretary of the corporation and shall keep at its registered office or at the office of a transfer agent or registrar within this Commonwealth an original or a duplicate share register giving the names of the shareholders in alphabetical order and showing their respective addresses the number and classes of shares held by each the number and date of certificates issued for the shares and the number and date of cancellation of every certificate surrendered for cancellation Every such corporation shall also keep appropriate complete and accurate books or records of account which may be kept at its registered office or at its principal place of business

B Every shareholder shall have a right to examine in person or by agent or attorney at any reasonable time or times for any reasonable purpose the share register books or records of account and records of the proceedings of the shareholders and directors and make extracts therefrom

Section 309 Procedure to Increase Indebtedness of Corporation No business corporation shall increase its indebtedness except in the manner provided in this section The board of directors of the corporation shall adopt a resolution setting forth the desired increase and directing that the question of the proposed increase be submitted to a vote at an annual meeting of the shareholders or at a special meeting of the shareholders Written notice stating that the purpose or one of the purposes of such meeting is to consider the question of increasing the indebtedness of the corporation shall be given to each shareholder of record at least sixty days before the date of the meeting If such meeting be an annual meeting such purpose may be included in a notice of such annual meeting provided the notice is given at least sixty days before the date of the annual meeting The resolution shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares unless any class of shares is entitled to vote thereon as a class in which event the proposed resolution shall require for its adoption the affirmative vote of the holders of at least a majority of the outstanding shares of each class entitled to vote as a class thereon and at least the affirmative vote of the holders of a majority of all outstanding shares Nothing herein contained shall be construed to apply to indebtedness contracted in the usual course of corporate business

Section 310 Authority to Acquire Property at Judicial Sale A business corporation may at any judicial sale of any property upon which the corporation holds a mortgage or has a lien of any nature whatsoever bid in such property if necessary for the protection of its interests The corporation shall acquire a good and indefeasible title to any and all property so purchased irrespective of any limitation as to the acquisition of property that may exist in its articles or in this act All property so purchased may be held by the corporation until such time as it shall believe it advisable to dispose of the same It shall be lawful for the corporation to sell the property upon such terms and for such consideration as it deems desirable The corporation may sell such property and convey a marketable title thereto without the authorization or confirmation of any court

Section 311 Voluntary Transfer of Corporate Assets A The sale lease or exchange of all or substantially all the property and assets of a corporation when made in the usual and regular course of the business of a corporation may be made upon such terms and conditions and for such considerations which may consist in whole or in part of money or property real or personal including shares or bonds or other evidences of indebtedness of any other corporation domestic or foreign as shall be authorized by its board of directors In every such case no authorization or consent of the shareholders shall be required

B A sale lease or exchange of all or substantially all the property and assets with or without the good will of a corporation whether to a subsidiary corporation or not if not made in the usual and regular course

of its business may be made upon such terms and conditions and for such considerations which may consist in whole or in part of money or property real or personal including shares or bonds or other evidences of indebtedness of any other corporation domestic or foreign as may be authorized in the manner hereinafter provided in this subsection The board of directors shall adopt a resolution recommending such sale lease or exchange and directing the submission thereof to a vote of the shareholders entitled to vote in respect thereof at a meeting which may be either an annual meeting of the shareholders or a special meeting of the shareholders entitled to vote in respect of such sale lease or exchange Written notice stating that the purpose or one of the purposes of such meeting is to consider the sale lease or exchange of all or substantially all the property and assets of the corporation shall be given to each shareholder of record whether or not entitled to vote at least ten days prior to the date of the meeting in the manner provided by this act for the giving of notice of meetings of shareholders If such meeting be an annual meeting such purpose may be included in the notice of the annual meeting At such meeting the shareholders may authorize such sale lease or exchange and fix or may authorize the board of directors to fix any or all of the terms and conditions thereof and the consideration to be received by the corporation therefor Such authorization shall receive the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on the question unless any class of shares is entitled to vote as a class on the question in which event such authorization shall receive the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote as a class on the question an at least a majority of all outstanding shares entitled to vote thereon After such authorization by a vote of the shareholders the board of directors in its discretion may abandon such sale lease or exchange subject to the rights of third parties under any contracts relating thereto without further action or approval by the shareholders

C Nothing in this section shall be construed to authorize the conversion or exchange of assets in fraud of corporate creditors or of minority shareholders or shareholders without voting rights or in violation of the act approved the twenty-third day of May one thousand nine hundred nineteen (Pamphlet Laws two hundred sixty-two) and its amendments and supplements or The Fiscal Code approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) and its amendments and supplements

Section 312 Reorganization upon Forced Sale of Corporate Property and Franchises A When the franchises property and assets of any domestic or foreign business corporation which are located in this Commonwealth shall be sold under and by virtue of any process or decree of any court of this Commonwealth or of the United States or under or by virtue of a power of sale contained in any mortgage or deed of trust the persons for or on whose account such franchises property and assets were purchased may organize a business corporation in the manner heretofore provided in this act which shall be vested with and be entitled to exercise and enjoy all the rights privileges and franchises which at the time of such sale belonged to or were vested in the corporation last owning the property sold or its receiver and shall be subject to all the duties imposed by law on business corporations In such event the articles of incorporation shall in addition to the information heretofore required by this act set forth the name of the corporation whose property and franchises were acquired the law under which such corporation was organized the date of the judgment or decree authorizing or directing the sale and a brief description of the property sold

B At or previous to the sale the purchaser or the persons for whom the purchase is to be made may enter into a plan or agreement for or in anticipation of the readjustment of the respective interests of any creditors mortgages shareholders or any of them of the corporation owning such franchises property and assets at the time of the sale and of holders of claims against such corporation and for. the representation of such interests in the bonds shares obligations or other securities of the new corporation Such plan or agreement may provide for the regulation of the voting powers of any class or classes of shares and may provide for and regulate voting by the holders and owners of any or all of the bonds of the old corporation or of the bonds issued or to be issued by the new corporation In such event the right of voting by bondholders shall be exercised in such manner for such period and upon such conditions as shall be provided in the plan or agreement Such plan or agreement shall be binding upon the new corporation The new corporation may issue its bonds and stock in conformity with the provisions of such plan or agreement and may at any time within six months after its organization compromise settle or assume the payment of any debt claim or liability of the old corporation or any claims against it upon such terms as may be lawfully approved by a majority of the agents or trustees charged with the carrying out of the plan or agreement of reorganization

Section 313 Usury Not a Defense No business corporation shall plead or set up usury or the taking of more than six per cent interest as a defense to any action brought against it to recover damages on or to enforce payment of or to enforce any other remedy on any mortgage bond note or other obligation executed or affected by the corporation

Section 314 Special Powers in Time of War In time of war every business corporation shall have power to transact any lawful business in aid of the United States in the prosecution of war to make donations to associations and organizations aiding in war activities and to lend money to the Commonwealth or the Federal government for war purposes

Section 315 Payment of Salaries of Employes in Military Service Any business corporation may continue the salaries of such of its employes as may have enlisted or enrolled or may hereafter enlist or enroll in any branch of the military or naval service of the United States or any state thereof or in any other organization established for the protection of the lives and property of citizens of the United States during the term of such enlistment or enrollment or during such part thereof as such employes by reason of such enlistment or enrollment may be unable to perform their duties as employes of the corporation

Section 316 Pensions Every business corporation may grant allowances or pensions out of the earnings of the corporation to its directors officers or employes for faithful and long-continued service who have in such service become old infirm or disabled

Section 317 Voting Powers of Security Holders Every business corporation by suitable provisions in its articles may confer upon the holders of any bonds or debentures issued or to be issued by the corporation whether secured by mortgage or otherwise such power to vote in respect to the corporate affairs and management of the corporation as may be provided in the articles and in case of a default in the payment of the principal or interest on such bonds or debentures or otherwise or in any other case may likewise confer upon such bondholders or debenture holders the same right of inspection of the corporate books accounts and records of such corporation and also any other rights which the shareholders of the corporation have or may have under its articles or the laws of this Commonwealth

Section 318 Financial Report to Shareholders Unless the by-laws expressly provide otherwise the directors of every business corporation shall cause to be sent to the shareholders within ninety days after the close of its fiscal year a financial report as of the closing date of the preceding fiscal year Such report shall give a summary of the assets and liabilities of the corporation the amount of dividends paid or declared during the past year the condition as to surplus or deficit and how acquired or created the number of shares issued and outstanding together with any such particulars as are necessary to disclose the general nature of the liabilities and assets of the corporation The report shall also set forth a balance sheet as of the closing date of the preceding fiscal or calendar year together with a statement of income and profit and loss for the year ended on that date The statement of income and profit and loss shall be prepared in the form ordinarily used by accountants for the particular kind of business carried on by the corporation Unless the by-laws expressly provide otherwise all such reports shall be certified by a certified public accountant who is not a director or full-time employe of the corporation or by a firm of practicing public accountants at least one member of which is a certified public accountant The accountant or firm shall be elected by the shareholders of the corporation

Section 319 Insolvency or Bankruptcy Whenever a business corporation shall be insolvent or in financial difficulty the

board of directors may by resolution and without the consent of the shareholders authorize and designate the officers of the corporation to execute a deed of assignment for the benefit of creditors or file a voluntary petition in bankruptcy or file an answer consenting to the appointment of a receiver upon a bill in equity filed by creditors or shareholders or if insolvent file an answer to an involuntary petition in bankruptcy admitting the insolvency of the corporation and its willingness to be adjudged a bankrupt on that ground

ARTICLE IV

DIRECTORS AND OFFICERS

Section 401 Board of Directors The business and affairs of every business corporation shall be managed by a board of at least three directors who need not be residents of this Commonwealth or shareholders in the corporation unless the articles or by-laws so require Each director shall hold office for the term for which he is elected and until his successor shall have been elected and qualified. The names and terms of office of the first directors shall be stated in the articles Except as hereinafter provided in this article in the case of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders A business corporation may allow compensation to its directors for their services and a director may also be a salaried officer of the corporation

Section 402 Number Qualifications and Election of Directors Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

(1) A director shall be elected for a term of at least one year

(2) The number of directors shall be the same as that stated in the articles

(3) Vacancies in the board of directors shall be filled by a majority of the remaining members of the board though less than a quorum and each person so elected shall be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto

(4) The meetings of the board of directors may be held at such place within this Commonwealth or elsewhere as a majority of the directors may from time to time appoint or as may be designated in the notice calling the meeting

(5) A majority of the directors in office shall be necessary to constitute a quorum for the transaction of business and the acts a majority of the directors present at a meeting at which a quorum is present shall be the acts of the board of directors Provided That if all the directors shall severally or collectively consent in writing to any action to be taken by the corporation such action shall be as valid corporate action as though it had been authoriezd at a meeting of the board of directors

(6) The board of directors may by resolution adopted by a majority of the whole board delegate two or more of its number to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority of the board of directors in the management of the business of the corporation

Section 403 Classification of Directors If the articles or by-laws of a business corporation so provide the directors of the corporation may be classified in respect to the time for which they shall severally hold office In such case each class shall be as nearly equal in number as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for the shorter period than one year or for a longer period than four years

Section 404 Notice of Directors' Meetings Meetings of the board of directors may be held upon such notice as the by-laws may prescribe Unless the by-laws provide otherwise written notice of every meeting of the board of directors shall be given to each director at least five days prior to the day named for the meeting When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

Section 405 Removal of Directors A The entire board of directors or any individual director may be removed from office without assigning any cause by a majority vote of the holders of the outstanding shares entitled to vote at an election of directors In case the board or any one or more directors be so removed new directors may be elected at the same meeting Unless the entire board be removed no individual directors shall be removed in case the votes of a sufficient number of shares are cast against the resolution for his removal which if cumulatively voted at an election of the full board would be sufficient to elect one or more directors

B The board of directors may declare vacant the office of a director if he be declared of unsound mind by an order of court or convicted of felony or for any other proper cause or if within sixty days or such other time as the by-laws may specify after notice of his election he does not accept such office either in writing or by attending a meeting of the board of directors and fulfill such other requirements of qualification as the by-laws may specify

C The court of common pleas of the county where the registered office of the corporation is located may at the suit of any shareholder or shareholders holding at least ten per cent of the common or outstanding shares with or without voting rights remove from office any director or directors in case of fraudulent or dishonest acts or gross abuse of authority or discretion with reference to the corporation and may bar from reelection any director so removed for a period prescribed by the court The corporation shall be made a party to such actions

Section 406 Officers and Agents Every business corporation shall have a president a secretary and a treasurer and may have such other officers and assistant officers and agents as the needs of the corporation may require The officers assistant officers and agents shall be elected or appointed either by the board of directors or by the shareholders at such time in such manner and for such terms as the by-laws may prescribe It shall not be necessary for the officers to be directors If the by-laws so provide any two or more offices may be held by the same person except the offices of president and secretary The board of directors may secure the fidelity of any or all of such officers by bond or otherwise Unless otherwise provided in the by-laws the board of directors shall have power to fill any vacancies in any office occurring from whatever reason All officers and agents of the corporation as between themselves and the corporation shall have such authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the by-laws or in the absence of controlling provisions in the by-laws as may be determined by resolution of the board of directors

Section 407 Removal of Officers Any officer or agent elected or appointed by the board of directors may be removed by the board of directors whenever in its judgment the best interests of the corporation will be served thereby but such removal shall be without prejudice to the contract rights if any of the person so removed

Section 408 Relation of Directors and Officers to Corporation Officers and directors shall be deemed to stand in a fiduciary relation to the corporation and shall discharge the duties of their respective positions in good faith and with that diligence care and skill which ordinarily prudent men would exercise under similar circumstances in their personal business affairs.

Section 409 Women May Be Directors or Officers Women married or single may serve as directors and officers of business corporations

ARTICLE V

SHAREHOLDERS' MEETINGS RIGHTS AND LIABILITIES

Section 501 Meetings of Shareholders A Meetings of shareholders may be held at such place within or without this Commonwealth as may be provided in the by laws Unless the by-laws provide otherwise all metings of the shareholders shall be held in this Commonwealth at the registered office of the corporation

B The by-laws may provide for the number and the time of meetings of shareholders but at least one meeting of the shareholders shall be held in each calendar year for the election of directors at such time as shall be provided in the by-laws Failure to hold the annual meeting at the designated time shall not work any forfeiture or dissolution of the corporation If the annual meeting shall not be called and held within six months after the designated time any shareholder may call such meeting.

C Special meetings of the shareholders may be called at any time by the president the board of directors or the holders of not less than one-fifth of all the shares outstanding and entitled to vote at the patricular meeting or by such other officers or persons as may be provided in the articles or by-laws At any time upon written request of any person entitled to call a special meeting it shall be the duty of the secretary to call a special meeting of the shareholders to be held at such time as the secretary may fix not less than ten nor more than sixty days after the receipt of the request If the secretary shall neglect or refuse to issue such call the person or persons making the request may do so

D Adjournment or adjournments of any annual or special meeting may be taken but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected

Section 502 Notice of Meetings of Shareholders Written notice of every meeting of the shareholders shall be given by or at the direction of the person authorized to call the meeting to each shareholder of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act in a particular case When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

Section 503 Quorum of Shareholders A shareholders' meeting duly called shall not be organized for the transaction of business unless a quorum is pesent Unless otherwise provided in the articles

(1) The presence in person or by proxy of the holders of a majority of the outstanding shares entitled to vote shall constitute a quorum

(2) The shareholders present at a duly organized meeting can continue to do business until adjournment notwithstanding the withdrawal of enough shareholders to leave less than a quorum

(3) If a meeting cannot be organized because a quorum has not attended those present may except as otherwise provided in this act adjourn the meeting to such time and place as they may determine but in the case of any meeting called for the election of directors those who attend the second of such adjourned meetings although less than a quorum as fixed in this section or in the articles shall nevertheless constitute a quorum for the purpose of electing directors

Section 504 Shareholders May Vote in Person or by Proxy Except as otherwise provided in the articles and this act every shareholder of record shall have the right at every shareholders' meeting to one vote for every share standing in his name on the books of the corporation Every shareholder may vote either in person or by proxy Every proxy shall be executed in writing by the shareholder or by his duly authorized attorney in fact and filed with the secretary of the corporation A proxy unless coupled with an interest shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary but the revocation of a proxy shall not be effective until notice thereof has been given to the secretary of the corporation No unrevoked proxy shall be valid after eleven months from the date of its execution unless a longer time is expressly provided therein but in no event shall a proxy unless coupled with an interest be voted on after three years from the date of its execution A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised written notice of such death or incapacity is given to the secretary of the corporation A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value

Section 505 Elections of Directors Cumulative Voting Unless otherwise provided in the by-laws elections for directors need not be by ballot except upon demand made by a shareholder at the election and before the voting begins In all elections for directors every shareholder entitled to vote shall have the right in person or by proxy to multiply the number of votes to which he may be entitled by the number of directors to be elected and he may cast the whole number of such votes for one candidate or he may distribute them among any two or more candidates The candidates receiving the highest number of votes up to the number of directors to be elected shall be elected

Section 506 Voting by Trustees and Pledgees Shares standing in the name of a trustee appointed by the court of common pleas or shares held by an assignee for the benefit of creditors or by a receiver may be voted either in person or by proxy of the trustee, assignee or receiver. A shareholder whose shares are pledged shall be entitled to vote thereon in person or by proxy until the shares have been transferred on the books of the corporation to the pledgee or nominee and thereafter the pledgee or nominee shall be entitled to vote the shares in person or by proxy

Section 507 Voting by Joint Holders of Shares Where shares are held jointly or as tenants in common by two or more persons such shares shall be voted and any proxy shall be given by the person or persons designated for that purpose in the agreement under which such shares are held jointly or by tenancy in common If the agreement does not determine the question which person or persons shall vote such shares or give any proxy in regard thereto the will of the majority of such persons shall control the manner of voting or the giving of a proxy If only one or more of such persons is present in person or by proxy he or they shall have the right to vote all such shares and all of the shares standing in the names of such persons shall be deemed to be represented for the purpose of determining a quorum Where in any case such persons are equally divided upon the manner of voting the shares held by them the vote of such shares shall be divided equally among such persons Except as hereinafter provided the same shall be true in the case of trustees appointed by the court of common pleas unless the decree of court appointing them otherwise directs Where in any case such trustees are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court of common pleas upon petition filed by any of the trustees or by any beneficiary to direct the voting of such shares in the manner which in the opinion of the court will be for the best interests of the parties benefically interested in the shares

Section 508 Voting Shares Held by Corporation A corporation owning shares in another corporation may vote the same by its president or by proxy appointed by him unless some other person by resolution of its board of directors shall be appointed to vote such shares in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution Shares of its own capital stock belonging to a corporation shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares for voting purposes at any given time but shares of its own capital stock held by it in a fiduciary capacity may be voted and shall be counted in determining the total number of outstanding shares at any given time

Section 509 Determination of Shareholders of Record Unless the by-laws otherwise provide the board of directors may fix a time not less than ten or more than forty days prior to the date of any meeting of shareholders or the date fixed for the payment of any dividend or distribution or the date for the allotment of rights or the date when any change or conversion or exchange of shares will be made or go into effect as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting or entitled to receive payment of any such dividend or distribution or to receive any such allotment of rights or to exercise the rights in respect to any such change conversion or exchange of shares In such case only such shareholders as shall be shareholders of record on the date so fixed shall be entitled to notice of and to vote at such meeting or to receive payment of such dividend or to receive such allotment of rights or to exercise such rights as the case may be notwithstanding any transfer of any shares on the books of the corporation after any record date fixed as aforesaid The board of directors may close the books of the corporation against transfers of shares during the whole or any part of such period and in such case written or printed notice thereof shall be mailed at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the corporation or supplied by him to the corporation for the purpose of notice While the stock transfer books of the corporation are closed no transfer of shares shall be made theron Unless a record date is fixed by the by-laws or the board of directors for the determination of shareholders entitled to receive notice of or vote at a shareholders' meeting transferees of shares which are transferred on

the books of the corporation within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting

Section 510 Voting Lists The officer or agent having charge of the transfer books for shares of a corporation shall make at least five days before each meeting of shareholders a complete list of the shareholders entitled to vote at the meeting arranged in alphabetical order with the address of and the number of shares held by each which list shall be kept on file at the registered office of the corporation and shall be subject to inspection by any shareholder at any time during usual business hours Such list shall also be produced and kept open at the time and place of the meeting and shall be subject to the inspection of any shareholder during the whole time of the meeting The original share ledger or transfer book or a duplicate thereof kept in this Commonwealth shall be prima facie evidence as to who are the shareholders entitled to examine such list or share ledger or transfer book or to vote in person or by proxy at any meeting of shareholders An officer or agent having charge of the transfer books who shall fail to prepare the list of shareholders or keep the same on file for a period of five days or produce and keep the same open for inspection at any meeting as provided in this section shall be liable to any shareholder suffering damages on account of such failure to the extent of such damages

Section 511 Voting Trusts A Two or more shareholders of any business corporation may by agreement in writing transfer their shares to any corporation or person for the purpose of vesting in the transferee or transferees all voting or other rights pertaining to such shares for a period not exceeding ten years and upon the terms and conditions stated in the agreement.

B The share certificates of shares so transferred shall be surrendered and cancelled and new certificates therefor shall be issued to the transferee or transferees as voting trustee or trustees in which new certificates it shall appear that they are issued pursuant to the agreement In the registration of the transfer of the shares on the books of the corporation it shall be noted that the transfer is made pursuant to the agreement The trustee or trustees may execute and deliver to the transferors voting trust certificates which shall be transferable in the same manner and with the same effect as certificates of shares under the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) and its amendments and supplements upon the transfer and registration of the shares The trustee or trustees shall possess all voting and other rights pertaining to the shares so transferred and registered subject to the terms and conditions of and for the period specified in the agreement

C Unless otherwise provided in the agreement

(1) The trustees may vote in person or by proxy

(2) If there are two or more trustees the manner of voting shall be determined as heretofore provided in this act for the voting of shares by joint holders

(3) Vacancies among the trustees shall be filled by the remaining trustees

(4) A trustee shall incur no responsibility as trustee except for his own individual neglect or malfeasance

Section 512 Judges of Election A In advance of any meeting of shareholders the board of directors may appoint judges of election who need not be shareholders to act at such meeting or any adjournment thereof If judges of election be not so appointed the chairman of any such meeting may and on the request of any shareholder or his proxy shall make such appointment at the meeting The number of judges shall be one or three If appointed at a meeting on the request of one or more shareholders or proxies the majority of shares present and entitled to vote shall determine whether one or three judges are to be appointed No person who is a candidate for office shall act as a judge

B In case any person appointed as judge fails to appear or fails or refuses to act the vacancy may be filled by appointment made by the board of directors in advance of the convening of the meeting or at the meeting by the person or officer acting as chairman

C The judges of election shall determine the number of shares outstanding and the voting power of each the shares represented at the meeting the existence of a quorum the authenticity validity and effect of proxies receive votes or ballots hear and determine all challenges and questions in any way arising in connection with the right to vote count and tabulate all votes determine the result and do such acts as may be proper to conduct the election or vote with fairness to all shareholders The judges of election shall perform their duties impartially in good faith to the best of their ability and as expeditiously as is practical If there be three judges of election the decision act or certificate of a majority shall be effective in all respects as the decision act or certificate of all

D On request of the chairman of the meeting or of any shareholder or his proxy the judges shall make a report in writing of any challenge or question or matter determined by them and execute a certificate of any fact found by them Any report or certificate made by them shall be prima facie evidence of the facts stated therein

Section 513 Informal Action by Shareholders Except for the action required by this act for increasing the stated capital or indebtedness of a corporation any action required by this act to be taken at a meeting of the shareholders of a corporation may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the corporation

Section 514 Liability of Shareholders A A shareholder of a business corporation shall not be personally liable for any debt or liability of the corporation except salaries and wages due and owing to its laborers and employes for services rendered to the corporation In such event every shareholder shall be personally liable in an amount equal to the value of the shares of the corporation owned by him but no shareholder shall be so liable unless suit for the collection of such salaries and wages shall be brought against him within six months after the same shall become due The term value as used in this subsection shall mean in the case of shares with par value the aggregate par value of such shares and in the case of shares without par value the consideration received by the corporation on the original issue of such shares

B In any action brought to enforce the liability imposed by this section upon shareholders the plaintiff may include as defendants the corporation and any one or more shareholders of such corporation claimed to be liable therefor Service of summons or other process may be made upon the stockholders resident within such county in the same manner as writs of summons are now directed to be served and upon those residing in other counties of this Commonwealth by the sheriff of the county in which they may respectively reside and upon those nonresidents of this Commonwealth in such manner as the court may direct If judgment be given in favor of the plaintiff for his claim or any part thereof the judgment shall be given against the corporation and any shareholders found liable The execution upon such judgment shall be first levied on the property of the corporation within the Commonwealth and in case such property sufficient to satisfy the judgment cannot be found then execution shall be levied on the property of such shareholders for the deficiency or so much thereof as the shareholder defendants in such judgment shall be liable to pay The shareholders who satisfy any judgment or any part thereof shall be entitled to contribution from the corporation in the first instance and if contribution is unobtainable from the corporation then pro rata from the other solvent shareholders originally liable for the claims on which the judgment was obtained

ARTICLE VI

SHARES OF CAPITAL STOCK

Section 601 Classes of Shares Every business corporation shall have power to create and issue one or more classes or kinds of shares any or all of which classes or kinds may consist of shares with par value or shares without par value with full limited or no voting rights and with such designations preferences qualifications privileges limitations options conversion rights and other special rights as shall be stated or authorized in the articles Shares of a business corporation shall be deemed personal property Except as otherwise provided by the articles each share shall be in all respects equal to every other share Unless the articles or by-laws otherwise provide the board of directors shall have the power by resolution duly adopted to issue from time to time in whole or in part the kinds or classes of shares authorized in the articles The power to increase or decrease or otherwise adjust the stated capital of a corporation as in this act elsewhere provided shall apply to all or any such classes or kinds of shares authorized by this section

Section 602 Issuance of Certain Shares in Series A If the articles so provide the shares of any preferred or special class

may be divided into and issued in series If the shares of any such class are to be issued in series then each series shall be so designated as to distinguish the shares thereof from the shares of all other series and classes Any or all of the series of any such class and the variations in the relative rights and preferences as between different series may be fixed and determined by the articles provided that all shares of the same class shall be identical except as to the following relative rights and preferences in respect of any or all of which there may be variations between different series namely the rate of dividend the price at and the terms and conditions on which shares may be redeemed the amounts payable upon shares in event of voluntary or involuntary liquidation sinking fund provisions for the redemption or purchase of shares and the terms and conditions on which shares may be converted in the event the shares of any series are issued with the privilege of conversion Different series of the same class of shares shall not be construed to constitute different classes of shares for the purpose of voting by classes under this act

B If the articles shall expressly vest authority in the board of directors then to the extent that the articles shall not have established series and fixed and determined the variations in the relative rights and preferences as between series the board of directors shall have authority by resolution to divide any or all of such classes into series and within the limitations set forth in this section fix and determine the relative rights and preferences of any series so established Such authority of the board of directors shall be subject to such limitations if any as are stated in the articles and shall always be subject to the limitation that the board of directors shall not create a sinking fund in respect of any series unless provision for a sinking fund at least as beneficial to all issued and outstanding shares of the same class shall either then

C Prior to the issue of any shares of a series established by resolution adopted by the board of directors the corporation shall present to the Department of State a statement executed under the seal of the corporation signed and verified by two duly authorized officers thereof and setting forth

(1) The name of the corporation

(2) The resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof

(3) The date and the manner of the adoption of such resolution

If the Department of State finds that such statement conforms to law and the articles of the corporation and when all fees have been paid as required by law it shall endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement Upon the filing of such statement by the Department of State the resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof shall become effective

Section 603 Consideration for Shares A Shares of a business corporation shall not be issued except for money labor done or money or property actually received Subscriptions for shares having a par value shall be made payable with money to an amount not less than the aggregate par value of the shares subscribed for or with consideration other than money the fair value of which to the corporation is not less than the aggregate par value of the shares subscribed for Subscriptions for shares having no par value which are made before incorporation shall be made payable with consideration of the character and value determined by the incorporators Subscriptions for shares having no par value which are made after incorporation shall be made payable with consideration of the character and value determined by the shareholders at any annual or special meeting duly called and held for that purpose or determined by the board of directors acting under authority conferred by the shareholders or by the articles of the corporation Shares of a corporation issued and thereafter acquired by it may be disposed of by the corporation for such consideration as may be fixed from time to time by the board of directors For the purpose of determining whether shares have been fully paid for in order to fix the extent of the outstanding obligation of a shareholder to the corporation with respect to such shares the value placed by the incorporators the shareholders or the board of directors as the case may be upon the consideration other than cash with which the subscriptions for shares are made payable shall be conclusive

B The consideration for the issuance of shares as a share dividend shall be that part of the surplus of a business corporation which is hereinafter required by this act to be transferred to stated capital upon the issuance of such shares

C In the event of an exchange of issued shares having a par value for a different number of shares having the same aggregate par value whether of the same or a different class or classes or in the event of a conversion of shares or in the event of an exchange of shares with or without part value into the same or a different number of shares without par value whether of the same or a different class or classes the consideration for the shares so issued in exchange shall be deemed to be (1) the consideration originally received for the shares so exchanged or converted and (2) that part of the surplus if any transferred to stated capital upon the issuance of shares for the shares so exchanged or converted and (3) any additional consideration paid to the corporation upon the issuance of shares for the shares so exchanged or converted

Section 604 Payment of Subscriptions for Shares Unless otherwise provided in the subscription agreement subscriptions for shares whether made before or after the organization of a corporation shall be paid in full at such time or in such installments and at such times as shall be determined by the board of directors Any call made by the board of directors for payment of subscriptions shall be uniform as to all shares of the same class or as to all shares of the same series as the case may be The directors shall cause notice of the amount of any call and of the time and place of payment to be given at least thirty days before the date the call is due either personally or by mail addressed to each shareholder at his last address as it appears on the books of the corporation If a shareholder be indebted to a business corporation on account of unpaid subscriptions for shares the corporation shall have a lien upon such shares for such indebtedness Shares for which the agreed consideration has been paid delivered or rendered to the corporation shall be fully paid shares and non-assessable No note or obligation given by a shareholder whether secured by pledge or otherwise shall be considered as payment in whole or in part of any shares of a business corporation

Section 605 Defaults in Payment of Consideration for Shares When any shareholder fails to pay any call upon his shares properly made by the directors at the time when such payment is due the directors may proceed to collect the amount due in the same manner as any debt due the corporation or they may sell at public sale such part of the shares of the delinquent shareholder as will pay all or any part of the installments then due from him with interest and all incidental expenses and transfer the shares so sold to the purchaser who shall be entitled to a certificate therefor Notice of the time and place of such sale and of the sum due on each share shall be given by advertisement once a week for two consecutive weeks next preceding the date fixed for the sale in a newspaper of general circulation published in the county where the corporation has its registered office and in the legal newspaper if any designated by the rules of court for the publication of legal notices in such county or if there be no newspaper of general circulation published in such county then in a newspaper of general circulation in such county and such notice shall be mailed by the treasurer of the corporation to the delinquent shareholder at his last known post office address at least twenty days before the date fixed for such sale If no bidder can be had to pay the amount due on the shares or if the amount is not collected by an action at law brought within the county where such corporation has its registered office the shares shall be forfeited to the corporation and the amount previously paid in by the delinquent shareholder on the shares shall be forfeited to the corporation Such shares if forfeited may be reissued or reoffered for subscription by the corporation No share shall be voted at any meeting upon which any installment is due and unpaid

Section 606 Expenses of Organization Reorganization and Financing The reasonable charges and expenses of organization or reorganization of a corporation and reasonable compensation for the sale or underwriting of its shares may be paid or allowed by such corporation out of the consideration received by it in payment for its shares without thereby rendering such shares not full paid and non-assessable

Section 607 Share Certificates A The shares of a corporation shall be represented by share certificates which shall state

(1) That the corporation is organized under the laws of this Commonwealth

(2) The name of the registered holder of the shares represented thereby

(3) The number and class of shares and the designation of the series if any which the certificate represents

(4) The par value of each share represented or a statement that the shares are without par value

(5) If the corporation is authorized to issue shares of more than one class the designations preferences voting power qualifications privileges limitations options conversion rights and other special rights of the shares of each class to be issued which shall be stated in full or in the form of a summary either upon the face or back of the certificate

(6) If the corporation is authorized to issue any preferred or special class in series the variations and the relative rights and preferences between the shares of each series so far as they have been fixed and determined and the authority of the board of directors to fix and determine the relative rights and preferences of subsequent series

B Every share certificate shall be signed by the president and secretary or by such officers as the by-laws may provide and sealed with the corporate seal which may be a facsimile engraved or printed but where such certificate is signed by a transfer agent or by a transfer clerk of such corporation and a registrar the signature of any corporate officer upon such certificate may be a facsimile engraved or printed In case any officer who has signed or whose facsimile signature has been placed upon any share certificate shall have ceased to be such officer because of death resignation or otherwise before the certificate is issued it may be issued by the corporation with the same effect as if the officer had not ceased to be such at the date of its issue

C A share certificate representing shares without par value shall not state any par value nor any value thereof in money nor any right of dividend to which such shares shall be entitled in terms of a percentage of any par or other value but preferences rights limitations privileges and restrictions may be stated thereon in dollars and cents per share

D Every shareholder of record shall be entitled to a share certificate representing the shares owned by him but a share certificate shall not be issued by a corporation to any shareholder until the shares represented thereby have been fully paid for

Section 608 Issuance of Fractional Shares or Scrip A corporation may issue a certificate for a fractional share and by action of its board of directors may issue in lieu thereof scrip or other evidence of ownership in bearer form or in the name of the holder which shall entitle the bearer or holder to receive a certificate for a full share upon the surrender of such scrip or other evidence of ownership aggregating a full share but which shall not unless otherwise provided entitle the bearer or holder to exercise any voting right or to receive dividends or to participate in any of the assets of the corporation in the event of liquidation The board of directors may cause such scrip or evidence of ownership to be issued subject to the condition that it shall become void if not exchanged for share certificates before a specified date or subject to the condition that the shares for which such scrip or evidence of ownership is exchangeable may be sold by the corporation and the proceeds thereof distributed to the bearers or holders of such scrip or evidence of ownership or subject to any other conditions which the board of directors may deem advisable

Section 609 Liability of Subscribers and Shareholders A subscriber to or holder of shares of a corporation formed under this act shall not be under any liability to the corporation with respect to such shares other than the obligation of complying with the terms of the subscription for such shares Any person becoming an assignee or transferee of shares or of a subscription for shares in good faith and without knowledge or notice that the full consideration therefor has not been paid shall not be personally liable to the corporation or its creditors for any unpaid portion or such consideration No person holding shares as executor administrator guardian trustee receiver or in any other representative or fiduciary capacity shall be personally liable as a shareholder by reason of so holding such shares but the estate and funds in the hands of such fiduciary or representative shall be so liable No pledgee or other holder of shares as collateral security shall be personally liable as a shareholder but the person pledging such shares shall be considered the holder thereof and shall be liable as a shareholder

Section 610 Validity of Shares The fact that shares are issued in violation of or without full compliance with the provisions of this act shall not make the shares so issued invalid unless they are issued in violation of Article XVI Section seven of the Constitution of this Commonwealth

Section 611 Preemptive Rights of Shareholders Unless otherwise provided in its articles a business corporation may issue shares option rights or securities having conversion or option rights without first offering them to shareholders of any class or classes Shares which have been offered to shareholders having a preemptive right thereto at a price and upon terms duly fixed and which have not been subscribed for by them within the time duly fixed by the articles or the board of directors may be thereafter offered for subscription to any person or persons at a price and upon terms not more favorable than those at which they were offered to such shareholders

Section 612 Employes' Share Purchase Plan Unless otherwise provided in its articles every business corporation may provide and carry out a plan for the issue and sale of its authorized but unissued shares to its employes or to the employes of any subsdiary corporation or to a trustee on their behalf without first offering such shares to its shareholders upon such terms terms and conditions and in such manner as shall be provided in the by-laws except that shares subject to preemptive rights may be so issued and sold under such plan only with the written consent or affirmative vote of the holders of two-thirds of the shares entitled to exercise preemptive rights with respect thereto

Section 613 Transfer of Share Certificates and Shares A The transfer of share certificates and the shares represented thereby may be regulated by the by-laws provided such by-laws are not inconsistent with the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) and its amendments and supplements

B A business corporation may open a share register in any state of the United States and may employ an agent or agents to keep such register and to record therein transfer of shares in this or in other states or both The acts of such agents shall be binding on the corporation and their duties and liabilities shall be such as may be agreed to by the corporation

Section 614 Stated Capital and Paid-in Surplus Every business corporation shall have a stated capital which shall consist of the aggregate par value of all its issued shares having a par value and the aggregate amount of value of the agreed consideration received for all its issued shares without par value unless the board of directors by resolution and subject to the limitations hereinafter contained in this section shall determine (a) before or at the time of issue of any shares of the corporation issued for cash or (b) within sixty days after the issuance of any shares issued for labor or services actually performed for the corporation or issued for property other than cash that only a part of the consideration for shares so issued shall be stated capital and that the remainder of the consideration so received shall be paid-in surplus In the event of any such determination

(1) If the shares to be issued shall consist wholly of shares having a par value then the stated capital represented by such shares shall be the aggregate par value of the shares so to be issued

(2) If the shares to be issued shall consist wholly of shares without par value all of which shares have a preferential right in the assets of the corporation in the event of involuntary liquidation then the stated capital represented by such shares shall be not less than the aggregate amount of value of the agreed consideration to be received for such shares

(3) If the shares to be issued consist wholly of shares without par value and none of such shares has a preferential right in the assets of the corporation in the event of its involuntary liquidation then the stated capital represented by such shares shall be the total consideration received therefor less such part thereof as may be allocated to paid-in surplus

(4) If the shares to be issued shall consist of several or all of the classes of shares enumerated above then the stated capital to be represented by such shares shall be not less than the aggregate par value of any shares to be issued having a par value and the aggregate amount of value of the agreed consideration to be received for any shares to be issued without par value having a preferential right in the event of involuntary liquidation

In each such case the resolution of the board of directors shall specify in dollars the part of such consideration which shall be stated capital Every business corporation shall at all

times keep its books in such manner as to indicate clearly the allocation of consideration received for shares between stated capital and paid-in surplus The stated capital of the corporation may be increased from time to time by resolution of the board of directors directing that all or a part of the surplus of the corporation be transferred to stated capital The board of directors may direct that the amount of the surplus so transferred shall be deemed to be stated capital in respect of any designated class of shares

ARTICLE VII

DIVIDENDS REDEMPTION OF SHARES AND REDUCTION OF STATED CAPITAL

Section 701 Directors May Declare Dividends A Subject to any restrictions contained in the articles of the corporation and the provisions of this article any business corporation by its board of directors may declare and pay dividends upon the outstanding shares of the corporation out of its surplus as hereinafter provided from time to time and to such extent as the board of directors may deem advisable Dividends may be paid in cash in property or in shares of the corporation but no corporation shall pay dividends

(1) In cash or property except from the surplus of the aggregate of its assets over the aggregate of its liabilities including in the latter the amount of its stated capital after deducting from such aggregate of its assets the amount by which such aggregate was increased by unrealized appreciation in value or revaluation of fixed assets

(2) In shares of the corporation except from the surplus of the aggregate of its assets over the aggregate of its liabilities including in the latter the amount of its stated capital

B In computing the aggregate of the assets of the corporation the board of directors shall determine and make proper allowance for depreciation and depletion sustained and losses of every character except as otherwise provided in this section Deferred assets and prepaid expenses shall be written off at least annually in proportion to their use as may be determined by the board of directors Amounts of surplus arising from an unrealized appreciation or revaluation of fixed assets shall be shown on the books of the corporation as a separate item apart from surplus profits or paid-in surplus

C A corporation engaged solely or substantially in the exploitation of mines oil wells gas wells patents or other wasting assets or organized solely or substantially to liquidate specific assets need not make any deduction for the depletion of such assets by lapse of time consumption liquidation or exploitation in computing the fund available for dividends and such a corporation may pay dividends from the net profits arising from its business without deduction of such depletion subject however to the rights of shareholders of different classes

Section 702 Additional Limitations on Cash or Property Dividends Cash or property dividends shall not be paid out of surplus due to or arising from

(1) Any profit on treasury shares before resale or

(2) Any unrealized profits due to increase in valuation of inventories before sale or

(3) The accrued portion of unrealized profits on notes bonds or obligations for the payment of money purchased or acquired at a discount or

(4) The unaccrued or unearned portion of any unrealized profit in any form whatever whether in the form of notes bonds obligations for the payment of money installments sales credits or otherwise

Section 703 Limitations on Dividends Payable in Shares Dividends in shares of the corporation may be payable in shares with or without par value If a dividend is declared payable in shares having a par value such shares shall be issued at the par value thereof and there shall be transferred to stated capital at the time such dividend is declared an amount of surplus equal to the aggregate par value of the shares to be issued as a dividend If a dividend is declared payable in shares having no par value such shares shall be issued at such value as shall be fixed by the board of directors by resolution at the time such dividend is declared and there shall be transferred to stated capital at the time such dividend is declared an amount of surplus equal to the aggregate value so fixed in respect to such shares For the purpose of determining whether shares have been fully paid for in ordr to fix the extent of the outstanding obligation of a shareholder to the corporation with respect to such shares the value placed by the board of directors upon the corporate assets in estimating the surplus to be transferred to stated capital as payment for shares issued as a share dividend shall be conclusive Shares issued as share dividends shall be fully paid shares and non-assessable No dividend payable in shares of any class shall be paid to shareholders of any other class unless the articles so provide or such payment is authorized by the vote of the holders of a majority of the shares of the class in which the payment is to be made A splitup or division of issued shares into a greater number of shares of the same class shall not be construed to be a share dividend within the meaning of this section

Section 704 Dividends Payable Out of Paid-in Surplus Dividends may be paid out of paid-in surplus only upon shares having a preferential right to receive dividends provided that the source of such dividends shall be disclosed to the shareholders entitled thereto prior to or concurrently with the payment of such dividends

Section 705 Redemption and Cancellation of Shares A Whenever any business corporation shall have issued any shares which are subject to redemption and cancellation it may by resolution of its board of directors redeem and cancel such shares for consideration not in excess of that provided in the articles Such corporation may apply to such redemption an amount out of its stated capital which shall not be greater than that portion of the stated capital represented by such shares at the time of such redemption and the stated capital of the corporation shall be deemed to be reduced to this extent No redemption of shares shall be made which will reduce the remaining assets of the corporation below an amount sufficient to pay all debts and known liabilities of the corporation as they mature except such debts and liabilities as have been otherwise adequately provided for or which will reduce the net assets below the aggregate amount payable to the holders of shares having prior or equal rights to the assets of the corporation upon dissolution

B In every such case a statement of redemption and cancellation shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation and the address of its registered office

(2) The aggregate number of shares which the corporation had authority to issue itemized by classes and series

(3) The number of shares redeemed and cancelled itemized by classes and series

(4) The number of shares which the corporation has authority to issue itemized by classes and series after giving effect to the redemption and cancellation

(5) A statement of the aggregate number of issued shares itemized by classes par value of shares shares without par value and series if any within a class after giving effect to such redemption and cancellation

(6) A statement expressed in dollars of the amount of the stated capital and the amount of paid-in surplus of the corporation after giving effect to such redemption and cancellation

C The statement shall be delivered to the Department of State either prior to or within thirty days after the date of such redemption and cancellation If the Department of State finds that the statement conforms to law it shall endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement The filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so redeemed which the corporation is authorized to issue by the number of the shares so redeemed and cancelled Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act

Section 706 Reduction of Stated Capital Without Change in Share Structure A A reduction in the stated capital of a corporation which does not involve an exchange re-classification or cancellation of shares or a reduction of the number of authorized shares of any class below the number of issued shares of that class or a redemption and cancellation of shares may be effected in the manner hereinafter provided in this section The board of directors of the corporation shall adopt a resolution setting forth the amount of the proposed reduction and the manner in which the reduction shall be effected and directing that the question of such reduction be submitted to a vote at an annual meeting of the shareholders or at a

special meeting of the shareholders entitled to vote thereon Written notice stating that the purpose or one of the purposes of such meeting is to consider the question of reducing the stated capital of the corporation shall be given to each shareholder of record entitled to vote thereon within the time and in the manner prescribed in this act for the giving of notice of meetings of shareholders If such meeting be an annual meeting such purpose may be included in a notice of such annual meeting The resolution shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon unless any class of shares is entitled to vote thereon as a class in which event the proposed resolution for reduction of stated capital shall require for its adoption the affirmative vote of the holders of at least a majority of the outstanding shares of each class entitled to vote as a class thereon and at least the affirmative vote of the holders of a majority of all outstanding shares entitled to vote thereon

B Upon the approval of the resolution by the shareholders a statement shall be executed under the seal of the corporation signed and verified by at least two duly authorized officers thereof which shall set forth

(1) The name of the corporation and the address of its registered office

(2) The number of shares outstanding the number of shares entitled to vote in respect of such reduction and if the shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes entitled to vote thereon

(3) The number of shares voted for and against such reduction respectively and if the shares of any class are entitled to vote as a class the number of shares of each such class and the number of shares of all other classes voted for and against such reduction respectively

(4) A statement expressed in dollars of the amount of stated capital and the amount of paid-in surplus of the corporation adjusted to give effect to such resolution

C The statement shall be filed with the Department of State If the Department of State finds that such statement conforms to law it shall endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement Upon the filing of such statement the reduction shall be effective

Section 707 Liability for Unlawful Dividends and Distributions The directors of a business corporation shall not declare or pay dividends or authorize or ratify the withdrawal or distribution of any part of its assets to shareholders except as authorized in this act If any dividend shall be paid or if any withdrawal or distribution of the corporate assets shall be made except as provided in this act the directors under whose administration the same were made except those who shall have caused their dissent therefrom to be entered on the minutes of the meeting at which such action was authorized or who being absent at the time shall have promptly filed their written objection thereto with the secretary of the corporation upon learning of such action shall be jointly and severally liable to the corporation in an amount equal to the amount of the unlawful dividend or the unlawful withdrawal or distribution of assets Any director against whom a claim shall be asserted under or pursuant to this section and who shall be held liable thereon shall be entitled to a contribution from the other directors who are likewise liable thereon pro rata according to the number of such directors Any two or more directors may be sued in the same action

ARTICLE VIII

AMENDMENT OF ARTICLES

Section 801 Amendment of Articles Authorized A business corporation in the manner hereinafter provided in this article may from time to time amend its articles

(1) To adopt a new name subject to the restrictions heretofore provided in this act

(2) To modify any provision thereof limiting its term of existence by increasing such term or to remove such provision and provide for perpetual existence

(3) To change add to or diminish its powers or purposes or to set forth different or additional powers or purposes

(4) To increase or diminish its authorized capital stock or to reclassify the same by changing the number par value designations preferences or relative participating optional or other special rights of the shares or the qualifications limitations or restrictions of such rights or by changing shares with par value into shares without par value or shares without par value into shares with par value either with or without increasing or decreasing the number of shares and in any and as many other respects as desired provided that the articles as so amended would be authorized by this act as original articles of incorporation

Section 802 Proposal of Amendments Every amendment to the articles shall first be proposed by the board of directors by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to a vote of the shareholders entitled to vote thereon at a designated meeting which may be either an annual meeting of the shareholders or a special meeting of the shareholders entitled to vote on the amendment The resolution shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

Section 803 Notice of Shareholders' Meetings Written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering proposed amendments be given to each shareholder of record except the written notice of any proposed amendment for increasing the authorized capital stock of the corporation shall be given to each shareholder of record at least sixty days before such meeting Such notice shall set forth the proposed amendment or a summary of the changes to be effected thereby

Section 804 Shares Entitled to Vote on Amendments Except as hereinafter provided only the holders of outstanding shares who under the articles are entitled to vote on proposed amendments to the articles of the corporation shall be entitled to vote thereon If a proposed amendment would authorize the board of directors to fix and determine the relative rights and preferences as between series of any preferred or special class or would revoke the authority of the board of directors to do so then the holders of the outstanding shares of any such class shall be entitled to vote in respect to such amendment If a proposed amendment would make any change in the preferences qualifications limitations restrictions or special or relative rights of the shares of any class or increase or decrease the par value or the authorized number of shares of any class or limit or deny the existing preemptive rights of the shares of any class or authorize a new class of shares senior or superior in any respect to the shares of any class then authorized or increase the number of authorized shares of any class senior or superior in any respect to the shares of any class then authorized the holders of the outstanding shares of the class or classes affected adversely by the proposed amendment shall be entitled to vote as a class on such amendment regardless of any limitations stated in the articles on the voting rights of such class or classes

Section 805 Adoption of Amendments by Shareholders A vote of the shareholders entitled to vote on a proposed amendment shall be taken at the annual or special meeting of which notice for that purpose has been duly given Unless the articles require a greater vote the proposed amendment shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon unless any class of shares is entitled to vote thereon as a class in which event the proposed amendment shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares in each class of shares entitled to vote as a class thereon and the affirmative vote of the holders of at least a majority of all outstanding shares entitled to vote thereon Any number of amendments may be submitted to the shareholders and voted upon by them at one meeting

Section 806 Articles of Amendment After an amendment has been adopted by the shareholders articles of amendment shall be executed under the seal of the corporation and verified by two duly authorized officers of the corporation and shall set forth

(1) The name and location of the registered office of the corporation

(2) The Act of Assembly under which the corporation was formed and the date when and the place where the original articles were recorded

(3) The time and place of the meeting of the shareholders of the corporation at which the amendment was adopted and the kind and period of notice given to the shareholders

(4) The number of shares outstanding the number of shares entitled to vote on the amendment and if the shares of any class and entitled to vote as a class then the number of shares of each class and the number of shares of all other classes entitled to vote thereon

(5) The number of shares voted for and against such amendment respectively and if shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against such amendment respectively

(6) The amendment adopted by the shareholders which shall be set forth in full

(7) If the total number of shares is to be increased or decreased the total number of shares including those previously authorized which the corporation will thenceforth be authorized to have the number of shares that have a par value thereof and the number of shares that have no par value and if shares are divided into more than one class a description of the classes and a statement of the number of shares in each class and of the relative rights voting powers preferences and restrictions granted to or imposed upon the shares of each class

Section 807 Advertisement The corporation shall advertise its intention to file articles of amendment with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation Advertisements shall appear at least three days prior to the day upon which the articles of amendment are presented to the Department of State and shall set forth briefly

(1) The name and location of the registered office of the corporation

(2) A statement that the articles of amendment are to be filed under the provisions of this act

(3) The nature and character of the proposed amendment

(4) The time when the articles of amendment will be filed with the Department of State

Section 808 Filing of Articles of Amendment The articles of amendment and proof of the advertisement heretofore required in this article shall be delivered by the corporation or its representatives to the Department of State If the Department of State finds that such articles conform to law it shall forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and when all bonus fees taxes and charges have been paid as required by law shall file the articles and issue to the corporation of its representative a certificate of amendment to which shall be attached a copy of the approved articles

Section 809 Effective Date of Amendment Upon the issuance of the certificate of amendment by the Department of State the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any existing cause of action favor of or against the corporation or any pending suit in which the corporation shall be a party or the existing rights of persons other than shareholders and in the event the corporate name shall be changed by the amendment no suit brought by or against the corporation under its former name shall be abated for that reason

ARTICLE IX
MERGER AND CONSOLIDATION

Section 901 Merger and Consolidation Authorized A Any two or more domestic business corporations or any one or more foreign business corporations may in the manner hereinafter provided in this article be merged into one of such domestic business corporations hereinafter designated as the surviving corporation or consolidation into a new corporation to be formed under this act provided such foreign business corporations are authorized by the law or laws of the jurisdiction under which they were formed to effect such merger or consolidation

B Any one or more domestic business corporations and any one or more foreign business corporations may in the manner hereinafter provided in this act be merged into one of such foreign business corporations hereinafter designated as the surviving corporation or consolidated into a new corporation to be formed under the law or laws of the jurisdiction under which one of the foreign business corporations was formed provided the laws of such jurisdiction authorize such merger or consolidation

Section 902 Approval of Joint Plan of Merger or Consolidation A The board of directors of each of the corporations which desire to merge or consolidate shall by resolution adopted by at least a majority vote of the members of each board approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and mode of carrying the same into effect the manner and basis of converting the shares of each corporation into shares or other securities or obligations of the surviving or new corporation as the case may be and such other details and provisions as are deemed necessary

B The board of directors of each corporation upon approving such plan of merger or plan of consolidation shall by resolution direct that the plan be submitted to a vote of the shareholders of such corporation entitled to vote thereon at an annual or special meeting of the shareholders Written notice shall not less than ten days before such annual or special meeting be given to each shareholder of record of such corporation whether or not entitled to vote on such plan unless the plan of merger or plan of consolidation contemplates an increase in the aggregate of the authorized capital stock of the constituent corporations in which event sixty days' notice of such meeting shall be given to each shareholder The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice

C The plan of merger or consolidation shall be approved upon receiving the affrmative vote of the holders of at least the majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating corporations unless any class of shares of any of such corporations is entitled to vote thereon as a class in which event as to such corporation the plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote thereon as a class and the affirmative vote of the holders of at least a majority of all outstanding shares entitled to vote thereon

Section 903 Article of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the shareholders of the corporations desiring to merge or consolidate articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corporation signed and verified by two duly authorized officers of each corporation and shall set forth

(1) The name and the location of the registered office of the surviving or new corporation

(2) The time and place of the meeting of the shareholders of each corporation at which the plan of merger or consolidation as the case may be was adopted the kind and period of notice given to the shareholders and the total vote by which the plan was adopted

(3) Any changes desired to be made in the articles of the surviving corporation in the case of a merger or in the case of a consolidation all of the statements required by this act to be set forth in original articles in the case of the formation of a corporation

(4) The number names and addresses of the persons to be the first directors of the surviving or new corporation

(5) The plan of merger or consolidation

Section 904 Advertisement The corporation shall advertise its intention to file articles of merger or articles of consolidation as the case may be with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation Advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Depatrment of State and shall set forth briefly

(1) The name and the location of the registered office of each of the corporations intending to merge or consolidate

(2) The name and the location of the registered office of the surviving or new corporation

(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(4) The purpose or purposes of the surviving or new corporation

(5) The time when the articles of merger or consolidation will be delivered to the Department of State

Section 906 Filing of Articles of Merger or Consolidation The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section shall be delivered to the Department of State If the Department of State finds that such articles conform to law it shall forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and when all bonus fees taxes and charges have been paid as required by law shall file the articles and issue to the corporation or its representative a certificate of merger or a certificate of consolidation as the case may be to which shall be attached a copy of the approved articles

Section 906 Effective Date of Merger or Consolidation Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving corporation except as against the Commonwealth The merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but not until articles of merger or articles of consolidation have been adopted and filed as heretofore provided in this act

Section 907 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single corporation which in the case of a merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of a consolidation shall be the new corporation provided for in the plan of consolidation The separate existence of all corporations parties to the plan of merger or consolidation shall cease except that of the surviving corporation in the case of a merger The surviving or new corporation as the case may be shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions to shares and other choses in action belonging to any of them shall be taken and deemed to be transferred to and vested in the surviving or new corporation as the case may be without further act or deed The surviving or new corporation shall thenceforth be responsible for all the liabilities and obligations of each of the corporations so merged or consolidated but the liabilities of the merging or consolidating corporations or of their shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place In the case of a merger the articles of incorporation of the surviving corporation shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporation of corporations formed under this act shall be deemed to be the articles of incorporation of the new corporation The aggregate amount of the net assets of the merging or consolidating corporations which was available for the payment of dividends immediately prior to such merger or consolidation to the extent that the value thereof is not transferred to stated capital by the issuance of shares or otherwise shall continue to be available for the payment of dividends by such surviving or new corporation

Section 908 Rights of Dissenting Shareholders A If any shareholder of a corporation which becomes a party to a plan of merger or consolidation shall file with such corporation prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder within twenty days after the merger or consolidation was effected shall make written demand on the surviving or new corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new corporation shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or certificates representing his shares The demand of the shareholder shall state the number and class of the shares owned by him Any shareholder failing to file such written objection or make demand within the twenty-day period shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon between the dissenting shareholder and the surviving or new corporation payment thereof shall be made in cash within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or certificates representing his shares Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the corporation

B If within such period of thirty days the shareholder and the surviving or new corporation do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the registered office of the surviving or new corporation is situated for the appointment by the court of three disinterested persons to appraise the fair value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive The costs of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the surviving or new corporation unless in the opinion of the court the action of any shareholder in refusing the offer of the corporation has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new corporation of the share certificate or certificates representing the shares of the dissenting shareholder If the award shall not be paid by the surviving or new corporation within thirty days after the order of the court thereon the amount of the award shall be a judgment against the surviving or new corporation as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new corporation Such shares may be held and disposed of by the surviving or new corporation as it may see fit Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof

ARTICLE X
FOREIGN BUSINESS CORPORATIONS

Section 1001 Admission of Foreign Business Corporations A foreign business corporation before doing any business in this Commonwealth shall procure a certificate of authority to do so from the Department of State in the manner hereinafter provided in this article unless the entire business operations of the corporation within this Commonwealth are within the protection of the Commerce Clause of the Federal Constitution in which event the corporation may engage in such business operations without procuring a certificate of authority A foreign business corporation shall not be denied a certificate of authority by reason of the fact that the laws of the state or country governing its organization and internal affairs differ from the laws of this Commonwealth and nothing in this act contained shall be construed to authorize this Commonwealth to regulate the organization or the internal affairs of such corporation

Section 1002 Restrictions on Admission of Foreign Business Corporations The Department of State shall not issue a certificate of authority to any foreign business corporation

(1) If the application for the certificate of authority hereinafter required by this article to be filed sets forth any kind of business for the transaction of which a domestic business corporation could not be formed under the laws of the Commonwealth

(2) The name of which is not expressed in English letters or characters or does not contain the word "corporation" "company" or "incorporated" or end with an abbreviation of one of such words as provided in this act in the case of domestic business corporations unless such corporation for use in this Commonwealth expresses its name in English letters or characters and includes in or adds to the end of its name one of such words or an abbreviation thereof in the manner heretofore provided in this act

(3) Which has a name the same as or deceptively similar to the name of any domestic corporation or any other foreign corporation authorized to do business in this Commonwealth or the name of any unincorporated body voluntarily registered with the Department of State under any Act of Assembly unless such other domestic or foreign corporation or unincorporated body is about to change its name or to cease to do busior is being wound up or such foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other domestic or foreign corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the statement hereinafter required by this act Provided that nothing herein contained shall be construed to refer or apply to any assumed or fictitious name required by law to be filed with the Department of State

(4) Which has a name the same as or deceptively similar to a name the exclusive right to which is at the time reserved by an other corporation in the manner provided in this act or any other Act of Assembly

(5) Which has as part of its name any word or phrase not permitted by this act to be a part of the name of a domestic business corporation

Section 1003 Advertisement A foreign business corporation before it may procure a certificate of authority shall advertise its intention to apply for a certificate of authority by publication in a manner similar to that heretofore prescribed in this act in the case of the formation of a domestic business corporation Advertisments shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly

(a) The name of the corporation and of the state or country under the laws of which it is formed

(b) The address including street and number if any of its principal office in the state or country under the laws of which it is incorporated

(c) The address including street and number if any of its proposed registered office in this Commonwealth

(d) The character and nature of the business it proposes to do within this Commonwealth

(e) The date when its application for a certificate of authority will be presented to the Department of State

Section 1004 Application for a Certificate of Authority The foreign business corporation or its representative shall deliver to the Department of State a copy of its articles and all amendments thereto duly certified by the proper public officer of the state or country of its incorporation or if the corporation is created by a special law and has no articles a duly certified copy of such law a verified translation of any part of such articles amendments or law which is in a foreign language proof of the advertisement heretofore required by this article and an application for a certificate of authority executed under the seal of the corporation and signed and verified by at least two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) If the name of the corporation does not contain one of the words "corporation" "company" or "incorporated" or does not end with an abbreviation of one of such words then the name of the corporation with the word or abbreviation which it elects to add thereto for use in this Commonwealth

(3) The name of the state or country under the laws of which it is formed

(4) The address including street and number if any of its principal office in the state or country under the laws of which it is formed

(5) The address including street and number if any of its proposed registered office in this Commonwealth

(6) A designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of the corporation upon whom all lawful process in any action or proceeding against it may be served that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on the corporation and that the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in this Commonwealth

(7) The character and nature of the business it proposes to do within this Commonwealth

(8) A statement of the aggregate number of shares which it has authority to issue itemized by classes par value of shares shares without par value and series if any within a class

(9) A statement of the aggregate number of its issued shares itemized by classes par value of shares shares without par value and series if any within a class

(10) Such further and additional information as the Department of State may from time to time require for the purpose of ascertaining whether or not the applicant corporation is entitled to a certificate of authority

Section 1005 Issuance of Certificate of Authority If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth it shall forthwith but not prior to the day specified in the advertisement heretofore required in this article endorse its approval upon the application for a certificate of authority and when all bonus fees and charges have been paid as required by law shall file the application and the copy of the articles and shall issue to the corporation a certificate of authority to do business in this Commonwealth The certificate of authority shall set forth the name of the corporation the address of its registered office in this Commonwealth and the character and nature of the business it is authorized to transact in this Commonwealth Upon the issuance of the certificate of authority by the Department of State the corporation may do in this Commonwealth any of the business referred to in the certificate of authority and no other subject however to the right of the Commonwealth to cance lor revoke such right to transact business in this Commonwealth as provided in this act The certificate of authority shall be delivered to the corporation or its representative

Section 1006 Registered Office of Foreign Business Corporations Every foreign business corporation required by the provisions of this article to obtain a certificate of authority to do business in this Commonwealth shall have and continuously maintain in this Commonwealth a registered office which may but need not be the same as its place of business in this Commonwealth The address including street and number if any of the initial registered office of each foreign corporation shall be stated in its application for a certificate of authority to do business in this Commonwealth A foreign business corporation may from time to time change the address of its registered office upon obtaining from the Department of State before such change is made an amended certificate of authority as hereinafter provided in this article

Section 1007 Amended Certificate of Authority A After receiving a certificate of authority a foreign business corporation may subject to the provisions of this act change its name or the address of its registered office in the Commonwealth or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority and proof of the advertisement hereinafter required by this section Such application shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereor and shall set forth the changes desire by the corporation

B A foreign business corporation shall before making application to the Department of State advertise its intention to apply for an amended certificate of authority by publication in a manner similar to that prescribed in this act in the case of the formation of a domestic business corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly

(1) The name of the corporation and of the state or county under the laws of which it is formed

(2) If the application is for permission to do in this Commonwealth other or additional business the character and nature of the business it proposes to do under the amended certificate of authority

(3) If the application is for a change of name the new name under which it proposes to do business

(4) If the application is for change of the registered office of the corporation to another county the address including street and number if any of its then registered office and the address including street and number if any to which the registered office is to be changed

C If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to an amended certificate of authority it shall forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval upon the application and when all fees and charges have been paid as required by law shall file the application and issue to the applicant corporation an amended certificate of authority setting forth the desired changes

Section 1008 Amendments to Articles of Foreign Business Corporations Upon amendment of the articles of any foreign corporation authorized by a certificate of authority to transact business in this Commonwealth such corporation shall forthwith file with the Department of State a copy of such amendment duly authenticated by the proper official of the state or country under the laws of which such corporation is organized The filing of any such amendment shall not of itself enlarge or alter the nature or kind of business which such corporation is authorized to transact in this Commonwelth nor authorize such corporation to transact business in this Commonwealth under any other name than the name set forth in its certificate of authority unless such corporation shall apply for and receive an amended certificate of authority as hereinbefore provided in this article

Section 1009 Merger of Foreign Business Corporations Whenever a foreign business corporation authorized by a certificate of authority to transact business in this Commonwealth shall be a party to a statutory merger permitted by the laws of the state or country under which it is organized and such corporation shall be the surviving corporation it shall forthwith file with the Department of State a copy of the articles of merger duly authenticated by the proper officer of the state or country under the laws of which such statutory merger was effected It shall not be necessary for such corporation to procure either a new or amended certificate of authority to transact business in this Commonwealth unless the name of such corporation be changed thereby or unless the corporation desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth

Section 1010 General Powers of Foreign Business Corporations A foreign business corporation which shall have received a certificate of authority under this act so long as such certificate of authority shall not be revoked or cancelled shall enjoy the same rights and privileges as a domestic business corporation but no more and except as in this act otherwise provided shall be subject to the same liabilities restrictions duties and penalties now in force or hereafter imposed upon domestic business corporations to the same extent as if it had been organized under this act to transact the business set forth in its certificate of authority

Section 1011 Service of Process upon the Secretary of the Commonwealth Service of process against a foreign business corporation upon the Secretary of the Commonwealth shall be made by the Sheriff of Dauphin County by leaving the fee the plaintiff is required by law to pay for this service and two copies of the process at the office of the Secretary of the Commonwealth The sheriff shall make due return of his service of the process to the court magistrate or justice of the peace issuing the same Such process may be issued by any court magistrate or justice of the peace having jurisdiction of the subject matter of the controversy in any county of the Commonwealth in which the corporation shall have its registered office or in the county in which the right of action arose When legal process against any such corporation has been served upon the Secretary of the Commonwealth he shall immediately send by mail postage prepaid one copy of such process directed to the corporation at its registered office The fee paid by the plaintiff to the Secretary of the Commonwealth at the time of the service shall be taxed in the plaintiff's costs if he prevails in the suit necessitating the service of the process The Secretary of the Commonwealth shall keep a record of the day and hour of the service of such process on him and a certified copy of such record shall be sufficient evidence thereof The service of process on the Secretary of the Commonwealth under this section shall be of the same legal force and validity as if the process had been served on the corporation and the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in the Commonwealth Nothing herein contained shall limit or affect the right to serve any process notice or demand required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law

Section 1012 Acquisition of Real Property Every foreign business corporation authorized to transact business within this Commonwealth may acquire hold mortgage lease and transfer real property in this Commonwealth in the same manner and subject to the same limitations as domestic business corporations Every such corporation may purchase in its corporate name at any sheriff's or other judicial sale any real estate within this Commonwealth upon which such corporation may have or hold a judgment or lien and may at its pleasure sell and convey such real estate All the rights and duties now by law accorded to and imposed upon lien privileges creditors purchasing at judicial sales are hereby extended to such corporations

Section 1013 Revocation of Certificate of Authority Whenever the Department of State shall find that a foreign business corporation authorized by a certificate of authority to do business in this Commonwealth is engaged in this Commonwealth in any business which it is not authorized to transact by its certificate of authority or by any amended certificate of authority or has changed its name or the location of its registered office without first securing an amended certificate of authority as required by this act or is violating any of the laws of this Commonwealth the Department of State shall give notice by registered mail to such corporation that such default exists and that its certificate of authority including any amendments thereto will be revoked and cancelled unless such default shall be cured within thirty days after the mailing of such notice If such default shall not be cured within such period of thirty days the Department of State shall revoke and cancel the certificate of authority of such foreign corporation including any amendments thereto Upon revoking and cancelling any such certificate of authority the Department of State shall mail to such corporation at its registered office in this Commonwealth a certificate of revocation Upon the issuance of such certificate of revocation the authority of the corporation to transact business in this Commonwealth shall cease and such corporation shall not thereafter transact any business in this Commonwealth unless it applies for and receives a new certificate of authority

Section 1014 Penalty for Doing Business Without Certificate of Authority Any person agent officer or employe who shall transact any business within this Commonwealth for any foreign business corporation which is required by the provisions of this act to procure a certificate of authority but has not done so shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment not exceeding thirty days or by a fine not exceeding one thousand dollars ($1,000) or both in the discretion of the court trying the same but the failure of any such corporation to apply for and secure a certificate of authority from the Department of State shall not impair or affect the validity of any contract with such corporation and actions or proceedings at law or in equity may be instituted and maintained on any such contract No such action however shall be instituted or recovery had by any such corporation on any such contract either expressed or implied in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof until such corporation shall obtain a certificate of authority and shall pay to the Department of State a fine of two hundred fifty dollars ($250.00)

Section 1015 Surrender of Certificate of Authority A Any foreign business corporation may withdraw from doing business in this Commonwealth and surrender its certificate of authority by filing with the Department of State an application for a certificate of withdrawal executed under the seal of the corporation and signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) The state or country of its corporation

(3) The date on which it received a certificate of authority to do business in the Commonwealth

(4) A statement that it revokes its designation of the Secretary of the Commonwealth as the person on whom process against it may be served in this Commonwealth

(5) A statement that it surrenders its certificate of authority to do business in this Commonwealth

(6) A statement that it consents that process against it in an action or proceeding upon any liability or obligation incurred within this Commonwealth before the issuance of the certificate of withdrawal may be served upon the Secretary of the Commonwealth after the filing of such certificate

(7) A post office address to which the Secretary of the Commonwealth may mail a copy of any process against it that may be served upon him

B A foreign business corporation shall before making application for a certificate of withdrawal advertise its intention to withdraw from doing business in this Commonwealth in a manner similar to that hereinafter required by this act in the case of the voluntary dissolution of a domestic business corporation

C Upon the filing of such application proof of the advertisement heretofore required by this section and the return for cancellation of the corporation's certificate of authority or the filing of proof that it has been lost or destroyed the Department of State after all bonus taxes fees and charges have been paid as required by law shall cancel the certificate of authority if any and shall issue to the corporation or its representative a certificate of withdrawal Upon the issuance of the certificate of withdrawal the authority of the corporation to do business within this Commonwealth shall cease and determine The issuance of such certificate shall not affect any action pending at the time thereof or affect any right of action upon contract made by such corporation in the Commonwealth before the issuance of the certificate Process against the corporation in an action upon any liability or obligation incurred within this Commonwealth before the issuance of such certificate may be served thereafter upon the Secretary of the Commonwealth

ARTICLE XI
DISSOLUTION AND WINDING UP

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business or which has not issued any shares may effect the dissolution of the corporation by filing articles of dissolution with the Department of State The articles of dissolution shall be executed under the seal of the corporation signed and verified by a majority of the incorporators and shall set forth

(1) The name of the corporation

(2) The address including street and number if any of its registered office

(3) The date of its incorporation

(4) That the corporation has not commenced business and that none of its shares has been issued

(5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

(6) That no debt of the corporation remain unpaid

(7) That all the incorporators elect that the corporation be dissolved

The articles of dissolution shall be delivered to the Department of State If the Department of State finds that the articles conform to law it shall endorse its approval thereon and when all bonus taxes fees and charges required by law have been paid shall file the articles and issue a certificate of dissolution to the incorporators or their representative to which shall be attached a copy of the approved articles Upon the issuance of the certificate of dissolution the existence of the corporation shall cease

Section 1102 Election of Corporation to Dissolve Voluntarily Any business corporation which has commenced business and which has issued shares may elect to dissolve voluntarily and wind up its affairs by a written agreement signed by all the shareholders of record of the corporation consenting to its dissolution or after the board of directors shall have adopted a resolution recommending that the corporation be dissolved voluntarily and directing that the question of dissolution be submitted to a vote of the shareholders at a meeting which may be either an annual meeting of the shareholders or a special meeting of the shareholders entitled to vote on the question Written notice stating that the purpose or one of the purposes of such meeting is to discuss the advisability of voluntarily dissolving the corporation shall be given to each shareholder of record whether or not entitled to vote within the time and in the manner provided in this act for the giving of notice of meetings of shareholders If such meeting be an annual meeting such purpose may be included in the notice of the annual meeting The resolution shall be declared adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on the resolution unless any class of shares is entitled to vote on the resolution as a class in which event the resolution must receive for its adoption the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote on the resolution as a class and the affirmative vote of the holders of at least a majority of all other outstanding shares entitled to vote on the resolution

Section 1103 Certificate of Election to Dissolve Upon the execution by all the shareholders of a written agreement for the voluntary dissolution of a corporation or upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of a corporation or upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of a corporation as the case may be a certificate of election to dissolve shall be executed under the seal of the corporation signed and verified by two duly authorized officers of the corporation which shall set forth

(1) The name of the corporation

(2) The address including street and number if any of the registered office of the corporation in this Commonwealth

(3) The names and respective addresses including street and number if any of its officers

(4) The names and respective addresses including street and number if any of its directors

(5) If the election to dissolve was by written agreement of all share holders a statement that the agreement was signed by all shareholders of record of the corporation or signed in their names by their duly authorized attorneys

(6) If the election to dissolve was by resolution adopted at a meeting of the shareholders the number of shares outstanding the number of shares entitled to vote in respect of the dissolution of the corporation and the number of shares voted for and against the voluntary dissolution of the corporation respectively and if the shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against the voluntary dissolution of the corporation

The certificate of election to dissolve shall be delivered to the Department of State If the Department of State finds that the certificate conforms to law it shall endorse its approval thereon and when all bonus taxes fees and charges required by law have been paid shall file the certificate and shall issue to the corporation or its representative a copy of the approved certificate Upon the filing by the Department of State of a certificate of election to dissolve the corporation shall cease to carry on its business except in so far as may be necessary for the proper winding up thereof but its corporate existence shall continue until a certificate of dissolution has been issued by the Department of State or until a decree dissolving the corporation has been entered by a court of common please as elsewhere provided in this act

Section 1104 Winding up in Voluntary Dissolution proceedings A The board of directors of a business corporation shall have full power to wind up and settle the affairs of a business corporation in the event of a voluntary dissolution proceeding

B After the filing by the Department of State of a certificate of election to dissolve the board of directors shall immediately cause notice of the winding up proceedings to be mailed to each known creditor and claimant and to be published once a week for two successive weeks in two newspapers published in the English language one of which shall be a newspaper of general circulation and the other the legal newspaper if any desingated by the rules of court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the registered office of the corporation is located Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient

C The board of directors shall as speedily as possible proceed to collect all sums due or owing to the corporation to sell and convert into cash any and all corporate assets to collect the whole or so much as may be necessary or just of any

amounts remaining unpaid on subscriptions to shares and out of the sum so realized to pay satisfy and discharge all debts and liabilities of the corporation according to their respective priorities Any surplus remaining after paying off all debts and liabilities of the corporation shall be paid by the board of directors to the shareholders according to their respective rights and preferences

D The board of directors at any time during the winding up proceedings may by petition apply to any court of common pleas of the county in which the registered office of the corporation is located to have the proceedings continued under the supervision of the court and thereafter the proceedings shall continue under the supervision of the court as hereinafter provided in this act

Section 1105 Articles of Dissolution When all debts liabilities and obligations of the corporation have been paid and discharged or adequate provision shall have been made therefor and all of the remaining property and assets of the corporation shall have been distributed to its shareholders articles of dissolution shall be executed under the seal of the corporation and signed and verified by two duly authorized officers of the corporation which shall set forth

(1) The name of the corporation

(2) The address including street and number if any of the registered office of the corporation

(3) A statement that the corporation has theretofore delivered to the Department of State a certificate of election to dissolve and the date on which the certificate was filed by the Department of State

(4) A statement that all debts obligations and liabilities of the corporation have been paid and discharged or that adequate provisions has been made therefor

(5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests

(6) A statement that there are no suits pending against the corporation in any court

The articles of dissolution and proof of the advertisement required by the preceding section shall be delivered to the Department of State If the Department of State finds that such articles conform to law it shall endorse its approval thereon and if all bonus taxes fees and charges required by law have been paid shall file the articles and issue to the corporation or its representative a certificate of dissolution to which shall be attached a copy of the approved articles Upon the issuance of the certificate of dissolution the existence of the corporation shall cease

Section 1106 Winding Up of Corporation upon the Expiration of its Charter Every business corporation which is dissolved by expiration of its charter shall nevertheless continue to exist for the purpose of winding up its affairs prosecuting and defending actions by or against it collecting and discharging obligations disposing of and conveying its property and collecting and dividing its assets but not for the purpose of continuing business except in so far as necessary for the winding up of the corporation The board of directors of such corporation shall continue as a board and shall have full power to wind up the affairs of such corporation

Section 1107 Involuntary Proceedings for Winding Up and Dissolution A The several courts of common pleas of the Commonwealth may upon petition filed by a shareholder of a business corporation entertain proceedings for the involuntary winding up and dissolution of the corporation when it is made to appear

(1) That the objects of the corporation have wholly failed or are entirely abandoned or that their accomplishment is impracticable or

(2) That the acts of the directors of those in control of the corporation are illegal oppressive or fraudulent and that it is beneficial to the interests of the shareholders that the corporation be wound up and dissolved or

(3) That the corporate assets are being misapplied or wasted and that it is beneficial to the interests of the shareholders that the corporation be wound up and dissolved or

(4) That the directors are deadlocked in the management of the corporate affairs and the shareholders are unable to break the deadlock and that irreparable injury to the corporation is being suffered or is threatened by reason thereof

B The several courts of common pleas of this Commonwealth may upon petition filed by a creditor of a business corporation whose claim has either been reduced to judgment and an execution thereon returned unsatisfied or whose claim is admitted by the corporation entertain proceedings for the involuntary winding up and dissolution of the corporation when in either case it is made to appear that the corporation is unable to pay its debts and obligations in the regular course of business as they mature or to afford reasonable security o those who may deal with it

C Any petition for the involuntary winding up and dissolution of a corporation authorized to be filed under this section shall be filed with a court of common pleas of the county in which the registered office of the corporation is located

Section 1108 Procedure in Liquidation of Corporations by Courts of Common Pleas A Upon the filing of a petition by the board of directors or a shareholder or a creditor as authorized in this article for the voluntary or involuntary winding up and dissolution of a business corporation as the case may be the court of common pleas shall have all the ordinary powers of a court of equity to issue injunctions to appoint a receiver or receivers pendente lite with such powers and duties as the court from time to time may direct and to take such other proceedings as may be requisite to preserve the corporate assets and carry on the business of the corporation until a full hearing can be had

B Upon a hearing and proof of the issues after such notice as the court may direct to be given to all parties to the proceeding and to any other parties in interest designated by the court the court may appoint a liquidating receiver with authority to collect the assets of the corporation including all amounts owing to the corporation by shareholders on account of any unpaid portion of the consideration for the issuance of shares Such liquidating receiver shall have authority subject to the order of the court to sell convey and dispose of all or any part of the assets of the corporation either at public or private sale The assets of the corporation or the proceeds resulting from a sale conveyance or other disposition thereof shall be applied to the expenses of such liquidation and to the payment of the liabilities and obligations of the corporation and any remaining assets or proceeds shall be distributed among its shareholders according to their repsective rights and interests The order appointing such liquidating receiver shall state his powers and duties Such powers and duties may be increased or diminished at any time during the proceedings A receiver of a corporation appointed under the provisions of this section shall have authority to sue and defend in all courts in his own name as receiver of such corporation The court appointing such receiver may issue writs in favor of such receiver to the sheriff of any county in this Commonwealth for service

C A receiver shall in all cases be a resident of this Commonwealth or a corporation authorized to act as receiver which corporation may be a domestic corporation or a foreign corporation authorized to transact business in this Commonwealth and shall give such bond as the court may direct with such sureties as the court may require

D In proceedings to liquidate the assets and business of a corporation the court may require all creditors of the corporation to file with the prothonotary of the court or with the receiver proofs under oath of their respective claims If the court requires the filing of claims it shall fix a date which shall be not less than four months from the date of the order as the last day for the filing of claims and shall prescribe the notice that shall be given to creditors and claimants of the date so fixed Prior to the date so fixed the court may extend the time for the filing of claims Creditors and claimants failing to file proofs of claim on or before the date so fixed may be barred by order of court from participating in the distribution of the assets of the corporation

Section 1109 Discontinuance of Liquidation Proceedings Reorganization The liquidation of the assets and business of a corporation may be discontinued at any time during the winding up proceedings in the following manner

(1) If the suit shall have been instituted by a shareholder and it is made to appear to the court that the deadlock in the corporate affairs has been broken or the management or control of the corporation has been changed the court in its discretion may dismiss the proceeding and direct the receiver to redeliver to the corporation all its remaining property and assets

(2) If the suit shall have been instituted by a creditor and it is made to appear that the debts of the corporation have been paid or provided for and that there remain or can be obtained sufficient funds to enable the corporation to re-

sume its business the court in its discretion may dismiss the proceeding and direct the receiver to redeliver to the corporation all its remaining property and assets

(3) When a compromise or reorganization of the corporation is proposed whether the suit shall have been instituted by a shareholder or by a creditor the court upon the summary application of any shareholder or creditor or receiver may order a meeting of the creditors or shareholders to be summoned in such manner as the court may direct If a majority in number representing three-fourths in value of the creditors or the holders of three-fourths of the shares entitled to vote thereon or both or if a majority in numbr representing three-fourth in value of any class of creditors or if the holders of three-fourths of the shares of any class as the case may be agree to any compromise or reorganization of the corporation such compromise or reorganization if approved by the court shall be binding on all creditors or on all shareholders or both or on the class of creditors or class of shareholders or both as the case may be and also on the corporation and its receiver if any

Section 1110 Decree of Involuntary Dissolution The court of common pleas in a proceeding to wind up the assets and business of a business corporation shall enter a decree dissolving the corporation when the costs and expenses of such proceedings and all debts liabilities and obligations of the corporation shall have been paid and discharged and all of its remaining property and assets distributed to its shareholders or in case its property and assets are not sufficient to satisfy and discharge such costs expenses debts and obligations when all the property and assets have been applied as far as they will go to their payment. Upon the issuance of the decree by the court the existence of the corporation shall cease After the court shall enter a decree of dissolution it shall be the duty of the prothonotary of the court to cause a certified copy of the decree of dissolution to be field with the Department of State No fee shall be charged by the Department of State for the filing of any decree of dissolution

Section 1111 Survival of Remedies After Dissolution The dissolution of a business corporation either by the issuance of a certificate of dissolution by the Department of State or by the decree of a court of common pleas when the court has not liquidated the assets and property of the corporation or by expiration of its period of duration or by the sale of all its franchises property and assets to another business corporation shall not take away or impair any remedy given against such corporation its directors or shareholders for any liability incurred prior to such dissolution if suit thereon is brought and service of process had within two years after the date of such dissolution Such suits may be prosecuted against and defended by the corporation in its corporate name

Section 1112 Action to Annul Vacate or Forfeit Corporate Franchises The Attorney General may institute proceedings to annul vacate or forfeit the articles and the franchises of a business corporation upon such grounds and in such manner as is now provided by law In every such case the court of common pleas in which such action is instituted shall have full power to wind up the affairs of the corporation in the manner hereinbefore provided in this article

ARTICLE XII

EFFECTIVE DATE AND REPEALER

Section 1201 Effective Date This act shall become effective on the third day of July one thousand nine hundred and thirty-three

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Section 1202 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed in so far as they relate to business corporations

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The act approved the nineteenth day of March one thousand eight hundred sixteen (Pamphlet Laws two hundred thirty-eight) (Chapter one hundred forty) entitled "An act to compel the payment of dividends due to the commonwealth made by incorporated companies"

The act approved the twenty-eighth day of March one thousand eight hundred twenty (Pamphlet Laws one hundred sixty-nine) entitled "An act to regulate proxies"

The act approved the third day of May one thousand eight hundred fifty-five (Pamphlet Laws four hundred twenty-three) (Number four hundred forty-eight) entitled "An act relating to Corporations"

The act approved the ninth day of April one thousand eight hundred fifty-six (Pamphlet Laws two hundred ninety-three) (Number three hundred eight) entitled "Supplement to the acts relating to incorporations by the Courts of Common Pleas"

The act approved the eighth day of April one thousand eight hundred sixty-one (Pamphlet Laws two hundred fifty-nine) entitled "An act concerning the Sale of Railroads Canals Turnpikes Bridges and Plank Roads" and its amendments

The act approved the twenty-seventh day of November one thousand eight hundred sixty-five (Pamphlet Laws of one thousand eight hundred sixty-six page one thousand two hundred twenty-eight) (Number one thousand one hundred nineteen) entitled "An act relating to the organization and meetings of certain corporations incorporated under the laws of this commonwealth"

The act approved the eleventh day of January one thousand eight hundred sixty-seven (Pamphlet Laws one thousand three hundred seventy-two) entitled "An act to enable iron manufacturing and mining corporations to borrow money"

The act approved the thirty-first day of March one thousand eight hundred sixty-eight (Pamphlet Laws fifty) entitled "An act to authorize incorporated companies to invest and re-invest surplus funds in mortgages stocks and other securities and fixing the time for holding elections for directors"

The act approved the fifteenth day of April one thousand eight hundred sixty-nine (Pamphlet Laws twenty-nine) entitled "An act requiring a majority of the directors or managers or corporations to constitute a quorum"

The act approved the seventeenth day of February one thousand eight hundred seventy-one (Pamphlet Laws fifty-six) (Number sixty-two) entitled "An act to authorize corporations to subscribe for or purchase the capital stock and to purchase the bonds of the American Steamship Company of Philadelphia"

The act approved the fourth day of April one thousand eight hundred seventy-two (Pamphlet Laws forty) entitled "An act supplemental to an act entitled 'A supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six"

The act approved the fourth day of April one thousand eight hundred seventy-two (Pamphlet Laws forty-six) (Number thirty-nine) entitled "An act for the appointment of a receiver in cases where corporations have been dissolved by judgment of ouster upon proceedings of quo warranto"

The act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" and its amendments

The act approved the fourteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws one hundred forty-six) entitled "An act relative to service of process upon the stockholders of corporations in actions brought to charge the stockholders for debts of the corporation or for unpaid instalments upon their stock"

The act approved the fifteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws one hundred eighty-six) (Number one hundred nineteen) entitled "An act to authorize corporations to increase the security of their bonded indebtedness"

The act approved the seventeenth day of April one thousand eight hundred seventy-six (Pamphlet Laws thirty) entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations" and its amendments

The act approved the twenty-fifth day of April one thousand eight hundred seventy-six (Pamphlet Laws forty-seven) (Number thirty-six) entitled "An act supplementary to the act entitled "An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth

day of April Anno Domini eighteen hundred and seventy-four extending its provisions to all who may have the right to vote at elections for directors managers or trustees"

The act approved the twenty-second day of May one thousand eight hundred seventy-eight (Pamphlet Laws ninety-six) (Number one hundred twenty-nine) entitled "An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold"

The act approved the twenty-fifth day of May one thousand eight hundred seventy-eight (Pamphlet Laws one hundred forty-five) entitled "A supplement to an act entitled 'An act concerning the sale of railroads canals turnpikes bridges and plank roads' approved the eighth day of April Anno Domini one thousand eight hundred and sixty-one extending the provisions of said act to coal iron steel lumber or oil or mining manufacturing transportation and telegraph companies in this commonwealth"

The act approved the twenty-fifth day of May one thousand eight hundred seventy-eight (Pamphlet Laws one hundred forty-eight) entitled "A supplement to an act entitled 'An act concerning the sale of railroads canals turnpikes bridges and plank roads' approved April eighth one thousand eight hundred and sixty-one authorizing the purchaser or purchasers of any railroad canal turnpike bridge or plank road or telegraph at any sale hereafter made by virtue of any process or decree of any court of this state or the circuit court of the United States to issue stock or bonds secured by mortgage or both for their respective interests in the property and franchises purchased and ratifying and confirming the issue or issues of stock and bonds secured by mortgage that may have heretofore been issued by corporations organized under the act to which this is a supplement"

The act approved the tenth day of April one thousand eight hundred seventy-nine (Pamphlet Laws twenty) entitled "An act to amend the eighteenth paragraph of section second of the supplement approved the seventeenth day of April one thousand eight hundred and seventy-six to the act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations'"

The act approved the thirteenth day of May one thousand eight hundred seventy-nine (Pamphlet Laws fifty-seven) entitled "An act to authorize corporations to borrow money to redeem previous loans authorized by special laws and limiting the late of interest and terms thereof and providing for the payment of mechanics' liens"

The act approved the twenty-fourth day of May one thousand eight hundred eighty-one (Pamphlet Laws twenty-two) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four"

The act approved the twenty-first day of May one thousand eight hundred eighty-one (Pamphlet Laws thirty) (Number thirty-three) entitled "An act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters"

The act approved the twenty-second day of May one thousand eight hundred eighty-three (Pamphlet Laws forty-one) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold" approved the twenty-second day of May Anno Domini eighteen hundred and seventy-eight"

The act approved the second day of June one thousand eight hundred eighty-three (Pamphlet Laws sixty-one) entitled "An act supplementary to an act entitled 'An act for the incorporation and regulation of corporations' approved April twenty-ninth one thousand eight hundred and seventy-four authorizing the incorporation of pipe lines for the transportation of petrloeum and providing for the exercise of the right of eminent domain in taking lands and property for such purposes"

The act approved the thirteenth day of June one thousand eight hundred eighty-three (Pamphlet Laws one hundred twenty-two) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charters of corporations of the second class and authorizing the incorporation of traction motor companies"

The act approved the twenty-second day of June one thousand eight hundred eighty-three (Pamphlet Laws one hundred fifty-six) (Number one hundred forty-one) entitled "A further supplement to an act approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' as amendd by the act approved the tenth day of April one thousand eight hundred and seventy-nine and amending the second section thereof so as to authorize the formation of corporations for the purpose of driving and floating saw logs lumber and timber"

The act approved the twenty-fifth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred seventy-eight) entitled "An act to amend an act entitled 'An act to enable the officers of dissolved corporations to convey real estate held by such corporations' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders"

The act approved the twenty-third day of May one thousand eight hundred eighty-seven (Pamphlet Laws one hundred seventy-six) entitled "An act to authorize certain corporations incorporated and existing under the laws of any other State of the United States to purchase certain real estate at judicial sales and to hold and convey the same under certain conditions"

The act approved the twenty-fourth day of May one thousand eight hundred eighty-seven (Pamphlet Laws one hundred eighty-eight) (Number one hundred thirty-one) entitled "An act to amend an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four relating to the holding of land by manufacturers of iron with charcoal"

The act approved the twenty-fifth day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred seventy-three) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four amending the twelfth section of said act and thereby relieving full paid capital stock from liability to further assessment"

The act approved the twenty-sixth day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred seventy-four) (Number one hundred sixty) entitled "A supplement to an act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold" approved the twenty-second day of May Anno Domini one thousand eight hundred and eighty-three"

The act approved the thirty-first day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred seventy-six) entitled "An act to amend the first section of an act entitled 'A supplement to an act entitled "An act concerning the sale of railroads canals turnpikes bridges and plank roads" approved April eighth one thousand eight hundred and sixty-one authorizing the purchaser or purchasers of any railroad canal turnpike bridge or plank road or telegraph at any sale hereafter made by virtue of any process or decree of any court of this State or the circuit court of the United States to issue stocks or bonds secured by mortgage or both for their respective interests in the property and franchises' purchased and ratifying and confirming the issue or issues of stock and bonds secured by mortgage that may have heretofore been issued by corporations organized under the act to which this is a supplement' authorizing the purchaser or purchasers under and by virtue of a power of sale contained in any mortgage or deed of trust without any process or decree of a court in the premises to determine the amount of the capital stock and bonds to be issued therefor and to issue certificates of stock and bonds and secure the same by mortgage or mortgages on the property so purchased"

The act approved the thirty-first day of May one thousand eight hundred and eighty-seven (Pamphlet Laws two hundred eighty-one) (Number one hundred sixty-six) entitled "An act permitting the stockholders of corporations to determine the

number of directors and the time for holding annual elections of officers"

The act approved the seventeenth day of June one thousand eight hundred eighty-seven (Pamphlet Laws four hundred eleven) entitled "A further supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the further regulation of such corporations"

The act approved the third day of May one thousand eight hundred eighty-nine (Pamphlet Laws seventy-six) entitled "A further supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four providing for the further regulation of such corporations and authorizing corporations incorporated for the purpose of mining for petroleum to purchase hold and dispose of the stocks and bonds of certain other corporations"

The act approved the seventh day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred two) (Number one hundred eight) entitled "An act defining evidence of stock ownership in corporations and for determining the right to vote thereon"

The act approved the ninth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred fifty-nine) entitled "An act supplementary to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four amending the twenty-ninth section of said act so as to provide for the further regulation of and granting additional powers to all corporations now or hereafter incorporated under the provisions of said act for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and incumbrances"

The act approved the sixteenth day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred forty-one) entitled "An act to amend an act which became a law on April seventeenth one thousand eight hundred and seventy-six entitled 'A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations' amending sections two and eleven of said act"

The act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-seven) entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' amending the thirteenth section thereof"

The act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-nine) entitled "A further supplement to an act approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' amended by the act approved the tenth day of April Anno Domini one thousand eight hundred and seventy-nine and further amended by the act approved the twenty-second day of June Anno Domini one thousand eight hundred and eighty-three providing for a further amendment of said eighteenth section as amended by the said last mentioned act and amending the second section of said last mentioned act so as to authorize the formation of corporations for the purpose of driving and floating saw logs lumberand timber upon all streams not exceeding twenty miles in length and the heads of all streams not exceeding twenty miles in length from their source and for the formation of corporations for the storage transmission and transportation of water for the purpose of providing power to and for manufacturing and other purposes"

The act approved the fifteenth day of April one thousand eight hundred ninety-one (Pamphlet Laws fifteen) entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders" approved the twenty-fifth day of June one thousand eight hundred and eighty-five' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders or their legal representatives whenever requested so to do"

The act approved the fourteenth day of May one thousand eight hundred ninety-one (Pamphlet Laws sixty-one) entitled "An act to amend the fifth section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four defining the officers of corporations and allowing certain officers receiving salaries to be directors and receive compensations"

The act approved the sixteenth day of May one thousand eight hundred ninety-one (Pamphlet Laws eighty-eight) entitled "An act to authorize burial or cemetery companies to accept trusts in certain cases"

The act approved the twentieth day of May one thousand eight hundred ninety-one (Pamphlet Laws one hundred one) (Number seventy-seven) entitled "An act authorizing salaried officers of private or business corporations to concurrently serve as directors therein"

The act approved the twenty-sixth day of April one thousand eight hundred ninety-three (Pamphlet Laws twenty-six) (Number twenty-two) entitled "An act providing for the appointment of a receiver in cases where corporations have been dissolved by judgment of ouster upon proceedings of quo warranto"

The act approved the eleventh day of May one thousand eight hundred ninety-three (Pamphlet Laws forty-two) (Number forty) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled"

The act approved the eighteenth day of May one thousand eight hundred ninety-three (Pamphlet Laws eighty-eight) entitled "An act to revive and continue in force provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-sixth day of May Anno Domini one thousand eight hundred and eighty-seven"

The act approved the twenty-sixth day of May one thousand eight hundred ninety-three (Pamphlet Laws one hundred forty-one) entitled "An act amending an act entitled 'An act defining evidence of stock ownership in corporations and for determining the right to vote thereon' approved May seventh one thousand eight hundred and eighty-nine further defining evidence of stock ownership and the right to vote thereon"

The act approved the third day of June one thousand eight hundred ninety-three (Pamphlet Laws two hundred eighty-seven) (Number two hundred fifty-three) entitled "An act to amend an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as amended by the act approved the seventeenth day of April Anno Domini one thousand eight hundred and seventy-six providing for the incorporation of companies for the manufacture and production of silverware plated ware jewelry works of ornament and art and pictures and the buying and selling of such articles"

The act approved the eighth day of June one thousand eight hundred ninety-three (Pamphlet Laws three hundred fifty-one) entitled "An act to provide for the manner of reducing the capital stock of corporations"

The act approved the eighth day of June one thousand eight hundred ninety-three (Pamphlet Laws three hundred fifty-five) entitled "An act to regulate the change of location of the principal office the place of annual and other meetings of stockholders and the time of such annual meetings of corporations of this Commonwealth"

The act approved the tenth day of June one thousand eight hundred ninety-three (Pamphlet Laws four hundred twelve) entitled "A further supplement to an act approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' amended by an act approved the tenth day of April Anno Domini one thousand eight hundred and seventy-nine and further amended by act approved the twenty-second day of June Anno Domini one thousand eight hundred and eighty-three and further amended by act approved the twenty-first day of May Anno Domini

one thousand eight hundred and eighty-nine providing for a further amendment of the eighteenth paragraph of section two of the original act and amending the second section of said act so as to authorize the formation of corporations for the purpose of driving and floating logs lumber and timber upon all streams not exceeding thirty-five miles in length and the heads of all streams not exceeding thirty-five miles in length from their sources"

The act approved the tenth day of June one thousand eight hundred ninety-three (Pamphlet Laws four hundred seventeen) (Number three hundred sixteen) entitled "An act to authorize corporations to increase their capital stock for corporate purposes"

The act approved the tenth day of June one thousand eight hundred ninety-three (Pamphlet Laws four hundred seventeen) (Number three hundred seventeen) entitled "An act to provide for the incorporation of certain kinds of real estate companies having for their primary object the encouragement of trade commerce and manufactures"

The act approved the tenth day of June one thousand eight hundred ninety-three (Pamphlet Laws four hundred thirty-five) entitled "An act amending an act entitled 'A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations' approved April seventeenth one thousand eight hundred and seventy-six authorizing the incorporation of drainage companies"

The act approved the twenty-fourth day of June one thousand eight hundred ninety-five (Pamphlet Laws two hundred fifty-eight) (Number one hundred seventy-two) entitled "An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth"

The act approved the twenty-fifth day of June one thousand eight hundred ninety-five (Pamphlet Laws two hundred ninety-five) (Number two hundred eleven) entitled "An act to amend paragraph sixteen of the second sub-division of the second section of an act entitled 'An act to provide for the incorporation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as amended by the act approved the seventeenth day of April Anno Domini one thousand eight hundred and seventy-six providing for the incorporation of companies for buying selling trading or dealing in any kind or kinds of goods wares and merchandise at wholesale"

The act approved the twenty-fifth day of June one thousand eight hundred ninety-five (Pamphlet Laws three hundred ten) entitled "A further supplement to 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four"

The act approved the twenty-sixth day of June one thousand eight hundred ninety-five (Pamphlet Laws three hundred sixty-nine) (Number two hundred sixty-one) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four further amending the twelfth section thereof so as to permit corporations organized thereunder either for the purpose of carrying on any manufacturing business or for the supply of water or for the manufacture or supplying of light to purchase bonds or stock of other corporations of the same character or to guarantee the payment of interest and principal of such bonds or either principal or interest or to lease and operate corporate property"

The act approved the twenty-seventh day of June one thousand eight hundred ninety-five (Pamphlet Laws three hundred ninety-nine) entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto"

The act approved the twentieth day of April one thousand eight hundred ninety-seven (Pamphlet Laws twenty-eight) (Number twenty-three) entitled "An act to revive and continue in force provisions of an act entitled 'An act to extend the time which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the eighteenth day of May Anno Domini one thousand eight hundred and ninety-three"

The act approved the ninth day of February one thousand nine hundred one (Pamphlet Laws three) entitled "An act to provide for increasing the capital stock and indebtedness of corporations"

The act approved the nineteenth day of April one thousand nine hundred one (Pamphlet Laws eighty) (Number fifty-one) entitled "An act to regulate the number of directors in corporations chartered under the laws of this Commonwealth"

The act approved the twenty-ninth day of May one thousand nine hundred one (Pamphlet Laws three hundred twenty-six) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four authorizing formation of corporations for profit by voluntary association of three or more persons one of whom at least must be a citizen of this Commonwealth"

The act approved the twenty-ninth day of May one thousand nine hundred one (Pamphlet Laws three hundred forty-four) (Number two hundred thirteen) entitled "An act to aid the Auditor General in the collection of taxes due the Commonwealth from corporations limited partnerships and joint-stock associations"

The act approved the twenty-ninth day of May one thousand nine hundred one (Pamphlet Laws three hundred forty-nine) entitled "An act supplementary to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four providing for the merger and consolidation of certain corporations"

The act approved the seventh day of June one thousand nine hundred one (Pamphlet Laws five hundred thirty) entitled "An act to amend the forty-fifth section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four providing for the publication in separate pamphlet form of a certified list of all charters of incorporation"

The act approved the second day of July one thousand nine hundred one (Pamphlet Laws six hundred three) (Number two hundred ninety-eight) entitled "An act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation"

The act approved the second day of July one thousand nine hundred one (Pamphlet Laws six hundred six) (Number three hundred two) entitled "An act authorizing corporations organized under the laws of Pennsylvania to increase or diminish the par value of the shares of their capital stock"

The act approved the ninth day of July one thousand nine hundred one (Pamphlet Laws six hundred twenty-four) entitled "An act to amend the eighteenth paragraph of section second of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four so as to authorize the formation of corporations for any lawful purpose not otherwise specifically provided for by act of Assembly"

The act approved the fifth day of March one thousand nine hundred three (Pamphlet Laws fourteen) (Number seventeen) entitled "An act concerning proxies authorizing representation and voting of shares of capital stock of corporations at meetings and elections thereof"

The act approved the twenty-fourth day of March one thousand nine hundred three (Pamphlet Laws fifty) (Number fifty-two) entitled "An act relating to the taking of stock votes upon subjects presented to stockholders of corporations of this Commonwealth for their action"

The act approved the fifteenth day of April one thousand nine hundred three (Pamphlet Laws two hundred) (Number one hundred forty-five) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twentieth day

of April Anno Domini one thousand eight hundred and ninety-seven"

The act approved the twenty-second day of April one thousand nine hundred three (Pamphlet Laws two hundred fifty-one) entitled "An act regulating the change of corporate titles"

The act approved the twenty-third day of April one thousand nine hundred three (Pamphlet Laws two hundred seventy-two) entitled "An act to amend the first section of an act entitled 'A supplement to an act entitled "An act to provide for the incorporation and regulation of certain corporations approved April twenty-nine one thousand eight hundred and seventy-four" authorizing the formation of corporations for profit by voluntary association of three or more persons one of whom at least must be a citizen of this Commonwealth' said supplement approved the twenty-ninth day of May one thousand nine hundred and one and to extend the provisions of said act to all corporations for profit embraced within corporations of the second class defined in section two (2) and the various supplements to section two (2) of the act of April twenty-ninth one thousand eight hundred and seventy-four and confirming all charters granted under the said supplements to corporations which have been formed under the various supplements to the said section two (2) of the act of April twenty-ninth one thousand eight hundred and seventy-four by the association of three or more persons one of whom at least was a citizen of this Commonwealth"

The act approved the sixteenth day of March one thousand nine hundred five (Pamphlet Laws forty-two) (Number twenty-six) entitled "An act providing for the voting of shares of stock in corporations in this Commonwealth held by executors administrators guardians and trustees and the manner of voting the same"

The act approved the thirty-first day of March one thousand nine hundred five (Pamphlet Laws ninety-three) entitled "An act amending the third section of a supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-nine one thousand eight hundred and seventy-four 'providing for the improvement amendment and alteration of the charters of corporations of the second class and authorizing the incorporation of traction motor companies' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three requiring corporations to file a certificate with the Governor of the Commonwealth setting forth that all reports required by the Auditor General of the Commonwealth have been duly filed and that all taxes due the Commonwealth have been paid before the improvement amendment or alteration of the charter of any corporation"

The act approved the thirty-first day of March one thousand nine hundred five (Pamphlet Laws ninety-five) entitled "An act to amend section three of a supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four providing for the merger and consolidation of certain corporations approved the twenty-ninth day of May one thousand nine hundred and one requiring the filing of all reports required by the Auditor General and the payment of all taxes due the Commonwealth of Pennsylvania by corporations before merger or consoldiation"

The act approved the twenty-second day of April one thousand nine hundred five (Pamphlet Laws two hundred sixty-four) (Number one hundred eighty-three) entitled "An act to amend the first section of an act entitled 'An act to provide for the manner of reducing the capital stock of corporations' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three (1893) extending the provisions of the said act to all corporations created by general or special law and repealing all acts or parts of acts inconsistent therewith"

The act approved the twenty-second day of April one thousand nine hundred five (Pamphlet Laws two hundred eighty) entitled "An act to amend section one of the act entitled 'An act to amend section one of the act entitled 'An act to provide for increasing the capital stock and indebtedness of corporations' approved the ninth day of February Anno Domini one thousand nine hundred and one authorizing corporations to increase their capital stock and indebtedness and secure the payment of principal interest of their indebtedness"

The act approved the twenty-third day of May one thousand nine hundred seven (Pamphlet Laws two hundred four) entitled "An act to amend an act entitled 'An act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters' approved the twenty-first day of May Anno Domini one thousand eight hundred and eighty-one"

The act approved the first day of June one thousand nine hundred seven (Pamphlet Laws three hundred eighty-two) (Number two hundred seventy-five) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four empowering companies incorporated under the provisions of said act for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens et cetera to guarantee the payment of the principal and interest of bonds secured by mortgage upon real estate"

The act approved the eighteenth day of March one thousand nine hundred nine (Pamphlet Laws forty-one) entitled "An act to better provide for perpetual care and preservation of burial-grounds or cemeteries within this Commonwealth"

The act approved the third day of May one thousand nine hundred nine (Pamphlet Laws four hundred eight) entitled "An act authorizing the merger and consolidation of certain corporations"

The act approved the eleventh day of May one thousand nine hundred nine (Pamphlet Laws five hundred fifteen) entitled "An act amending and supplementing section two of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-nine one thousand eight hundred and seventy-four by striking out clause twenty of corporations of the second class and providing that corporations of the second class shall include corporations for any lawful purpose not specifically designated by law as the purpose for which a corporation may be formed and providing that certain companies heretofore incorporated may become incorporated hereunder"

The act approved the third day of June one thousand nine hundred eleven (Pamphlet Laws six hundred thirty-five) entitled "An act to further amend the eighteenth paragraph of the second section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four so as to compel corporations heretofore or hereafter incorporated for the purpose of the storage transportation and furnishing of water for manufacturing and other purposes and for the creation establishing furnishing transmission and using of water-power therefrom to furnish such power for public purposes"

The act approved the eighth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred ten) entitled "An act to regulate the doing of business in this Commonwealth by foreign corporations the registration thereof and service of process thereon and providing punishment and penalties for the violation of its provisions and repealing previous legislation on the subject"

The act approved the twenty-third day of May one thousand nine hundred thirteen (Pamphlet Laws three hundred thirty-six) (Number two hundred twenty-two) entitled "An act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid"

The act approved the fifth day of June one thousand nine hundred thirteen (Pamphlet Laws four hundred forty-nine) entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters" approved the twenty-first day of May Anno Domini eighteen hundred and eighty-one" approved the twenty-third day of May Anno Domini nineteen hundred and seven extending the same so as to include companies for the purchase and sale of real estate and construction companies"

The act approved the twenty-second day of April one thousand nine hundred fifteen (Pamphlet Laws one hundred seventy) entitled "An act to amend section four of an act entitled 'An act to regulate the doing of business in this Commonwealth by foreign corporations the registration thereof and service of process thereon and providing punishment and penalties for the violation of its provisions and repealing previous legislation on the subject' approved the eighth day of June one thousand nine hundred and eleven"

The act approved the twenty-ninth day of April one thousand nine hundred fifteen (Pamphlet Laws two hundred five)

entitled "An act to amend the third section of an act entitled 'An act authorizing the merger and consolidation of certain corporations'approved the third day of May Anno Domini one thousand nine hundred and nine"

The act approved the sixth day of May one thousand nine hundred fifteen (Pamphlet Laws two hundred seventy-one) (Number one hundred sixty-six) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-second day of May Anno Domini one thousand eight hundred and seventy-eight in so far as it relates to banking companies amending and extending the same and giving said banking companies the right to bring suit and maintain an action either at law or in equity and to maintain any action already brought for the recovery of possession of property so bought the same as an individual could do

The act approved the second day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred twenty-four) (Number three hundred thirty-three) entitled "An act to amend section twenty-three of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled 'A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" providing for the further regulation of such corporations and for the incorporation and regulation of certain adidtional corporations' approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all the reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corporation before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth"

The act approved the seventeenth day of May one thousand nine hundred seventeen (Pamphlet Laws two hundred twenty-eight) entitled "An act to authorize the payment by corporations to their directors of compensation for services rendered by them"

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred eighty-one) (Number two hundred forty-eight) entitled "An act permitting corporations to invest their surplus funds in bonds of the United States issued for war purposes"

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred ninety-eight) (Number two hundred fiifty-eight) entitled "An act to authorize corporations organized for the profit under the laws of Pennsylvania to continue the salaries of employes enlisting or enrolling in any branch of the military or naval service of the United States or other protective organization"

The act approved the twentieth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand one hundred twenty-seven) entitled "An act authorizing manufacturing corporations now or hereafter organized under the laws of this State to engage in the production of necessary raw materials for such manufacturing purposes"

The act approved the eighteenth day of April one thousand nine hundred nineteen (Pamphlet Laws sixty-seven) entitled "An act to give to women married and single the same right as men to be corporators and in furtherance of their interests as stockholders to serve as directors and officiers of corporations for profit"

The act approved the twelfth day of June one thousand nine hundred nineteen (Pamphlet Laws four hundred forty-two) entitled "An act to amend clause twelve section thirty-nine of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations"

The act approved the twelfth day of July one thousand nine hundred (Pamphlet Laws nine hundred fourteen) entitled "An act authorizing stock corporations other than building and loan associations and corporations authorized by law to transact a banking or insurance business to make provision upon formation reorganization merger or consolidation for the issue or both preferred or common shares without nominal or par value regulating the same and such corporations and prescribing the method of determing the number of shares and capital of corporations issuing shares in such manner"

The act approved the thirtieth day of March one thousand nine hundred twenty-one (Pamphlet Laws fifty-four) (Number twenty-eight) entitled "An act permitting corporations to change the date of their annual meeting as fixed by its charter"

The act approved the fourteenth day of April one thousand nine hundred twenty-one (Pamphlet Laws one hundred forty-one) entitled "An act to further amend the eighteenth paragraph of section two of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations' as amended by providing for the incorporation of companies for the purpose of extracting from the earth minerals and materials used in the manufacture of iron steel or other products and the preparation for market and selling thereof and dealing therein"

The act approved the twenty-fifth day of May one thousand nine hundred twenty-one (Pamphlet Laws one thousand one hundred fifty-nine) entitled "An act authorizing certain corporations to issue preferred or common stock of one or more classes providing for the manner of issuance restrictions and regulations in the manner of voting thereof and the rights and privileges of the holders thereof validating certain acts of corporations not participated in by the holders of non-voting stock and repealing all acts and parts of acts inconsistent therewith"

The act approved the fifteenth day of March one thousand nine hundred twenty-three (Pamphlet Laws ten) entitled "An act relating to the recording of certificates of incorporation of domestic corporations providing for the recording of certified copies thereof in certain cases validating the recording of such certified copies heretofore recorded and making the record of such certified copies competent evidence for all purposes"

The act approved the twenty-first day of May one thousand nine hundred twenty-three (Pamphlet Laws two hundred eighty-eight) (Number one hundred eighty-four) entitled "An act to better secure all bonds stocks mortgages or other securities deposited with the State Treasurer by providing for their inspection examination and verification and the verification of the books containing a record of such bonds stocks mortgages or other securities by th Auditor General or his agents"

The act approved the twenty-fourth day of May one thousand nine hundred twenty-three (Pamphlet Laws four hundred thirty-eight) entitled "An act authorizing corporations incorporated under the laws of any other State of the United States to acquire use encumber and dispose of such real estate and rights and interests in in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired"

The act approved the twenty-eighth day of June one thousand nine hundred twenty-three (Pamphlet Laws eight hundred ninety-four) entitled "An act to amend the act approved the twenty-first day of May one thousand eight hundred and eighty-one (Pamphlet Laws thirty) entitled 'An act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters' as amended by extending the same to include foreign corporations"

The act approved the twelfth day of July one thousand nine hundred twenty-three (Pamphlet Laws one thousand eighty-three) entitled "An act authorizing corporations to issue stock at a price in excess of the par value thereof"

The act approved the sixth day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred fifty-two) entitled "An act to further amend clause five of section twenty-nine of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations'"

The act approved the seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred eighty-three) entitled "An act providing that certificates of association and articles of incorporation or of any improve-

ments amendments or alterations thereto may be acknowledged and sworn or affirmed to before a notary public or justice of the peace validating such acknowledgements made prior to the approval of this act"

The act approved the seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred eighty-four) (Number one hundred thirty-three) entitled "An act to amend section one of an act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws four hundred thirty-eight) entitled 'An act authorizing corporations incorporated under the laws of any other State of the United States to acquire use encumber and dispose of such real estate and rights and interests in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulationg the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired" by extending its provisions to corporations incorporated under the laws of the District of Columbia or by Act of Congress"

The act approved the thirtieth day of April one thousand nine hundred and twenty-five (Pamphlet Laws four hundred three) entitled "An act relating to the dissolution of corporations and imposing certain duties on the Secretary of the Commonwealth and the prothonotaries"

The act approved the twelfth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred fifteen) entitled "An act pertaining to corporations organized or doing business within the Commonwealth limiting the operation of their by-laws and providing for the execution of contracts notes mortgages et cetera by such corporations"

The act approved the thirteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred seventy-nine) (Number three hundred sixty-eight) entitled "An act authorizing corporations to issue stock to their employes and to employes of their subsidiaries at par value or at a price in excess of par value."

The act approved the twenty-ninth day of March one thousand nine hundred twenty-seven (Pamphlet Laws seventy) entitled "An act to amend section one of the act approved the twenty-fifth day of April one thousand eight hundred and seventy-six (Pamphlet Laws forty-seven) entitled 'An act supplementary to the act entitled "An act to provide for the incorporation and regulation of certain corporations approved the twenty-ninth day of April Anno Domini eighteen hundred and seventy-four extending its provisions to all who may have the right to vote at elections for directors managers or trustees' regulating the manner of voting in first class corporations"

The act approved the twenty-second day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred fifty-three) (Number two hundred eighteen) entitled "An act to amend subdivision three of section three of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' by regulating the weekly advertisements for corporate charters"

The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (Pamphlet Laws four hundred four) (Number two hundred sixty) entitled "An act prohibiting corporations from pleading usury as a defense"

The act approved the fifth day of May one thousand nine hundred twenty-seven (Pamphlet Laws eight hundred thirteen) entitled "An act to amend section one of an act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws four hundred thirty-eight) entitled 'An act authorizing corporations incorporated under the laws of any other State of the United States to acquire use encumber and dispose of such real estate and rights and interests in in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired' as amended by providing that stockholders of such corporations owning real estate in this State and who reside in this State shall have the right to inspect the books documents and records of such corporations the same as in case of domestic corporations and granting to courts of common pleas jurisdiction and power to enforce such right"

The act approved the sixth day of May one thousand nine hundred twenty-seven (Pamphlet Laws eight hundred twenty-eight) (Number four hundred seventeen) entitled "An act to further amend the second paragraph of the fifth section of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations'"

The act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (Pamphlet Laws seventy-four) entitled "An act amending section one of an act entitled 'An act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidcenses of indebtedness created by any other corporation' approved the second day of July Anno Domini one thousand nine hundred and one (Pamphlet Laws six hundred three) so as to include corporations either public or private of this or any other State or of the United States of America or of any territory or dependency thereof or of any foreign country or any subdivision or agency thereof and to validate all purchases sales assignments transfers mortgages pledges or other disposition thereof at any time heretofore made"

The act approved the tenth day of April one thousand nine hundred twenty-nine (Pamphlet Laws four hundred eighty) entitled "An act to amend section one of the act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred fifty-eight) entitled 'An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth' by authorizing the counter-signatures of assistant treasurers thereon by premitting the signatures counter-signatures and seals thereon in facsimile printed or engraved and validating certificates of stock heretofore so executed and issued"

The act approved the eighteenth day of April one thousand nine hundred twenty-nine (Pamphlet Laws five hundred forty-four) entitled "An act to amend the act approved the second day of July one thousand nine hundred and one (Pamphlet Laws six hundred three) entitled 'An act authorizing corpoartions organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation' by extending the provisions thereof so as to apply to all corporations and validating past transactions of such character"

The act approved the thirtieth day of April one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred three) entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting"

The act approved the eighth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand six hundred forty-seven) (Number five hundred twelve) entitled "An act to amend the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred four) entitled 'An act prohibiting corporations from pleading usury as a defense"

The act approved the seventeenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand eight hundred two) entitled "An act providing that when all or a majority of the outstanding shares of the capital stock of any corporation now or hereafter created under the laws of this Commonwealth are owned by a corporation created under the laws of any other State the owner or owners of not less than one-fifth of the total number of the outstanding shares of the capital stock of such foreign corporation shall have the right to investigate and inquire into the affairs management and operations of such domestic corporation and to institute maintain and prosecute actions or proceedings against or in behalf of such domestic corporation for any purpose to the same extent in the same manner with the same force and effect and with the same rights and remedies as if he or they were the owner or owners of shares of the capital stock of such domestic corporation and prescribing the

conditions upon which a bond may be required in any such action or proceeding"

The act approved the twentieth day of March one thousand nine hundred thirty-one (Pamphlet Laws four) entitled "An act to amend section one of the act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred fifty-eight) entitle 'An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth' as amended by permitting the signatures counter-signatures and seals thereon in facsimile printed or engraved when the certificate is signed by a transfer agent or assistant transfer agent and registrar and permitting the use of certificates bearing the signature or counter-signature or facsimile signature or counter-signature of any officer who has ceased to be such when the certificate is issued"

The act approved the twenty-sixth day of March one thousand nine hundred thirty-one (Pamphlet Laws ten) (Number eight) entitled "An act to amend subdivision three of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations as amended by regulating the advertising of application of charters for corporations of the first class"

The act approved the twenty-fifth day of May one thousand nine hundred thirty-one (Pamphlet Laws one hundred eighty-nine) entitled "An act to further amend section twelve of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' by providing that corporations roganized either for the supply storage or transportation of water and water power or for the supply of light heat and power by means of electricity and corporations formed by the merger or consolidation of such corporations may subscribe for take purchase hold and dispose of the bonds and stock of any company of the same character or may guarantee the payment of principal and interest of such bonds or either principal or interest or may lease and operate corporate property"

The act approved the twelfth day of June one thousand nine hundred thirty-one (Pamphlet Laws five hundred sixty-one) entitled "An act to amend section twenty-three of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) as amended by an act entitled 'An act to amend section twenty-three of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations" approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all the reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corporation before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth' approved June second one thousand nine hundred and fifteen (Pamphlet Laws seven hundred twenty-four) providing that in the case of the sale assignment disposition or conveyance by certain building and loan associations of their franchises and property to certain other building and loan associations in lieu of the advertisement required by section nineteen of the act first mentioned notice of the time place and object of the meeting of stockholders therein mentioned shall be published once a week for two weeks prior to such meeting in at least one newspaper published in the county city or borough wherein the place of business of the building and loan association so selling assigning disposing or conveying is situate"

The act approved at the nineteen thirty-three session of the Legislature entitled "An act to authorize certain corporations organized under the laws of Pennsylvania including railroad corporations organized under the laws of Pennsylvania and of any other state or states to increase or decrease the par value of the shares of their capital stock providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued prescribing the manner in which such change shall be made and repealing all acts and parts of acts inconsistent herewith"

The act approved at the nineteen thirty-three session of the Legislature entitled "An act authorizing stock corporations with certain exceptions to make provisions for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith"

All other acts or parts of acts inconsistent herewith are hereby repealed in so far as they relate to business corporations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2310 (Senate Bill No. 802), as follows:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by adding thereto section eight hundred twenty-four requiring certain vehicles to carry danger or caution signals and to display the same when the vehicle becomes disabled

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence upon owners counties cities boroughs incorporated towns

townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding thereto section eight hundred twenty-four to read as follows

Section 824 Danger and Caution Signals Every motor bus and every motor omnibus for the carriage of passengers for hire except taxicabs and every commercial motor vehicle having a carrying capacity of two tons or over shall be equipped with at least two red or yellow burning danger or caution signals with friction cap ignition similar in type to a time-burning railway fusee signal and so constructed as to burn with a brilliant red or yellow light for not less than fifteen minutes

Whenever any such vehicle becomes disabled while within the limits of the traveled part of a highway to such an extent that it cannot proceed under its own power and its lighting is so disabled that it constitutes a menace to other vehicular traffic the operator thereof shall cause to be continuously displayed on the surface of the highway the red or yellow-burning danger or caution signals as hereby required in such manner as to prevent personal injuries loss of life and damage to property by collision.

Any owner or operator who shall fail to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five dollars ($25) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2287 (Senate Bill No. 825), as follows:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended authorizing the officers of school districts to prepare sign and make payment upon certain orders before approval of the orders by the board relating to the payment of temporary indebtedness from current revenue permitting the refunding of certain indebtedness and the depositing of collateral security by depositories secretaries treasurers and tax collectors of school districts in lieu of surety bonds removing the right of certain board of school directors to make agreements concerning the tuition of non-resident pupils relieving certain school districts of the duty of providing special education for feeble-minded children and placing such obligation upon the Department of Welfare allowing certain pupils to attend schools in other districts empowering the State Council of Education to regulate the issuance of certificates to students and graduates of State teachers colleges authorizing boards of trustees of State teachers colleges to charge their pupils certain fees designating certain persons as auditors of financial matters of certain school districts relating to the filing of reports of audits prohibiting cumulative voting for school directors reducing the salaries of county and assistant county superintendents discontinuing teachers institutes and providing for meetings of teachers the payment of the expenses thereof by the counties and the compensation for the teachers in attendance and repealing certain sections and parts of sections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred twelve of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 312 The president shall be the executive officer of the board of school directors and as such he together with the secretary when directed by the board shall execute any and all deeds contracts warrants to tax collectors reports and other papers pertaining to the business of the board requiring the signature of the president He shall after the board has acted on and approved any bill or account for the payment of money authorized by this act sign an order on the treasurer for the payment of the same Provided That in any school district of the first class the board of school directors may direct that any member or other officer of the board than the president shall approve all school orders He shall in no case [however] except as this section otherwise provides sign any order for any sum unless the same has first been acted upon and approved by the board and the amount thereof and the name of the payee properly inserted Any orders which shall be for the payment of amounts owing under any contracts which shall previously have been approved by the board and by the prompt payment of which the district will receive a discount or other advantage may be signed without the approval of the board first having been secured all such orders shall be presented to the board at its next meeting The president shall perform such other duties as the board may direct and as pertain to his office

Section 2 That section three hundred fifteen of said act is hereby amended to read as follows

Section 315 He shall after the board has acted on and approved any bill or account for the payment of money authorized by this act prepare and sign an order on the treasurer for the payment of the same He may prepare and sign orders on the treasurer for the payment of amounts owing under any contracts which shall previously have been approved by the board and by the prompt payment of which the district will receive a discount or other advantage without the approval of the board first having been secured

Section 3 That section three hundred twenty-four of said act is hereby amended to read as follows

Section 324 The treasurer of each school district shall receive all State appropriations district school tax and other funds belonging to the school district and pay out of the same on proper orders approved by the board of school directors signed except in districts of the first class by the president and in any school district of the first class by any other properly authorized person and attested by the secretary Provided That the treasurer may pay out such funds on orders which have been prepared and signed by the secretary and signed by the president for the payment of amounts owing under any contracts which shall previously have been approved by the board and by the prompt payment of which the district will receive a discount or other advantage without the approval of the board first having been secured Provided further That in all school districts of the first class all school orders before being paid by the school treasurer shall be approved by the school controller of such district

Section 4 That section five hundred six of said act which was last amended by section eleven of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (Pamphlet Laws two hundred forty-three) is hereby further amended to read as follows

Section 506 The board of school directors in any school district of this Commonwealth in any year in order to purchase or acquire proper sites or grounds for school buildings or any lands additional to any present school sites or grounds or to erect enlarge equip or furnish any school building or to repair or rebuild any new or old building or in order to pay or refund any existing indebtedness of any school district or to pay any indebtedness incurred by any municipality for or on account of any school district or for school purposes as is herein required to be assumed by any school district hereby established or to refund as herein authorized to any municipality the amount of any such indebtedness or to pay or refund obligations of certificates of indebtedness issued under

the provisions of section five hundred and eight of this act [outstanding on the thirty-first day of December one thousand nine hundred and thirty] may create and incur an indebtedness against such school district and issue bonds to secure the same for any and all such purposes or may create and incur an increase of any existing indebtedness against any such school district for any and all purposes to any amount that the total indebtedness of such school district including the indebtedness of any school or ward school district therein if any shall never exceed seven per centum upon the assessed value of the taxable property for school purposes therein

Section 5 That Section five hundred eight of said act which was last amended by Section twelve of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (Pamphlet Laws two hundred forty-three) is hereby amended to read as follows

Section 508 Any school district having no indebtedness or whose indebtedness incurred or created without the assent of the electors thereof is less than two (2) per centum of the total valuation of the taxable property for school purposes therein may at any time by or through its board of school directors incur in addition to any bonds therein authorized a temporary debt or borrow money which in school districts of the first and second class shall not exceed four-tenths of one (1) per centum and in school districts of the third and fourth class shall not exceed one (1) per centum of the total amount of taxable property in such school district and issue an obligation or obligations therefor under the seal of the district if any properly attested by the president and secretary thereof payable within two years from the date thereof and bearing interest not exceeding the legal rate but no such obligation shall be sold for less than par Provided That the incurring of any such temporary debt or borrowing money upon such obligation shall receive the affirmative vote of not less than two-thirds of the members of the board of school directors therein Provided further That the total amount of all indebtedness incurred or created without the assent of the electors in any school district issuing such obligations shall not at any time including all such obligations exceed two per centum of the total valuation of the taxable property therein Provided further That any school district incurring any temporary debt and issuing such obligations in the manner herein provided shall provide from its current revenue for the payment of the same except such temporary debt as [may be outstanding on the thirty-first day of December one thousand nine hundred and thirty and which by the provisions of section five hundred and six may be] shall have been refunded by an issue of bonds [,], provisions for the payment of which bonds shall be made as herein provided for the payment of all bonds

Section 6 That Section five hundred nine of said act is hereby amended to read as follows

Section 509 The board of school directors in any school district in this Commonwealth may designate one or more banks or trust companies as a depository or depositories for its school funds No such depository shall be named unless it reserves a majority of the votes of the entire school board elected or appointed in such district and such depository before receiving any of the school funds shall except as in this section otherwise provided furnish a proper bond in such amount and with such surety or securities as may be required to be approved by the board of school directors and conditioned upon the faithful keeping paying out and accounting for all of the school funds and property of said school district that may come into its hands as well as for the payment of all interest on money deposited in such depository in accordance with any contract made by it with said school district The funds of the school district shall be deposited as directed by the board of school directors in such depository by the school treasurer in the name of the school district and after any funds have been deposited with such regularly designated depository by any school treasurer he shall thereafter be relieved from all liability therefor and all school orders drawn on the school treasurer for any funds so deposited by him shall be endorsed by said treasurer and made "Payable at .....depository of the School District of .....Provided That no school district in this Commonwealth shall deposit with any designated depository any amount in excess of thirty-three and one-third per centum of the total capital stock and surplus of such depository

In lieu of one or more surety bonds the deposit of school funds may be secured by the deposit with the board of school directors or with any bank or trust company other than the designated depository within the Commonwealth which may be agreed upon of any of the following

1 Bonds or other interest-bearing obligations of the United States of this Commonwealth of any state of the United States or bonds of any county city borough incorporated town township school district or other political subdivision of this Commonwealth or of any other state of the United States which has not at any time within the five years immediately preceding the date of the deposit of such bonds by the depository failed punctually to pay the matured principle and interest on all of its indebtedness

When collateral security is thus deposited in lieu of one or more surety bonds the total amount of such bonds and obligations thus deposited measured by their actual market value shall be equal to the amount of the deposits secured and twenty per centum in addition All such bonds and obligations shall be accompanied by a proper assignment or power of attorney for their transfer Such trust deposit in the event of any depreciation in value shall be maintained on request in writing of the board of school directors at the amount provided herein

Section 7 That Section one thousand four hundred four of said act is hereby amended to read as follows

Section 1404 Where any pupil in any school district in this Commonwealth resides one and one-half miles or more by the public road from the nearest public elementary school in the district such pupil unless proper free transportation be furnished to a suitable school in the district on obtaining the consent of the board of school directors thereof may attend any public elementary school in another school district more convenient of access without the consent of the board of school directors of the district where such pupil resides and the district where such pupil resides shall promptly pay to the district where such pupil attends the cost of his tuition textbooks and school supplies only which shall not exceed that of the tuition text-books and school supplies of other pupils pursuing similar courses or studies in the same schools. The board of school directors of any district in this Commonwealth may on account of convenience of access or other reasons permit any pupils to attend the schools of another district [on such terms as the two boards of school directors may mutually agree upon]

The board of school directors in any school district in this Commonwealth may out of the funds of the district provide for the free transportation of any pupil to and from the public schools

Section 8 That Section one thousand four hundred thirteen of said act which was last amended by Section one of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (Pamphlet Laws seventy) is hereby amended to read as follows

Section 1413 It shall be the duty of the secretary of the school board teachers school enumerators and attendance officers in every school district in this Commonwealth in accordance with rules of procedure prescribed by the Superintendent of Public Instruction to secure information and report to the medical inspector of the school district and to the district or county superintendent of schools on or before the fifteenth day of October of each year every child within said district between the ages of eight (8) and sixteen (16) years who is gravely retarded in his or her school work or any child between the ages of six (6) and sixteen (16) who because of apparent exceptional physical or mental condition is not being properly educated and trained and as soon thereafter as possible the medical inspector shall examine such child in accordance with rules of procedure prescribed by the Secretary of Health and report whether such child is a fit subject for special education and training In school districts of the first second and third class having a district superintendent of schools said report shall be made to the superintendent of the district In all other districts the report shall be made to the Secretary of Health and by him reported to the superintendent of schools of the county

Pupils may also be designated as candidates for special education by mental clinics approved by the Council of Education or by a phychologist or a psychological examiner who has been certified by the Superintendent of Public Instruction and is employed by any school district

The County or district superintendent of schools shall submit to the board or boards of school directors plans for establishing

and maintaining special classes in the public schools or special public schools for the proper education and training of all such children reported to him as fit subjects for special education and training and except as herein otherwise provided it shall be the duty of the board of directors of any district having such children to provide and maintain or to jointly provide and maintain with neighboring districts such special classes or schools Provided however That if it is not feasible to form a special class with a minimum attendance of ten children in any district or if for any other reason it is not feasible to provide such education for any such child in the public schools of the district the board of school directors of that district shall except as herein otherwise provided unless approved provision for the education of such child is made by the parents or guardian secure such proper education and training outside the public schools of the district or in special institutions or by providing for teaching the child in his home [by a legally certified teacher] in accordance with rules and regulations prescribed by the Department of Public Instruction on terms and conditions not inconsistent with the terms of this act or of any other act then in force applicable to such children

If in any district in which ten or less feebleminded children between the ages of eight and sixteen have their legal residences the board of school directors shall be of the opinion that it is not feasible to establish a special class for such children such board shall report such feebleminded children to the Department of Welfare for enrollment in a school for feebleminded children after any such board shall have thus reported any children it shall be relieved of the obligation of providing education for such children The Department of Welfare shall thereupon provide adequate facilities for the education of such children

School districts maintaining special classes in the public schools or special public schools or providing special education as hereinafter specified in this section shall receive reimbursement as provided by law so long as such classes such schools and such special education are approved by the State Council of Education as to location constitution and size of classes conditions of admission and discharge of pupils equipment courses of study methods of instruction and qualifications of teachers

The State Superintendent of Public Instruction shall superintend the organization of such special classes and such other arrangements for special education and shall enforce the provisions of this act

On or before the first day of October of each year the secretary of the board of school directors in each district in which special education for physically or mentally handicapped children is provided shall make such reports in regard to such special education maintained during the previous school year and that for which the approval of the State Council of Education for the current year is desired as may be required by the Department of Public Instruction When any child between the ages of six (6) and twenty-one (21) years of age resident in this Commonwealth who is blind or deaf is enrolled with the approval of the Department of Public Instruction as a pupil in any of the schools or institutions for the blind or deaf under the supervision of and approved by the Department of Public Instruction the school district in which such child is resident shall pay twenty-five per centum (25%) of the cost of tuition and maintenance of such child in such school or institution as determined by the Department of Public Instruction and for the tuition and maintenance of such children the Commonwealth shall pay out of funds appropriated to the department for special education seventy-five per centum (75%) of the cost of their tuition and maintenance as determined by the department When any person less than six (6) or more than twenty-one (21) years of age resident in this Commonwealth who is blind or deaf is enrolled with the approval of the Department of Public Instruction as a pupil in any of the schools or institutions for the blind or deaf under the supervision of and approved by the Department of Public Instruction the Commonwealth shall pay to such school or institution out of moneys appropriated to the department for special education the cost of tuition and maintenance of such person as determined by the Department of Public Instruction To facilitate payments by the several school districts to the schools or institutions in which deaf or blind children are enrolled of amounts due by such districts for their proportion of the cost of tuition and maintenance of such children the Superintendent of Public Instruction shall withhold from any moneys due to such districts out of any State appropriation for the assistance as reimbursement of school districts the amounts due by such districts to such schools or institutions for the blind or the deaf and amounts so withheld shall be paid to such schools or institutions by warrant of the Auditor General upon the State Treasurer after requisition of the Superintendent of Public Instruction for which purpose all amounts so withheld are hereby specifically appropriated to the Department of Public Instruction Payments of the Commonwealth's proportion of the cost of tuition and maintenance of blind or deaf pupils enrolled in schools or institutions for the blind or for the deaf as hereinbefore provided shall be made quarterly out of moneys appropriated to the Department of Public Instruction for special education by warrant of the Auditor General upon the State Treasurer after requisition by the Superintendent of Public Instruction For the purpose of enabling the Department of Public Instruction to determine from time to time what amounts are due to schools for the blind or for the deaf hereunder such schools shall forward to the Department at such times and in such form as the Department shall prescribe sworn statements setting forth the names ages and residences of all pupils enrolled hereunder specifying the school districts liable for a part of the cost of tuition and maintenance of any such pupils the per capita cost of and maintenance of pupils and such other information as the Department shall require

Section 9 That section one thousand seven hundred seven of said act which was last amended by section one of the act approved the fourth day of May one thousand nine hundred twenty-seven (Pamphlet Laws six hundred eighty-nine) is hereby further amended to read as follows

Section 1707 Pupils residing in school districts in which no public high schools are maintained may attend during the entire term the high schools in other districts which are nearest or most convenient to their homes Pupils who reside in a school district in which no public high school other than a vocational high school is maintained may attend during the entire term the nearest or most conveniently located academic high school In any district which maintains a high school whose program of studies terminates before the end of the twelfth year pupils who have satisfactorily completed the [same] program of studies there available in other than vocational schools or departments or have completed a program of studies equivalent to said program of studies in some other school or schools may attend at the expense of the school board of the district in which they live and for the purpose of pursuing academic studies of a higher grade the nearest or most conveniently located high school of such type as they may desire to attend giving further high school work Provided That pupils wishing to attend a high school in a district other than the one in which they reside shall obtain the consent of the board of school directors of the district in which such high school is located before attending the same And provided further That where pupils desirous of having their tuition paid in a high school in another district on account of having completed [the] such program of studies in their own district or its equivalent in some other school or schools they must present to the board of their own district and the board of the district in which they wish to attend a certificate from the county superintendent who has jurisdiction over the district in which they live that they have satisfactorily completed the equivalent of said program of studies And provided further That the board of school directors of the district in which the said pupil and/or pupils reside may by agreement in writing provide for the attendance and tuition of the said pupil and/or pupils without the necessity of the said pupil and/or pupils taking the county examination with the approval of the County Superintendent in writing County superintendents are hereby authorized and in cases where the boards of the districts have not agreed as hereinbefore provided for required to examine such pupils and if entitled to issue to them the necessary certificate

Section 10 That section two thousand six of said act which was added by section one of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (Pamphlet Laws seven hundred twelve) is hereby amended to read as follows

Section 2006 The Superintendent of Public Instruction shall prescribe and conduct such examinations of students in the several colleges as he may deem necessary to determine and fix the standards of instruction in and of graduation from any of the curriculums of said colleges Each graduate

from a college shall receive such a [normal school] certificate or [college] diploma as the State Council of Education shall prescribe [A normal school certificate shall be accepted as full evidence of the qualifications of the holder thereof to teach two annual full school terms in any public elementary school in this Commonwealth without further examinations such subjects as may be written upon the face of the certificate in accordance with the regulations of the State Council of Education The Superintendent of Public Instruction shall issue to a holder of the college diploma a provisional college certificate entitling him to teach for three annual school terms in any public elementary or secondary school in this Commonwealth without further examination such subjects as may be written upon the face of the certificate in accordance with the regulations of the State Council of Education]

Section 11 That Section two thousand nine of said act which was amended by Section forty-one of the Act approved the twenty-ninth day of May one thousand nine hundred thirty-one (Pamphlet Laws two hundred forty-three) is hereby further amended to read as follows

Section 2009 The tuition of all students at the State Teachers' Colleges who are residents of Pennsylvania and who meet such requirements as the board of presidents of the State Teachers' Colleges may prescribe and who sign an agreement to teach in the public schools of this Commonwealth for not less than two years and who are pursuing therein regular courses for the preparation of teachers shall be paid by the Commonwealth and sufficient appropriations shall be made for this purpose Provided however in addition to such appropriations the board of trustees may fix and charge such such fees as may be necessary for the proper operation of the college [The trustees of any State Teachers' College when it does not interfere with its purpose to educate and prepare teachers may with the approval of the Superintendent of Public Instruction admit other students than those preparing to teach Provided That all such students except those in the practice school shall pay regular tuition And provided That when there is insufficient room for all who apply preference shall be given to residents of Pennsylvania and those preparing to teach]

Section 12 That Article twenty-one is hereby amended to read as follows

[Teachers Institute]

[Section 2101 The county superintendent in each county of this Commonwealth is hereby required annually at such time and place as he or a properly authorized committee of teachers acting with him may deem most convenient to call the teachers of the public schools and invite the teachers of other institutions of learning in his county to assemble and organize themselves into a teachers' institute for their improvement in the science art and history of education to continue in session at least five days including a half-day for going to and half-day for returning from the place of meeting of the said institute and to be presided over by the county superintendent or by some one designated by him and to be subject in its general management to his control

[Section 2102 Each county superintendent upon the assembling of the teachers' institute of his county shall cause a roll of members to be prepared which roll shall be called at least twice every day during the session of the institute and all absentees shall be carefully noted or he shall otherwise determine the actual attendance of the teachers at each session and upon the adjournment of the institute he shall ascertain an exact number of teachers who were in attendance and the length of time each attended

[Section 2103 At the Close of each annual teachers' institute upon the presentation of the county superintendent's certificate to the treasurer of the proper county certifying to the attendance of teachers as herein required said treasurer is hereby authorized and required to pay immediately to the county superintendent out of the county treasury one dollar ($1.00) for every three days spent by the teachers of the county in attendance at the institute for that year such money to be expended by the county superintendent in paying for instructors and other necessary expenses of the institute Provided That the amount which may be drawn from the county treasurer shall in no case be more than two hundred dollars ($200.00) or less than one hundred dollars ($100.00) if it shall appear from the duplicate vouchers presented by the county superintendent that this sum has been actually expended for that purpose herein specified

[Section 2104 Every annual county teachers' institute shall elect two of its members as auditors who with an auditor elected by the county directors' association shall audit the accounts of said institute as provided in this act

[Section 2105 It shall be lawful for the board of school directors of any school district which has selected a superintendent and employs not less than forty teachers by resolution at any regular meeting duly recorded to authorize the holding of an annual teachers' institute for said district and in such case in all matters pertaining to the holding of institutes it shall be in no wise subject to the authority and jurisdiction of the superintendent of schools of the county in which said district is located and when the holding of the said separate annual institute shall have been authorized as aforesaid the superintendent of schools of said district shall have power to call and conduct a teachers' institute and to draw from the county treasury moneys for the support of the same in like manner and to the same extent as the county superintendents of this Commonwealth are empowered to do and the board of school directors of such district may by a majority vote appropriate such additional funds as it may deem necessary to maintain said institute

[The board of directors of any school district of the first second or third class or the county superintendent of school districts of the fourth class may substitute other equivalent forms of teacher training or teacher improvement for the teachers of such district as may be approved by the Department of Public Instruction in lieu of the teachers' institute hereby provided for and may expend for such purposes the funds available for teachers' institutes or such part thereof as may be necessary for such purpose

[Section 2106 District teachers' institutes may be held throughout the school year for not less than five days or ten half-days which the district superintendent may select for this purpose

[Section 2107 The board of school directors of every school district holding an annual district teachers' institute shall at or before the time of holding the same appoint a proper person who with the two auditors elected by such institute shall audit the accounts of the annual district teachers' institute as herein provided

[Section 2108 All boards of school directors in this Commonwealth are authorized and required to pay from the district funds to the teachers employed in the public schools of the several districts who are in attendance at the institute held under the authority of the superintendent of schools of the county in addition to the compensation provided for in their contracts four dollars per day for each day's actual attendance upon the sessions of such annual county teachers' institute

[Section 2109 Payment for said institute attendance shall be based on the official reports made to the several boards of school directors by the proper county or district superintendent who shall report the daily attendance of teachers to the respective boards by which they are employed and such payment shall be allowed by the boards of school directors and paid to the teachers entitled to receive the same The time in attendance at the annual teachers' institute shall not be considered as days taught or lessen the actual number of days in the minimum school term

[Section 2110 Every teacher absenting himself from the annual teachers' institute shall forfeit to the school district employing him a sum equal to that which he would have received for attendance at such institute this sum to be deducted from his salary for the month next following the date of convening said institute unless satisfactory reason for such absence be given to the superintendent holding such institute

[Section 2111 So much of any contract between any teacher and a school district in this Commonwealth as violates any of the provisions of this article shall be null and void

[Section 2112 All county and district superintendents immediately upon the adjournment of the teachers' institutes held in their respective counties or districts shall report to the Superintendent of Public Instruction on blanks furnished by him the number of teachers in attendance the names of instructors the subjects upon which instruction was given the degree of popular interest awakened by the proceedings and such further information as may be required by them

[Section 2113 At the close of each annual county or district teachers' institute the county or district superintendent holding the same shall within thirty days thereafter prepare an itemized account of all the receipts and disbursements received

or made on account of such institute and submit the same properly sworn to together with the proper vouchers therefor to the auditors herein provided for to audit the same

[Section 2114 Any institute funds remaining in the hands of the superintendent at the close of the annual teachers' institute as appears by the audit of its accounts shall constitute an institute fund and be accounted for by the superintendent in the accounts of the next annual teachers' institute or be paid over to his successor in office]

MEETINGS OF TEACHERS

Section 2101 Each county superintendent is hereby authorized to call the teachers of the public schools under his jurisdiction to assemble at such times and places as he may deem most convenient for the purpose of receiving instruction in the science and art of teaching each superintendent may also invite members of the teaching and supervisory staffs of the other districts and of institutions of learning within the county to attend such meeting or meetings

Section 2102 Each county superintendent who shall call a meeting of the teachers under his jurisdiction shall exercise general management over such assembly shall secure the necessary speakers and shall incur the necessary expenses such expenses for all such meeting in any one school year shall not exceed the amount of two hundred dollars ($200.00)

Section 2103 Each county superintendent shall keep a record of all the teachers under his jurisdiction who shall attend each such meeting and the number of whole or part days during which such teacher was in attendance At the close of each meeting the superintendent shall send to the board of school directors of each school district under his jurisdiction a statement of the names of the teachers of the school district who were in attendance at each meeting and the period during which each such teacher was in attendance

Each superintendent shall also at the close of each such meeting present to the treasurer of the county in which the school districts under the jurisdiction of the county superintendent or the greater part thereof shall be located a sworn statement of the expenses incurred in the conduct of such meeting

Section 2104 In each school district under the jurisdiction of a county superintendent the board of school directors shall pay from the funds of the school district to each teacher employed in such school district who has been in attendance at a meeting of the teachers called by the county superintendent as herein provided one dollar for each half of a day during which such teacher was in attendance at such meeting Such compensation however shall not in any one year exceed four dollars per teacher This payment shall be in addition to the compensation provided in the teacher's contract with the school district

Such payments shall be based upon the official attendance record made by the county superintendent to the board of school directors

Section 2105 The time spent by teachers at a teacher's meeting called by a county superintendent as herein provided shall not be considered as days taught nor lessen the number of days in the minimum school term as herein required

Section 2106 Within thirty (30) days after the closing of a meeting of teachers under the jurisdiction of a county superintendent which has been held as herein provided the county superintendent shall prepare an itemized account of all of the receipts and disbursements received or made on account of such meeting and submit the same properly sworn to together with the proper vouchers therefor to the auditors herein required to audit such accounts

Section 2107 Upon the receipt from a county superintendent of duplicate vouchers and a statement of expenses incurred in the conduct of a teachers' meeting as herein provided which has been sworn to by the county superintendent and approved by the auditors of such meeting the county treasurer of the county in which the school districts under the jurisdiction of such county superintendent or the greater or greatest part thereof in area shall be located shall pay out of the county treasury to such county superintendent the amount of such expenses which shall not exceed two hundred dollars ($200.00)

Section 2108 The teachers under the jurisdiction of a county superintendent shall at the first meeting in each school year which may be called by the county superintendent as provided herein elect two of their number as auditors The persons so elected together with the auditor elected by the school director's association of such county shall audit the accounts of each meeting which shall be held during the school year

Section 2109 Each teacher who shall not attend a meeting of teachers called by a county superintendent as herein provided shall forfeit to the school district employing him a sum equal to that which he would have received for attendance at such meeting The board of school directors of the district of which he shall be employed shall deduct this sum from his salary for the month next following the date of such meeting unless satisfactory reason for such absence be given to the superintendent holding such institute Such forfeiture shall not exceed for any one year the sum of four dollars per teacher

Section 2110 Each county superintendent immediately after the adjournment of a meeting of teachers under his jurisdiction which has been held as herein provided shall report to the Department of Public Instruction on blanks furnished by it the number of teachers in attendance the names of instructors the subject upon which instruction was given the degree of popular interest awakened by the proceeding and such further information as may be required

Section 2111 In each school district of the first and second classes and in each school district of the third class which has employed a district superintendent the board of school directors may provide any form of teacher training or teacher improvement for the teachers of such district which it may deem proper

All expenses incurred in such training and improvement shall be paid by such board of school directors as are other expenses of such school district

Section 13 That Section two thousand six hundred three of said act which was amended by Section one of the act approved the thirtieth day of April one thousand nine hundred twenty-five (Pamphlet Laws three hundred eighty-two) is hereby further amended to read as follows

Section 2603 In all school districts of the second and third class by the [proper city borough or township] controller or auditors [therein] of the city borough incorporated town or township in which the whole or the greater or greatest portion of the area of each such district shall be located When in any school district of the second class the annual expenditures exclusive of moneys received from the sale of bonds shall exceed the sum of five hundred thousand dollars such district may employ a certified publbic accountant within sixty days from the close of the fiscal year

Section 14 That section two thousand six hundred four of said act is hereby amended to read as follows

Section 2604 In all school districts of the fourth class by the [proper borough or township] auditors [therein] of the borough incorporated town or township in which the whole or the greater or greatest portion of the area of each such district shall be located

Section 15 That section two thousand six hundred twenty-five of said act which was amended by section four of the act approved the fifteenth day of April one thousand nine hundred twenty-seven (Pamphlet Laws one hundred eleven) is hereby amended to read as follows

Section 2625 In every school district of the fourth class in this Commonwealth the proper auditors herein provided to audit the finances of the school district shall meet annually with the board of school directors on the first Monday of July at the time of organization or within five days thereafter and within thirty days carefully audit and adjust the financial accounts of the school district for the preceding school year Provided That the meeting of the auditors with the board of school directors shall not be held on the Fourth of July At the completion of the audit they shall make a careful statement in duplicate of the finances of the district for the preceding year setting forth the assets and liabilities and an itemized statement of all receipts expenditures and credits whatsoever of all school officials and including therein any sums that have been charged against any person or persons one copy of which annual statement shall be filed by such auditors with the secretary of the board of school directors and one in the court of [quarter session] common pleas of the county in which such district or the greater or greatest part thereof in area shall be located and a summary thereof including the assets and liabilities of the school district shall be published in a newspaper having general circulation in the district once a week for three successive weeks beginning the first week after filing the same or be promptly posted by not less than six copies in as many places in the district The auditors shall also file one copy of their report with the De-

partment of Public Instruction by mailing the same sealed stamped and addressed to the Superintendent of Public Instruction Harrisburg Pennsylvania by registered mail with return registry receipt requested

Section 16 That section two hundred one of said act is hereby amended to read as follows

Section 201 The public school system established by this act shall be administered by a board of school directors to be elected or appointed as [follows] hereinafter provided At each election of school directors each qualified voter shall be entitled to cast one vote for each school director to be elected Any system providing for cumulative voting for the office of school director is hereby abolished

Section 17 That section three hundred twenty-one of said act is hereby amended to read as follows

Section 321 Before he enters upon the duties of his office he shall furnish to the school district for the faithful performance of his duties a bond in such amount and with such surety or sureties as may be required of him and approved by the board of school directors the cost of which bond may be paid for by the school district In lieu of furnishing such a bond the secretary may file his own collateral bond in such amount as may be required by the board of school directors secured by an actual deposit with the board of school directors or with any bank or trust company within the Commonwealth which may be agreed upon of any of the securities which depositories may use to secure the deposit of school funds as herein provided The total market value of the securities thus deposited shall equal the amount of the collateral bond Such collateral bond shall be conditioned upon the faithful performance of his duties as secretary The securities thus deposited shall constitute a trust fund to be available for the satisfaction of any liability accruing upon the collateral bond The securities shall be accompanied by a proper assignment or power of attorney for their transfer Such trust deposit in the event of any depreciation in its value shall be maintained upon request in writing of the board of school directors at the amount provided herein The board of school directors may permit the secretary to substitute for any one or more bonds or obligations included in any such securities other bonds or obligations as long as the new securities meet the requirements of this act

Section 18 That section three hundred twenty-six of said act is hereby amended to read as follows

Section 326 Every person elected treasurer of any school district in this Commonwealth including the city treasurer elected as treasurer of a school district of the first class shall before entering upon the duties of his office furnish to the school district a proper bond in such amount and with such surety or sureties as the board of school directors therein may approve conditioned for the faithful performance of his duties as school treasurer If any school treasurer is re-elected he shall furnish a new bond for each year The treasurer's bond may be paid for by the school district In lieu of furnishing such a bond the treasurer may file his own collateral bond in such amount as may be required by the board of school directors secured by an actual deposit with the board of school directors or with any bank or trust company within the Commonwealth which may be agreed upon of any of the securities which depositories may use to secure the deposit of school funds as herein provided The total market value of the securities thus deposited shall equal the amount of the collateral bond Such collateral bond shall be conditioned upon the faithful performance of his duties as treasurer The securities thus deposited shall constitute a trust fund to be available for the satisfaction of any liability accruing upon the collateral bond The securities shall be accompanied by a proper assignment or power of attorney for their transfer Such trust deposit in the event of any depreciation in its value shall be maintained upon request in writing of the board of school directors at the amount provided herein The board of school directors may permit the treasurer to substitute for any one or more bonds or obligations included in any such securities other bonds or obligations as long as the new securities meet the requirements of this act

Section 19 That section three hundred thirty of said act is hereby amended to read as follows

Section 330 The school treasurer shall not enter upon the duties of his office until his bond with the proper sureties [thereto] or securities has been furnished to and approved by the board of school directors

Section 20 That Section five hundred twenty-eight of said act is hereby amended to read as follows

Section 528 Every receiver of taxes city treasurer or other authority in a school district of the first class who is by the provisions of this act authorized to collect or receive the school taxes therein shall before entering upon the duties of his office as collector or receiver of school taxes furnish to the school district a bond in such amount and with such surety or sureties as the board of school directors may approve conditioned upon the faithful performance of his duty in the office of such collector or receiver the cost of which bond shall be paid by the said school district In lieu of furnishing such a bond each such receiver of taxes city treasurer or other authority may file his own collateral bond in such amount as may be required by the board of school directors secured by an actual deposit with the board of school directors or with any bank or trust company within the Commonwealth which may be agreed upon of any of the securities which depositories may use to secure the deposit of school funds as herein provided The total market value of the securities thus deposited shall equal the amount of the collateral bond Such collateral bond shall be conditioned upon the faithful performance of his duties as receiver or collector of taxes The securities thus deposited shall constitute a trust fund to be available for the satisfaction of any liability accruing upon the collateral bond The securities shall be accompanied by a proper assignment or power of attorney for their transfer Such trust deposit in the event of any depreciation in its value shall be maintained upon request in writing of the board of school directors at the amount provided herein The board of school directors may permit the receiver or collector of taxes to substitute for any one or more bonds or obligations included in any such securities other bonds or obligations as long as the new securities meet the requirements of this act

Every such treasurer or receiver of school taxes shall be paid such compensation as the board of school directors in the district may determine and in addition to his salary be furnished by the school district with the necessary stationery and books required by him in the performance of his duties as treasurer or receiver of school taxes and said board of school directors may also appoint annually such clerks as it may deem necessary to assist the said receiver of taxes

In case any receiver of taxes or city treasurer elected as receiver of taxes or as school treasurer in a school district of the first class shall refuse or neglect to furnish a proper bond with the proper sureties or securities as herein provided after his election then in that case the board of school directors in the said district may elect any other proper person as receiver of said school taxes or school treasurer

Section 21 That Section five hundred fifty of said act is hereby amended to read as follows

Section 550 Every person appointed or elected collector of school taxes in any school district of the second third or fourth class in this Commonwealth in addition to any bonds that he may now be required by law to give and before receiving his tax duplicate and warrant to collect said school taxes shall furnish to the school district a proper bond in an amount to be fixed by the board of school directors with such surety or sureties as it may approve conditioned upon the faithful performance of his duties as such tax collector In lieu of furnishing such a bond the tax collector may file his own collateral bond in such amount as may be required by the board of school directors secured by an actual deposit with the board of school directors or with any bank or trust company within the Commonwealth which may be agreed upon of any of the securities which depositories may use to secure the deposit of school funds as herein provided The total market value of the securities thus deposited shall equal the amount of the collateral bond Such collateral bond shall be conditioned upon the faithful performance of his duties as tax collector The securities thus deposited shall constitute a trust fund to be available for the satisfaction of any liability accruing upon the collateral bond The securities shall be accompanied by a proper assignment or power of attorney for their transfer Such trust deposit in the event of any depreciation in its value shall be maintained upon request in writing of the board of school directors at the amount provided herein The board of school directors may permit the tax collector to substitute for any one or more bonds or obligations included in any such securities other bonds or obligations as long as the new securities meet the requirements of this act In case any person elected or appointed tax collector shall fail to furnish a proper

bond with the proper sureties or securities within fifteen days after his appointment or notice so to do then in any such case the board of school directors shall appoint another suitable person as collector of the school taxes in said district in his place and stead who upon giving the proper bond with the proper sureties or securities required by the provisions of this act shall be the duly authorized person to collect the school taxes in said district for the ensuing school year

Section 22 That paragraph eight of Section one thousand two hundred ten of said act which was last amended by Section one of the act approved the seventh day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand five hundred eighty-seven) is hereby further amended to read as follows

8 County superintendents of counties having a population of less than twenty thousand (20,000) minimum annual salary [three thousand dollars ($3,000)] two thousand four hundred dollars ($2,400) county superintendents of counties having a population of twenty thousand and more but less than forty-five thousand (45,000) minimum annual salary [three thousand five hundred dollars ($3,500)] two thousand eight hundred dollars ($2,800) county superintendents of counties having a population of forty-five thousand and more but less than one hundred and fifty thousand (150,000) minimum annual salary [four thousand dollars ($4,000)] three thousand two hundred dollars ($3,200) county superintendents of counties having a population of one hundred and fifty thousand (150,000) or more minimum annual salary [four thousand five hundred dollars ($4,500)] three thousand six hundred dollars ($3,600) all assistant county superintendents minimum annual salary [three thousand dollars ($3,000)] two thousand four hundred dollars ($2,400)

Section 23 That Section two thousand seven of said act which was added by Section one of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (Pamphlet Laws seven hundred twelve) is hereby repealed

Section 24 This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. NOTHNAGLE. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study and amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1770, entitled:

An Act requiring the licensing of portable grinding mills conferring powers and imposing duties on the Department of Agriculture and prescribing penalties

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "portable grinding mill" as used in this act shall mean an apparatus or machine so contructed as to be moved from place to place and which is not located in a permanent place used and employed as a food or feed grinder oat huller or mill

The word "department" as used herein shall mean the Department of Agriculture of this Commonwealth

The second section was read as follows:

Section 2 No person association copartnership or corporation shall engage in the business of operating a portable grinding mill in this Commonwealth after the first day of January one thousand nine hundred and thirty-four unless having first obtained from the department a license so to do

On the question,

Will the House agree to the section?

Mr. WADE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 2, page 2, line 2, by inserting after the word "do" the following: "Providing, however, That the provisions of this act shall not apply to portable grinding mills used by farmers for their own use or to any portable grinding mill owned by an organization of farmers and used only for the benefit of the members of such organization.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third and fourth sections and title were separately read and agreed to as follows:

Section 3 Application for such license shall be made on forms furnished by the department Licenses shall expire on the thirty-first day of December of the year for which issued Each portable grinding mill shall require a separate license the fee for which shall be fifty ($50).

License fees for licenses issued for less than a year shall be reduced one-twelfth for each month not covered by said license

Section 4 Any person association copartnership or corporation operating a portable grinding mill contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions of the county within which such offense occurred shall be sentenced to pay a fine of two hundred dollars ($200) and costs of prosecution

An Act requiring the licensing of portable grinding mills conferring powers and imposing duties on the Department of Agriculture and prescribing penalties.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1738, entitled:

An Act invoking the police power of this Commonwealth staying proceedings to sell real property on foreclosures of first mortgages for the period of eighteen months in certain cases

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the exercise of the police power for the protection of the public health safety morals and welfare threatened by existing economic conditions and to prevent the unwarranted sale of property on first mortgages where the security is adequate all proceedings whether by scire facias sur mortgage confession of judgment on mortgage bond or otherwise instituted prior to the effective date of this act to enforce the payment of the principal or any part thereof of any first mortgage on real property where all interest taxes insurance water rent and other charges on such mortgaged premises other than the principal of such mortgage and taxes for the current year have been paid and where the mortgaged property has not already been sold and where on petition of the

owner of the mortgaged premises it shall be shown to the satisfaction of the court of common pleas that the security is adequate and the mortgage debtor is unable to pay the whole or any part of the principal of such mortgage then unpaid and /or taxes for the current year and is not avoiding payment thereof by reason of this act the court shall make a special order restraining the sale for a period of eighteen months from and after the effective date of this act and if such petition is presented and such order made before such writ is issued no such proceeding shall be commenced during such period All writs issued and all service made and all sales held in violation of the provisions of this act shall be null and void and no officer or attorney shall receive any fee or commissions or be reimbursed for any expense incurred in connection therewith

On the question,

Will the House agree to the section?

Mr. TAHL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 3, line 6 by striking out after the word "period" the words "All writs," and by striking out lines 7, 8, 9, 10 and 11, inclusive, and inserting in lieu thereof the following: "and providing further that during said stay of eighteen months granted by the Court as herein provided that the owner of such mortgaged premises shall pay all interest taxes insurance water rent and other charges on such mortgaged premises other than the principal as said charges accrue by the terms of said bond and mortgage otherwise the stay granted by the Court shall immediately cease and determine and upon filing of an averment of default by the holder of such mortgage setting forth said default the prothonotary sheriff and other officers shall forthwith proceed with such writ of execution with the same force and effect as if no stay of proceedings was granted"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 This act shall become effective immediately upon final enactment

An Act invoking the police power of this Commonwealth staying proceedings to sell real property on foreclosures of first mortgages for the period of eighteen months in certain cases.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2316 (Senate Bill No. 617), as follows:

An Act to amend section twenty-five of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities, accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widows and childrens exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans court in all matters relating to fiduciaries concerned with the estates of decedents" as amended so as to limit the duration of the lien of legacies unless proceedings are brought to enforce their payment within ten years after the probate of the testators will or after said legacies become due and payable

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-five of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widows and childrens exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge or residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans court in all matters relating to fiduciaries concerned with the estates of decedents" which was amended by the act approved the fourteenth day of April one thousand nine hundred and thirty-one (Pamphlet Laws thirty-two) is hereby further amended to read as follows

Section 25 (a) 1 In all cases in which by the provisions of any last will and testament or by the provisions of this act or by proceedings in the orphans court in any county any legacy or any money payable at a future period or any money the interest in which is payable to any person is or shall be hereafter charged upon or payable out of real estate it shall be lawful for the legatee or the person entitled to such money or interest to apply by petition to the orphans court having jurisdiction of the accounts of the fiduciary On the presentation of such petition the court having caused due notice to be given to such fiduciary and the devisee or heir as the case may be and the present owner of the real estate charged with such legacy sum of money or interest and to such persons interested in the estate or property as justice may require may proceed according to equity to make a decree directing such devisee heir or owner to pay the amount of such legacy

sum of money or interest then due within a time to be limited by such decree and providing that in case such devisee heir or owner shall fail to make payment within such time the fiduciary or a trustee to be appointed by said court in its discretion shall after giving public notice of such sale once a week for a period of three weeks before the day appointed therefor by advertisement in at least one newspaper published in the county if there be one or if there be none then in an adjoining county and by handbills posted at a conspicuous place on the real estate proposed to be sold and in at least three of the most public places in the vicinity of such estate make sale of said real estate or so much thereof as may be necessary for the purpose of payment of such legacy sum of money or interest The proceeds of such sale shall be distributed under the direction of said court as in other cases of judicial sales to the persons legally entitled to receive the same In the case of money charged upon real estate the interest on which is payable to any person the court may instead of directing a sale of such real estate as aforesaid make such decree or order to enforce payment of said interest as shall be just and proper

2 The orphans' courts of the several counties of this Commonwealth in all cases where under the provisions of this section such courts have power to order the sale of real estate may authorize or direct a private sale if in the opinion of the court under all the circumstances a better price can be obtained at private than at public sale as where the interest shall be undivided or for any other sufficient cause

3 Before authorizing or directing any private sale of real estate public notice thereof shall be given by advertisement printed in at least one newspaper published in the county where such real estate is situated once a week for a period of three weeks prior to the date fixed by such order for authorizing or directing such sale and also written or printed notices one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such real estate and before authorizing or directing such sale the court shall require proof by affidavit to be filed in the proceedings that notice as aforesaid has been given Such notice specify the location and description of the real estate proposed to be sold the name of the proposed purchaser and the price agreed to be paid

(b) If the real estate charged with such legacy sum of money or interest be situated in a county or counties other than that the orphans' court of which has jurisdiction of the accounts of the fiduciary and the devisee heir or owner against whom such decree has been made shall fail to comply therewith according to the terms thereof such decree may be certified to the orphans' court of any county in which such real estate is situated or in case such real estate is divided by a county line then to the orphan's court of the county where the mansion-house may be situated or if there be no mansion-house to the county where the principal improvements may be or if there be no improvements to either county Upon such certification and petition filed by the legatee or the person entitled to such money or to such interest it shall be the duty of the said orphans' court to make an order for the public or private sale of so much and such parts of such real estate as shall in their opinion be necessary to raise the specified sum and to direct the fiduciary or a trustee to be appointed by said court to make such sale after public notice as aforesaid given in each of the counties in which the real estate is situated Such fiduciary or trustee shall in all cases of public sale make return of his proceedings in relation to such sale to the orphans' court making such order of sale when if the same be approved by said court it shall be confirmed but the proceeds of all such sales shall be distributed under the direction of the court having jurisdiction of the accounts of the fiduciary or trustee as provided in clause (a) of this section In the case of money charged upon real estate the interest on which is payable to any person the orphans' court to which the decree is certified as aforesaid may instead of directing a sale of such real estate as aforesaid make such decree or order to enforce payment of said interest as shall be just and proper In the case of private sales authorized or directed under the provisions of this section no return or confirmation shall be necessary

(c) Before such legatee or other person shall be entitled to the benefit of any decree made under the provisions of this section for payment by the divisee heir or owner of the real estate of the amount of such legacy sum of money or interest he or she shall give such security as the court in which application was originally made shall direct for the indemnity of the devisee heir owner or other persons interested in the event of any debt due by the testator being recovered for the payment of which such real estate would be liable

(d) 1 Whenever under the provisions of any will a legacy is expressly or by legal implication or by the provisions of this or any other act charged as a lien upon real estate of such testator after thirty days' written notice to the legatee or the legal representative of the legatee of an intention to discharge such lien served personally or if personal service cannot be had by publication as provided in clause (g) of section sixteen of this act such lien shall cease and determine at the expiration of the period hereinafter limited unless a suggestion of non-payment as hereinafter specified is filed in the office of the register of wills and noted on the record referring to such will or proceedings to enforce such lien as hereinbefore provided in this section shall be brought by such legatee within such period and duly prosecuted to the entry of a decree as therein provided

2 Where the principal of such legacy is immediately payable to some person whether absolutely or in trust for some other person the said proceedings shall be brought or suggestion of non-payment filed and noted within ten years after the date when said will shall have been probated

3 Where the legacy is one which under the will is not payable to any one either absolutely or in trust until some future period or event the said proceedings shall be brought or suggestion of non-payment filed and noted within ten years after the expiration of such period of time or after the happening of such event

4 No such proceedings or suggestion of non-payment shall be necessary to preserve the lien of an annuity or annual sum given or directed to be paid to any person by the terms of any will without any principal sum being expressly bequeathed to any one to provide for payment of such annuity or annual sum But where a principal sum is bequeathed to any person in trust to pay to some other person out of the income or principal thereof such annuity or annual sum then the said proceedings shall be brought or suggestion of non-payment filed and noted by such trustee within ten years after the probate of said will or after the said principal sum is due and payable to such trustee in like manner as is hereinbefore provided in subdivisions two and three of clause (d) of this section

5 An such proceeding shall be docketed and indexed in the orphans' court in the name of the testator and if any account has already been filed by the executors such proceedings shall be given the same term and number and be docketed with the audit and adjudication of said account

6 Where the person to whom a legacy is bequeathed is a minor at the time when the legacy becomes due and payable the ten year period of limitation hereinbefore provided for the enforcement of the lien of such legacy shall not commence to run until such minor shall first have arrived at the age of twenty-one years

7 In lieu of proceedings to enforce such lien a suggestion of non-payment may be filed in the office of the register of wills and noted on the record referring to such will and when so filed and noted the lien of such legacy shall be continued and preserved for a period of five years after the date that the same is so filed and noted but such suggestion of non-payment shall not create or raise any presumption either that such legacy has been paid or not paid

8 The foregoing provisions of clause (d) of this section shall be retroactive Provided however that in case of any legacy the lien of which would be sooner barred proceedings for the enforcement thereof may be commenced within five years after the passage of this act in manner as provided in clauses (a) (b) and (c) of this section

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2334 (Senate Bill No. 420), entitled:

An Act concerning elections including general municipal special and primary elections and amending revising consolidating and changing the laws relating thereto

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That laws relating to general municipal primary and special elections voting by soldiers the assessment and registration of voters and election contests are hereby revised consolidated and codified as follows

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BLUMBERG. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of further study.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1420, as follows:

An Act requiring Public samplers and Public weighers of cargo of ships at ports in cities of the first class to be residents of such cities and to be licensed and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter no person shall be employed as a public sampler and public weigher of cargo of ships at any port of any city of the first class unless such person shall be a resident of such city and shall have first obtained a license from the County Commissioners authorizing him to engage in the business public sampling and public weighing the cargo of ships The license fee for any such license shall be twenty-five dollars

Before any such license shall issue the County Commissioners shall be satisfied that the person to whom a license is to be issued is qualified by experience and competent to act as a public sampler and public weigher of cargo of ships and is a person of good moral character

Section 2 It shall be unlawful for any person to sample or weigh the cargo of any ship at the port of any city of the first class unless such person is a resident of such city three years and has first obtained a license as required by this act Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of one hundred dollars or be sentenced to imprisonment for thirty days or both in the discretion of the court

Section 3 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 76, as follows:

An Act to amend subdivision (b) of article three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Llyods associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended by providing for the valuation of securities held by insurance companies other than life insurance companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That subdivision (b) of article three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended is hereby amended by adding at the beginning of the subdivision three hundred and nine as follows

Section 309 Valuation of Securities All bonds or other evidence of debt held by insurance companies other than life insurance companies authorized to do business in this Commonwealth may if amply secured and if not in default as to principal or interest be valued as follows If purchased at par at the par value if purchased above or below par on the basis of the purchase price adjusted so as to bring the value at maturity and so as to yield meantime the effective rate of interest at which the purchase was made but the purchase price shall in no case be taken at a higher figure than the actual market value at the time of purchase The Insurance Commissioner shall have full discretion in determining the method of calculating values according to the foregoing rule and the values found by him in accordance with such method shall be final and binding Any such company may return such bonds or other evidences of debt at their market value or their book value but in no case at an aggregate value exceeding the aggregate of the values calculated according to the foregoing rule

This section shall not be construed to require any insurance company authorized to do business in this Commonwealth which shall not elect to value its bonds and other evidence of debt by amortization as herein provided to do so but any company electing to adopt the amortized basis shall continue to have its bonds valued upon that basis

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1991, entitled:

An Act requiring county treasurer excepting counties of the first class to make monthly settlements with all cities boroughs townships school districts and poor boards within the county for all delinquent taxes penalties fines and costs collected during said period and providing the manner in which same shall be made

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That upon the passage and signing of this act the treasurer of each county excepting counties of the first class shall make a monthly return and statement to each city borough township school district and poor board within the county Said return shall be made within ten days following the first day of each month and shall show all delinquent taxes penalties fines and costs collected by said treasurer Said report or settlement shall also give a detailed description of the tax in question with the name of the taxpayer and a full and suffi-

cient description of the property to which the tax in question relates

On the question,

Will the House agree to the section?

Mr. SPANN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 5, by inserting after the word "first" the following: "and second."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third and fourth section were separately read and agreed to as follows:

Section 2 At the time of making said settlement and report the treasurer shall also remit all taxes penalties fines and costs and in said report shall make a proper segregation showing separately the amount and kind of tax the year to which the same relates amount of penalties interest and costs

Section 3 All penalties costs fines and interest relating to any tax collected by the county treasuer and belonging to any city borough township school district or poor board shall be monthly transmitted to said city borough township school district or poor board and shall in no way belong to or become the property of the county

Section 4 All forms of reports or transmittals shall be uniform and shall be furnished and supplied by the county commissioners and at the expense of the county

The title was read as follows:

An Act requiring county treasurers excepting counties of the first class to make monthly settlements with all cities boroughs townships school districts and poor boards within the county for all delinquent taxes penalties fines and costs collected during said period and providing the manner in which same shall be made

On the question,

Will the House agree to the title?

Mr. SPANN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 1 by inserting after the word "first" the following: "and second"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2136 (Senate Bill No. 764), entitled:

An Act to amend section one as amended by the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred twenty-eight) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highway when constructed shall become a part of the system of State highways of the Commonwealth" by providing that roads taken over as parallel highways may intersect or cross over the highway to which they are parallel

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2126 (Senate Bill No. 391), entitled:

An Act to amend sections six hundred and fifteen six hundred and sixteen and six hundred and twenty of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended limiting the circumstances under which an operator's license or learner's permit may be suspended providing that an appeal from such action by the secretary shall act as a supersedeas and modifying the penalties for violation of license provisions

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections six hundred and fifteen six hundred and sixteen and six hundred and twenty of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highway peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act

approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws seven hundred fifty-one) are hereby further amended to read as follows

Section 615 Suspension of Licenses or Operating Privileges

(a) The secretary may suspend the operating privilege of any person with or without a hearing before the secretary or his representative upon receiving a record of proceedings if any in which such person pleaded guilty entered a plea of nolo contendere or was found guilty by a jury whenever the secretary finds upon sufficient evidence

[1 That such person is incompetent to operate a motor vehicle or is afflicted with mental or physical infirmities or disabilities rendereing it unsafe for such person to operate a motor vehicle upon the highways]

[2] 1 That such person has been convicted of a misdemeanor or has forfeited bail upon such a charge in the commission of which a motor vehicle was used

[3] 2 That such person has been convicted of manslaughter resulting from the operation of a motor vehicle

[4] 3 That such person has attempted by offering a bribe or by other fraud or by substitution of another person in his place to take or pass an examination for an operator's license

[(b) The secretary may suspend the operator's license or learner's permit of any person after a hearing before the secretary or his representative or upon failure of the said person to appear at such hearing whenever the secretary finds upon sufficient evidence

1 That such person has committed any offense for the conviction of which mandatory revocation of license is provided in this act

2 That such person has committed any violation of the motor vehicle laws of this Commonwealth

3 That such person has failed to file a report with the department of a motor vehicle accident as required by this act

4 That such person was operating any motor vehicle involved in an accident resulting fatally to any person]

[(c)] (b) The secretary may suspend any operator's license or learner's permit when check submitted in payment is returned to the department because of insufficient funds or is not paid on demand and may delegate authority to any department employe or peace officer to lift operator's license or learner's permit card so cancelled

[(d)] (c) The secretary is hereby authorized to suspend the privilege of any non resident to operate a motor vehicle in this Commonwealth for any cause for which the license of a resident operator may be suspended or revoked The secretary is further authorized upon receiving a record of the conviction in this Commonwealth of a nonresident operator of a motor vehicle of any offense under the motor vehicle laws of this Commonwealth to forward a report of such conviction to the motor vehicle administrator in the state wherein the person so convicted is a resident

[(e)] (d) The secretary is hereby authorized after a hearing before the secretary or his representatives to suspend the operator's license or learner's permit of any person licensed in this Commonwealth upon receiving notice of the conviction of such person in another state of an offense therein which if committed in this Commonwealth would be grounds for the suspension or revocation of the license of an operator

[(f)] (e) The secretary may suspend any operator's license or learner's permit upon certification or request or order of any court [or commission duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications requests or orders] of record

[(g)] (f) The secretary upon suspending any operator's license or learner's permit shall require that such licenses of any operator whose license or permit is so suspended shall be surrendered immediately to and retained by the department

[(h)] (g) Whenever the secretary suspends the operator's license or learner's permit of any person the secretary shall immediately notify such person and afford him an opportunity of a hearing before said secretary or his representative provided such hearing has not already been held and after such hearing the secretary shall either rescind his order of suspension or good cause appearing therefor may suspend the operator's license or learner's permit of such person for a further period excepting however that such person shall have the right of appeal as elsewhere provided in this act

Section 616 Right of Appeal to Court from Suspension Any persons whose operator's license or learner's permit has been suspended by the secretary under the provisions of this act shall have the right to file a petition within [thirty (30)] ten (10) days thereafter for a hearing in the matter in the court of common pleas of the county in which the operator or permittee resides which said appeal when taken shall act as a supersedeas the operator's license or learner's permit to remain with the person or permittee pending the determination in the matter by the said court and such court is hereby vested with jurisdiction and it shall be its duty to set the matter down for hearing upon thirty (30) days' written notice to the secretary and thereupon to take testimony and examine into the facts of the case and to determine whether the petitioner is subject to suspension of operator's license or learner's permit under the provisions of this act

Section 620 Violation of License Provisions It shall be unlawful for any person to commit any of the following acts

(a) To display or cause or permit to be displayed or to have in possession any operator's license or learner's permit knowing the same to be fictitious or to have been cancelled revoked suspended or altered

(b) To lend to or knowingly permit the use of by one not entitled thereto any operator's license or learner's permit issued to the person so leding or permitting the use thereof

(c) To display or to represent as one's own any operator's license or learner's permit not issued to the person so displaying the same

(d) To fail or refuse to surrender to the department [upon demand] as required any operator's license learner's permit registration card registration plates certificate of title or duplicates thereof which have been suspended cancelled or revoked as provided in this act

(e) To make use of or operate any motor vehicle without the knowledge or consent of the owner or custodian thereof

(f) To operate a motor vehicle while under the influence of intoxicating liquor or any narcotic drug or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate any motor vehicle owned by him or in his custody or control

(g) To turn off any or all the lights on a motor vehicle for the purpose of avoiding identification or arrest

(h) To operate any motor vehicle upon the highways of this Commonwealth after operating privilege is suspended or revoked in cases where no appeal is taken as herein required or in cases where appeals are taken after final determination of the matter by the court hearing the same sustaining the action of the secretary

(i) To operate any motor vehicle upon the highways of this Commonwealth after its registration has been suspended by the secretary

(j) To use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or knowingly make a false statement or knowingly conceal a material fact or otherwise commit a fraud in any application

Penalty Any person violating any of the provisions of subsections (a) (b) (c) or (d) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than ten ($10) dollars nor more than fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Any person violating any of the provisions of subsections (e) (f) (g) (h) (i) or (j) of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of not less than fifty ($50) dollars nor more than two hundred ($200) dollars and costs of prosecution or undergo imprisonment for not more than three (3) years or suffer both such fine and imprisonment

On the question,

Will the House agree to the section?

Mr. W. A. WALKER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, on page 6 by inserting after line 16 the following: "(h) In all cases where an operator or learner has been summoned to appear before a magistrate for a hearing

upon a charge of violating the Motor Vehicle Code and forfeits any bail pledged for his appearance at said hearing or remits to the magistrate the minimum fine and costs imposed by this statute for any violation rather than appear for a hearing before the magistrate, and the Secretary by reason thereof determines to inquire into the circumstances out of which said charge or charges arose, the Secretary or his representative shall notify by registered letter mailed to and received by such operator or permittee at least fifteen days before a day certain fixed in said notice that the said operator or permittee shall appear at an hour certain, at some convenient place in the county in which said operator or permittee resides, to explain the circumstances of the charges made against him for the purpose of determining whether or not such operator's license or learner's permit shall be suspended or revoked. Said notice shall be accompanied with a complete copy of all reports and charges made to the Secretary by the officer complaining to said magistrate and inform said operator or permittee that he may produce any witnesses he may have to testify to matters relating to said charge. Said operator or permittee, if he wishes, may be represented by his attorney or counsel who shall be privileged to examine and cross-examine any or all of said witnesses the same as if said hearing were being conducted by a court of record"

Amend section 1, on page 6 by striking out of line 21, of section 616, the following: "ten (10)" and inserting in lieu thereof the following: "twenty (20)"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

Mr. WEIDEMANN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend page 3, line 27 by striking out strike-out bracket at beginning of line.

Amend page 3, line 28 by striking out strike-out bracket after the word "infirmities"

Amend page 4, line 1 by striking out strike-out bracket at beginning of line.

Amend page 4, line 2 by striking out strike-out brackets after the word "highways"

Amend page 4, line 3 by striking out "[2] 1" and insert in lieu thereof the figure "2"

Amend page 4, line 6 by striking out "[3] 2" and inserting in lieu thereof the figure "3"

Amend page 4, line 8 by striking out "[4] 3" and inserting in lieu thereof the figure "4"

Amend page 4, line 12 by striking out strike-out bracket at beginning of line.

Amend page 4, line 26 by striking out the strike-out bracket after the word "person"

Amend page 4, line 27 by striking out "[(c)] (b)" and insert in lieu thereof the letter "(c)"

Amend page 5, line 4 by striking out "[(d)] (c)" and insert in lieu thereof the letter "(d)"

Amend page 5, line 15, by striking out "[(e)] (d)" and insert in lieu thereof the letter "(e)."

Amend page 5, line 23, by striking out "[(f)] (e)" and insert in lieu thereof the letter "(f)."

Amend page 5, line 25, by striking out strike-out bracket before the word "or."

Amend page 5, line 27, by striking out strike-out bracket after the word "orders."

Amend page 5, section 615, line 27, by striking out the word "of."

Amend page 6, line 23, by striking out the word "record."

Amend page 5, line 1, by striking out "[(g)] (f)" and insert in lieu thereof the letter "(g)."

Amend page 6, line 6, by striking out "[(h)] (g)" and inserting in lieu thereof the letter "(h)."

Amend page 7, line 21, by striking out "[upon demand] as required" and insert in lieu thereof the following "upon demand."

Amend page 8, line 24 by striking out after the word "of" the following: "not less than ten ($10) dollars nor more than."

Amend page 9, line 3 by striking out after the word "of" the following: "not less than fifty ($50) dollars nor more."

Amend page 9, line 4 by striking out the word "than."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend sections six hundred and sixteen and six hundred and twenty of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing of operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds"; as amended limiting the circumstances under which an operator's license or learner's permit may be suspended providing that an appeal from such action by the secretary shall act as a supersedeas and modifying the penalties for violation of license provisions.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

RESOLUTION

PREPARING LEGISLATION IN RE-LABELING ALCOHOLIC CONTENT OF MALT BEVERAGES

Mr. MALINA askde and obtained unanimous consent to offer a resolution which was twice read and laid over under the rules.

In the House of Representatives, April 25, 1933.

Whereas, Many complaints are made that with the legalizing of brewed and malt beverages containing not more than 3.2 per centum of alcohol by weight, many brewing companies are taking undue advantage of the public's desire for a healthful malt beverage by selling near beer and falsely labelling the containers as to the amount of alcohol contained in the beverage being sold; therefore be it

Resolved, That the Ways and Means Committee of this House be directed to prepare legislation requiring all containers of malt beverages to specify on labels the alcoholic content of the beverages contained therein, by weight and volume and prescribing adequate penalties for falsely labelling any container of malt beverages.

BILL ON THIRD READING

Mr. SCHWARTZ asked and obtained unanimous consent to call up out of order House Bill No. 1400, Printer's No. 1003, on page 12 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1400, entitled:

An Act relating to the business of insurance; providing for the organization, merger, and consolidation of insurance companies, title insurance and mortgage insurance companies, fraternal benefit societies, for the reincorporation of certain beneficial societies, for the conversion of stock life insurance companies to mutual life insurance companies and for the conversion of certain mutual fire insurance companies into stock fire insurance companies; defining the rights, powers, duties, liabilities and immunities of such companies and societies; provding for the regulation, supervision, and protection of domestic, foreign and alien insurance companies, title insurance and mortgage insurance companies, fraternal benefit societies, beneficial societies, employers' mutual liability insurance associations, Lloyds associations, reciprocal and inter-insurance exchanges, fire insurance rating bureaus, and compensation insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, societies, associations and exchange, including insurance carried by the State Workmen's Insurance Fund and boiler insurance conducted within cities of the first class, and the loss reserves of self-insured employers under the Workmen's Compensation Act; restricting the engaging in the insurance business by any other corporation or by individuals; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions and officers; providing for the acceptance of the provisions of this act; imposing penalties; and repealing certain acts and parts of acts.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. SCHWARTZ. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance for the purpose of further study.

The motion was agreed to.

BILL ON FINAL PASSAGE

Mr. BLUMBERG. Mr. Speaker, I desire to call up at this time House Bill No. 1460, Senate Bill No. 489, Printer's No. 595, on page 21 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Blumberg,

The House resumed the consideration on final passage of House Bill No. 1460 (Senate Bill No. 489), entitled:

An Act establishing as State highways certain condemned or abandoned turnpikes, and turnpikes the companies or associations owning which have been dissolved, and requiring their construction, repair and maintenance as such.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—185

Andrews,	Harmuth,	McHenry,	Shellenberger,
Baker,	Harris,	McKay,	Shenkel,
Baldi,	Hart,	McKinney,	Shettel,
Barnhardt,	Heffernan,	Melchiorre,	Shortz,
Bennett,	Hefferon,	Meredith,	Shreiner,
Blumberg,	Heffner,	Merrell,	Shugarts,
Boyd,	Hermansen,	Metzler,	Simon,
Brancato,	Hester,	Mohn,	Sinwell,
Brennan,	Himes, H. E.,	Moore,	Snyder,
Brown, J. E.,	Himes, L. R.,	Mumford,	Sowers,
Brown, W. L.,	Hoffman,	Munley,	Spann,
Cannon,	Holmes, J. B.,	Meyers,	Stank,
Carey,	Holmes, J. L.,	Negley,	Steedle,
Carson,	Hoopes,	Nothnagle,	Sterling, P.,
Chervenak,	Horst,	O'Connor,	Stevens,
Cohen,	Hough,	O'Keefe,	Stiteler,
Conner,	Howard,	O'Neill,	Stone,
Cooke,	Hutton,	Patterson,	Storb,
Cordier,	Jaffe,	Peelor,	Surface,
Craig,	Kane, J. J.,	Pennock,	Terry,
Cramer,	Kane, L. P.,	Perry, D. R.,	Turner,
Dane,	King,	Perry, J. J.,	Wade,
Davies,	Kinney,	Peters,	Wagner,
DeFrehn,	Labar,	Powell,	Walker, G. E.,
Denning,	Lane,	Powers,	Walker, W. A.,
Downey, J.,	Laubach,	Price,	Wall,
Duffy,	Lenahan,	Quinn,	Wasserman,
Dunmire,	Lewis,	Raub,	Way,
Dwyer,	Long,	Rectenwald,	Weidemann,
Ederer,	Lord,	Reed,	Welsh,
Evans,	Lose,	Reilly,	Westrick,
Fitzgerald,	Lovett, J. E.,	Rice,	Wike,
Flanagan,	Lovett, W. S.,	Roan,	Williams, G. W.,
Flinchbaugh,	Lynch, J. R.,	Root,	Williams, J. J.,
Flynn,	Male,	Roth,	Wilson, L. M.,
Forrest,	Malina,	Royle,	Wilson, T. B.,
Furman,	Maloney,	Ruby,	Witkin,
Gartner,	Marcks,	Sarig,	Wood,
Gillette,	Mason,	Sautter,	Woodside,
Gorman,	McCandless,	Schrock,	Wright,
Green,	McClure,	Schrope,	Yeakel,
Greenstein,	McCreary,	Schwab,	Yourishin,
Griffith,	McElwee,	Schwartz,	Zimmerman,
Habbyshaw,	McGinnis,	Scorza,	Talbot,
Haines,	McGrail,	Scott,	Speaker.
Hamilton,	McGregor	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILL ON FINAL PASSAGE

Mr. TURNER. Mr. Speaker, I desire to call up at this time House Bill No. 1727, Printer's No. 444, on page 16 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Turner,

The House resumed the consideration on final passage of House Bill No. 1727, entitled:

An Act to amend sections five, six and seven of the act, approved the twentieth day of May, one thousand nine hundred and twenty-one (P. L. 916), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges, and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies, and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports, and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation, and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to, and be supervised by, the Insurance Commissioner; and repealing existing laws; further regulating the benefits authorized under said act.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. BROWNFIELD. Mr. Speaker, since there are so many changes by members in their vote, I ask for a verification of the roll.

The SPEAKER. The Chair suggests that it would be better to have another roll call rather than a verification. Will that be agreeable to the gentleman from Fayette?

Mr. BROWNFIELD. That will be all right, Mr. Speaker.

The SPEAKER. The Chair declares the roll call null and void.

Mr. TURNER. Mr. Speaker, is it in order to make a statement at this time when a roll call is in order?

The SPEAKER. The Chair is of opinion that while under ordinary conditions there would be nothing in order but the calling of the roll, the Chair rules, that the gentleman may ask for unanimous consent to make a statement.

Mr. TURNER. Mr. Speaker, I ask unanimous consent to make a statement.

Mr. HOOPES. Mr. Speaker, I tried the same thing a few weeks ago and was told I could not do it.

The SPEAKER. The Chair has ruled that by unanimous consent this privilege can be granted.

Mr. TURNER. Mr. Speaker, I withdraw my request.

Agreeably to the provisions of the Constitution, the yeas and nays were again taken and were as follows, viz:

YEAS—50

Baldi,	Haines,	Lewis,	Stiteler,
Bennett,	Harris,	Lord,	Tahl,
Blumberg,	Hart,	Meredith,	Turner,
Carey,	Heffernan,	Moore,	Walker, W. A.,
Cooke,	Hermansen,	Nothnagle,	Wasserman,
Craig,	Himes, H. E.,	Pennock,	Weidemann,
Duffy,	Himes, L. R.,	Perry, D. R.,	White,
Ederer,	Holmes, J. B.,	Roan,	Witkin,
Emhardt,	Hough,	Root,	Yeakel,
Fitzgerald,	Jaffe,	Roth,	Yourishin,
Flynn,	Kinney,	Sautter,	Zimmerman,
Forrest,	Laubach,	Shreiner,	Talbot,
Gillette,	Lenahan,	Steedle,	Speaker.

NAYS—101

Andrews,	Flanagan,	Male,	Schrock,
Baker,	Furman,	Marcks,	Schrope,
Barnhardt,	Gallagher,	Mason,	Schwab,
Bechtel,	Gartner,	McBride,	Sheffer,
Beech,	Gorman,	McCandless,	Shenkel,
Bernhard,	Green,	McCreary,	Shettel,
Boyd,	Greenstein,	McElwee,	Shortz,
Brancato,	Griffith,	McGinnis,	Shugarts,
Brennan,	Habbyshaw,	McGrail,	Simon,
Brown, J. E.,	Harmuth,	McGregor,	Sinwell,
Brown, W. L.,	Hartman,	McKay,	Snyder,
Brownfield,	Hefferon,	McKinney,	Stank,
Cannon,	Heffner,	Merrell,	Stevens,
Caputo,	Hester,	Mohn,	Stone,
Carson,	Hewitt,	Negley,	Surface,
Chervenak,	Hoopes,	O'Connor,	Terry,
Conner,	Horst,	O'Keefe,	Wade,
Cordier,	Howard,	O'Neill,	Walker, G. E.,
Cramer,	Hutton,	Patterson,	Wall,
Dane,	Jones,	Peelor,	Way,
Davies,	Labar,	Perry, J. J.,	Welsh,
DeFrehn,	Lane,	Powell,	Westrick,
Downey, G. E.,	Long,	Quinn,	Williams, G. W.,
Downey, J. J.,	Lose,	Reed,	Wilson, L. M.,
Dunmire,	Lovett, J. E.,	Ruth,	Woodside,
Eroe,	Lynch, M.,	Sarig,	Wright,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RESOLUTION

RECALLING HOUSE BILL No. 1106 FROM THE GOVERNOR

Mr. HAINES asked and obtained unanimous consent to offer a resolution which was twice read, considered and adoped:

In the House of Representatives.

Resolved (if the Senate concur), That House Bill No. 1106, Printer's No. 437, entitled "An act to provide for the incorporation and regulation of cooperative agricultural [cerdit] [credit] associations having capital stock and defining the limitations powers and duties of such associations," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 175, entitled:

An Act making an appropriation to the Department of Military Affairs for payment of property damages occasioned by a horse, the property of the Federal Government, issued to, and in possession of the National Guard of Pennsylvania.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—185

Andrews,	Greenstein,	McHenry,	Shenkel,
Baker,	Griffith,	McHenry,	Shettel,
Baldi,	Habbyshaw,	McKay,	Shortz,
Barnhardt,	Haines,	McKinney,	Shreiner,
Bechtel,	Hamilton,	Meredith,	Shugarts,
Bennett,	Harris,	Merrell,	Simon,
Bernhard,	Hart,	Metzler,	Sinwell,
Blumberg,	Heffernan,	Mohn,	Snyder,
Boyd,	Hefferon,	Moore,	Sowers,
Brancato,	Heffner,	Mumford,	Spann,
Brennan,	Hermansen,	Myers,	Stank,
Brown, J. E.,	Hewitt,	Negley,	Steedle,
Brown, W. L.,	Himes, H. E.,	Nothnagle,	Sterling, P.,
Brownfield,	Himes, L. R.,	O'Connor,	Stevens,
Cannon,	Hoffman,	O'Keefe,	Stevenson,
Caputo,	Holmes, J. L.,	O'Neill,	Stiteler,
Carey,	Holmes, J. B.,	O'Rourke,	Stone,
Carson,	Hoopes,	Patterson,	Storb,
Chervenak,	Horst,	Peelor,	Stott,
Cohen,	Hough,	Pennock,	Surface,
Conner,	Howard,	Perry, D. R.,	Terry,
Cooke,	Hutton,	Perry, J. J.,	Turner,
Cordier,	Jaffe,	Peters,	Wade,
Craig,	Jones,	Powell,	Wagner,
Cramer,	Kane, L. P.,	Powers,	Walker, G. E.,
Dane,	King,	Price,	Walker, W. A.,
Davies,	Kinney,	Reed,	Wall,
DeFrehn,	Labar,	Reilly,	Wasserman,
Denning,	Lane,	Rhodes,	Way,
Duffy,	Laubach,	Rice,	Weidemann,
Dunmire,	Lewis,	Roan,	Welsh,
Dwyer,	Long,	Root,	Westrick,
Ederer,	Lord,	Roth,	White,
Emhardt,	Lose,	Royle,	Wike,
Eroe,	Lovett, W. S.,	Ruby,	Williams, G. W.,
Evans,	Lynch, J. R.,	Ruth,	Williams, J. J.,
Fitzgerald,	Lynch, M.,	Sarig,	Wilson, T. B.,
Flanagan,	Male,	Sautter,	Witkin,
Flinchbaugh,	Malina,	Schrock,	Wood,
Flynn,	Maloney,	Schrope,	Woodside,
Forrest,	Mason,	Schwab,	Wright,
Furman,	McBride,	Schwartz,	Yeakel,
Gallagher,	McCandless,	Scorza,	Yourishin,
Gartner,	McClure,	Scott,	Zimmerman,
Gillette,	McCreary,	Sheffer,	Talbot,
Gorman,	McElwee,	Shellenberger,	Speaker.
Green,	McGrail,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1271, entitled:

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims of the Commonwealth.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—185

Andrews,	Gallagher,	Malina,	Sautter,
Baker,	Gartner,	Maloney,	Schwartz,
Baldi,	Gillette,	Marcks,	Scorza,
Barnhardt,	Gorman,	Mason,	Schrock,
Bechtel,	Green,	McBride,	Scott,
Beech,	Greenstein,	McCandless,	Sheffer,
Bennett,	Habbyshaw,	McClure,	Shellenberger,
Bernhard,	Haines,	McCreary,	Shenkel,
Blumberg,	Hamilton,	McElwee,	Shortz,
Boyd,	Harmuth,	McGinnis,	Shreiner,
Brancato,	Harris,	McGrail,	Simon,
Brennan,	Hart,	McGregor,	Snyder,
Brown, J. E.,	Hartman,	McKay,	Sowers,
Brown, W. L.,	Heffernan,	McKinney,	Spann,
Brownfield,	Hefferon,	Meredith,	Steedle,
Cannon,	Heffner,	Merrell,	Sterling, P.,
Caputo,	Hermansen,	Metzler,	Stevens,
Carey,	Hester,	Mohn,	Stevenson,
Carson,	Hewitt,	Moore,	Stiteler,
Chervenak,	Himes, H. E.,	Mumford,	Storb,
Cohen,	Himes, L. R.,	Myers,	Stott,
Conner,	Hoffman,	Negley,	Surface,
Cooke,	Holmes, J. B.,	Nothnagle,	Tahl,
Cordier,	Holmes, J. L.,	O'Connor,	Terry,
Craig,	Hoopes,	O'Keefe,	Turner,
Cramer,	Horst,	O'Neill,	Wade,
Dane,	Hough,	O'Rourke,	Walker, W. A.,
Davies,	Howard,	Patterson,	Wasserman,
DeFrehn,	Hutton,	Peelor,	Way,
Denning,	Jaffe,	Pennock,	Weidemann,
Downey, G. E.,	Jones,	Perry, D. R.,	Welsh,
Downey, J.,	Kane, J. J.,	Perry, J. J.,	Westrick,
Duffy,	Kane, L. P.,	Peters,	White,
Dunmire,	King,	Powell,	Wike,
Dwyer,	Kinney,	Powers,	Williams, G. W.,
Ederer,	Labar,	Price,	Williams, J. J.,
Emhardt,	Lane,	Quinn,	Wilson, T. B.,
Eroe,	Laubach,	Raub,	Witkin,
Evans,	Long,	Rectenwald,	Wood,
Fitzgerald,	Lord,	Reed,	Woodside,
Flanagan,	Lose,	Rice,	Wright,
Fleisher,	Lovett, J. E.,	Roan,	Yeakel,
Flinchbaugh,	Lovett, W. S.,	Root,	Yourishin,
Flynn,	Lynch, J. R.,	Roth,	Zimmerman,
Forrest,	Lynch, M.,	Royle,	Talbot,
Furman,	Male,	Ruby,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2064 (Senate Bill No. 487), entitled:

An Act to amend section one thousand thirty-four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing how executions on judgments against counties may be issued, the procedure thereon; authorizing the court to direct the levy of a tax to satisfy such judgments, and fixing the rate of interest which such judgments shall bear.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Andrews,	Habbyshaw,	McCreary,	Scorza,
Baker,	Haines,	McElwee,	Scott,
Baldi,	Harmuth,	McGinnis,	Sheffer,
Bechtel,	Harris,	McGrail,	Shellenberger,
Beech,	Hart,	McGregor,	Shettel,
Bennett,	Hartman,	McHenry,	Shortz,
Boyd,	Heffernan,	McKay,	Shreiner,
Brancato,	Hefferon,	McKinney,	Shugarts,
Brennan,	Heffner,	Meredith,	Simon,
Brown, J. E.,	Hermansen,	Merrell,	Snyder,
Brown, W. L.,	Hewitt,	Metzler,	Sowers,
Brownfield,	Himes, H. E.,	Mohn,	Spann,
Caputo,	Himes, L. R.,	Moore,	Stank,
Carey,	Hoffman,	Mumford,	Steedle,
Carson,	Holmes, J. L.,	Munley,	Sterling, P.
Chervenak,	Hoopes,	Myers,	Stevens,
Cohen,	Horst,	Negley,	Stevenson,
Conner,	Hough,	Nothnagle,	Stiteler,
Cooke,	Howard,	O'Connor,	Stone,
Cordier,	Hutton,	O'Keefe,	Stott,
Craig,	Jaffe,	O'Neill,	Surface,
Cramer,	Jones,	Patterson,	Tahl,
Davies,	Kane, J. J.,	Peelor,	Turner,
DeFrehn,	Kane, L. P.,	Pennock,	Wade,
Denning,	King,	Perry, D. R.,	Wagner,
Downey, G. E.,	Kinney,	Perry, J. J.,	Walker, W. A.,
Duffy,	Lane,	Powell,	Wall,
Dunmire,	Laubach,	Powers,	Wasserman,
Dwyer,	Lenahan,	Quinn,	Way,
Ederer,	Lewis,	Raub,	Weidemann,
Emhardt,	Long,	Rectenwald,	Welsh,
Eroe,	Lord,	Reed,	Westrick,
Evans,	Lose,	Reilly,	White,
Fitzgerald,	Lovett, J. E.,	Rice,	Williams, G. W.,
Flinchbaugh,	Lovett, W. S.,	Roan,	Williams, J. J.,
Flynn,	Lynch, J. R.,	Root,	Wilson, T. B.,
Forrest,	Lynch, M.,	Roth,	Witkin,
Furman,	Male,	Ruby,	Wood,
Gallagher,	Malina,	Ruth,	Woodside,
Gartner,	Maloney,	Sarig,	Yeakel,
Gillette,	Marcks,	Sautter,	Yourishin,
Gorman,	Mason,	Schrock,	Zimmerman,
Green,	McBride,	Schrope,	Talbot,
Greenstein,	McClure,	Schwartz,	Speaker.
Griffith,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2111 (Senate Bill No. 72), entitled:

An Act prescribing penalties to be imposed upon conviction of stealing poultry.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker and members of the House, I simply desire to call the attention of the House to the provisions of this bill. It provides that for stealing poultry of any kind the person so offending shall be guilty of a felony and shall on conviction be sentenced to pay a fine of not more than five hundred dollars or to undergo imprisonment by separate or solitary confinement for not more than three years or both in the discretion of the court.

This bill places chicken stealing slightly higher in the criminal scale than bank robbery, provided the bank is robbed politely.

It is a dangerous bill and a hard hearted governor might sign it. I don't think we ought to send it to him.

I hope the measure is defeated.

Mr. WADE. Mr. Speaker and members of the House, this bill, as now amended, is in a milder form than when originally introduced in the Senate.

The comparison made by the gentleman from Cambria, Mr. Andrews, is not a fair one. To my mind one of the most dastardly things that a man can do is to steal the poultry of some farmer or landowner who derives most of his livelihood from that source. This bill is intended to check that nefarious practice in at least one portion of Pennsylvania, in Cumberland county, and I urge you to support this bill.

This bill is well intended and to make comparisons of it with bank robbery is not fair. It may be bad practice to rob from banks, but I dare say that it makes this practice no less nefarious.

Mr. McCREARY. Mr. Speaker and members of the House, if I have your permission I would like to just inquire whether the gentleman from Cambria has ever had any chickens stolen.

The SPEAKER. Will the gentleman from Cambria, Mr. Andrews, permit himself to be interrogated?

Mr. ANDREWS. Mr. Speaker, I will. I have not only had chickens stolen, Mr. Speaker, but during the course of my dissolute youth I have helped to steal them.

Mr. McCREARY. Mr. Speaker, the gentleman says that he has stolen chickens and, therefore, he wants to reduce the penalty as a consequence of stealing them.

The SPEAKER. Is the gentleman from Erie making a statement or is he interrogating the gentleman from Cambria?

Mr. ANDREWS. Mr. Speaker, I have answered the gentleman. The statute of limitations has run and, therefore, I have no interest in the penalty.

Mr. WADE. Mr. Speaker, I would like to interrogate the gentleman from Cambria.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. ANDREWS. I will, Mr. Speaker.

Mr. WADE. Mr. Speaker, may I ask the gentleman from Cambria, Mr. Andrews, if he knows what kind of chickens are referred to in this bill?

Mr. ANDREWS. Poultry chickens, Mr. Speaker.

Mr. SIMON. Mr. Speaker, I would like to interrogate the gentleman from Cambria, Mr. Andrews.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. ANDREWS. I will, Mr. Speaker.

Mr. SIMON. Mr. Speaker, I would like to ask the gentleman from Cambria, before I decide how to vote on this bill, whether or not he feels that the period of his dissolute youth has passed?

Mr. ANDREWS. I do, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I object to the statement of the gentleman from Cambria. Judging by his actions in the House I think neither the period of his dissolute youth nor any other period pertaining to the waywardness of his life has been passed.

Mr. BENNETT. Mr. Speaker, I would like to interrogate the gentleman from Cambria.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. ANDREWS. Briefly, Mr. Speaker.

Mr. BENNETT. Mr. Speaker, I wish to ask the gentleman from Cambria if his "fowl" remarks regarding the judiciary of Philadelphia are occasioned by his stealing chickens in his youth?

Mr. ANDREWS. I did not hear the gentleman, Mr. Speaker.

The SPEAKER. Will the gentleman from Philadelphia repeat his question?

Mr. BENNETT. Mr. Speaker, I would like to ask the gentleman from Cambria if his "fowl" remarks regarding the judiciary of Philadelphia are prompted or occasioned by his stealing chickens in his youth?

Mr. ANDREWS. Mr. Speaker, as far as the Philadelphia judges would be concerned, if they had a case like this pending, Philadelphia would import a judge from Cambria County and that judge would clear me.

Mr. SARIG. Mr. Speaker and ladies and gentlemen of the House, I realize that the terms of this bill seem very drastic, but as many of you know who live in the rural districts the stealing of chickens is a very bad business and is one of the most annoying things with which the farmers have to contend. Every farmer—perhaps not every farmer, but many farmers who go out to protect their chickens at night run the risk of being shot down by the chicken thieves who approach their premises.

While on the surface it does seem to be very severe, I think that this bill should be passed.

I might say that some years ago we had a case in one of our eastern counties where a man was convicted of chicken stealing. The judge asked him "Have you anything to say before sentence should be passed upon you?" He hung his head for a moment and he said "Well, Judge, there's only one thing. The chickens I stole were only very common stock."

What I do want to impress upon you is that it is one of the most annoying forms of thievery that exists in the rural districts and many a farmer takes his life in his hands when he goes out to protect his poultry against the ordinary chicken thief. Therefore, I feel that I shall vote for this bill and I ask the other members of the House to do the same.

Mr. WELSH. Mr. Speaker, I would like to interrogate the gentleman from Cumberland, Mr. Wade.

The SPEAKER. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. Mr. Speaker, I will.

Mr. WELSH. Mr. Speaker, I would like to ask the gentleman whether this bill includes old hens?

Mr. WADE. I think it does, Mr. Speaker.

Mr. McELWEE. Mr. Speaker and ladies and gentlemen of the House, I trust that the spirit of levity, which I am not attempting to condemn, may not persuade this House to vote against this bill. It is, to my mind, a very important measure.

In the district that I represent the chicken thief is fully as deadly as the bank robber. We had, within two or three weeks before I came to this session, a young man shot down in cold blood because he was attempting to defend the poultry on his farm.

I ask you to support this bill.

Mr. SHUGARTS. Mr. Speaker and members of the House, I just want to ask you for your support of this bill.

The members from the cities naturally do not know what it is to have chickens stolen. In my own district, not over two years ago, we had two cases involving two widows whose chickens were their only means of support, and both of them were cleaned out. I do not think that any penalty that might be passed by this House would be too great for any man who would steal chickens from places like that.

I ask you to support this bill.

Mr. SARIG. Mr. Speaker and ladies and gentlemen of the House, there has been a lot of levity about this bill.

It reminds me of an incident that happened down in our county some years ago.

We have a rather eccentric minister down there, and the elders in the church told him one morning that there was a lot of chicken stealing and he ought to preach a sermon about it. So he picked up a rock about as big as my fist and took it into the pulpit. He took as his text the Commandment "Thou shalt not steal," and preached a wonderful sermon. He took the Bible and slammed it down and said, "Ladies and gentlemen of this congregation, I have something else to say." He said, "There are a lot of chickens being stolen in this community and it must stop right away," and he said, "The thief sits right in there, and if he don't get up and confess——" he picked up the rock—— "I'll knock his head off his shoulders." The thief's wife got excited and said, "John, John, stoop, stoop, he will throw it, by gad."

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148

Baker,	Haines,	Merrell,	Sowers,
Baldi,	Harris,	Metzler,	Spann,
Barnhardt,	Hartman,	Mohn,	Stank,
Bechtel,	Heffernan,	Moore,	Steedle,
Beech,	Hefferon,	Mumford,	Sterling, P.,
Bennett,	Heffner,	Myers,	Sterling, R. B.,
Bernhard,	Hester,	Negley,	Stevens,
Boyd,	Hewitt,	Nothnagle,	Stevenson,
Brancato,	Himes, H. E.,	Peelor,	Stiteler,
Brennan,	Himes, L. R.,	Pennock,	Storb,
Brown, W. L.,	Holmes, J. L.,	Perry, D. R.,	Stott,
Brownfield,	Horst,	Perry, J. J.,	Surface,
Cannon,	Hough,	Peters,	Tahl,
Carson,	Howard,	Powell,	Terry,
Conner,	Jaffe,	Powers,	Turner,
Cooke,	Jones,	Quinn,	Wade,
Cordier,	Kane, J. J.,	Reed,	Wagner,
Craig,	Kane, L. P.,	Reilly,	Walker, G. E.,
Cramer,	Kinney,	Rhodes,	Walker, W. A.,
Dane,	Labar,	Rice,	Wall,
Davies,	Lane,	Roan,	Way,
DeFrehn,	Laubach,	Roth,	Weidemann,
Downey, G. E.,	Lenahan,	Royle,	Welsh,
Downey, J.,	Lewis,	Sarig,	Westrick,
Ederer,	Long,	Sautter,	White,
Emhardt,	Lose,	Schrock,	Wike,
Eroe,	Lovett, J. E.,	Schrope,	Williams, G. W.,
Evans,	Lovett, W. S.,	Schwab,	Williams, J. J.,
Fitzgerald,	Male,	Scorza,	Wilson, T. B.,
Flanagan,	Malina,	Scott,	Witkin,
Fleisher,	Maloney,	Sheffer,	Wood,
Flinchbaugh,	Marcks,	Shellenberger,	Woodside,
Flynn,	Mason,	Shettel,	Wright,
Furman,	McCandless,	Shortz,	Yeakel,
Gillette,	McCreary,	Shreiner,	Yourishin,
Green,	McGrail,	Shugarts,	Zimmerman,
Greenstein,	McKay,	Simon,	Talbot,
Griffith,	McKinney,	Sinwell,	Speaker.
Nabbyshaw,			

NAYS—10

Andrews,	Dunmire,	McGinnis,	Snyder,
Caputo,	Lynch, J. R.,	O'Connor,	Wilson, L. M.,
Carey,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1656

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the report of the Committee of Conference on House Bill No. 1656.

The SPEAKER. The report lies over for printing.

BILL ON SECOND READING

The SPEAKER. The Chair a short time ago passed over House Bill No. 2096 on page 4 of today's calendar in order that the gentlemen who were offering amendments to it might confer. We will now take up this bill

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2096, entitled:

An Act imposing a State tax payable by those herein defined as manufacturers and distributors on non-intoxicating alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale of non-intoxicating alcoholic beverages at retail or wholesale and providing penalties

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "1933 Beverage Tax Law"

The second section was read as follows:

Section 2 The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

"Beverages" Non-intoxicating alcoholic beverages which include beer lager beer ale porter wine similar fermented malt or vinous liquor and fruit juice containing one-half of one per centum or more of alcohol and not more than 3.2 per centum of alcohol by weight by whatever name such liquors or fruit juices may be called the manufacture and sale of which for beverage purposes is not prohibited by the Constitution and laws of the United States

"Department" Department of Revenue of this Commonwealth

"Distributor" A person engaged in the purchase and resale of beverages in the original sealed packages as prepared for market by the manufacturer or bottler including any who or which

1 Imports or causes to be imported from any other state or territory of the United States or from any foreign country beverages for his own use in the Commonwealth of Pennsylvania or for sale and delivery in and after reaching the Commonwealth other than in the original package receptacle or container

2 Imports or causes to be imported from any other state or territory of the United States or from any foreign country beverages for his own use in the Commonwealth of Pennsylvania or for sale or delivery therein after the same have come to rest or storage therein whether or not in the original package receptacle or container

3 Purchases or receives beverages in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use or for sale and delivery therein from any person who has imported the same from a foreign country

4 Purchases or receives beverages in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein from any person who has imported the same from any other state or territory of the United States in case such beverages have not prior to such purchase or receipt come to rest or storage in the Commonwealth of Pennsylvania

5 Receives and in any manner uses or distributes beverages in the Commonwealth of Pennsylvania on which the tax provided in this act has not been previously paid

"Manufacturer" A person engaged in the brewing manufacturing or bottling of beverages for sale

"Original Container" Bottle cask keg or other container that has been securely capped or corked by the manufacturer with the name and address of the manufacturer permanently

affixed to the bottle cask keg or other container or to the cap or cork used in sealing the same

"Person" An individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals or a corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to a partnership limited partnership or any other form of unincorporated enterprise shall mean the partners or members thereof and as applied to corporations the officers thereof

"Retail Dealer" A person engaged in the retail sale of beverages either for consumption on the premises or not for consumption on the premises where sold

"Sale" Any transfer for a consideration exchange barter gift offer for sale and distribution in any manner or by any means whatsoever

The singular shall include the plural and the masculine shall

On the question,

Will the House agree to the section?

Mr. McCLURE. Mr. Speaker, I desire to offer the following amendments.

The Speaker. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 5, by striking out after the word "'Beverages'" and before the words "beverages which" the words: "[non-intoxicating alcoholic]" and inserting in lieu thereof the word: "Alcoholic."

Amend section 2, page 2, line 12, by striking out after the word "the" and before the word "laws" the words: "[Constitution and]."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 Each manufacturer or distributor shall be subject to pay to the Commonwealth the taxes imposed by this section upon all beverages manufactured in this Commonwealth when prepared for market or imported into this Commonwealth when the same come to rest or storage in this Commonwealth Such taxes shall be at the rate of one-half cent (½c) per pint of sixteen (16) fluid ounces or fraction thereof

The tax rates per barrel or standard fraction thereof are as follows

Standard Fraction	Malt Tax Rate	Volume
1 barrel	$1.24	31 gal.
1/2 barrel	.62	15 1/2 gal.
1/3 barrel	.42	10 1/3 gal.
1/4 barrel	.31	7 3/4 gal.
1/6 barrel	.21	5 1/6 gal.
1/8 barrel	.16	3 7/8 gal.
1 gallon	.04	
1/2 gallon	.02	
1 quart	.01	
1 pint	.005	

Manufacturers and distributors shall be liable to the Commonwealth as taxpayers for the payment of the taxes imposed by this act

On the question,

Will the House agree to the section?

Mr. SOWERS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend page 4, section 3, line 21 by striking out the words "one-half" and inserting in lieu thereof: "one-fourth"

Amend page 4, section 3, line 21 by striking out "½c per pint of six" and inserting in lieu thereof: "¼c per eight (8) ounces"

Amend page 4, line 22 by striking out the words and figures "-teen (16)" and inserting in lieu thereof: "eight (8)"

Amend page 5 by inserting two new lines after line 7, and before line 8, namely:

"12 ounces 00375"
"8 ounces 0025"

On the question,

Will the House agree to the amendments?

PARLIAMENTARY INQUIRY

Mr. WITKIN. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Phliadelphia will state his question of parliamentary inquiry.

Mr. WITKIN. Are we now considering the amendments that were introduced by the gentleman from Philadelphia, Mr. Sowers, and those alone?

The SPEAKER. That is correct. The gentleman from Allegheny, Mr. McClure, is not offering any amendments to section 3.

On the question recurring,

Will the House agree to the amendments?

Mr. WITKIN. Mr. Speaker and members of the House, the proposed amendments are to reduce the tax on beer, as is now in the bill. I ask you to vote down these amendments.

May I for your consideration explain to you that which you already know?

There has been an agreement reached, subject of course to your approval, between His Excellency the Governor, a group of Senators and a group of members of this House, of both parties wherein it was provided that we would go along on a ninety million dollar relief program. The moneys to be raised for that program consisted in part of the moneys that are going to be raised under the terms of this bill. The revenue was computed under the terms of the bill with a tax as it now is. If we endeavor, after I have explained to you just what the tax change is, to postpone this program we are going to delay this Legislature still further, we are going to interfere with the arrangements made for the raising of the revenue, in order to carry out that agreement that was reacned after a great many weeks.

The amendment is as follows: The tax on beer now is one dollar and twenty-four cents per barrel. There is provision made in the bill for a one-half cent tax per pint of sixteen ounces. That is the tax as agreed upon. Mr. Sowers, the gentleman from Philadelphia, now proposes to do this: he wants to provide that where a twelve-ounce bottle is used that the tax shall be less than one-half cent per pint.

I admit and I agree that as the bill now reads where liquor, where beer rather—the wish is father to the thought—where beer is to be sold in twelve-ounce bottles the tax on a barrel of beer would be one dollar and fifty-four cents and not one dollar and twenty-four cents, but only when it would be sold in twelve-ounce bottles or in eight-ounce bottles or in bottles of less than sixteen ounces.

The gentleman from Philadelphia further wants to provide that where there is an eight-ounce bottle it shall have a tax of a quarter of a cent. Now, members of the House, I say that we should not meet with this for this reason: the consumer of beer will not profit from the reduction in the tax. You are going to pay the same amount of money if you have a half cent tax or if you have less than a half cent. The brewer is not going to deduct it from the consumer. He will charge you just as much. Likewise he will do the same with respect to bottles of less than eight ounces. For that reason and for that reason alone, I say that the proposed amendments would mean that we are giving moneys back to the brewers, and there is no reason that I know of why we should so do.

The second reason, if I may be guilty of repeating, is that you will be breaking an agreement that was reached. When I say that I am mindful of the fact that those of you who were not participants in the agreement did not make the agreement, but the agreement, I think, meets with your approval. It provides for the raising of sufficient monies to carry out the ninety million dollar relief program.

For those reasons I solicit your vote in the negative on the amendments which are offered by the gentleman from Philadelphia, Mr. Sowers, and let the brewers pay the tax, because the consumer will never get the benefit of it.

Mr. SOWERS. Mr. Speaker and members of the House, when we drafted legislation relating to beer we had in mind taxing the beer one dollar a barrel. After the Governor asked for a tax of two dollars and eighty-eight cents a barrel we compromised at one dollar and twenty-four cents a barrel. Now by the method of calculation contained in this bill the beer tax is raised to one dollar and fifty-four cents a barrel. Do you want to raise the tax again after we have compromised once?

How does it work out? It works out this way: beer is served in twelve-ounce bottles, and twenty-four bottles are in a case. If the tax is a half cent on a pint, a half of a cent on twelve ounces, then it figures out one dollar and fifty-four cents a barrel. Now, then, porter, which is sold to nursing mothers, is sold in eight-ounce bottles. Do you want to tax that a half cent on eight ounces, which would bring up the tax on porter to nursing mothers and the porter that is sold on the prescriptions of physicians to possibly three dollars and forty cents a barrel?

I submit to you that we compromised at one dollar and twenty-four cents and we should stay put to that promise, and there is no reason why we should again compromise and add thirty cents more a barrel and then add again for eight-ounce bottles two and some cents in addition.

I ask you to vote favorably to these amendments and keep the tax at one dollar and twenty-four cents.

Mr. McCLURE. Mr. Speaker and members of the House, as you all know we have been in session here since January first. We have juggled around with this particular problem quite long enough, I believe, and I think the majority of you agree with me.

Mr. Sowers has said that the original idea of the tax on beer was one dollar per barrel. You all know that that legislation did not succeed. We have come to you today with House Bill 2096 with a tax of one dollar and twenty-four cents a barrel on beer. We placed the item of sixteen ounces or one pint as the minimum upon arriving at the tax of one-half of one cent. We feel with the recognized lowered unit of our money in placing a tax with the cost of printing these stamps and the expenses incidental to the collection of the tax that instead of the State deriving any revenue from the collection of it it would, in fact be losing money.

I am informed that beer generally is not sold in eight-ounce bottles. It is usually sold in sixteen-ounce bottles.

We feel, as I said earlier, that this is a fair, resaonable and decent tax, which has been agreed upon by the different parties in interest in this Commonwealth. I ask you to go along and cut out this stalling, and place this tax on the brewers and get through with this question.

I ask you to vote down the amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Sowers and Mr. Sautter, and were as follows:

YEAS—7

Conner,	Downey, J.,	Sautter,	Talbot,
Denning,	Root,	Sowers,	Speaker.

NAYS—157

Andrews,	Gillette,	Marcks,	Shellenberger,
Baker,	Green,	McBride,	Shettel,
Baldi,	Griffith,	McCandless,	Shortz,
Barnhardt,	Habbyshaw,	McClure,	Shreiner,
Bechtel,	Haines,	McCreary,	Shugarts,
Beech,	Harmuth,	McElwee,	Simon,
Bennett,	Harris,	McGinnis,	Sinwell,
Bernhard,	Hartman,	McGrail,	Snyder,
Blumberg,	Heffernan,	McGregor,	Spann,
Boyd,	Heffner,	McHenry,	Steedle,
Brancato,	Hermansen,	McKay,	Sterling, P.,
Brennan,	Hester,	McKinney,	Sterling, P.
Brown, J. E.,	Hewitt,	Melchiorre,	Stevens,
Brown, W. L.,	Himes, H. E.,	Meredith,	Stevenson,
Brownfield,	Himes, L. R.,	Merrell,	Stiteler,
Cannon,	Hoffman,	Metzler,	Stone,
Caputo,	Holmes, J. L.,	Mohn,	Storb,
Carson,	Hoopes,	Moore,	Stott,
Chervenak,	Horst,	Mumford,	Surface,
Cohen,	Hough,	Munley,	Tahl,
Cooke,	Howard,	O'Connor,	Terry,
Cordier,	Hutton,	O'Keefe,	Turner,
Craig,	Jaffe,	O'Neill,	Wade,
Cramer,	Jones,	Peelor,	Walker, W. A.,
Dane,	Kane, J. J.,	Perry, J. J.,	Wall,
Davies,	Kane, L. P.,	Peters,	Way,
DeFrehn,	King,	Powell,	Welsh,
Downey, G. E.,	Kinney,	Quinn,	White,
Duffy,	Labar,	Raub,	Williams, G. W.,
Dunmire,	Lane,	Reed,	Williams, J. J.,
Ederer,	Lanahan,	Reilly,	Wilson, L. M.,
Eroe,	Loug,	Rhodes,	Wilson, T. B.,
Evans,	Lose,	Ruby,	Witkin,
Fitzgerald,	Lovett, J. E.,	Ruth,	Wood,
Flanagan,	Lovett, W. S.,	Sarig,	Woodside,
Flinchbaugh,	Lynch, J. R.,	Schrock,	Wright,
Forrest,	Lynch, M.,	Schwab,	Yeakel,
Furman,	Male,	Scott,	Yourishin,
Gallagher,	Malina,	Sheffer,	Zimmerman,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The fourth to the ninth sections inclusive were separately read and agreed to as follows:

Section 4 The payment of the taxes herein provided shall be evidenced by the affixing of beverage tax stamps or crowns to the original containers in which all beverages are placed received stored shipped or handled Such stamps or crowns shall be affixed to each individual container or beverages by manufacturers within twenty-four (24) hours and by distributors within forty-eight (48) hours after such beverages are placed therein or received by them

It is the intent and purpose of this section to require all manufacturers and distributors to affix the stamps or crowns provided for in this act to all original containers in which beverages are normally placed prepared for market received sold or handled

Any manufacturer or distributor who shall sell beverages to retail dealers or consumers without affixing to the containers the stamps or crowns required by this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to suffer imprisonment for a term not exceeding six (6) months or both in the discretion of the court and in the case of a conviction of a second or subsequent offense hereunder shall be sentenced to pay a fine of not less than two hundred dollars ($200.00) or more than one thousand dollars ($1,000.00) and to suffer imprisonment for a term of not less than six (6) months or more than three (3) years

Any manufacturer or distributor who shall be convicted of a misdemeanor under this section shall in addition to the punishment heretofore prescribed be adjudged to pay to the Com-

monwealth the tax due together with interest at the rate of twelve (12) per centum per annum from the date when due and payable Such adjudication shall be certified to the prothonotary of the county and shall be indexed as and have the effect of a judgment for the amount of such tax and interest

Section 5 The Department shall prescribe prepare and furnish stamps or crowns of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The Department shall make provision for the sale of such stamps or crowns in such places and at such times as it may deem necessary

The Department may appoint persons within or without the Commonwealth as agents for the sale of stamps or crowns to be used in paying the tax herein imposed upon sales of beverages and whenever the Department shall sell consign or deliver to any such agent any such stamps or crowns for sale or use such agent shall be entitled to receive as compensation for his services and expenses as such agent and to retain out of the moneys to be paid by him for such stamps a commission of one-half of one per centum on the face value thereof The Department is hereby authorized and required to allow such commission or compensation in the settlement of the accounts of such agent upon payment by him into the State Treasury through the Department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps or crowns

Section 6 Stamps shall be affixed in such manner that their removal will require continued application of steam or water

Section 7 For the purpose of verifying the stamp requirements it shall be the duty of every manufacturer and distributor on or before the fifth day of the succeeding month to transmit to the Department on forms supplied by the Department a report under oath or affirmation of beverages prepared for market or which were imported and came to rest or storage at his place of business in this Commonwealth during the preceding month Such report shall show the number of barrels or standard fraction thereof prepared for market or imported during the period for which it is made and such further information as the Department shall prescribe Each manufacturer and distributor shall maintain and keep for a period of two (2) years such record or records of beverages manufactured or imported together with invoices bills of lading and other pertinent papers as may be required by the Department

Section 8 The Department or any agent appointed in writing by it is hereby authorized to examine the books papers invoices and other records and the stock of beverages in and upon any premises where the same are placed stored or sold to verify the payment of or liability for the tax imposed by this act Any person in possession of such beverages is hereby directed and required to give the Secretary of Revenue or his duly authorized representative the means facilities and opportunity for such examinations

Section 9 Producers or other vendors of beverages from without this Commonwealth may purchase stamps or crowns from the Department and affix them in the manner prescribed by the Department to original containers of beverages to be sold in this Commonwealth in which case the recipient of such beverages within this Commonwealth shall not be required to purchase and affix stamps or crowns thereon

The tenth section was read as follows:

Section 10 Sales to bottlers for resale bottled shall be tax exempt but tax stamps or crowns in appropriate amounts shall be attached to the bottles by the bottlers Sales which are tax exempt shall have affixed to the containers in the same manner as tax stamps special nontaxable labels of a size and design prescribed and furnished by the Department of Revenue Such labels shall be affixed in lieu of a tax stamp at the time of preparation for market

Any person who shall affix a special nontaxable label to any container not containing tax exempt beverage shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of five hundred dollars ($500.00) and in default of payment thereof shall undergo imprisonment for not more than one (1) year

Section 10 In case any beverages upon which stamps or crowns have been placed by manufacturers or distributors have been sold and shipped to a regular dealer in such beverages in another state the seller in this Commonwealth shall be entitled to a refund of the actual amount of tax paid upon condition that the seller in this Commonwealth shall make affidavit that the beverages were so sold and shipped and that he shall furnish from the purchaser a written acknowledgment that he has received such beverages and the amount of stamps or crowns thereon together with the name and address of the purchaser whereupon the Department shall with the approval of the Board of Finance and Revenue issue to the seller in this Commonwealth stamps or crowns of sufficient value to cover the refund

On the question,

Will the House agree to the section?

Mr. McCLURE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend page 8, section 10 by striking out lines 25 to 29 inclusive.

Amend page 9, section 10 by striking out lines 1 to 10 inclusive.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eleventh to the eighteenth sections inclusive were separately read and agreed to as follows:

Section 11 The Department may promulgate rules and regulations to relieve manufacturers or distributors from affixing the stamps or crowns on such goods as are sold and shipped to points outside this Commonwealth

Section 12 It shall be unlawful for any retail dealer consumer or other person to accept delivery of taxable beverages in containers upon which stamps or crowns do not appear and upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace he shall be fined ten dollars ($10.00) and in default of payment thereof shall undergo imprisonment for not more than five (5) days

Section 13 Any person who shall fail neglect or refuse to comply with or shall violate the rules and regulations prescribed adopted and promulgated by the Department under the provisions of this act or who shall refuse to permit the Department or any agent appointed by it in writing to examine his books papers invoices and other records his stock of beverages in and upon any premises where the same are prepared stored and sold and his equipment pertaining to the manufacture or sale of beverages taxable under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to suffer imprisonment of not more than six (6) months or both in the discretion of the court

Section 1 Any person who falsely or fraudulently makes forges or alters or counterfeits any stamp or crown prescribed by the Department under the provisions of this act or causes or procures to be falsely or fraudulently made forged altered or counterfeited any such stamp or crown or knowingly and wilfully utters publishes passes or tenders as true any such false altered forged or counterfeited stamp or crown or uses more than once any stamp or crown provided for and required by this act for the purpose of evading the tax hereby imposed and assessed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to suffer imprisonment for a term of not less than two (2) years or more than five (5) years

Section 15 The Department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

Section 16 All taxes fines penalties and interest received collected or accruing under the provisions of this act shall be paid into the General Fund of the State Treasury by and through the Department

Section 17 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 18 This act shall become effective on the date of its approval by the Governor

The title was read as follows:

An Act imposing a State tax payable by those herein defined as manufacturers and distributors on non-intoxicating alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale of non-intoxcating alcoholic beverages at retail or wholesale and providing penalties

On the question,

Will the House agree to the title?

Mr. McCLURE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend page 1, line 2 of the title by striking out after the word "on" and before the syllable "alco-" the word "[non-intoxicating]" and inserting in lieu thereof the word "certain"

Amend page 1, line 8 of the title by striking out after the word "sale" and before the word "at" the words "[of non-intoxicating alcoholic beverages]"

Amend page 1, line 9 of the title by inserting after the word "wholesale" and before the word "and" the words "of alcoholic beverages taxable hereunder"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement. On the calendar of Monday, April 24th, on page 9, this House passed by a vote of 186 ayes and no nays a bill that had no place on the calendar. The Chair now declares that vote null and void.

On the third reading calendar of Wednesday, April 19th, the gentleman from Delaware, Mr. Weidemann, offered amendments to House Bill No. 456 which were applied against House Bill No. 876. This bill was not in the possession of the House at that time and was not received from the Governor so that the entire proceedings were irregular and are now declared null and void by the Chair.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 876

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg April 20, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 876, Printer's No. 529, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. WEIDEMANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. WEIDEMANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WEIDEMANN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 2, line 6, of the title by striking out after the word "three" and before the word "[of]" the word: "[to]."

Amend page 2, line 6, of the title by striking out the bracket before the word "of."

Amend section 1806, page 12, line 21, by striking out at the end of the line the word "the" the syllable: "[Com-]."

Amend section 1806, page 12 by striking out line 22.

Amend section 1806, page 12, line 23 by striking out at the beginning of the line before the word "a" the following: "sion of the Commonwealth being" and inserting in lieu thereof the words "township which is"

Amend section 2301, page 14, line 21 by striking out after the word "walks" and before the word "any" the word "upon" and inserting in lieu thereof the word "along"

Amend page 20 by inserting after line 20 the following: "Section 4. This act shall become effective upon its final enactment"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2313 (Senate Bill No. 1027), entitled:

An Act authorizing the conveyance to the United States of America a certain tract of land in or near Petersburg Virginia

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Green,	McGinnis,	Sheffer,
Baker,	Greenstein,	McGregor,	Shellenberger,
Baldi,	Griffith,	McHenry,	Shenkel,
Barnhardt,	Habbyshaw,	McKay,	Shettel,
Bechtel,	Haines,	McKinney,	Shortz,
Bennett,	Hamilton,	Meredith,	Shreiner,
Bernhard,	Harmuth,	Merrell,	Shugarts,
Blumberg,	Harris,	Metzler,	Simon,
Boyd,	Hart,	Mohn,	Sinwell,
Brancato,	Heffernan,	Moore,	Snyder,
Brennan,	Hefferon,	Mumford,	Sowers,
Brown, W. L.,	Hester,	Munley,	Spann,
Cannon,	Hewitt,	Myers,	Stank,
Caputo,	Himes, H. E.,	Negley,	Steedle,
Carson,	Himes, L. R.,	O'Connor,	Sterling, P.,
Chervenak,	Hoffman,	O'Keefe,	Sterling, R. B.,
Cohen,	Holmes, J. B.,	O'Neill,	Stevens,
Conner,	Holmes, J. L.,	O'Rourke,	Stevenson,
Cooke,	Hoopes,	Patterson,	Stiteler,
Cordier,	Horst,	Peelor,	Stone,
Craig,	Howard,	Pennock,	Storb,
Cramer,	Hutton,	Perry, D. R.,	Stott,
Dane,	Jaffe,	Perry, J. J.,	Surface,
Davies,	Kane, J. J.,	Peters,	Tahl,
DeFrehn,	King,	Powell,	Terry,
Denning,	Kinney,	Powers,	Tuner,
Downey, G. E.,	Labar,	Price,	Wade,
Downey, J.,	Lane,	Quinn,	Wagner,
Duffy,	Laubach,	Raub,	Walker, G. E.,
Dunmire,	Lenahan,	Rectenwald,	Walker, W. A.,
Dwyer,	Lewis,	Reed,	Wall,
Ederer,	Long,	Reilly,	Wasserman,
Emhardt,	Lord,	Rhodes,	Way,
Eroe,	Lose,	Rice,	Weidemann,
Evans,	Lovett, W. S.,	Roan,	White,
Fitzgerald,	Lynch, J. R.,	Root,	Wike,
Flanagan,	Lynch, M.,	Roth,	Williams, G. W.,
Fleisher,	Malina,	Royle,	Williams, J. J.,
Flinchbaugh,	Maloney,	Ruby,	Wilson, L. M.,
Flynn,	Marcks,	Ruth,	Wood,
Forrest,	Mason,	Sautter,	Woodside,
Furman,	McBride,	Schrock,	Wright,
Gallagher,	McCandless,	Schwab,	Yourishin,
Gartner,	McClure,	Schwartz,	Talbot,
Gillette,	McCreary,	Scott,	Speaker.
Gorman,	McElwee,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2314 (Senate Bill No. 996), entitled:

An Act to validate sales of mortgaged real estate made by sheriffs on writs of fieri facias without inquisition where the sales were made under judgments upon the bonds, not containing waivers of inquisition, accompanying such mortgages.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Habbyshaw,	McGregor,	Sheffer,
Baker,	Haines,	McHenry,	Shellenberger,
Baldi,	Hamilton,	McKay,	Shenkel,
Barnhardt,	Harmuth,	McKinney,	Shettel,
Bechtel,	Harris,	Meredith,	Shortz,
Beech,	Hart,	Metzler,	Shreiner,
Bennett,	Hartman,	Mohn,	Shugarts,
Bernhard,	Heffernan,	Moore,	Simon,
Blumberg,	Hefferon,	Mumford,	Sinwell,
Boyd,	Hermansen,	Munley,	Snyder,
Brennan,	Hester,	Myers,	Sowers,
Brown, J. E.,	Himes, H. E.,	Negley,	Stank,
Brown, W. L.,	Hoffman,	Nothnagle,	Sterling, P.,
Brownfield,	Holmes, J. B.,	O'Connor,	Sterling, R. B.,
Cannon,	Holmes, J. L.,	O'Keefe,	Stevens,
Caputo,	Hoopes,	O'Neill,	Stevenson,
Carey,	Horst,	O'Rourke,	Stiteler,
Carson,	Hough,	Peelor,	Stone,
Chervenak,	Howard,	Pennock,	Storb,
Conner,	Hutton,	Perry, J. J.,	Stott,
Cooke,	Jaffe,	Peters,	Surface,
Cordier,	Jones,	Powell,	Tahl,
Cramer,	Kane, J. J.,	Powers,	Terry,
Davies,	Kane, L. P.,	Price,	Turner,
DeFrehn,	King,	Quinn,	Wade,
Denning,	Kinney,	Raub,	Wagner,
Downey, J.,	Labar,	Rectenwald,	Walker, W. A.,
Duffy,	Lane,	Reed,	Wasserman,
Dwyer,	Lewis,	Reilly,	Way,
Ederer,	Long,	Rhodes,	Weidemann,
Emhardt,	Lord,	Rice,	Welsh,
Evans,	Lose,	Roan,	Westrick,
Fitzgerald,	Lovett, J. E.,	Root,	White,
Flanagan,	Lovett, W. S.,	Roth,	Wike,
Fleisher,	Lynch, J. R.,	Royle,	Williams, G. W.,
Flinchbaugh,	Lynch, M.,	Ruby,	Williams, J. J.,
Flynn,	Maloney,	Ruth,	Wilson, L. M.,
Forrest,	Marcks,	Sarig,	Witkin,
Furman,	Mason,	Sautter,	Woodside,
Gallagher,	McBride,	Schrock,	Wright,
Gartner,	McCandless,	Schrope,	Yeakel,
Gillette,	McClure,	Schwab,	Yourishin,
Gorman,	McCreary,	Schwartz,	Zimmerman,
Green,	McElwee,	Scorza,	Talbot,
Greenstein,	McGinnis,	Scott,	Speaker.
Griffith,	McGrail,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2315 (Senate Bill No. 1032), entitled:

An Act authorizing the courts of common pleas of this Commonwealth in certain cases, to extend the return days of writs, and providing for the effect of such extensions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Hamilton,	McGinnis,	Shortz,
Baker,	Harmuth,	McGrail,	Shreiner,
Baldi,	Harris,	McGregor,	Shugarts,
Bechtel,	Hart,	McHenry,	Simon,
Beech,	Hartman,	McKay,	Sinwell,
Bennett,	Heffernan,	McKinney,	Snyder,
Bernhard,	Hefferon,	Melchiorre,	Spann,
Blumberg,	Heffner,	Meredith,	Stank,
Brancato,	Hermansen,	Merrell,	Steedle,
Brennan,	Hester,	Metzler,	Sterling, P.,
Brown, J. E.,	Himes, H. E.,	Mohn,	Sterling, R. B.,
Brownfield,	Himes, L. R.,	Moore,	Stevens,
Cannon,	Hoffman,	Mumford,	Stevenson,
Caputo,	Holmes, J. B.,	Munley,	Stiteler,
Carey,	Holmes, J. L.,	Myers,	Stone,
Carson,	Hoopes,	Negley,	Storb,
Chervenak,	Horst,	Nothnagle,	Stott,
Cohen,	Howard,	O'Connor,	Surface

Conner,	Hutton,	O'Keefe,	Tahl,
Cooke,	Jones,	O'Neill,	Terry,
Craig,	Kane, J. J.,	Patterson,	Wade,
Cramer,	Kane, L. P.,	Peelor,	Wagner,
Dane,	King,	Pennock,	Walker, G. E.,
Davies,	Kinney,	Perry, J. J.,	Walker, W. A.,
DeFrehn,	Labar,	Peters,	Wall,
Denning,	Lane,	Price,	Wasserman,
Downey, G. E.,	Laubach,	Quinn,	Way,
Downey, J. J.,	Lenahan,	Raub,	Weidemann,
Dunmire,	Lewis,	Rectenwald,	Welsh,
Ederer,	Long,	Reed,	Westrick,
Emhardt,	Lord,	Reilly,	Wike,
Eroe,	Lose,	Rhodes,	White,
Evans,	Lovett, J. E.,	Rice,	Williams, G. W.
Fitzgerald,	Lovett, W. S.,	Roan,	Williams, J. J.,
Flanagan,	Lynch, J. R.,	Root,	Wilson, L. M.,
Fleisher,	Lynch, M.,	Royle,	Wilson, T. B.,
Flinchbaugh,	Male,	Ruby,	Witkin,
Forrest,	Malina,	Sarig,	Wood,
Furman,	Maloney,	Schrock,	Woodside,
Gallagher,	Marcks,	Schrope,	Wright,
Gorman,	Mason,	Schwab,	Yeakel,
Green,	McBride,	Schwartz,	Zimmerman,
Greenstein,	McCandless,	Scorza,	Yourishin,
Griffith,	McClure,	Scott,	Talbot.
Habbyshaw,	McCreary,	Sheffer,	Speaker.
Haines,	McElwee,	Shenkel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2317 (Senate Bill No. 788), entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase of certain veins and seams of coal or minerals underlying lands of the Commonwealth occupied by the State Tuberculosis Sanatorium at Cresson.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Gallagher,	Mason,	Ruth,
Baker,	Gartner,	McBride,	Sarig,
Baldi,	Gillette,	McCandless,	Sautter,
Barnhardt,	Gorman,	McClure,	Schrock,
Bechtel,	Green,	McCreary,	Schrope,
Beech,	Greenstein,	McElwee,	Schwab,
Bennett,	Griffith,	McGinnis,	Schwartz,
Bernhard,	Habbyshaw,	McGrail,	Scorza,
Blumberg,	Haines,	McGregor,	Scott,
Boyd,	Hamilton,	McKay,	Sheffer,
Brancato,	Harmuth,	McKinney,	Shellenberger,
Brennan,	Harris,	Meredith,	Shortz,
Brown, J. E.,	Hart,	Merrell,	Shreiner,
Brown, W. L.,	Heffernan,	Metzler,	Snyder,
Brownfield,	Hefferon,	Mohn,	Sowers,
Cannon,	Heffner,	Moore,	Spann,
Caputo,	Hermansen,	Mumford,	Steedle,
Carey,	Hester,	Munley,	Sterling, P.,
Carson,	Hewitt,	Myers,	Stevens,
Chervenak,	Himes, H. E.,	Negley,	Stevenson,
Cohen,	Hoffman,	Nothnagle,	Stiteler,
Conner,	Holmes, J. B.,	O'Connor,	Storb,
Cooke,	Holmes, J. L.,	O'Keefe,	Stott,
Cordier,	Hoopes,	O'Neill,	Surface,
Craig,	Horst,	O'Rourke,	Tahl,
Cramer,	Hough,	Patterson,	Terry,
Dane,	Hutton,	Peelor,	Turner,
Davies,	Jaffe,	Pennock,	Wade,
DeFrehn,	Jones,	Perry, D. R.,	Walker, W. A.,
Denning,	Kane, L. P.,	Perry, J. J.,	Wasserman,
Downey, G. E.,	King,	Peters,	Way,
Downey, J.	Kinney,	Powell,	Weidemann,
Duffy,	Labar,	Powers,	White,
Dunmire,	Lane,	Price,	Wike,
Dwyer,	Laubach,	Quinn,	Williams, G. W.,
Ederer,	Lewis,	Raub,	Williams, J. J.,
Emhardt,	Long,	Rectenwald,	Wilson, T. B.,
Eroe,	Lord,	Reed,	Witkin,
Evans,	Lose,	Reilly,	Wood,
Fitzgerald,	Lovett, W. S.,	Rhodes,	Woodside,
Flanagan,	Lynch, J. R.,	Rice,	Wright,
Fleisher,	Lynch, M.,	Roan,	Yeakel,
Flinchbaugh,	Male,	Root,	Yourishin,
Flynn,	Malina,	Roth,	Zimmerman,
Forrest,	Maloney,	Royle,	Talbot,
Furman,	Marcks,	Ruby,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2300 (Senate Bill No. 987), as follows:

An Act relating to unemployment relief making an appropriation to the State Emergency Relief Board for direct relief and work relief prescribing the powers and duties of the board with reference thereto and conferring powers and imposing duties upon certain State departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the exercise of the police power for the protection of the public health safety morals and welfare threatened by existing conditions of unemployment and in the assumption by the Commonwealth of its duty to care for the poor the sum of thirteen million dollars ($13,000,000) is hereby specifically appropriated to the State Emergency Relief Board to provide direct relief and work relief as hereinafter provided Such appropriation shall be paid over to said board during the fiscal biennium beginning June first one thousand nine hundred and thirty-three as requistioned by said board

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the moneys approriated to it among the several counties of this Commonwealth on the basis of need

Section 3 The moneys so allocated to a county shall be for expenditure in that county for relief as the State Emergency Relief Board shall determine

Whenever the State Emergency Relief Board has determind to expend any part of a county's allocation for work relief on State highways and bridges thereon it shall pay such part of the county's allocation into the Motor License Fund and it shall thereafter be expended in accordance with existing laws by the Department of Highways in such county in the construction and improvement of such State highways and bridges thereon as shall have been designated by the State Emergency Relief Board and the labor employed by the department (other than that required for supervision engineering and in the operation of road machinery) in such construction work shall be furnished by residents of such county in need of employment to be selected in accordance with the rules and regulations of the State Emergency Relief Board

The Departmnt of Highways may cumulate the respective amounts in the Motor License Fund credited to a county until sufficient funds are available to undertake the construction work authorized by this section

Section 4 The amount available in any county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure for the purchase of food clothing fuel and shelter for the unemployed in such county through such public and private agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 5 The sum of one hundred thousand dollars ($100,000) or as much thereof as may be necessary is hereby specifi-

cally appropriated to the State Emergency Relief Board for printing the payment of the compensation and expenses of clerical and other assistants required for supervising the expenditure of the appropriation made by this act postage traveling expenses and all other incidental and necessary expenses incurred by the board in administering this act

Section 6 Out of the appropriation made by this act the State Emergency Relief Board may from time to time allocate to the State Veterans Commission sums not exceeding an aggregate of three hundred thousand dollars ($300,000) for providing food clothing fuel or shelter for unemployed veterans who are without means of support

Section 7 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for investigation of application for relief the cost of distributing food clothing fuel or shelter and the maintenance of proper records of receipts expenditures and other transactions of local relief distributing agencies

Section 8 The amounts expended under the provisions of this act shall be audited by the Auditor General as provided by law

Section 9 This act shall be in force immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Hamilton,	McGregor,	Sheffer,
Baker,	Harris,	McHenry,	Shellenberger,
Baldi,	Hart,	McKay,	Shenkel,
Barnhardt,	Hartman,	McKinney,	Shettel,
Bennett,	Heffernan,	Meredith,	Shortz,
Bernhard,	Hefferon,	Merrell,	Shreiner,
Blumberg,	Heffner,	Mohn,	Shugarts,
Boyd,	Hermansen,	Moore,	Simon,
Brennan,	Hester,	Mumford,	Sinwell,
Brown, J. E.,	Hewitt,	Munley,	Snyder,
Brown, W. L.,	Himes, H. E.,	Myers,	Sowers,
Brownfield,	Himes, L. R.,	Negley,	Spann,
Caputo,	Hoffman,	Nothnagle,	Stank,
Carey,	Holmes, J. L.,	O'Connor,	Sterling, P.,
Chervenak,	Holmes, J. L.,	O'Keefe,	Sterling, R. B.,
Cohen,	Hoopes,	O'Rourke,	Stevens,
Conner,	Horst,	Patterson,	Stevenson,
Cooke,	Hough,	Peelor,	Stiteler,
Cordier,	Howard,	Pennock,	Stone,
Cramer,	Hutton,	Perry, D. R.,	Storb,
Dane,	Jaffe,	Perry, J. J.,	Stott,
Davies,	Jones,	Peters,	Surface,
DeFrehn,	Kane, J. J.,	Powell,	Terry,
Denning,	Kane, L. P.,	Powers,	Turner,
Downey, G. E.,	King,	Price,	Wade,
Downey, J. J.,	Kinney,	Quinn,	Wagner,
Duffy,	Labar,	Raub,	Walker, G. E.,
Dunmire,	Lane,	Rectenwald,	Walker, W. A.,
Dwyer,	Lenahan,	Reed,	Wall,
Ederer,	Long,	Reilly,	Wasserman,
Emhardt,	Lord,	Rhodes,	Welsh,
Eroe,	Lose,	Rice,	Westrick,
Evans	Lynch, J. R.,	Roan,	Wike,
Flanagan,	Lynch, M.,	Root,	Williams, G. W.,
Flinchbaugh,	Male,	Roth,	Williams, J. J.,
Flynn,	Malina,	Royle,	Wilson, L. M.,
Furman,	Maloney,	Ruby,	Wilson, T. B.,
Gallagher,	Marcks,	Ruth,	Wood,
Gartner,	Mason,	Sarig,	Woodside,
Gillette,	McBride,	Sautter,	Wright,
Gorman,	McCandless,	Schrock,	Yeakel,
Green,	McClure,	Schrope,	Yourishin,
Greenstein,	McCreary,	Schwab,	Zimmerman,
Griffith	McElwee,	Schwartz,	Talbot,
Habbyshaw,	McGinnis,	Scorza,	Speaker.
Haines,	McGrail,	Scott,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeable to order,

The House proceeded to the third reading and consideration of House Bill No. 808, entitled:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations actinga s fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STORB. Mr. Speaker, this bill is the code regulating the Banking Department. It has been under consideration for several months and I ask you to vote for it. I think it is all right.

BILL POSTPONED

Mr. HUTTON. Mr. Speaker, I move that this bill be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. HUTTON. Mr. Speaker and members of the House, the purpose in moving to place this bill upon the postponed calendar is to give me an opportunity to present an amendment, and the matter can be taken up tomorrow and the bill passed finally. That is the object of placing it upon the postponed calendar at the present time, and I ask you to vote in the affirmative.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared he was unable to render a decision.

Whereupon, a division was called for, one hundred and six members, or more than a majority of the whole House, having voted in the affirmative the question was determined in the affirmative and the motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2290 (Senate Bill No. 969), entitled:

An Act providing for the payment of damages caused by the change of grade where the property was improved on the natural surface of the ground without conforming to the established grade regulation where said regulation had been established for more than three years prior to the improvement.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. FORREST. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2331 (Senate Bill No. 1207), entitled:

An Act to amend section two of the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws two hundred and ninety-nine) entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax separately from the price of such liquid fuels on liquid fuels price display signs and imposing a penalty" and providing for disposition of fine.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182

Andrews,	Griffith,	McKay,	Shortz,
Baker,	Habbyshaw,	McKinney,	Shreiner,
Baldi,	Haines,	Melchiorre,	Shugarts,
Barnhardt,	Hamilton,	Meredith,	Simon,
Bechtel,	Harmuth,	Merrell,	Sinwell,
Beech,	Harris,	Metzler,	Snyder,
Bennett,	Hart,	Mohn,	Sowers,
Bernhard,	Hartman,	Moore,	Spann,
Blumberg,	Heffernan,	Mumford,	Stank,
Boyd,	Hefferon,	Munley,	Steedle,
Brancato,	Heffner,	Myers,	Sterling, P.,
Brown, J. E.,	Hester,	Negley,	Sterling, R. B.,
Brownfield,	Himes, H. E.,	Nothnagle,	Stevens,
Cannon,	Himes, L. R.,	O'Connor,	Stevenson,
Caputo,	Holmes, J. B.,	O'Keefe,	Stiteler,
Carson,	Holmes, J. L.,	O'Neill,	Terry,
Chervenak,	Hoopes,	O'Rourke,	Stone,
Cohen,	Horst,	Patterson,	Storb,
Conner,	Hough,	Peelor,	Stott,
Cook,	Howard,	Pennock,	Surface,
Cordier,	Hutton,	Perry, D. R.,	Tahl,
Craig,	Jones,	Perry, J. J.,	Wade,
Cramer,	Jaffe,	Peters,	Wagner,
Dane,	Kane, J. J.,	Powell,	Walker, G. E.,
Davies,	Kane, L. P.,	Powers,	Walker, W. A.,
DeFrehn,	King,	Price,	Wall,
Denning,	Kinney,	Raub,	Wasserman,
Downey, G. E.,	Labar,	Rectenwald,	Way,
Downey, J.,	Lane,	Reilly,	Weidemann,
Dunmire,	Laubach,	Rhodes,	Welsh,
Ederer,	Long,	Rice,	Westrick,
Emhardt,	Lose,	Roan,	White,
Eroe,	Lynch, J. R.,	Root,	Wike,
Evans,	Male,	Roth,	Williams, G. W.,
Fitzgerald,	Malina,	Royle,	Wilson, L. M.,
Flanagan,	Maloney,	Ruth,	Wilson, T. B.,
Fleisher,	Marcks,	Sarig,	Witkin,
Flinchbaugh,	Mason,	Sautter,	Wood,
Flynn,	McBride,	Schrock,	Woodside,
Forrest,	McCandless,	Schrope,	Wright,
Furman,	McCreary,	Schwab,	Yeakel,
Gallagher,	McElwee,	Scott,	Yourishin,
Gartner,	McGinnis,	Sheffer,	Zimmerman,
Gillette,	McGrail,	Shellenberger,	Talbot,
Gorman,	McGregor,	Shettel,	Speaker.
Greenstein,	McHenry,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1426, as follows:

An Act to amend sections six and seven of the act approved the third day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred sixty-six) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same including the enforcement of the laws relating to game fish forestry and water supply and certain other laws and including water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties" as amended by transferring the State Highway Patrol to the Pennsylvania State Police fixing the compensation of the members thereof and limiting their right to maintenance

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the third day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred sixty-six) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same including the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties" as last amended by section one of the act approved the third day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred thirty-nine) is hereby further amended to read as follows

Section 6 The Superintendent of Pennsylvania State Police is authorized to appoint the State Police Force which shall consist of One school troop consisting of One captain at a salary of three thousand dollars per annum two lieutenants each at a salary of twenty-two hundred dollars per annum one sergeant at a salary of seventeen hundred dollars per annum one sergeant at a salary of seventeen hundred dollars per annum two corporals each at a salary of fifteen hundred dollars per annum five troops each consisting of a captain at a salary of three thousand dollars per anum a lieutenant at a salary of twenty-two hundred dollars per annum a first sergeant at a salary of two thousand dollars per annum five sergeants each at a salary of seventeen hundred dollars per annum ten corporals each at a salary of fifteen hundred dollars per annum one of whom shall be a saddler and one a blacksmith and sixty-five privates each at a salary of fourteen hundred dollars per annum The foregoing officers non-commissioned officers and privates shall be assigned to and perform the duties of the Pennsylvania State Police as now or hereafter provided by law

In addition to the foregoing personnel all the officers non-commissioned officers and patrolmen of the State Highway Patrol as they now exist are hereby transferred to the Pennsylvania State Police and shall receive the same compensation as hereinbefore provided for officers non-commissioned officers and privates of similar rank in the State Police Force The persons so attached shall be assigned to and continue to perform the duties of the State Highway Patrol as now or hereafter provided by law and shall in no case be assigned to State police duty

No maintenance shall be allowed to any officer non-commissioned officer private or patrolman except when on special duty away from his home barracks

Section 2 The provisions of this act shall become effective on the first day of June one thousand nine hundred and thirty-three

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker and members of the House, this is the bill which transfers the Motor Patrol to the State Police. The Sterling Committee in its report recommended the transfer of the Motor Patrol to the State Police. In House Bill No. 22 and in the companion bill submitted by us through the Committee on State Government that same recommendation has been made.

This transfer does not make State policemen out of the Motor Patrol. The bill transfers the Motor Patrol from the Department of Revenue to the State Police, retaining the integrity of the Motor Patrol as a separate unit for the enforcement of the motor vehicle laws and for the protection of motorists on the road.

The set up, as contained in House Bill No. 22, provides for two separate bureaus in the Depratment of State Police, one to be Bureau of State Police and the other to be the Bureau of Motor Patrol.

As the bill was originally drawn it contained salary cuts, which eventually were amended to conform to the Howell resolution, and last week, after the debate on the Howell resolution, we again amended this act, so that the cuts in the salaries of both the State Police and the Motor Patrol do not appear now in the bill and they are reinstated in the place where they were before.

We believe that by transferring the Motor Patrol to the State Police that the Motor Patrol will not lose its identity but that the Motor Patrol will become a more efficient organizaion than it is today.

We also believe that there will be a great saving to the Commonwealth in this transfer. The reason for that lies, first, in this: that at the present time there are maintained two separate schols, a Motor Patrol school and a State Police school. We believe that by a combination of those two schools we can save money. In almost every county in this State there is a duplication of the barracks on the part of the Motor Patrol and of the State Police. I think if you will just look into your own counties or for that matter into Chester county, I know it is true in my own county and as I have traveled over the State I have found it in others, that within a short distance of each other you will find a motor Patrol station and a State Police station. By this combination it will be possible to put the two stations together, reducing the expenses for rent, reducing the overhead of the station and certainly promoting efficiency by the use of fewer men on service there many times.

In addition to that the State Police have a teletype system that goes all over the State. It is now available to the Motor Patrol, but by reason of the set up it can not be very efficiently used. With the combination of these two units under one head the Highway Patrol will, I believe, more often and to greater advantage use this teletype system, which has been used to great advantage by the State Police and which has been placed by the State in operation at a tremendous expense.

I know there has been opposition on the part of the Highway patrolmen to the passage of this bill, and I believe that pressure has been brought upon the members of this House, which is highly improper. I think it is improper for men who wear the uniform and who are in a position to often make things unpleasant for members of the House to take any part in lobbying against a measure of this kind, which is designed for efficiency and economy, and I believe that if we are to allow that sort of influence to enter here we shall have sunk to a very low degree in the Legislature of Pennsylvania.

I, therefore, ask you members in the interest of efficient government and economy, in the promotion of better force to take care of the motorists of Pennsylvania, without in any way impairing their efficiency, without in any way taking anything from their obligations and duties, nor in any way making them a part of the State Police force, to vote "aye" on this bill.

Mr. RUTH. Mr. Speaker and ladies and gentlemen of the House, I arise in opposition of this bill, not because or for the reason that any members of the Motor Patrol have approached me, but because the organized motorists of Pennsylvania have asked me to oppose this bill. I am speaking on behalf of our automobile club, the second largest in the State, with over twelve thousand members, which is opposed to this bill.

There are two different ideas here. The State Police are the law bureau or organization for the State and the State pays for them. The Motor Patrol are the enforcing bureau for the motorists and the motorists pay for them. They do not cost the State anything in taxes. Whatever the Motor Patrol costs is paid by the motorists for their protection.

There may be commendable features in this proposed merger, but believe that if the merger is consummated the time will come some time when a call will come for the State Police, as it has in the past, to quell labor troubles or things of that type, and the Motor Patrol will be taken from the highways, the motorist will be left to the mercy of the law breaker, without any means of protecting himself, because the Motor Patrol, even though it be in a separate bureau, will be out guarding a coal mine or a steel mill or something of that type.

If you will go to the east end of Harrisburg, to the barracks that are there for the Motor Patrol school, you will find that a few years ago it was a mudhole and a dumping ground. The State paid for the building there, but these men who are enlisted or who are in school paid for all the surroundings. They built a swimming pool, tennis courts and an athletic field, and everything came out of the pockets of the students, and not from the State or out of the pockets of the motorists. They are at present filling up the dump to make a playground for the children of Harrisburg.

I believe it is in the interests of the motorists if we keep the Motor Patrol intact and separate from the State Police, and in the name of the organized motorists of Pennsylvania I ask you to vote "no" on this bill.

Mr. NEGLEY. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I will, Mr. Speaker.

Mr. NEGLEY. Mr. Speaker, under the present set up, the Highway Patrol is paid out of the Motor License Fund and the State Police out of the General Fund. If this bill passes and the two departments are merged, which fund will pay the two departments?

Mr. TURNER. Mr. Speaker, the fund that will pay the bill of the Highway Patrol is the Motor License Fund.

Mr. NEGLEY. Mr. Speaker, may I ask the gentleman if that will still carry on?

Mr. TURNER. Yes, with no additional expenses upon the State.

Mr. Speaker, I might point out to the gentleman from Berks that on page 4 of the bill, in line 11, it says "* * * continue to perform the duties of the State Highway Patrol

as now or hereafter provided by law and shall in no case be assigned to State Police duty." It is more emphatic than the law is at the present time. If the Governor of this Commonwealth desired and if what the gentleman from Berks says were true, the Governor of this Commonwealth could order under present conditions the Highway Patrol to do State Police duty.

I might point out to the gentleman from Berks that while he says that the motorists are afraid that the Highway Patrol would be taken away, one of the reasons why I believe that this transfer should be made lies in the fact that I know of many instances within my own county where in the past the Highway Patrol have gone into matters which did not pertain to the Highway Patrol, or their patrolling of the highways of the State, or the enforcement of the motor vehicle code.

I will cite just one instance that flashes into my mind. Recently there was a murder in the city of Chester, and I read in the papers that there appeared at the scene of the murder the police of the city of Chester who, of course, should have been called in, and the State Highway Patrol from their barracks at Clifton Heights, which is some three or four miles away. Now, what the Highway Patrol had to do with a murder case of this kind in a city of the third-class is beyond me.

I believe if the Highway Patrol is brought under the control of Major Adams and given the set up as it is set up here that the integrity of the State Highway Patrol will be maintained far better than it is under present conditions, where they mingle in many things that do not belong to them.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—16

Emhardt,	Peters,	Shellenberger,	Turner,
Griffith,	Price,	Steedle,	Yeakel,
Haines,	Raub,	Sterling, P.,	Talbot,
Hutton,	Schwab,	Stiteler,	Speaker.
Laubach,			

NAYS—136

Andrews,	Green,	McClure,	Schrope,
Baker,	Hamilton,	McCreary,	Scott,
Baldi,	Harmuth,	McElwee,	Sheffer,
Barnhardt,	Harris,	McGinnis,	Shenkel,
Bechtel,	Hartman,	McGregor,	Shettel,
Beech,	Hefferon,	McHenry,	Shortz,
Bennett,	Heffner,	McKay,	Shugarts,
Bernhard,	Hermansen,	McKinney,	Simon,
Blumberg,	Hester,	Melchiorre,	Sinwell,
Boyd,	Hewitt,	Meredith,	Stank,
Brancato,	Himes, H. E.,	Merrell,	Sterling, R. B.,
Brennan,	Himes, L. R.,	Metzler,	Stevens,
Brown, J. E.,	Hoffman,	Mohn,	Stevenson,
Brown, W. L.,	Holmes, J. B.,	Moore,	Stone,
Brownfield,	Holmes, J. L.,	Mumford,	Stott,
Cannon,	Hoopes,	Munley,	Surface,
Caputo,	Horst,	Meyers,	Terry,
Carson,	Hough,	Negley,	Wade,
Chervenak,	Howard,	O'Connor,	Walker, G. E.,
Conner,	Jaffe,	O'Keefe,	Wall,
Cooke,	Jones,	O'Neill,	Wasserman,
Cordier,	Kane, J. J.,	Peelor,	Way,
Dane,	Kane, L. P.,	Perry, J. J.,	Weidemann,
Davies,	King,	Powell,	Welsh,
DeFrehn,	Kinney,	Powers,	Westrick,
Denning,	Labar,	Quinn,	White,
Downey, G. E.,	Lane,	Reed,	Wike,
Duffy,	Lenahan,	Reilly,	Williams, G. W.,
Dunmire,	Lose,	Rhodes,	Williams, J. J.,
Eroe,	Lovett, J. E.,	Roan,	Wilson, L. M.,
Flanagan,	Lovett, W. S.,	Royle,	Wilson, T. B.,
Furman,	Lynch, J. R.,	Ruby,	Witkin,
Gallagher,	Lynch, M.,	Ruth,	Wood,
Gartner,	Male,	Sarig,	Wright,
Gorman,	Marcks,	Sautter,	Yourishin,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2279, as follows:

A Supplement appropriating the moneys in the Motor License Fund for two years beginning June first one thousand nine hundred and thirty-three and repealing the act of May first one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" except as to certain provisions relative to unpaid obligations and moneys received by the Department of Highways from the Federal government

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and cited as the "Motor License Fund Appropriation Act of one thousand nine hundred and thirty-three"

Section 2 The moneys in the Motor License Fund are hereby specifically appropriated to the several hereinafter named administrative agencies of the Commonwealth in the following sums or as much thereof as may be necessary and for the purposes hereinafter set forth for the two fiscal years beginning June first one thousand nine hundred and thirty-three

To the Board of Finance and Revenue

For the payment of approved claims for refund made to the board for moneys paid into the Motor License Fund to which the Commonwealth is not rightfully entitled the sum of one hundred thirty-two thousand five hundred dollars ($132,500)

To the Pennsylvania State Police

For the payment of salaries wages and other compensation board lodging uniforms arms and equipment and the maintenance traveling and other necessary expenses of the State Highway Patrol for the construction through the Department of Property and Supplies or the purchase and repair or maintenance of buildings for the use of the State Highway Patrol for the purchase or leasing of lands for the use of the State Highway Patrol for the payment of fees charges by physicians for examining a person suspected of operating a motor vehicle when intoxicated whenever such persons are found as a result of the examination not to be intoxicated except that no sum in excess of five dollars shall be paid to any physician for such an examination for the payment of expenses in connection with traffic safety educational work exhibits photography models and other exhibitions or educational accessories and other expenses of every kind and description necessary effectively to carry on this work for the payment of postage telegraph telephone rentals and toll charges for the payment of traveling expenses and witness fees in the amount of two dollars per capita per diem to witnesses testifying for the Commonwealth at hearings for the purchasing maintenance and repair of furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding and for the payment of any expenses necessary for the proper conduct of the work of the State Highway Patrol in enforcing the laws regulating the registration titling and operation of vehicles upon the highways for the payment of transportation medical attendance and hospital charges of State highway patrolmen injured or killed in line of duty and the payment of workmen's compensation to injured patrolmen or dependents of the deceased patrolmen or the payments of premiums upon policies insuring the Commonwealth against workmen's compensation liability to patrolmen or dependents of patrolmen the sum of three million dollars ($3,000,000)

To the Department of Highways

For the payment of the salaries wages or other compensation and the traveling and other necessary expenses of the Secretary of Highways and such deputies directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers laborers and other assistants and employes as may be required for the proper conduct of the work of the department and such special deputy attorney generals assistant deputy

attorney generals and attorneys as may be assigned by the Attorney General to the department for handling any legal business pertaining to its work for the purchasing maintenance and repair of furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding and for the payment of premiums on policies of insurance covering motor vehicles operated by employes of the department and surety bonds for officers and employes of the department required to furnish such bonds but all such purchases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as purchasing agent except that the Department of Highways may purchase directly equipment materials and supplies necessary for the construction of highways if such equipment materials or supplies are not on the schedule of the Department of Property and Supplies for the payment of rentals for branch buildings and repairs thereto for the payment of postage telegraph telephone rentals and toll charges and rentals for or royalty on leased office equipment or other devices or machines for maintaining reconstructing replacing and repairing or assisting in maintaining reconstructing replacing and repairing State highways State-aid highways and any other highways which the department may be authorized to maintain reconstruct replace and repair or assist in maintaining reconstructing replacing and repairing and of such bridges as the department may be authorized by law to maintain reconstruct replace and repair or to assist in maintaining reconstructing replacing and repairing for constructing and improving or assisting in constructing and improving State highways State-aid highways and any other highways or streets and any bridges which the department may be authorized by law to construct or improve or assist in constructing or improving but the moneys expended by the department under this clause for construction and improvement of highways without expense to the political subdivisions of the State shall be allocated among the several counties in such manner and to such an extent as shall from time to time be provided by law and in the absence of or beyond any such statutory direction shall be expended as the department shall determine and the moneys expended for State-aid and upon city streets shall be expended to the extent to which such expenditures shall from time to time be authorized by law for the maintenance and repair of all interstate bridges over the Delaware River between the Commonwealth and the State of New Jersey now owned or to be acquired or constructed from Morrisville Bucks County to Milford Pike County and of interstate bridges between this Commonwealth and the State of New York now owned or which may hereafter be acquired or constructed for the payment of workmen's compensation to injured employes or the dependents of deceased employes or the payment of premiums upon policies insuring the Commonwealth against workmen's liability to employes or dependents of employes of the department Provided That such insurance shall be carried only with the approval of the Governor for purchasing acquiring and leasing lands in the name of the Commonwealth containing stone suitable for use in the construction improvement reconstruction replacement or maintenance of highways and to quarry and prepare the stone therein for use in the construction improvement reconstruction replacement and maintenance of highways to manufacture any other material used in the construction improvement reconstruction replacement or maintenance thereof whether for use by the department in the construction improvement reconstruction replacement or maintenance of highways or for selling the same to contractors engaged in such work or to political subdivisions of the State for the construction improvement reconstruction replacement and maintenance of roads as may now or hereafter be provided by law for the erection of such buildings and the purchase of such machinery as may be necessary or essential for the proper prosecution of the work of quarrying or manufacturing stone or materials for the construction improvement reconstruction replacement or maintenance of highways subject to the approval of the Governor and of the Department of Property and Supplies for the purchase or acquisition of land in the name of the Commonwealth for the purpose of erecting thereon garages storage sheds laboratories or other buildings necessary in connection with the construction improvement reconstruction replacement or maintenance of highways and for the erection on land thus acquired of such garages storage sheds laboratories or other buildings for the purchase of trees shrubs vines or grasses for planting on or along the State highways and the maintenance of the same for the purchase installation and maintenance of signs and traffic signals on State highways for the payment of traveling expenses and witness fees in amount of two dollars per capita per diem to witnesses testifying for the Commonwealth for the payment of damages to property heretofore or hereafter caused or occasioned in connection with the work of the department in the construction improvement maintenance and repair or in the preparation of materials for such purpose of roads highways or bridges under the jurisdiction of the department and for which the Commonwealth is responsible for maintenance and attributed to negligence or carelessness on the part of the employes of the department not exceeding however the sum of twenty-five thousand dollars ($25,000) but all claims for damages to property payable hereunder shall be submitted to the Secretary of Highways in writing verified by affidavit and the secretary shall investigate the same and determine the amount to be paid if any subject to the approval of the Attorney General for all other expenses of every kind and description necessary effectively to carry on the work of the department as authorized by law for the payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the Motor License Fund and in auditing annually periodically or specially the aforesaid affairs of the Department of Highways at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine for payment to the Treasury Department of the cost of making disbursements out of the Motor License Fund on behalf of the Department of Highways in the performance of the duties above mentioned at such amounts as the Treasury Department with the approval of the Executive Board shall determine for payment to the Department of Property and Supplies for the cost of making purchases for the Department of Highways as purchasing agent and for space occupied in the Capitol building and for water light heat power telephone and other services utilized and consumed by the Department of Highways in the performance of the above mentioned duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine the sum of one hundred four million dollars ($104,000,000) Provided however That the total costs of any of the following allocations shall not exceed the amounts hereby allocated For all costs in connection with the construction and reconstruction of State and State-aid highways usually referred to as the old State Highway System the sum of twenty-seven million three hundred and fifty thousand dollars ($27,350,000) for all costs in connection with the construction and reconstruction of State highways usually known as rural highways the sum of nineteen million five hundred and forty thousand dollars ($19,540,000) for all costs in connection with the construction reconstruction maintenance and upkeep of State highways in cities of the first class the sum of three million five hundred thousand dollars ($3,500,000) for all costs in connection with the construction reconstruction maintenance and upkeep of State highways in cities other than first class the sum of four million dollars ($4,000,000) for all costs in connection with the maintenance and upkeep of State and State-aid highways usually known as the old State Highway System the sum of nineteen million eight hundred and fifty thousand dollars ($19,850,000) for all costs in connection with the maintenance and upkeep of State highways usually known as rural highways the sum of sixteen million one hundred and thirty thousand dollars ($16,130,000) for all costs in connection with detours the maintenance of interstate bridges welfare institution roads State park roads forestry roads health institutions roads educational institution roads property damages workmen's compensation insurance restoration of pavements in connection with the permit work cooperative work for other departments and miscellaneous work performed under agreement the sum of two million ninety-two thousand dollars ($2,092,000) for all costs in connection with general administration engineering and research the sum of nine million three hundred and four thousand dollars ($9,304,000) for all costs in connection with the purchase of equipment and tools and the construction of buildings and purchase of land the sum of three million seven hundred and thirty-four thousand dollars ($3,734,000) Provided however That in the event of a grave emergency the Department of Highways may with the approval of the Governor and the Auditor General exceed any one of the cost allocations as above set forth by not more than ten per centum of such allocation but in such

event a corresponding reduction shall immediately be effected in such other allocations as the department with the approval of the Governor and the Auditor General may determine

The Department of Highways shall keep all records of costs entering into each of the aforesaid specific allocations and furnish to the Governor and the Auditor General a monthly statement showing the status of each and every allocation in such form as the Department of the Auditor General may require

The Department of the Auditor General may from time to time make an audit of the Department of Highways records in order to ascertain whether all charges against the aforesaid allocations are proper The Department of the Auditor General shall file a copy of every audit with the Governor not later than sixty days after the completion of the audit

Except as provided hereinbefore and in section three of this act it shall be unlawful for the Department of Highways to exceed any cost allocations hereinbefore set forth If any distribution of costs as shown by the monthly statement of the Department of Highways shall exceed the statutory cost allocations prescribed by this act the Department of the Auditor General shall refuse to approve any further requisitions which would be chargeable to such cost allocations

To the Department of Revenue

For the payment of salaries wages or other compensation and traveling and other necessary expenses of the Commissioner of Motor Vehicles and such deputies directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chief engineers expert draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers laborers and other assistants and employes as may be required for the proper conduct of the work of the department in titling and registering motor vehicles trailers and tractors licensing the operators of vehicles and such special deputy attorney generals assistant deputy attorney generals and attorneys as may be assigned by the Attorney General to the department for handling any legal business pertaining to its work and for the collection of liquid fuels taxes for the purchase maintenance and repair of furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding and for the payment of premiums on policies of insurance covering motor vehicles operated by employes of the department and surety bonds for officers or employes of the department required to furnish such bonds and required for the above activities of the department for the payment of postage telegraph telephone rentals and toll charges and rentals for or royalty upon leased office equipment or other devices or machines required for the above activities of the department for the purchasing or leasing of lands through the Department of Property and Supplies and the construction thereon of highways and buildings suitable for the examination of applicants for operator's licenses for the payment of rentals for branch buildings and repairs thereto for the payment of workmen's compensation to the injured employes or the dependents of deceased employes or the payment of premiums upon policies insuring the Commonwealth against workmen's compensation to employes or dependents of employes of the department engaged in the above work of the department Provided That such insurance shall be carried only with the approval of the Governor for the purchase of registrations plates and any other expenses incidental thereto for the payment of rewards for detection of fraud for all other expenses of every kind and description necessary for the promotion by the department of the aforesaid work for payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the Motor License Fund and in auditing annually periodically or specially the aforesaid affairs to the Department of Revenue at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine for payment to the Treasury Department of the cost of making disbursements out of the Motor License Fund on behalf of the Department of Revenue in the performance of the duties above mentioned at such amounts as the Treasury Department with the approval of the Executive Board shall determine for payment to the Department of Property and Supplies for space occupied in the Capitol buildings and for water light heat power telephone and other services utilized and consumed by the Department of Revenue in the performance of the above mentioned duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine the sum of three million seven hundred nineteen thousand dollars ($3,719,000)

Section 3 The act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" and its amendment is hereby repealed except that such act shall remain in full force and effect (a) by the Department of Highways for the payment of obligations incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three the amount of which unpaid obligations incurred by the Department of Highways may with the approval of the Governor and the Auditor General be added by the Department of Highways to the amount of the statutory cost allocation under the proper headings in this act and (b) for the expenditure of any moneys allocated to the Commonwealth by the Federal government for highway purposes during the fiscal biennium ending May thirty-first one thousand nine hundred and thirty-five in excess of nine million two hundred eighty-one thousand three hundred ninety-four dollars ($9,281,394) In the event such additional moneys are allocated to the Commonwealth the Department of Highways with the approval of the Governor and the Auditor General may increase any cost allocation prescribed in this act to an amount which will enable the Commonwealth to receive such Federal moneys

Section 4 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

On the question,

Will the House agree to the bill on third reading?

Mr. PHILIP STERLING. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 3, page 13, line 27, by striking out the words "by the Department of Highways."

Amend section 3, page 13, line 28, by inserting after the word "incurred" the following: "by the Department of Highways."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2168 (Senate Bill No. 793), as follows:

An Act to amend Section Two of the Act approved the twenty-second day of June A D one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the costs of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and pro-

viding penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" by changing certain routes and adding certain new routes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following routes established by Section Two of the Act approved the twenty-second day of June One thousand nine hundred thirty-one (Pamphlet Laws Seven hundred twenty) entitled "An Act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" are hereby amended to read as follows

Beginning at a point on the Butler Township-Butler City line thence northeasterly and easterly on Roosevelt Boulevard to South Main Street and continuing northerly on South Main Street to an intersection at East Jefferson Street until such time as a new street shall be opened by relocation from the Butler Township-Butler City line to an intersection with the Roosevelt Boulevard west of South Main Street when this route shall follow the relocated street in the city of Butler a distance of about 1.16 miles

Beginning at a point on the intersection of Ninth Street and Tenth Street and running south over the Quentin Road to the intersection with the Colebrook Road thence west and southwest over the Colebrook Road [Tenth Street] to the North Cornwall Township-Lebanon City line in the city of Lebanon a distance of about .169 of a mile

Beginning at a point on the intersection of Ninth Street and Cumberland Street and running south over Ninth Street to the intersection of Ninth Street and Tenth Street thence over the Cornwall Pike to the North Cornwall Township-Lebanon City line in the city of Lebanon a distance of about .622 of a mile

Beginning at a point on the Hickory Township-New Castle City line and running in a generally southwesterly direction on Croton Avenue to an intersection on East Washington Street also from the intersection of Croton Avenue and Eastbrook Road in a northeasterly direction along Eastbrook Road to the Hickory Township-New Castle City line in the city of New Castle a distance of about [1.5] 1.96 miles

Beginning at a point on Frankstown Road at the easterly city line of Pittsburgh thence along Frankstown Road to Frankstown Avenue thence along Frankstown Avenue to [Hale Street] the east end of Bennett Street [thence along Hale Street to Kelly Street] thence along [Kelly] Bennett Street to North Dallas Street thence along North Dallas Street to an intersection at Penn Avenue thence along Penn Avenue to South Beatty Street thence along South Beatty Street to Baum Boulevard thence along Baum Boulevard to Bigelow Boulevard thence along Bigelow Boulevard to Seventh Avenue thence along Seventh Avenue to Liberty Avenue thence along Liberty Avenue to the Boulevard of the Allies in the City of Pittsburgh a distance of about [2.15] 8.32 miles

[Beginning at a point on West Carson Street at the south end of the Point Bridge thence along West Carson Street to Smithfield Street thence along East Carson Street to Arlington Avenue thence along Arlington Avenue to the [Liberty Tunnel approach thence by way of the Liberty Tunnels and West Liberty Avenue to the Saw Mill Run Boulevard] Beginning at a point at the intersection of South Main Street and West Carson Street thence along South Main Street to its intersection with Alexander Street along Alexander Street to its intersection with Neptune Street thence along Neptune Street to Wabash Street thence along Wabash Street to its intersection with Independence Street thence along Independence Street to its intersection with Woodville Street thence along Woodville Street to its intersection with the Saw Mill Run Boulevard thence along the Saw Mill Run Boulevard to its intersection with Nobles Lane and the Library Road thence along the Library Road to the line dividing the City of Pittsburgh and the Borough of Castle Shannon in the City of Pittsburgh a distance of about [5.56] 6.3 miles

Beginning at a point on Allegheny Avenue at the intersection of Manchester Avenue and Ridge Avenue thence along Allegheny Avenue to Columbus Avenue Bridge thence across the Columbus Avenue Bridge to California Avenue as relocated [the intersection of California Avenue and Island Avenue] thence along California Avenue to its intersection with the Ohio River Boulevard thence along the Ohio River Boulevard to the line dividing the City of Pittsburgh and Bellview Borough in the City of Pittsburgh a distance of about [1.89] 1.14 miles

Beginning at a point on Hazle Avenue on the dividing line between the City of Wilkes-Barre and the township of Hanover thence over Hazle Avenue to the intersection of Hazle Avenue and Park Avenue thence over Park Avenue to the intersection of Park Avenue and South Street thence over South Street to the intersection of South Street and South Washington Street thence over South Washington Street and North Washington Street to the intersection of North Washington and Butler Streets also from the intersection of Washington and East Market Streets over East Market Street through the Public Square and over West Market Street to the Wilkes-Barre city line in the city of Wilkes-Barre a distance of about [2.9] 3.19 miles

Beginning at a point on Lehigh Street on the dividing line between the City of Allentown and Salisburg Township thence over Lehigh Street to the intersection of [Wyoming Street and Lehigh Street thence over Wyoming Street to the intersection of Wyoming Street and South Eighth Street thence over South Eighth Street to the intersection of South Eighth Street and continuance of Lehigh Street thence over Lehigh Street to the intersection of] Lehigh Street and Auburn Street in the City of Allentown a distance of about [1.09] 2.96 miles

Beginning at a point on the Concord Township-Corry line thence northerly on Union Street to West Church Street thence northeasterly on West Church Street to [Lemon] Northwest Street thence northerly on [Lemon] Northwest Street to West Pleasant Street thence easterly on West Pleasant Street to Center Street thence northerly on Center Street to East Main Street in a general easterly direction on East Main Street to the Corry City-Warren County line in the City of Corry a distance of about 2.76 miles

Beginning at a point on the Farrell City-Hickory Township line and running in a southwesterly direction on Mercer Avenue to a point on the Farrell City-Hickory Township line in the City of Farrell a distance of about .84 of a mile

Beginning at a point on the Farrell City-Hickory Township line and running in a northwesterly direction on Division Street to a point on the Farrell City-Sharon City line in the City of Farrell a distance of about 1.24 miles

Beginning at a point on the intersection of Haywood Street and Broadway Street and running in an easterly direction on Haywood Street to the intersection of Haywood Street and Division Street in the City of Farrell a distance of about 1.37 miles

Beginning at a point on the Farrell City-Wheatland Borough line and running in a northwesterly and northerly direction on Broadway Street to a point on the Farrell City-Sharon City line in the City of Farrell a distance of about 1.48 miles

Beginning at a point on the Farrell City-Sharon City line and running in a northerly direction on South Dock Street to the intersection of State Street and South Dock Street in the City of Sharon a distance of about .87 of a mile

Beginning at a point on South Twenty-fourth Street on the dividing line between the City of Allentown and Salisbury Township thence north on Twenty-fourth Street to Elm Street thence east on Elm Street to Twenty-third Street thence north on Twenty-third street to Hamilton Street in the City of Allentown a distance of about .7 of a mile

Beginning at a point on Third Avenue on the dividing line between the City of Allentown and Salisbury Township thence south on Third Avenue to Lehigh Avenue in the City of Allentown a distance of about 1.27 miles

Beginning at a point on West Emaus Avenue on the dividing line between the City of Allentown and Salisbury Township thence over West Emaus Avenue to East Emaus Avenue thence over East Emaus Avenue to a point on the dividing line between the City of Allentown and Salisbury Township a distance of about 2.60 miles

Beginning at a point on Fullerton Avenue on the dividing line between the City of Allentown and Whitehall Township thence over Fullerton Avenue and Front Street to the intersection of Front Street and Tilghman Street in the City of Allentown a distance of about 0.50 of a mile

Beginning at a point on Schoenersville Road on the dividing line between the City of Allentown and Hanover Township thence over Schoenersville Road to the intersection of Schoenersville Road and Union Boulevard in the City of Allentown a distance of about 0.55 of a mile

Beginning at a point on Irving Street on the dividing line between the City of Allentown and Hanover Township thence over Irving Street to the intersection of Irving Street and Union Boulevard in the City of Allentown a distance of about 0.50 of a mile

Beginning at a point on Frankstown Road on the dividing line between the City of Altoona and Logan Township thence northwesterly over Frankstown Road to the intersection of Frankstown Road and Plank Road in the City of Altoona a distance of about 0.28 of a mile

Beginning at a point on California Avenue on the dividing line between the City of Altoona and Allegheny Township thence easterly over California Avenue to the intersection of California Avenue and Fifty-eighth Street thence northerly over Fifty-eighth Street to the intersection of Fifty-eight Street and Sixth Avenue in the City of Altoona a distance of about 0.54 of a mile

Beginning at a point on Fortieth Street on the dividing line between the City of Altoona and Logan Township thence southeasterly over Fortieth Street to the intersection of Fortieth Street and Broad Avenue thence northeasterly over Broad Avenue to the intersection of Broad Avenue and Twenty-fourth Street in the City of Altoona a distance of about 1.65 miles

Beginning at a point on Thirty-first Street on the dividing line between the City of Altoona and Logan Township thence southeasterly over Thirty-first Street to the intersection of Thirty-first Street and Walnut Avenue thence northeasterly over Walnut Avenue to the intersection of Walnut Avenue and Twenty-ninth Street thence southeasterly over Twenty-ninth Street to the intersection of Twenty-ninth Street and Broad Avenue in the City of Altoona a distance of about 0.61 of a mile

Beginning at a point on Wopsononock Avenue on the dividing line between the City of Altoona and Logan Township thence southwesterly over Wopsononock Avenue to the intersection of Wopsononock Avenue and Ivyside Drive thence southeasterly over Ivyside Drive to the intersection of Ivyside Drive and Twenty-fifth Avenue thence southwesterly over Twenty-fifth Avenue to the intersection of Twenty-fifth Avenue and Wopsononock Avenue thence southerly over Wopsononock Avenue to the intersection of Wopsononock Avenue and Fourth Street thence southeasterly over Fourth Street to the intersection of Fourth Street and Howard Avenue thence westerly over Howard Avenue to the intersection of Howard Avenue and Eleventh Street thence southerly over Eleventh Street to the intersection of Eleventh Street and Thirtenth Avenue thence westerly over Thirteenth Avenue to the intersection of Thirteenth Avenue and Sixteenth Street thence southerly over Sixteenth Street to the intersection of Sixteenth Street and Twelfth Avenue thence westerly over Twelfth Avenue to the intersection of Twelfth Avenue and Eighteenth Street in the City of Altoona a distance of about 2.74 miles

Beginning at a point on Sixth Avenue on the dividing line between the City of Altoona and Logan Township thence southwesterly over Sixth Avenue to the intersection of Sixth Avenue and Lloyd Street in the City of Altoona a distance of about 0.26 of a mile

Beginning at a point on Sixth Avenue on the dividing line between the City of Altoona and Allegheny Township thence over Sixth Avenue to the intersection of Sixth Avenue and Union Avenue in the City of Altoona a distance of about 2.25 miles

Beginning at a point on Plank Road on the dividing line between the City of Altoona and Logan Township thence northeasterly over Plank Road to the intersection of Plank Road and Logan Avenue in the City of Altoona a distance of about 0.16 of a mile

Beginning on Thirty-seventh Street at the dividing line between the Borough of West Mayfield and the City of Beaver Falls thence over Thirty-seventh Street to an intersection with Fourth Avenue in the City of Beaver Falls a distance of about 0.34 of a mile

Beginning at a point on Steffin Hill Road on the dividing line bewteen the City of Beaver Falls and White Township thence over Steffin Hill Road to the intersection of Twenty-fourth Street extension and Steffin Hill Road thence along Twenty-fourth Street extension to the intersection of Twenty-fourth Street extension and Twenty-fourth Street thence along Twenty-fourth Street to the intersection of Twenty-fourth Street and Seventh Avenue in the City of Beaver Falls a distance of about 0.37 of a mile

Beginning at a point on Cedar Street on the dividing line between the City of Bethlehem and Hanover Township thence over Center Street to the intersection of Center Street and East Elizabeth Avenue in the City of Bethlehem a distance of about 2.10 miles

Beginning at a point on City Line Road on the dividing line between the city of Bethlehem and Bethlehem Township thence over City Line Road to the intersection of City Line Road and Nazareth Pike in the City of Bethlehem a distance of about 0.40 of a mile

Beginning at a point on Applebutter Road on the dividing line between the City of Bethlehem and Lower Saucon Township thence over Applebutter Road to the intersection of Applebutter Road and Shimersville Road thence over Shimersville Road to the intersection of Shimersville Road and Hellertown Road in the City of Bethlehem a distance of about 1.25 miles

Beginning at a point on Schoenersville Road on the dividing line between the City of Bethlehem and Hanover Township thence over Schoenersville Road to the intersection of Schoenersville Road and Mauch Chunk Road thence over Mauch Road to the intersection of Mauch Chunk Road and West Elizabeth Avenue thence over West Elizabeth Avenue to the intersection of Main Street in the City of Bethlehem a distance of about 2.60 miles

Beginning at a point on Friedensville Road on the dividing line between the City of Bethlehem and Lower Saucon Township thence over Friedensville Road to a point on the dividing line of Bethlehem City and Hellertown Borough in the City of Bethlehem and Lower Saucon Township a distance of about 1.00 mile

Beginning at a point on Easton Road on the dividing line between the City of Bethlehem and Lower Saucon Township thence over Easton Road to Cherry Lane thence over Cherry Lane to Hellertown Road in the City of Bethlehem a distance of about 1.30 miles

Beginning at a point on West Corydon Street on the dividing line between the City of Bradford and Bradford Township thence over West Corydon street to the intersection of West Corydon Street and South Avenue in the City of Bradford a distance of about 0.32 of a mile

Beginning at a point on Seward Avenue on the dividing line between the City of Bradford and Foster Township thence over Seward Avenue and North Kendall Avenue to the intersection of North Kendall Avenue and Main Street in the City of Bradford a distance of about 0.68 of a mile

Beginning at a point on Washington Street on the dividing line btween the City of Bradford and Bradford Township thence over Washington Street to the intersection of Washington Street and Inter-State Parkway in the City of Bradford a distance of about 0.26 of a mile

Beginning at a point on the dividing line between the City of Butler and Butler Township at the intersection of Lewis and Hansen Avenues thence over Hansen Avenue to the intersection of Hansen Avenue and Pillow Street thence over Pillow Street to the intersection of Pillow Street and Fifth Avenue thence over Fifth Avenue to the intersection of Fifth Avenue and New Castle Street in the City of Butler a distance of about 0.91 of a mile

Beginning at a point on Center Avenue on the dividing line between the City of Butler and Butler Township thence over Center Avenue to an intersection with Fairview Avenue thence over Fairview Avenue and the viaduct crossing the Baltimore and Ohio Railroad Bessemer and Lake Erie Railroad and Connoquenessing Creek to Wayne Street thence over Wayne Street to an intersection of Wayne and Main Streets in the City of Butler Butler County a distance of about 1.07 miles

Beginning at a point on Zeigler Avenue the dividing line between the City of Butler and Butler Township thence over Zeigler Avenue to an intersection with the continuation of State-aid Application 405 at the intersection of Zeigler and Center Avenues in the City of Butler Butler County a distance of about 0.55 of a mile

Beginning at a point on Wayne Street on the dividing line between the City of Carbondale and Jefferson Township thence northerly over Wayne Street thence northwesterly over Salem Avenue to the intersection of Salem Avenue and Main Street in the City of Carbondale a distance of about 1.1 miles

Beginning at a point on the Upland Borough-Chester Township-Chester City line thence southerly along the Chester City-Chester Township line to an intersection with Concord Avenue on the Chester City-Chester Township line a distance of about 0.20 of a mile

Beginning at a point in Chester City at the bridge over Ridley Creek on the Nether Providence-Chester City line thence southerly on Chestnut Street to the intersection of Chestnut Street and Providence Road in the City of Chester a distance of about 0.35 of a mile

Beginning at a point the intersection of the Upper Chichester Township Chester Township and Chester City lines thence in an easterly direction on Chichester Road and on the Chester Township-Chester City line to a point in Chichester Road about 900 feet west of its intersection with Concord Road beginning again at a point on Chester Township-Chester City line thence in a southerly direction on Engle Street to an intersection at Ninth and Engle Streets in the City of Chester Delaware County a distance of about .68 of a mile

Beginning at a point on Route 02182 on the dividing line between the City of Clairton and Jefferson Township thence easterly to an intersection with State Street thence over State Street to the intersection of State Street and Walnut Street in the City of Clairton a distance of about 0.91 of a mile

Beginning at a point on Route 02081 on the dividing line between the City of Clairton and Jefferson Township thence in a northeasterly direction to an intersection with State Street in the City of Clairton a distance of about 0.13 of a mile

Beginning at a point on the Coatesville City-Valley Township line thence in a southwesterly direction on Black Horse Road in a westerly direction on Elm Street and in a southerly direction on Fifth Avenue to the intersection of Fifth Avenue and Lincoln Highway in the City of Coatesville Chester County a distance of about .58 of a mile

Beginning at a point on West Chester Road on the South Coatesville Borough-Coatesville City line thence over West Chester Road to Oak Street thence over Oak Street to Eighth Avenue thence over Eighth Avenue to the intersection of Eighth Avenue and Lincoln Highway in the City of Coatesville a distance of about 0.59 of a mile

Beginning at a point on First Avenue on the South Coatesville Borough-Cotesville City line thence over First Avenue to the intersection of First Avenue and Lincoln Highway in the City of Coatesville a distance of about 1.31 miles

Beginning at a point on Olive Street on the Cain Township-Coatesville City line thence over Olive Street to 13th Avenue and Lincoln Highway in the City of Coatesville a distance of about 0.19 of a mile

Beginning at a point of Coatesville and Valley Township thence along the aforesaid dividing line and continuing over Valley Road to the intersection of Valley Road and Strode Avenue in the City of Coatesville a distance of about 0.64 of a mile

Beginning at a point on Crawford Avenue on the dividing line between the City of Connellsville and Dunbar Township thence over Crawford Avenue to the intersection of West Crawford Avenue and Ninth Street in the City of Connellsville a distance of 0.34 of a mile

Beginning at a point on the dividing line between the City of Connellsville and Connellsville Township at the end of State-aid Application 563 thence along the City line to an intersection with Pittsburgh Street thence southerly over Pittsburgh Street to the intersection of Pittsburgh Street and Crawford Avenue in the City of Connellsville a distance of about 0.76 of a mile

Beginning at a point on West Main Street on the dividing line between the City of Corry and Concord Township thence over West Main Street to the intersection of West Main and Centre Streets in the City of Corry Erie County a distance of about 1.02 miles

Beginning at a point on West Columbus Avenue on the dividing line between the City of Corry and Wayne Township thence over West Columbus Avenue to the intersection of West Columbus Avenue and North Centre Street in the City of Corry Erie County a distance of about 0.89 of a mile

Beginning at a point on North Centre Street on the dividing line between the City of Corry and Wayne Township thence over North Centre Street to the intersection of North Centre Street and Columbus Avenue in the City of Corry Erie County a distance of about 0.37 of a mile

Beginning at a point on South Centre Street on the dividing line between the City of Corry and Concord Township thence over South Centre Street to the intersection of South Centre and Pleasant Streets in the City of Corry Erie County a distance of about 0.90 of a mile

Beginning at a point on East Du Bois Avenue on the dividing line between the City of Du Bois and Sandy Township thence over East Du Bois Avenue to the intersection of East Du Bois Avenue and First Street in the City of Du Bois a distance of about 0.93 of a mile

Beginning at a point on First Street on the dividing line between the City of Du Bois and Sandy Township thence over First Street to the intersection of First Street and East and West Du Bois Avenue in the City of Du Bois a distance of about 0.53 of a mile

Beginning at a point on Kennedy Avenue on the dividing line between the City of Duquesne and Mifflin Township thence over Kennedy Avenue to an intersection with Duquesne Avenue in the City of Duquesne a distance of about 0.85 of a mile

Beginning at a point on Rural Route 02082 on the dividing line between Mifflin Township and the City of Duquesne thence in a southeasterly direction to a point on Commonwealth Avenue thence over Commonwealth Avenue to an intersection of Commonwealth Avenue and Duquesne Boulevard in the City of Duquesne a distance of about 0.61 of a mile

Beginning at a point on Old Philadelphia Road on the dividing line between Williams Township and the city of Easton thence over the Old Philadelphia Road to the intersection of Smith Avenue and the Old Philadelphia Road (also known as Folk Street) thence over Smith Avenue to the intersection of Third Street and Smith Avenue in the City of Easton a distance of about 1.03 miles.

Beginning at a point on the Bushkill Drive on the dividing line between the City of Easton and Forks Township thence over Bushkill Drive to the intersection of Thirteenth Street and Bushkill Drive thence over Thirteenth Street to the intersection of Thirtieth Street and Northampton Street in the City of Easton a distance of about 1.04 miles

Beginning at a point on Hackett Avenue on the dividing line between Palmer Township and the City of Easton (Hackett's Park) thence over Hackett Avenue to the dividing line between the City of Easton and Wilson Borough thence beginning again on Wood Avenue on the dividing line between the Borough of Wilson and the City of Easton thence over Wood Avenue to the intersection of Wood Avenue and Thirteenth Street the extension of Route 48021 in the City of Easton a distance of about 0.70 of a mile

Beginning at a point on Thirty-eighth Street on the dividing line between the City of Erie and Mill Creek Township thence over Thirty-eighth Street to an intersection with Pittsburgh Avenue thence over Pittsburgh Avenue to the intersection of Pittsburgh Avenue and Twenty-sixth Street in the City of Erie Erie County a distance of about 0.77 of a mile

Beginning at a point on Lake Pleasant Road on the dividing line between the City of Erie and Mill Creek Township thence over Lake Pleasant Road to the intersection of Lake Pleasant and Wattsburgs in the City of Erie Erie County a distance of about 0.30 of a mile

Beginning at a point on Twelfth Street on the dividing line between the City of Erie and Mill Creek Township thence over Twelfth Street to an intersection with Liberty Street thence over Liberty Street to Park Avenue South thence over Park Avenue South to Poplar Street thence over Poplar Street to an intersection with Sixth Street beginning again on Liberty Street at the intersection of Liberty Street and Twelfth Street thence over Liberty Street to an intersection with West Twenty-sixth Street in the city of Erie Erie County a distance of about 3.20 miles

Beginning at a point on Third Street on the dividing line between the City of Franklin and Sandy Creek Township thence over Third Street to Liberty Street thence over Liberty Street to the intersection of Liberty and Eighth Streets in the City of Franklin a distance of about 0.80 of a mile

Beginning at a point on the Humphrey Road on the dividing line between the City of Greensburg and Hampfield Township thence over the Humphrey Road to the intersection of the Humphrey Road and East Pittsburgh Street in the City of Greensburg a distance of about 0.03 of a mile

Beginning at a point on Stanton Avenue on the Greensburg City-Southwest Greensburg Borough-Hempfield Township lines thence over Stanton Avenue along the Greensburg City-Southwest Greensburg Borough lines to Hamilton Avenue thence over Hamilton Avenue to the intersection of Hamilton Avenue and West Newton Street in the City of Greensburg a distance of about 0.28 of a mile

Beginning at a point on Cameron Street on the dividing line between the City of Harrisburg and Susquehanna Township thence over Cameron Street to the intersection of Cameron Street and the approach to Thirteenth Street on the north side of the Soldiers and Sailors Memorial Bridge thence over the approach to the intersection of Thirteenth Street and State Streets in the City of Harrisburg a distance of about 1.33 miles

Beginning at a point on Herr Street on the boundary line between the City of Harrisburg and Susquehanna Township thence over Herr Street along the dividing line between the City of Harrisburg and Susquehanna Township to another point on the dividing line between the City of Harrisburg and Susquehanna Township thence over Herr Street in the City of Harrisburg a distance of about 0.94 of a mile

Beginning at a point on Diamond Avenue on the dividing line between the City of Hazleton and Hazle Township thence westerly over Diamond Avenue to the intersection of Diamond Avenue and Church Street in the City of Hazleton a distance of about 1.1 miles

Beginning at a point on the Jeansville Road on the dividing line between the City of Hazleton and Hazle Township thence northerly over Jeansville Road thence northerly over Poplar Street to the intersection of Popular Street and Board Street in the City of Hazleton a distance of about 1.2 miles

Beginning at a point on Solomon Street on the dividing line between the City of Johnstown and Stony Creek Township thence westerly over Solomon Street to the intersection of Solomon Street and Buck Avenue thence southerly over Buck Avenue to the intersection of Buck Avenue and Bedford Street in the City of Johnstown a distance of about 0.76 of a mile

Beginning at a point on Polecat Road on the dividing line between the City of Johnstown and Middle Taylor Township thence southerly over Polecat Road to the intersection of Polecat Road and Iron Street thence southeasterly over Iron Street to the intersection of Iron Street and Fourth Avenue thence southwesterly over Fourth Avenue to the intersection of Fourth Avenue and Broad Street in the City of Johnstown a distance of 0.49 of a mile

Beginning at a point on Fairfield Avenue on the dividing line between the City of Johnstown and Lower Yoder Township thence easterly over Fairfield Avenue to the intersection of Fairfield Avenue and Strayer Street in the City of Johnstown a distance of about 0.28 of a mile

Beginning at a point on Marietta Avenue on the dividing line between the City of Lancaster and Lancaster Township thence over Marietta Avenue to the intersection of Marietta Avenue and Columbia Avenue in the City of Lancaster a distance of about 0.55 of a mile

Beginning at a point on South Duke Street on the dividing line between the City of Lancaster and Lancaster Township thence over South Duke Street to the intersection of South Duke Street and East King Street in the City of Lancaster a distance of about 1.30 miles

Beginning at a point on Wabank Street on the dividing line between the City of Lancaster and Lancaster Township thence over Wabank Street to the intersection of Wabank Street and West Hazel Street thence over West Hazel Street to the intersection of West Hazel Street and South Prince Street in the City of Lancaster a distance of about 0.79 of a mile

Beginning at a point on East Orange Street on the dividing line between the City of Lancaster and Lancaster Township thence over East Orange Street to the intersection of East Orange Street and North Franklin Street thence over North Franklin Street to the intersection of North Franklin Street and East King Street in the City of Lancaster a distance of about 0.31 of a mile

Beginning at a point on a public street on the dividing line between the City of Lebanon and South Lebanon Township thence to the intersection with Pershing Avenue thence over Pershing Avenue to the intersection of Pershing Avenue and Lincoln Avenue thence over Lincoln Avenue to the intersection of Lincoln Avenue and Cumberland Street in the City of Lebanon a distance of about 0.55 of a mile

Beginning at a point at the itersection of Lehman Street and Sixteenth Street on the dividing line between the City of Lebanon and West Lebanon Township thence over Sixteenth Street along the dividing line between the City of Lebanon and West Lebanon Township to the intersection of Sixteenth Street and Cumberland Street in the City of Lebanon a distance of about 0.45 of a mile

Beginning at a point at the intersection of Chestnut Street and Sixteenth Street in the dividing line between the City of Lebanon and North Cornwell Township thence over Sixteenth Street along the dividing line between the City of Lebanon and North Cornwall Township to the intersection of Sixteenth Street and Cumberland Street in the City of Lebanon a distance of about 0.07 of a mile

Beginning at a point on Oak Street of the dividing line bebetween the City of Lebanon and North Cornwall Township thence over Oak Street along the dividing line between the City of Lebanon and North Cornwall Township thence over Oak Street to the intersection of Oak Street and Twelfth Street and Cumberland Street in the City of Lebanon a distance of about 0.91 of a mile

Beginning at a point on Quentin Road on the dividing line between the Citl of Lebanon and North Cornwall Township thence over Quentin Road to the intersection of Quentin Road and Colebrook Road in the City of Lebanon a distance of about 0.26 of a mile

Beginning at a point on Hanna Street on the dividing line between the City of Lock Haven and Castaena Township thence over Hanna Street to the intersection of Hanna Street and Water Street in the City of Lock Haven a distance of about 0.40 of a mile

Beginning at a point on Hill Street (Saint Marys Street) on the dividing line between the City of Lock Haven and Allison Township thence over Hill Street to the intersection of Hill Street and Susquehanna Avenue in the City of Lock Haven a distance of about 0.07 of a mile

Beginning at a point on Sugar Run Road on the dividing line between the City of Lock Haven and Allison Township thence over Sugar Run Road to the intersection of Sugar Run Road and Susquehanna Avenue in the City of Lock Haven a distance of about 0.08 of a mile

Beginning at a point on Rogers Ferry Road on the dividing line between the City of Meadville and Vernon Township thence over Rogers Ferry Road to an intersection with Lincoln Avenue thence over Lincoln Avenue to an intersection with Race Street over Race Street to an intersection with Terrace Street thence over Terrace Street to an intersection with Spring Street thence over Spring Street to an intersection of Spring and Baldwin Streets in the City of Meadville Crawford County a distance of about 1.07 miles

Beginning at a point on North Main Street on the dividing line between the City of Meadville and West Mead Township thence over North Main Street to the intersection of North Main and North Streets in the City of Meadville Crawford County a distance of about 1.22 miles

Beginning at a point on Alden Street on the dividing line between the City of Meadville and West Mead Township thence over Alden Street to an intersection with Chestnut Street thence over Chestnut Street to an intersection at Chestnut Street and Park Avenue in the City of Meadville Crawford County a distance of about 0.97 of a mile

Beginning at a point on Williamson Road on the dividing line between the City of Meadville and West Mead Township thence over Williamson Road to Poplar Street thence over Poplar Street to an intersection at Poplar and Liberty Streets in the City of Meadville Crawford County a distance of about 0.36 of a mile

Beginning at a point on Schoonmaker Avenue on the dividing line between the City of Monessen and Rostraver Township thence westerly over Schoonmaker Avenue to Clarendon Avenue thence over Clarendon Avenue or the

Monessen-Bellevernon Road to a point on the dividing line between the City of Monessen and Rostraver Township a distance of about 2.34 miles

Beginning at a point on East Main Street on the dividing line between Carroll Township and the City of Monongahela thence in a northwesterly direction over East Main Street to the intersection of East Main Street and Cemetery Street in the City of Monongahela a distance of about one mile

Beginning at a point on West Main Street on the dividing line between the City of Nanticoke and Newport Township thence northeasterly over West Main Street thence easterly over East Main Stret to the intersection of East Main Street and Rural Route 40033 at the City of Nanticoke-Hanover Township line a distance of about 1.60 miles

Beginning at a point on Front Street on the dividing line between the City of Nanticoke and Hanover Township thence westerly over Front Street thence northerly over Espy Street to the intersection of Espy Street and Middle Road in the City of Nanticoke a distance of about 1.0 miles

Beginning at a point on the Middle Road on the dividing line between the City of Nanticoke and Newport Township thence easterly over the Middle Road to the intersection of the Middle Road and Espy Street in the City of Nanticoke a distance of about 1.0 mile

Beginning at a point on Pennsylvania Avenue on the dividing line between the City of New Castle and Shenango Township thence over Pennsylvania Avenue and Long Avenue thence over Long Avenue to the intersection of Long Avenue and Moravia Street in the City of New Castle a distance of about 0.81 of a mile

Beginning at a point on Moravia Street on the dividing line between the City of New Castle and Shenango Township thence over Moravia Street to the intersection of Moravia Street and Jefferson Street thence over Jefferson Street to the intersection of Jefferson Street and Washington Street in the City of New Castle a distance of about 1.54 miles

Beginning at a point on Highland Avenue on the dividing line between the City of New Castle and Neshannock Township thence over Highland Avenue to the intersection of Highland Avenue and North Mill Street thence over North Mill Street to the intersection of North Mill Street and Washington Street in the City of New Castle a distance of about 2.01 miles

Beginning at a point on the Frew Mill Road on the dividing line between the City of New Castle and Shenango Township thence over the Frew Mill Road to the intersection of Frew Mill Road and Cascade Street thence over Cascade Street to the intersection of Cascade Street and Butler Avenue in the City of New Castle a distance of about 0.40 of a mile

Beginning at a point on Washington Street on the dividing line between the City of New Castle and Union Township thence over Washington Street to the intersection of Washington Street and Atlantic Avenue in the City of New Castle a distance of about 0.70 of a mile

Beginning at a point on West First Street on the dividing line between the City of Oil City and Cranberry Township thence over West First Street to the intersection of West First and Petroleum Streets in the City of Oil City Venango County a distance of about 1.96 miles.

Beginning at a point on Innis Street on the dividing line between the City of Oil City and Cranberry Township thence over Innis Street to an intersection with a continuation of Rural Route 60024 at Innis and West First Streets in the City of Oil City Venango County a distance of about 0.72 of a mile

Beginning at a point on Halyday Street on the dividing line between the City of Oil City and Cornplanter Township thence over Halyday Street to the intersection of Halyday and Main Streets in the City of Oil City Venango County a distance of about 0.49 of a mile

Beginning at a point on East Bissel Avenue Extension (not yet opened) on the dividing line between the City of Oil City and Cornplanter Township thence over East Bissel Avenue Extension (not yet opened) to East Bissel Avenue thence over East Bissel Avenue to the intersection of East Bissel Avenue and Harriot Avenue in the City of Oil City a distance of about 1.7 miles

Beginning at a point on Allegheny Avenue on the dividing line between the City of Oil City and Cranberry Township thence over Allegheny Avenue to East Fourth Street thence over East Fourth Street to Wilson Avenue thence over Wilson Avenue to an intersection at Wilson Avenue and East Second Street in the City of Oil City Venango County a distance of about 0.65 of a mile

Beginning at a point on Plumer Street on the dividing line between the City of Oil City and Cornplanter Township thence over Plumer Street to Bissel Avenue thence over Bissel Avenue to Harriot Avenue thence over Harriot Avenue to Spring Street thence over Spring Street to Center Street thence over Center Street to the intersection of Center and Seneca Streets in the City of Oil City a distance of about 1.4 miles

Beginning at a point on Brierly Street on the dividing line between the City of Pittsburgh Munhall Borough and Mifflin Township thence over Brierly Street to the intersection of Brierly Street and interboro Street in the City of Pittsburgh a distance of about 0.07 of a mile

Beginning at a point on Route 02114 on the dividing line between the City of Pittsburgh and Reserve Township thence to an intersection with Mount Pleasant Road thence over Mount Pleasant Road to the intersection of Mount Pleasant Road and East Street in the City of Pittsburgh a distance of about 0.40 of a mile

Beginning at a point at the intersection of Troy Hill Road and Wicklines Lane on the dividing line between the City of Pittsburgh and Reserve Township thence along Wicklines Lane to the intersection of Wicklines Lane and the Spring Garden Road in the City of Pittsburgh a distance of about 0.40 of a mile

Beginning at a point on Blackadore Street on the dividing line between the City of Pittsburgh and Penn Township thence over Blackadore Street to the intersection of Blackadore Street and Frankstown Avenue in the City of Pittsburgh a distance of about 0.32 of a mile

Beginning at a point on Cready Street on the dividing line between the City of Pittsburgh and Baldwin Township thence over Cready Street to the intersection of Cready Street and Baldwin Road thence over Baldwin Road to an intersection with Irvin Street in the City of Pittsburgh a distance of about 0.44 of a mile

Beginning at a point on Agnew Road on the dividing line between the City of Pittsburgh and Baldwin Township thence over Agnew Road to the intersection of Agnew Road and Becks Run Road in the City of Pittsburgh a distance of about 0.04 of a mile

Beginning at a point on South Main Street on the dividing line between the City of Pittston and Jenkins Township thence northeasterly over South Main Street to the intersection of South Main Street and Plank Street in the City of Pittston a distance of about 0.16 of a mile

Beginning at a point on Railroad Street on the dividing line between the City of Pittston and Pittston Township thence northwesterly over Railroad Street to the intersection of Railroad and South Main Streets in the City of Pittston a distance of about 0.33 of a mile

Beginning at a point on North Main Street on the dividing line between the borough of Duryea and the City of Pittston thence over North Main Street to the intersection of North Main and Exeter Streets in the City of Pittston a distance of about 1.25 miles

Beginning at a point on Cressona Road on the dividing line between the City of Pottsville and North Manheim Township thence over Cressona Road to the intersection of Cressona Road and Hotel Street thence over Hotel Street to the intersection of Hotel Street and Morris Street thence over Morris Street to the intersection of Morris Street and South Centre Street in the City of Pottsville a distance of about 0.90 of a mile

Beginning at a point on North Centre Street on the dividing line between the City of Pottsville and Norwegian Township thence over North Centre Street to the intersection of North Centre Street and Nichols Street in the City of Pottsville a distance of about 0.50 of a mile

Beginning at a point on Eagan Street on the dividing line between the City of Pottsville and Norwegian Township thence over Eagan Street to the intersection of Eagan Street and Peacock Street thence over Peacock Street to the intersection of Peacock Street and North Centre Street in the City of Pottsville a distance of about 1.10 miles

Beginning at a point on Mill Creek Avenue on the dividing line between the City of Pottsville and Norwegian Township thence over Mill Creek Avenue to the intersection of Mill Creek Avenue and Nichols Street in the City of Pottsville a distance of about 0.20 of a mile

Beginning at a point on West Wood Road on the dividing line between the City of Pottsville and North Manheim Township thence over West Wood Road to the intersection of West Wood Road and West Market Street in the City of Pottsville a distance of about 0.80 of a mile

Beginning at a point on Pricetown Road on the dividing line between the City of Reading and Muhlenberg Township thence over Pricetown Road to the intersection of Pricetown Road and Marion Street thence over Marion Street to the intersection of Marion Street and Ninth Street in the City of Reading a distance of about 1.50 miles

Beginning at a point on Kutztown Road on the dividing line between the City of Reading and Muhlenberg Township thence over Kutztown Road to the intersection of Kutztown Road and Ninth Street thence over Ninth Street to the intersection of Ninth Street and Eighth Street thence over Eighth Street to the intersection of Eighth Street and Spring Street thence over Spring Street to the intersection of Spring Street and Fifth Street in the City of Reading a distance of about 1.50 miles

Beginning at a point on the Lake Scranton Road on the dividing line between the City of Scranton and Roaring Brook Township thence northerly over Lake Scranton Road thence northwesterly over East Mountain Road thence northwesterly over River Street thence northeasterly over Crown Avenue to the intersection of Crown Avenue and Moosic Street in the City of Scranton a distance of about 1.8 miles

Beginning at a point on Keyser Avenue on the Taylor Borough-City of Scranton line thence over Keyser Avenue to the intersection of Keyser Avenue and George Street in the City of Scranton a distance of about 3.26 miles

Beginning at a point on [Electric] Green Ridge Street on the dividing line between the city of Scranton and the borough of Dunmore at the end of Route 676 [thence over Electric Street to the intersection of Electric Street and Wyoming Avenue thence over Wyoming Avenue to the intersection of Wyoming Avenue and Green Ridge Street] thence over Green Ridge Street to the intersection of Green Ridge Street and North Main Avenue thence over North Main Avenue to the intersection of North Main Avenue and West Market Street in the City of Scranton a distance of about 1.67 miles

Beginning at a point on North Water Avenue on the dividing line between the City of Sharon and Hickory Township thence on North Water avenue to an intersection at North Water Avenue and State Street in the City of Sharon Mercer County a distance of about 0.66 of a mile

Beginning at a point on the Farrell City-Hickory Township line and running in a southwesterly direction on Mercer Avenue to a point on the Farrell City-Hickory Township line in the City of Farrell a distance of about .84 of a mile

Beginning at a point on the Farrell City-Hickory Township line and running in a northwesterly direction on Division Street to a point on the Farrell City-Sharon City line in the City of Farrell a distance of about 1.24 miles

Beginning at a point on the intersection of Haywood Street and Broadway Street and running in an easterly direction on Haywood Street to the intersection of Haywood Street and Division Street in the City of Farrell a distance of about 1.37 miles

Beginning at a point on the Farrell City-Wheatland Borough line and running in a northwesterly and northerly direction on Broadway Street to a point on the Farrell City-Sharon City line in the City of Farrell a distance of about 1.48 miles

Beginning at a point on the Farrell City-Sharon City line and running in a northerly direction on South Dock Street to the intersection of State Street and South Dock Street in the City of Sharon a distance of about .87 of a mile

Beginning at a point on Catawissa Avenue on the dividing line between the City of Sunbury and Upper Augusta Township thence over Catawissa Avenue to the intersection of Catawissa Avenue and Market Street in the City of Sunbury a distance of about 0.72 of a mile

Beginning at a point on North Fourth Street on the dividing line between the City of Sunbury and Upper Augusta Township thence over North Fourth Street to the intersection of North Fourth Street and Market Street in the City of Sunbury a distance of about 1.05 miles

Beginning at a point on Brook Street on the dividing line between the City of Titusville and Oil Creek Township thence over Brook Street to the intersection with an extension of Route 20104 at Brook and Franklin Streets in the City of Titusville Crawford County a distance of about 0.64 of a mile

Beginning at a point on Church Run Street on the dividing line between the City of Titusville and Oil Creek Township thence over Church Run Street to Union Street thence over Union Street to Franklin Street thence over Franklin Street to the intersection of Franklin Street and Central Avenue in the City of Titusville Crawford County a distance of about 0.73 of a mile

Beginning at a point on Allen Street on the dividing line between the City of Titusville and Cherrytree Township Venango County thence over Allen Street to Bloss Street thence over Bloss Street to Dairy Street thence over Dairy Street to Bank Street thence over Bank Street to Drake Street to Bloss Street thence over Bloss Street to the intersection of Bloss and Franklin Strees in the City of Titusville Crawford County a distance of about 1.11 miles

Beginning at a point on Derrick Avenue on the dividing line between the City of Uniontown and South Union Township thence over Derrick Avenue to the intersection with Berkeley Street thence over Berkeley Street to the intersection of Berkeley and Morgantown Streets in the City of Uniontown a distance of about 0.39 of a mile

Beginning at a point on Edgewood Avenue on the dividing line between Washington City and South Strabane and North Franklin Townships thence over Edgewood Avenue to the intersection with South Main Street thence over South Main Street to the intersection of South Main Street and Park Avenue in the City of Washington a distance of about 0.39 of a mile

Beginning at a point on North Main Street on the dividing line betwene the City of Washington and South Strabine Township thence over North Main Street to an intersection at North Main and Chestnut Streets a distance of about 0.8 of a mile

Beginning at a point on North Main Street on the dividing line between the City of Wilkes-Barre and Plains Township thence southwesterly over North Main Street to the intersection of North Main Street and Courtright Street in the City of Wilkes-Barre a distance of about 0.6 of a mile

Beginning at a point on Mock Street on the dividing line between the City of Wilkes-Barre and Plains Township thence northwesterly over Mock Street thence southwesterly over South Columbia Street thence southwesterly over Main Street thence southwesterly over Scott Street (Parsons Road) to the intersection of Scott Street and Kidder Street in the City of Wilkes-Barre a distance of about 1.9 miles

Beginning at a point on Northampton Street on the dividing line between the City of Wilkes-Barre and Wilkes-Barre Township thence northwesterly over Northampton Street thence northwesterly over Northampton Street thence southwesterly over Park Avenue to the intersection of Park Avenue and South Street in the City of Wilkes-Barre a distance of about 0.65 of a mile

Beginning at a point on the Blooming Grove Road on the dividing line between the City of Williamsport and Loyalsock Township thence over Blooming Grove Road and Market Street to the intersection of Market Street and Washington Boulevard in the City of Williamsport a distance of about 0.97 of a mile

Beginning at a point on the Dougherty's Run Road on the dividing line between the City of Williamsport and Woodward and Old Lycoming Townships thence over the Dougherty's Run Road to the intersection of the Dougherty's Run Road and Jersey Shore Road in the City of Williamsport a distance of about 0.59 of a mile

Beginning at a point on Ridge Avenue on the dividing line between the City of Williamsport and Old Lycoming Township thence over Ridge Avenue to the intersection of Ridge Avenue and West Fourth Street in the City of Williamsport a distance of about 0.55 of a mile

Beginning at a point on Grampian Boulevard on the dividing line between the City of Williamsport and Loyalsock Township thence over Grampian Boulevard to the intersection of Grampian Boulevard and Market Street in the City of Williamsport a distance of about 1.45 miles

Beginning at a point on East Third Street on the dividing line between the City of Williamsport and Loyalsock Township thence over East Third Street to the intersection of East Third Street and Market Street in the City of Williamsport a distance of about 1.11 miles

Beginning at a point on Bull Road on the boundary line between the City of York and West Manchester Township thence along said boundary line on Bull Road Fahs Street and Roosevelt Avenue to a point about eighty-five feet northwest of Elm Terrace thence over Roosevelt Avenue and North Penn Street to the intersection of North Penn and West Market Streets in the City of York a distance of about 1.54 miles

Beginning at a point on North Sherman Street on the dividing line between the City of York and Spring Garden Township thence over North Sherman Street to the intersection of North Sherman and East Market Streets in the City of York a distance of about 0.44 of a mile

Beginning at a point on Grantley Avenue on the dividing line between the City of York and Spring Garden Township thence over Grantley and Salem Avenues and South Hartley Street to the intersection of South Hartley and West Market Streets in the City of York a distance of about 0.48 of a mile

Beginning at a point on Arch Street on the dividing line between the City of York and Spring Garden Township thence over Arch North Court and Washington Streets to the intersection of Washington and North George Streets in the City of York a distance of about 0.37 of a mile

Beginning at a point on South Richland Avenue on the dividing line between the City of York and West Manchester Township thence over South Richland Avenue to the intersection of South Richland Avenue and West Market Street in the City of York a distance of about 0.35 of a mile

Section 2 The streets established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the approval of this act but shall be taken over not later than the fifteenth day of August one thousand nine hundred thirty-three

On the question,

Will the House agree to the bill on third reading?

Mr. PETERS. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend page 33, by striking out lines 15 to 22, inclusive, and inserting in lieu thereof the following: "Beginning at a point on the dividing line between Dunmore Borough and the city of Scranton at or near Lake Scranton; thence in a general northerly and northwesterly direction over a new street to be opened by the city to Moosic Street; thence over Moosic Street to the intersection of Moosic Street and Crown Avenue, in the city of Scranton, a distance of about 2.0 miles

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 389

An Act to amend sections six seventeen and twenty-six of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" as amended by extending the provisions of said act so as to include bookers booking agents representatives of booking agencies for services of wrestlers modifying license fees in certain cases exempting amateur boxing or wrestling in schools colleges and universities

SENATE BILL No. 345

An Act prohibiting contractors subcontractors and builders and their agents from paying out using or appropriating moneys and funds received for the erection construction alteration, completion and repair of buildings and for additions thereto before first paying in full or pro rata all claims due to architects, surveyors, engineers, and persons furnishing labor and material.

SENATE BILL No. 388

An Act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the second and third class defining the powers and duties of civil service commissions for such purposes and fixing penalties

SENATE BILL No. 223

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 30.

An Act to amend section two thousand five hundred and fifty-six of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing for the fixing of the salary of the city treasurer as collector of city school and poor taxes and for the number and salaries of his assistants jointly by the city council and board of school directors and for payment of such salaries and other expenses in connection with his office equally by the city and school district and requiring the city and school district to pay the premiums on the bonds required to be given to the city and school district.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 20 by striking out the word: "fifty-five."

Amend section 1, page 3, line 20 by striking out the following: "In cities having a population of more than fifty-five thousand inhabitants the annual salary of the tax collector shall not be less than five thousand dollars ($5,000) nor more than seven thousand five hundred dollars ($7,500)" and by inserting in lieu thereof the following: "In cities having a population of more than fifty thousand inhabitants and not exceeding fifty-five thousand inhabitants the annual salary of the tax collector shall be six thousand dollars ($6,000)

In cities having a population of more than fifty-five thousand inhabitants the annual salary of the tax collector shall be seven thousand five hundred dollars ($7,500)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160

Andrews,	Harris,	McElwee,	Scott,
Baker,	Hart,	McGrail,	Sheffer,
Baldi,	Heffernan,	McHenry,	Shenkel,
Bechtel,	Hefferon,	McKay,	Shettel,
Beech,	Hermansen,	McKinney,	Shreiner,
Bennett,	Hester,	Meredith,	Simon,
Boyd,	Hewitt,	Merrell,	Snyder,
Brancato,	Himes, H. E.,	Metzler,	Sowers,
Brennan,	Hoffman,	Moore,	Stank,
Brown, W. L.,	Holmes, J. B.,	Myers,	Steedle,
Brownfield,	Holmes, J. L.,	Negley,	Sterling, R. B.,
Caputo,	Hoopes,	O'Connor,	Stiteler,
Carey,	Hough,	Peelor,	Storb,
Conner,	Howard,	Pennock,	Surface,
Cooke,	Hutton,	Perry, J. J.,	Terry,
Cordier,	Jaffe,	Powell,	Turner,
Davies,	Jones,	Powers,	Wagner,
DeFrehn,	King,	Raub,	Walker, W. A.,
Denning,	Kinney,	Rectenwald,	Wasserman,
Downey, J.,	Labar,	Reed,	Weidemann,
Dwyer,	Lewis,	Reilly,	Welsh,
Emhardt,	Lord,	Rhodes,	White,
Eroe,	Lynch, J. R.,	Roan,	Williams, J. J.,
Fitzgerald,	Lynch, M.,	Roth,	Wilson, L. M.,
Flynn,	Maloney,	Ruby,	Wilson, T. B.,
Furman,	Marcks,	Sarig,	Woodside,
Gillette,	Mason,	Sautter,	Wright,
Gorman,	McBride,	Schrock,	Zimmerman,
Griffith,	McCandless,	Schwab,	Talbot,
Haines,	McCreary,	Scorza,	Speaker.
Hamilton,			

NAYS—7

Chervenak,	Munley,	Patterson,	Yourishin,
Lenahan,	O'Neill,	Wood,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

RECALLING HOUSE BILL No. 445 FROM THE GOVERNOR

Mr. SHREINER asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 25, 1933.

Resolved (if the Senate concur), That House Bill No. 445, entitled "An act to amend sections 703 1015 1406 1902 2103 2403 Cl 53 2559 2562 2564 2566 2567 2601 2620 2621 2706 2955 2978 3206 3211 3212 3501 3801 and 3803 of and to add sections 1913 and 2990 to the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' providing for vacancies in office and the filling thereof where persons elected fail to qualify for the publication of ordinances for the deposit of funds by the city treasurer or exemption from advertisement of contracts with the Commonwealth for a platoon system for paid men of volunteer fire departments for group insurance for the exoneration of tax collectors and the settlement of their duplicates for penalties and interest on taxes for the collection of delinquent taxes for the licensing of transient merchants and business for the acquisition of unobstructed views for detours for the construction of sewage treatment works and the acquisition of property therefor for the collection of a frontage tax for water mains and certain license taxes that the powers of the Shade Tree Commission may be exercised by council for the advertisement of contracts in trade journals and for the improvement of boundary streets," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1898.

An Act to further amend section seven hundred fourteen of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts, and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivision, every person, association and corporation, required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further defining deductions in case of reinsurance.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendment as follows:

Amend section 1, page 4, line 12, by inserting after the word "Commonwealth:" the following: "Provided however That such contracts or agreements with respect to marine or transportation insurance need not be made within this Commonwealth."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Hamilton,	Melchiorre,	Shettel,
Baker,	Harmuth,	Meredith,	Shortz,
Baldi,	Hart,	Merrell,	Shreiner,
Barnhardt,	Heffernan,	Metzler,	Shugarts,
Bechtel,	Hefferon,	Mohn,	Sinwell,
Beech,	Heffner,	Mumford,	Snyder,
Bennett,	Hermansen,	Munley,	Sowers,
Bernhard,	Hester,	Myers,	Spann,
Blumberg,	Hewitt,	Negley,	Stank,
Boyd,	Himes, H. E.,	O'Connor,	Steedle,
Brancato,	Himes, L. R.,	O'Keefe,	Sterling, R. B.,
Brennan,	Hoffman,	O'Neill,	Stevens,
Brown, J. E.,	Holmes, J. B.,	O'Rourke,	Stevenson,
Brownfield,	Holmes, J. L.,	Patterson,	Stiteler,
Caputo,	Hoopes,	Peelor,	Stone,
Carson,	Horst,	Pennock,	Stott,
Cohen,	Howard,	Perry, D. R.,	Surface,
Cooke,	Jaffe,	Perry, J. J.,	Tahl,
Craig,	Jones,	Peters,	Terry,
Dane,	Kane, L. P.,	Powell,	Wade,
Davies,	King,	Powers,	Wagner,
DeFrehn,	Labar,	Price,	Walker, W. A.,
Downey, G. E.,	Laubach,	Quinn,	Wall,

Downey, J.,	Lewis,	Raub,	Way,
Dunmire,	Long,	Rectenwald,	Weidemann,
Dwyer,	Lord,	Reed,	Welsh,
Ederer,	Lovett, J. E.,	Reilly,	Westrick,
Emhardt,	Lovett, W. S.,	Rhodes,	White,
Eroe,	Lynch, J. R.,	Rice,	Wike,
Evans,	Male,	Roan,	Williams, G. W.,
Fitzgerald,	Malina,	Root,	Williams, J. J.,
Fleisher,	Maloney,	Royle,	Wilson, L. M.,
Flinchbaugh,	Mason,	Ruby,	Wilson, T. B.,
Flynn,	McBride,	Sarig,	Witkin,
Furman,	McCandless,	Sautter,	Wood,
Gallagher,	McClure,	Schrock,	Woodside,
Gartner,	McElwee,	Schwab,	Wright,
Gorman,	McGinnis,	Schwartz,	Yeakel,
Green,	McGrail,	Scott,	Yourishin,
Greenstein,	McGregor,	Sheffer,	Zimmerman,
Griffith,	McHenry,	Shellenberger,	Talbot,
Habbyshaw,	McKinney,	Shenkel,	Speaker.
Haines,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1899.

An Act to further amend section three hundred twenty-one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further defining deductions in case of reinsurance.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 3, line 9, by inserting after the word: "Commonwealth" the following: "Provided however That such contracts or agreements with respect to marine or transportation insurance need not be made within this Commonwealth."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Harris,	McKinney,	Shortz,
Baker,	Hart,	Melchiorre,	Shugarts,
Baldi,	Hartman,	Meredith,	Simon,
Barnhardt,	Heffernan,	Metzler,	Sinwell,
Bechtel,	Hefferon,	Moore,	Snyder,
Beech,	Heffner,	Mumford,	Spann,
Bennett,	Hermansen,	Munley,	Stank,
Blumberg,	Hester,	Myers,	Sterling, P.,
Boyd,	Hewitt,	Negley,	Stevens,
Brown, J. E.,	Himes, H. E.,	O'Connor,	Stevenson,
Brown, W. L.,	Himes, L. R.,	O'Keefe,	Stiteler,
Caputo,	Hoffman,	O'Neill,	Stone,
Chervenak,	Holmes, J. B.,	O'Rourke,	Storb,
Conner,	Holmes, J. L.,	Patterson,	Stott,
Cordier,	Hoopes,	Peelor,	Surface,
Cramer,	Horst,	Pennock,	Tahl,
DeFrehn,	Hough,	Perry, D. R.,	Turner,
Denning,	Hutton,	Perry, J. J.,	Wade,
Downey, J.,	Jaffe,	Peters,	Wagner,
Duffy,	Jones,	Powell,	Walker, G. E.,
Dunmire,	Kane, L. P.,	Powers,	Walker, W. A.,
Dwyer,	Kinney,	Price,	Wall,
Ederer,	Labar,	Quinn,	Wasserman,
Emhardt,	Lane,	Raub,	Way,
Eroe,	Laubach,	Rectenwald,	Weidemann,
Evans,	Lewis,	Reed,	Welsh,
Fitzgerald,	Long,	Reilly,	Westrick,
Flanagan,	Lord,	Rhodes,	White,
Fleisher,	Lose,	Rice,	Wike,
Flinchbaugh,	Lovett, J. E.,	Roan,	Williams, G. W.,
Flynn,	Lovett, W. S.,	Root,	Williams, J. J.,
Forrest,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Furman,	Lynch, M.,	Ruby,	Wilson, T. B.,
Gallagher,	Malina,	Ruth,	Witkin,
Gorman,	Mason,	Sarig,	Wood,
Green,	McClure,	Sautter,	Woodside,
Greenstein,	McElwee,	Schrock,	Wright,
Griffith,	McGinnis,	Schrope,	Yeakel,
Habbyshaw,	McGrail,	Schwab,	Yourishin,
Haines,	McGregor,	Sheffer,	Zimmerman,
Hamilton,	McHenry,	Shellenberger,	Talbot,
Harmuth,	McKay,	Shettel,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 314.

An Act to amend section seven hundred five of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended permitting cooperation only in the manner known as driving in the killing of more than one legal deer in one season by a member at a camp or body of men hunting together so long as the number of deer killed by such camp does not exceed six

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 7, by striking out the quotation marks before the word "Cooperation; also in line 8 by striking out the quotation after the word "in".

Amend section 1, page 2, line 17 by striking out the quotation marks before the word "such"; also in line 18 by striking out after the word "driving" the quotation marks there appearing.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Andrews,	Hamilton,	McHenry,	Shortz,
Baker,	Harmuth,	McKay,	Shreiner,
Baldi,	Harris,	McKinney,	Shugarts,
Barnhardt,	Hart,	Meredith,	Simon,
Bechtel,	Heffernan,	Merrell,	Sinwell,
Beech,	Hefferon,	Metzler,	Snyder,
Bennett,	Heffner,	Moore,	Sowers,
Bernhard,	Hermansen,	Mumford,	Spann,
Blumberg,	Hester,	Munley,	Stank,
Boyd,	Hewitt,	Myers,	Sterling, P.,
Brennan,	Himes, H. E.,	Negley,	Sterling, R. B.,
Brown, J. E.,	Hoffman,	Nothnagle,	Stevenson,
Brown, W. L.,	Holmes, J. B.,	O'Connor,	Stiteler,
Brownfield,	Holmes, J. L.,	O'Keefe,	Stone,
Cannon,	Hoopes,	O'Neill,	Storb,
Caputo,	Hough,	O'Rourke,	Stott,
Carey,	Howard,	Peelor,	Surface,
Carson,	Hutton,	Pennock,	Terry,
Cohen,	Kane, J. J.,	Perry, J. J.,	Turner,
Conner,	Kane, L. P.,	Powell,	Wade,
Cooke,	Kinney,	Powers,	Wagner,
Cordier,	Labar,	Price,	Walker, W. A.,
Dane,	Lane,	Quinn,	Wasserman,
Davies,	Lenahan,	Raub,	Way,
Denning,	Lewis,	Rectenwald,	Weidemann,
Downey, J.,	Long,	Reed,	Welsh,
Duffy,	Lord,	Reilly,	Westrick,
Dumire,	Lose,	Rhodes,	White,
Ederer,	Lovett, J. E.,	Rice,	Wike,
Emhardt,	Lovett, W. S.,	Roan,	Williams, G. W.,
Eroe,	Lynch, M.,	Root,	Williams, J. J.,
Evans,	Male,	Roth,	Wilson, L. M.,
Fitzgerald,	Malina,	Royle,	Wilson, T. B.,
Fleisher,	Maloney,	Ruth,	Witkin,
Flinchbaugh,	Marcks,	Sautter,	Wood,
Flynn,	Mason,	Schrope,	Woodside,
Forrest,	McBride,	Schwab,	Wright,
Gallagher,	McClure,	Schwartz,	Yeakel,
Gillette,	McCreary,	Scott,	Yourishin,
Gorman,	McElwee,	Shellenberger,	Zimmerman,
Greenstein,	McGinnis,	Shenkel,	Talbot,
Griffith,	McGregor,	Shettel,	Speaker.
Haines,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 979.

An Act to amend section five of the act approved the twenty-ninth day of June one thousand nine hundred and twenty-three (Pamphlet Laws nine hundred forty-four) entitled "An act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class" providing that county officers shall be members of the salary board when matters affecting their offices are under consideration.

HOUSE BILL No. 1809.

An Act to amend section forty of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as amended changing the number of trout allowed to be caught in one day.

HOUSE BILL No. 1636.

An Act to validate certain municipal liens in the several cities of the third class of the Commonwealth of Pennsylvania and providing the proceedings for the revival and collection thereof.

HOUSE BILL No. 663.

An Act to amend sections one, two and three of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 920), entitled "An act providing for the relocation and change of width, grades and lines of State highways in boroughs by the Secretary of Highways, with the approval of the Governor and commissioners of the proper county, and for the payment of damages occasioned thereby by the county; and repealing certain acts," by extending said act to incorporated towns.

HOUSE BILL No. 1761.

An Act authorizing the county commissioners of certain counties to levy and collect the taxes necessary to pay the interest and principal of any bonds heretofore issued by any one of said counties to repay the money borrowed to maintain and support their poor.

HOUSE BILL No. 2009.

An Act exempting the net amount payable under policies of accident and disability insurance from the claims of creditors.

HOUSE BILL No. 1897.

An Act to further amend section twenty-four of an act approved the first day of June Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by further defining deductions in case of reinsurance.

HOUSE BILL No. 446.

An Act making an appropriation to the Department of Property and Supplies to be expended by it in the payment to the Harrisburg Railways Company of the City of Harrisburg of the unpaid balance of the damages occasioned by the erection by the Commonwealth of the Soldiers and Sailors Memorial Bridge.

HOUSE BILL No. 1765.

An Act empowering the Department of Forests and Waters and the Board of Game Commissioners to purchase in the name of the Commonwealth seated and unseated lands at tax sales held by county treasurers providing for and regulating the payment of the purchase price and redemptions in such cases and providing for the payment of State charges on such lands.

HOUSE BILL No. 687.

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims of the Commonwealth not paid before the insolvency of the insurance carrier

HOUSE BILL No. 1009.

An Act fixing the minimum salaries of county and assistant county superintendents for the terms which will begin on the first Monday of July one thousand nine hundred thirty-four providing for the payment of such minimum salaries by the Commonwealth restricting the number of assistant county superintendents and superseding any inconsistent acts and parts of acts

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 534.

An Act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 179.

An Act to amend section two hundred and twelve of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" by requiring poor districts to pay premiums on treasurers' bonds and providing for depositories for funds of poor districts coterminus with counties of the third class

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1933.

An Act to amend section two of an act approved the twenty-first day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred twenty-seven) entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto" by giving the Governor of this State authority to deliver up certain imprisoned persons for the purpose of trial for murder in the demanding state under certain conditins

Said bill having been recalled frm the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1128

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1128, entitled:

An Act to amend the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended by further regulating the affairs of boroughs and amending and revising the laws relating thereto and altering the requirements regulating publication of auditors notice

And has appointed Messrs. Mansfield, Aron and Baumer a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives.

Resolved (if the Senate concur), That House Bill No. 1106 Printer's No. 437, entitled "An act to provide for the incorporation and regulation of cooperative agricultural [cerdit] [credit] associations having capital stock and defining the limitations powers and duties of such associations," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 25, 1933.

Resolved (if the Senate concur), That House Bill No. 1659, entitled "An act to further amend section seventeen of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred and ten) entitled 'An act to amend section seventeen of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties,' by increasing certain license fees," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 24, 1933.

Resolved (if the Senate concur), That House Bill No. 1107, Printer's No. 929, entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," be recalled from the Governor for the purpose of amendment

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 24, 1933.

Resolved (if the Senate concur), That House Bill No. 744, entitled "An act to amend section one thousand seven hundred and five of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' by requiring the city controller to file his audit in the court of common pleas of the proper county and providing a method of appeal therefrom who may appeal providing for a bond of the appellant the intervention by a taxpayer in an appeal by others entry and enforcement of a judmgent in favor of the city a bond by intervening tax payers the effect of intervention or appeal and the hearing of appeal," be recalled from the Governor for further consideration.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows, viz:

SENATE BILL No. 625.

An Act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts.

SENATE BILL No. 386.

An Act to amend section one of the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred ninety-five) entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants" fixing the compensation of district attorneys in all counties of the fifth and sixth classes.

SENATE BILL No. 727.

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in and ownership of space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, alderman, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws.

SENATE BILL No. 363.

An Act to amend sections one, two, four, five, six and seven of the act, approved the first day of June, one thousand nine hundred and fifteen (P. L. 678), entitled "An act to regulate the sale for agricultural purpose of crushed limestone, lime, gypsum, and related products; defining said products; and prescribing penalties for the violation of this act," extending the provisions of said act so as to regulate the sale of all "liming materials for agricultural purposes," defining said term, and giving the Secretary of Agriculture power in certain cases to revoke licenses issued under this act.

SENATE BILL No. 763.

An Act to amend sections one and four of the act approved the fourteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred four) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State Highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" by providing for the maintenance of the existing highway.

SENATE BILL No. 669.

An Act making an appropriation to the Somerset Community Hospital at Somerset Pennsylvania.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 306

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 306, entitled:

An Act making an appropriation to the Women's Hospital of Philadelphia Preston and Parrish Streets Philadelphia Pennsylvania.

And has appointed Messrs. Frazier, Scott and Armstrong, a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. STEEDLE. Mr. Speaker, I move that a committee of conference be appointed to confer with a similar committee on the part of the Senate.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 306

The SPEAKER. The Chair appoints as committee of conference on the part of the House to confer with a similar committee on the part of the Senate Messrs. Steedle, Laubach and Sarig.

SENATE MESSAGE

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 246.

An Act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto.

Mr. BLUMBERG. Mr. Speaker, I move that the House insist on its amendments nonconcurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

LOCAL BANKS TO RECEIVE DEPOSITS OF CHAIN CORPORATIONS

Mr. QUINN asked and obtained unanimous consent to offer the following resolution which was twice read and laid over under the rules.

In the House of Representatives, April 25, 1933.

Whereas, Statistics show that seventy per centum of the mercantile business of the Nation is handled and conducted by chain stores; and

Whereas, Seventy-five per centum of the moneys received by chain stores in the smaller cities and localities is withdrawn from such cities and localities and deposited in banks in New York, London and other large financial centers; and

Whereas, The present financial condition of many banks has been brought about by the withdrawing of capital from the smaller centers of population by chain stores and corporations; and

Whereas, If this withdrawal of capital from smaller localities is continued and persisted in, the banks in such localities will soon be unable to continue in business; therefore be it

Resolved, That His Excellency, the Governor, is requested to issue a proclamation calling upon chain stores, insurance companies and other chain corporations to deposit and leave in banks located in the communities from which their receipts are drawn as much thereof as is possible in the conduct of their business to the end that the banks may continue to exist and the business of such communities be preserved and fostered; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the House to His Excellency, the Governor.

RESOLUTION

JOINT COMMITTEE TO INVESTIGATE INCREASING COST OF EDUCATION

Mr. WILSON asked and obtained unanimous consent to offer the following amendment which was twice read and laid over under the rules.

In the House of Representatives, April 25, 1933.

Whereas, The legislation introduced and pending during this Session of the Legislature on school matters has brought to those who have been devoting their time to school affairs a knowledge of the increasing load of taxation for school purposes that is being forced upon the taxpayer; and

Whereas, It has become evident that the property owner can no longer endure the payment of the excessive tax rate that is imposed upon him by reason of the requirements of the school law and that school districts will become bankrupt and their schools closed if no relief is afforded; therefore be it

Resolved (if the Senate concur), That a committee of three Senators to be appointed by the President Pro Tempore of the Senate and four Members of the House of Representatives to be appointed by the Speaker of the House is hereby constituted a Legislative Committee to investigate the cause of the increasing cost of education to the school districts and methods whereby such cost can be reduced.

Such committee shall make a report of their investigation to the next Session of the Legislature and shall accompany their report with recommendations of any changes it feels would result in lowering the cost to local communities of conducting their schools and with copies of drafts of bills intended to carry out its recommendations.

The members of said committee shall receive no compensation for their services, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

REPORTS FROM COMMITTEES

Mrs. PENNOCK, from the Committee on Elections, reported as committed, House Bill No. 1088, entitled:

An Act requiring a candidate for State and local offices who has received the nomination of more than one party for the same office to certify for which party he desires to be a candidate; providing the effect of so certifying or failure to certify.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 1154, entitled:

An Act making an appropriation to the Department of Military Affairs for payment of property damages occasioned by a motor truck, the property of the Federal Government, and in possession of, the National Guard of Pennsylvania.

Mr. McKAY, from the Committee on Highways, reported as committed, House Bill No. 1813, entitled:

An Act establishing as State highways all existing township roads in townships of the second class which have not heretofore been established as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; authorizing the Secretary of Highways under certain conditions to petition the Court of Quarter Sessions to vacate certain of said roads; and making an appropriation out of the Motor License Fund.

Mr. WADE, from the Committee on Highways, reported as amended, House Bill No. 1823, entitled:

An Act to amend section eight hundred and three of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibusses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused penalties; imposing certain costs upon counties; providing for by the negligent operation of their motor vehicles; imposing the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by adding thereto paragraph (f) providing that fire department and fire patrol apparatus may have a red head lamp on the left side.

Mr. HAINES, from the Committee on Highways, reported as committed, House Bill No. 2328 (Senate Bill No. 955), entitled:

An Act authorizing the Department of Highways to enter into an agreement or agreements with the Highway Commission of the State of New Jersey for the construction under certain terms and conditions of a free bridge across the Delaware River at or near Yardley; granting certain powers to the Department of Highways in connection with said construction and making an appropriation.

Mr. SPANN, from the Committee on Judiciary General, reported as committed, House Bill No. 2329 (Senate Bill No. 994), entitled:

An Act to prevent fraud and deception in the sale and offering for sale of rebuilt electric storage batteries, and prescribing penalties for violation thereof.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2337 (Senate Bill No. 367), entitled:

A Further Supplement to the act approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges," and making an appropriation for carrying the same into effect.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2341 (Senate Bill No. 1334), entitled:

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2343 (Senate Bill No. 1337), entitled:

A Supplement to the act approved the eleventh day of June, one thousand nine hundred and thirty-one (Appropriation Acts page sixteen), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one," providing for deficiencies in certain appropriations for the fiscal biennium ending May thirty-first, one thousand nine hundred and thirty-three.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2344 (Senate Bill No. 1531), entitled:

An Act making an appropriation for unemployment relief contingently upon the approval by the voters of a constitutional amendment authorizing the borrowing of twenty-five million dollars to defray the expenses of State government for the biennium beginning June first one thousand nine hundred thirty-three.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2345 (Senate Bill No. 1352), entitled:

An Act to amend sections one, two and three of the act approved the nineteenth day of August, one thousand nine hundred thirty-two (Pamphlet Laws eighty-eight), entitled "An act creating the State Emergency Relief Board, consisting of the Governor, the Lieutenant Governor, the Auditor General, State Treasurer, and the Speaker of the House of Representatives; prescribing its powers and duties; empowering the Governor to disburse moneys received from the Federal Government for the relief of the unemployed in accordance with plans adopted by the board; and making an appropriation."

Mr. SIMON, from the Committee on Highways, reported as committed, House Bill No. 2328 (Senate Bill No. 955), entitled:

An Act authorizing the Department of Highways to enter into an agreement or agreements with the Highway Commission of the State of New Jersey for the construction under certain terms and conditions of a free bridge across the Delaware River at or near Yardley granting certain powers to the Department of Highways in connection with said construction and making an appropriation.

Mr. MALINA, from the Committee on Judiciary General, reported as committed, House Bill No. 2335 (Senate Bill No. 104), entitled:

An Act requiring the Department of Revenue to prepare and distribute lists of certain stocks and securities which in its opinion are exempt from the city and county tax on intangible personal property.

Mr. ROOT, from the Committee on Judiciary General, reported as committed, House Bill No. 327 (Senate Bill No. 58), entitled:

An Act to amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," as amended, by changing the compensation of members of the General Assembly.

BILLS ON FIRST READING

The following bills were read the first time pursuant to resolution presented by the Rules Committee fixing the order of the day.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1088, entitled:

An Act requiring a candidate for State and local offices who has received the nomination of more than one party for the same office to certify for which party he desires to be a candidate; providing the effect of so certifying or failure to certify

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1154, entitled:

An Act making an appropriation to the Department of Military Affairs for payment of property damages occasioned by a motor truck, the property of the Federal Government, issued to, and in possession of, the National Guard of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1813, entitled:

An Act establishing as State highways all existing township roads in townships of the second class which have not heretofore been established as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; authorizing the Secretary of Highways under certain conditions to petition the Court of Quarter Sessions to vacate certain of said roads; and making an appropriation out of the Motor License Fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1823, entitled:

An Act to amend section eight hundred and three of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing of operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles

and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds;" by adding thereto paragraph (f) providing that fire department and fire patrol apparatus may have a red head lamp on the left side.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2328 (Senate Bill No. 955), entitled:

An Act authorizing the Department of Highways to enter into an agreement or agreements with the Highway Commission of the State of New Jersey for the construction under certain terms and conditions of a free bridge across the Delaware River at or near Yardley granting certain powers to the Department of Highways in connection with said construction and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2329 (Senate Bill No. 994), entitled:

An Act to prevent fraud and deception in the sale and offering for sale of rebuilt electric storage batteries and prescribing penalties for violation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2337 (Senate Bill No. 367), entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (Pamphlet Laws two hundred thirteen) entitled "An act to accept the grant of public lands by the United States to the several states for the endowment of Agricultural Colleges" and making an appropriation for carrying the same into effect.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2341 (Senate Bill No. 1334), entitled:

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2343 (Senate Bill No. 1337), entitled:

A Supplement to the act approved the eleventh day of June one thousand nine hundred and thirty-one (Appropriations Acts page sixteen) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one" providing for deficiencies in certain appropriations for the fiscal biennium ending May thirty-first one thousand nine hundred and thirty-three.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2344 (Senate Bill No. 1351), entitled:

An Act making an appropriation for unemployment relief contingently upon the approval by the voters of a constitutional amendment authorizing the borrowing of twenty-five million dollars to defray the expenses of State Government for the biennium beginning June first one thousand nine hundred thirty-three.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2345 (Senate Bill No. 1352), entitled:

An Act to amend sections one two and three of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws eighty-eight) entitled "An act creating the State Emergency Relief Board consisting of the Governor the Lieutenant Governor the Auditor General State Treasurer and the Speaker of the House of Representatives prescribing its powers and duties empowering the Governor to disburse moneys received from the Federal Government for the relief of the unemployed in accordance with plans adopted by the board and making an appropriation."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2328 (Senate Bill No. 955), entitled:

An Act authorizing the Department of Highways to enter into an agreement or agreements with the Highway Commission of the State of New Jersey for the construction under certain terms and conditions of a free bridge across the Delaware River at or near Yardley granting certain powers to the Department of Highways in connection with said construction and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2335 (Senate Bill No. 104), entitled:

An Act requiring the Department of Revenue to prepare and distribute lists of certain stocks and securities which in its opinion are exempt from the city and county tax on intangible personal property.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

The SPEAKER. The Chair is of opinion that due to the fact that there are only eight bills remaining on the third reading calendar it will not be necessary to hold a night session.

ADJOURNMENT

Mr. McCANDLESS. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 26, 1933 at 11:00 o'clock A. M.

The motion was agreed to, and (at 6.15 P. M.) the House adjourned until Wednesday, April 26, at 11:00 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 **130th of the General Assembly**

Vol. 15 HARRISBURG, PA., WEDNESDAY, APRIL 26, 1933 No. 56

SENATE

WEDNESDAY, April 26, 1933

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Thy throne, O God, is forever and ever. The scepter of Thy kingdom is a righteous scepter. Help us as we seek to do the things which will accomplish the welfare of Thy children in this Commonwealth, build up this State as a Commonwealth which is God-fearing as well as law-abiding. Bless us all today, the members of the Senate, the newspaper men and the pages, and all of the employes. Help us all to work together to accomplish the things which are pleasing in Thy sight. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WILLIAMSON, the further reading was dispensed with, and the Journal was approved.

PETITIONS

FAVORING HOUSE BILL No. 925

The Chair cleared his table and laid before the Senate petition from the Pennsylvania Labor Standards Committee favoring House Bill No. 925.

Which was referred to the Committee on Judiciary General.

FAVORING SENATE BILL No. 758

Mr. BELL presented petitions from numerous citizens throughout Fayette and Westmoreland Counties favoring Senate Bill No. 758.

Which were referred to the Committee on Judiciary General.

LEAVE OF ABSENCE

Mr. SCOTT asked and obtained leave of absence for the Senator from Allegheny, Mr. Brandt.

FOREST FIRE EXTINCTION COSTS

Mr. SCOTT presented the following data relative to forest fire extinction costs, by Charles E. Dorworth, Former Secretary of Forests and Waters:

FOREST FIRE EXTINCTION COSTS

What Governor Pinchot Said
What Published Official Records Show

By Charles E. Dorworth
Former Secretary of Forests and Waters

To the Legislature, and the People of Pennsylvania:

In his budget message to the Legislature on January 10, 1933, Governor Pinchot, in asking for $100,000 deficiency appropriation for the cost of controlling forest fires, said:

> "The deficiency appropriation of $600,000 made at the last regular session of the Legislature failed to cover the bills for the 1929-31 biennium by the amount of $73,000. As a result, a further appropriation is required.
>
> "It may interest you to know that in 1932 there were 4810 fires which cost approximately $163,000 to extinguish, or an average of $34 per fire, as compared with 6790 fires in 1930 costing $676,000, or an average of $100. The cost per fire was three times as much in 1930 as in 1932. That is the difference between professional and political leadership in forestry."

When the foregoing came to my notice, I recognized instantly that it was so misleading because it was so palpably stating only a part-truth, that Governor Pinchot would, in all common fairness, withdraw it or at least tell the Legislature and the people just what the official records actually show.

I have waited more than a reasonable time for him to do this, and since he has not done so I feel that I owe it to the Legislature and to the people of Pennsylvania to set forth facts and figures embodied in the official records of the Department of Forests and Waters.

This I shall do without engaging in personalities, quite content to let the people whose money supports forestry in Pennsylvania decide for themselves whether their Governor was frank and fair with them.

If they decide that he was, then the least that I could and should do would be to apologize to them. And I'll do it. If they conclude, after studying the official records, that the Governor stated only a part-truth, and put in such way as to be unfair and misleading to them, then they may feel that he should apologize to them.

The Governor, or any other citizen, has the fullest right to criticize things set forth in the official records at Harrisburg. It is, I believe, quite generally recognized that a single item in any record should not be picked out for criticism in such manner as to convey the impression that it is typical of the whole record. Common ethics, I have understood, to say nothing of good sportsmanship, requires the stating of the whole record, and this by any critic who wants to be and is fair.

I am not concerned with the Governor's allusion to leadership. It is his privilege to have any viewpoint that may suit his convenience. It may be that his viewpoint on this and many other things is the only perfect one in all the world.

It is quite true that there are different kinds of leadership. One is the leadership that craves front-page newspaper notoriety. How true the old saying, if there were no brass buttons there would be fewer parades.

There is the leadership that sets out to do things, and does them, and is content to let official records speak for themselves.

I regret most sincerely the necessity of my saying that the official published record of the Department of Forests and Waters reveal Governor Pinchot's statement pertaining to for-

est fire extinction costs as being so incomplete and therefore so misleading that the Legislature and the people of Pennsylvania should have available for careful consideration a more complete and more enlightening statement.

Attached hereto is a summary statement on forest fires compiled from published official reports of the Department of Forests and Waters issued in 1932. Attached also is a summary statement on forest land purchased, taken from the official records. I invite a careful study of these statements. The statement on forest fires will enable the Legislature and the people to determine at a glance whether the Governor stated merely a part-truth that appeared to be to his advantage, and at the same time with-held from them many additional important facts in the same records for reasons seemingly satisfactory to himself.

Now just what are these facts as established by official records—the one fact that Governor Pinchot set forth, and the other facts that he studiously avoided making known to the people.

Governor Pinchot said that the cost per fire was three times as much in 1930 as in 1932 This is nearly true, but not quite so. It instantly becomes apparent that by drawing such a comparison Governor Pinchot conveyed the inference that comparison of other years would be found to show much the same difference. It is to be assumed, of course, that the Governor's statement was prepared with due care.

Common fairness should have prompted Governor Pinchot to say to the Legislature that there were almost two thousand more forest fires in Pennsylvania in 1930 than in any year since forest fire records have been kept in this Commonwealth. And in the same spirit of fairness he should have said that the most unusual and unprecedented summer fire season of that year was responsible for most of the abnormally high extinction cost. These and other explanatory facts about the 1930 fire season are all available in the official records of the Department of Forests and Waters.

Governor Pinchot, as a forester, as a former member of the State Forest Commission, and one-time head of the Department of Forests and Waters, knew only too well when he made his statement that comparisons on the basis of single years with such an uncertain agent as forest fires was unfair to the Legislature and to the people. That he was unfair to me as a former head of the department is of no particular consequence.

However, since Governor Pinchot did make comparisons on the basis of single years, I may be pardoned for observing that he should have honorably stated to the Legislature, and to the people, exactly what the official records show, namely, that in 1926, which was the last year of the previous Pinchot administration, the forest fire extinction cost averaged $60.80 per fire. This cost was almost three times the cost of the first year (1927) of my administration of the department, when it averaged only $23.16.

It might be pointed out, since Governor Pinchot avoided mention of it, that this average of $23.16 in 1927 was the lowest average cost the last thirteen years.

And the Governor could have mentioned also that the average cost in 1932 was more than forty-six per cent. higher than five years earlier, in 1927.

These figures are from the official records. The Governor had these records before him when he prepared his statement. The Legislature, and the people of the State, will not find it difficult to conclude why he picked out two particular years for purpose of comparison, and said nothing about the other years.

Governor Pinchot's request to the Legislature for a deficiency appropriation for forest fire extinction cost brings vividly to my mind that one of my first official acts, after becoming head of the Department of Forests and Waters, was to advise Governor Fisher of the imperative need of a deficiency appropriation for similar emergency costs because the funds provided my predecessor for that purpose had been used up, all but a very few thousand dollars. This was unavoidable so far as my predecssor was concerned, and, with my compliments to Governor Pinchot, I might mention that we honorably viewed it in exactly that light. Happily, the major portion of the deficiency appropriation granted us was not needed and we promptly returned the unexpended balance to the Treasury.

Continuing with the Governor's idea of comparison of single years in forest fire extension cost, the official records show that the average cost in 1928 was $39.32, and in 1929 was $24.06. For some strange reason he did not mention the fact that the average cost per fire in 1932 marked an increase of more than forty per cent. over the average for 1929.

It would have been enlightening to the Legislature and to the people had the Governor told them, as the official records show, that in the last year of the previous Pinchot administration the average damage per fire was $406.69, while in the four years (1927-30) of my service under Governor Fisher the average ranged from $43.32 in 1929, to $174.96 in 1930.

The average per fire of $42.32 in 1929 was the lowest since department records have been kept.

The $406.69 avarage damage per fire in the last year of the previous Pinchot administration was the highest in any year since 1920. These are official figures.

Governor Pinchot, as a forester, will concede, but even if not so, there are many highly rated foresters who do believe, that one of the very best criterions for measuring efficiency of a forest fire fighting organization is the average acre burned per fire.

The records show that the largest area burned since 1920 was in 1923 when the fires averaged 105 acres, and that the best year was 1929 when the fires averaged less than 17 acres per fire. These same official records show that the forest fire damage of 1930 was $1,188,127.29, whereas in 1926 it was $1,186,326.65. So that it would appear that the damage in the last year of the previous Pinchot administration was only $1,800.64 less than in 1930, whereas there were 3,874 more forest fires in 1930 than in 1926.

The lowest total forest fire damage in Pennsylvania since records have been kept was in 1927 when it amounted to $95,735.55, and the next lowest year was 1929.

Through the blessing or blight of Providence, whichever way you care to view it, neither of these years happened to be in a Pinchot administration. Both years happened to be during Governor Fisher's administration.

Governor Pinchot, as an international forester, might find it most annoying, to say to any group of foresters, at home or abroad, that comparison of single years to obtain forest fire statistics is a sound basis, and that such practice gives a true picture of the situation.

I am entirely willing to leave the decision to foresters generally, feeling quite confident what their decision will be.

A very much better and fairer, certainly a much sounder, basis for comparison is to consider the average extinction cost per fire and the average damage per fire during a period such as the past ten years. This includes both the present and the previous Pinchot administrations and the intervening administration (Governor Fisher) for four years. Taking this period as a basis, and taking the official published figures supplied by Governor Pinchot for 1932 in his budget message, it is found that there is a difference of less than $4 in the average extinction cost per fire.

The total forest fire damage during the first Pinchot administrationl was more than $800,000.00 greater than during the whole Fisher administration.

The total forest fire damage during the first year (1931) of the present Pinchot administration (the last year for which published figures are available) was more than $30,000.00 greater than the total damage in not only the first year but the first two years of the Fisher administration.

These facts alone would seem to suggest to the intelligence of the Legislature and the people of Pennsylvania how little Governor Pinchot gave them and how much he concealed from them.

With emphasis upon my expressed belief that it was through no fault of my predecessor who had to work with limited funds, it is nevertheless a fact and one well known throughout the forestry service in Pennsylvania, that when I assumed charge of the Department of Forests and Waters things generally were at an extremely low ebb. Field equipment was in deplorable condition, State houses for rangers lacked common comforts of homes, forest roads and trails were sadly although unavoidably run down, wages in many instances were a disgrace.

Thanks to Governor Fisher, who made no claims to being a forester, and to the substantial help of two splendid Legislatures, we were able to achieve results for Pennsylvan a forestry constituting a march of progress through four constructive years.

As the official records show, we scored a phenomenal record for forest land purchase, acquiring one of the largest areas

purchased in any single administrative period in the last twenty-five years.

We purchased during Governor Fisher's administration 296,691 acres, at an average of about $2.88 per acre.

In addition, more than 75,000 acres were contracted for, with approval by the State Forest Commission, but were not actually deeded to the Commonwealth until 1931. These 75,000 acres are therefore credited in the official records to the present Pinchot administration, athough most of the purchase work was done during the Fisher administration.

During Governor Pinchot's first administration, the official records show exactly 632 acres acquired through regular purchases. More than twice this number, or 1300 acres, were added through gifts and as vacant land.

The total acquired during the first Pinchot administration was 1932 acres—the smallest acreage added during any administration since State forest land purchases were begun in 1898.

When I assumed charge of the Department of Forests and Waters practically no land purchasing organization was functioning. It was necessary to develop an entirely new purchasing organization, since practically little or no land had been purchased since 1922. Revival of purchase work involved a tremendous amount of labor in considering the many land offers and field examination of countless thousands of acres. August 24, 1927, the State Forest Commission met and approved a land purchase policy. November 23, 1927, a second meeting was held. During these two meetings nearly 30,000 acres were formally approved for purchase, but the lands could not all be deeded to the Commonwealth in that year.

Salaries and wages, both in office and field, were increased in line with merit. Field equipment was improved to a point never before attempted, at least accomplished. A co-operative financing and construction system with the Highway Department was broadened whereby a forest road building program that excited the envy of other states was made possible. For the first time in the history of the department all forest road work, construction and maintenance, was placed under the supervision of a thoroughly qualified engineer employed by me upon the recommendation of the then Secretary of Highways. State houses for rangers were put in repair and reasonable comforts installed. With the sympathetic co-operation of the then president of the Game Commission and the then Commissioner of Fisheries a better an dmore helpful and more constructive relationship was established among the field forces of the three respectvie departments.

For many years the State Forest School at Mont Alto and the forest school at The Pennsylvania State College, both maintained by State appropriation, had been in operation with resultant duplication of effort and expense. Elimination of this duplication had been deemed advisable by various administrations, in fact back to the days of the late lamented Dr. Rothrock, dean of Pennsylvania forestry. As a common-sense, business proposition we effected a merger of the activities of the two schools.

These are some of the things we accomplished. Call it leadership, or what you may, the knowledge that we achieved worthwhile results is sufficiently gratifying to me.

This and one thing more—a very happy recollection of four years that I was privileged to work with and for one of the finest groups of men and women constituting any branch of service for the Commonwealth.

PENNSYLVANIA FOREST FIRE STATISTICS

(SUMMARY BY CALENDAR YEARS 1913-32)

Year	Number of Fires	Total Area Burned Acres	Average Area per Fire Acres	Amount of Damage	Average Damage per Fire	Cost of State for Extinction	Extinction Cost to State per Fire
1913	937	386.267	412	*$ 719,426.67	*$767.80	*$ 26,683.88	*$28.48
1914	1182	360.236	305	717,573.23	607.08	31,318.44	26.50
1915	1079	340.621	316	874,557.79	810.53	27,150.79	25.16
1916	1012	143.294	141	253,025.30	250.02	13,760.86	13.60
1917	1902	286.108	150	550,831.17	289.61	27,160.28	14.28
1918	1625	227.484	140	410,637.40	252.70	25,374.83	15.62
1919	950	126.626	133	279,395.50	294.10	13,264.79	13.96
1920	1597	256.158	160	1,007,868.30	631.10	43,105.97	26.99
1921	2409	188,535	78	329,738.64	136.88	60,941.12	25.30
1922	3635	332,326	91	670,149.11	184.36	185,041.77	50.91
1923	3539	375,737	105	794,727.37	224.56	158,825.45	44.88
1924	1997	95,792	47	204,296.60	102.30	63,793.35	31.94
1925	2562	125,150	48	380,357.64	148.46	85,777.64	33.48
1926	2917	224,255	76	1,186,326.65	406.69	177,353.41	60.80
1927	1246	37,680	30	95,735.55	76.83	28,856.14	23.16
1928	2534	111,631	44	360,640.58	142.32	99,380.14	39.22
1929	2467	41,929	16	104,401.76	42.32	59,368.33	24.06
1930	6791	314,033	46	1,188,127.29	174.96	676,331.87	99.59
1931**	4020	149,115	37	490,116.06	121.92	205,076.21	51.01
1932***	4810	.....	...	.....	.....	163,000.00	34.00

*Developed from published official records of Penna. Dept. Forests and Waters.
**Preliminary figures.
***From Governor Pinchot's Budget Message.

FOREST LANDS PURCHASED 1898-1931

(FROM May 5, 1932, SERVICE LETTER OF PENNSYLVANIA DEPT. OF FORESTS AND WATERS)

Year	Area as of Jan. 1 Acres	Area as of Jan. 1 Perches	Acquisition During Year Acres	Acquisition During Year Perches
1898	.....	.....	17,009	141
1899	17,009	141	.....	.....
1900	17,009	141	78,130	120
1901	95,140	101	44,396	85
1902	139,537	26	175,035	13
1903	314,572	39	87,984	93
1904	402,556	132	142,243	15
1905	544,799	148	86,625	51
1906	631,425	39	67,848	70
1907	699,273	109	50,835	39
1908	750,108	148	75,230	132
1909	825,339	121	88,300	95
1910	913,640	57	17,183	87
1911	930,823	145	32,426	21
1912	963,250	6	16,023	51
1913	979,273	58	11,777	23
1914	991,050	81	9,354	97
1915	1,000,405	19	3,639	76
1916	1,000,405	95	8,135	88
1917	1,012,180	23	5,593	74
1918	1,017,773	97	14,459	120
1919	1,032,233	57	16,459	50
1920	1,048,692	107	59,783	49
1921	1,108,475	156	17,760	124
1922	1,126,236	120	4,273	111
1923	1,130,510	71	766	46
1924	1,131,276	118	334	60
1925	1,131,611	19	172	43
1926	1,131,783	62	660	67
1927	1,132,443	129	607	....
1928	1,133,050	129	39,639	83
1929	1,172,690	54	118,001	51
1930	1,290,691	105	138,443	62
1931	1,429,135	7	116,399	142
1932	1,545,534	149	.....	....

HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 175 (Senate Bill No. 1466), entitled:

An Act making an appropriation to the Department of Military Affairs for payment of property damages occasioned by a horse, the property of the Federal Government, issued to, and in possession of, the National Guard of Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1271 (Senate Bill No. 1467), entitled:

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims of the Commonwealth.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN SENATE BILL No. 72

He also returned to the Senate, Senate Bill No. 72, entitled:

An Act prescribing penalties to be imposed upon conviction of stealing poultry.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 487

He also returned to the Senate, Senate Bill No. 487, entitled:

An Act to amend section one thousand thirty-four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing how executions on judgments against counties may be issued, the procedure thereon; authorizing the court to direct the levy of a tax to satisfy such judgments, and fixing the rate of interest which such judgments shall bear.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 788

He also returned to the Senate, Senate Bill No. 788, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase of certain veins and seams of coal or minerals underlying lands of the Commonwealth occupied by the State Tuberculosis Sanatorium at Cresson.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 996

He also returned to the Senate, Senate Bill No. 996, entitled:

An Act to validate sales of mortgaged real estate made by sheriffs on writs of fieri facias without inquisition where the sales were made under judgments upon the bonds, not containing waivers of inquisition, accompanying such mortgages.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 1032

He also returned to the Senate, Senate Bill No. 1032, entitled:

An Act authorizing the courts of common pleas of this Commonwealth in certain cases, to extend the return days of writs and providing for the effect of such extensions.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 1207

He also returned to the Senate, Senate Bill No. 1207, entitled:

An Act to amend section two of the act approved the first day of June, one thousand nine hundred and thirty-one (Pamphlet Laws two hundred and ninety-nine), entitled "An Act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax, separately from the price of such liquid fuels, no liquid fuels price display signs; and imposing a penalty," and providing for the disposition of fine.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 1027

He also returned to the Senate, Senate Bill No. 1027, entitled:

An Act authorizing the conveyance to the United States of America of a certain tract of land in or near Petersburg, Virginia.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 314

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 314, entitled:

An Act to amend section seven hundred five, of the act approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "Game Law," as amended, permitting the killing of more than one legal deer in one season by a member at a camp or body of men hunting together so long as the number of deer killed by such camp does not exceed six.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1899

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1899, entitled:

An Act to further amend section three hundred twenty-one of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, six hundred eighty-two), entitled "An act relating to insurance, amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further defining deductions in case of reinsurance.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1898

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1898, entitled:

An Act to further amend section seven hundred fourteen of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "Fiscal Code," by further defining deductions in case of reinsurance.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 30

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 30, entitled:

An Act to amend section two thousand five hundred and fifty-six of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law" providing for the fixing of the salary of the city treasurer as collector of city, school and poor taxes and for the number and salaries of assistants jointly by the city council and board of school directors, and for payment of such salaries and other expenses in connection with his office equally by the city and school district; and requiring the city and school district to pay the premiums on the bonds required to be given to the city and school district.

SENATE BILL No. 489 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 489, entitled:

An Act establishing as State highways certain condemned or abandoned turnpikes and turnpikes the companies or associations owning which have been dissolved, and requiring their construction, repair and maintenance as such.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 2, line 8 by inserting after the word "laws" the following: "Provided That no turnpike shall be taken over by the Commonwealth under the provisions of this act if a contract for the improvement thereof has been entered into between a contractor and the Commonwealth or local authorities or both until such contract shall have been completed

"In adopting and taking over as State highways any public roads in the several counties in which such turnpikes are located under any allotment to such counties made or to be made by under or by authority of any other act of Assembly enacted either at this or any future session of the General Assembly sixty per centum of the mileage represented by the turnpikes taken over as State highways by this act shall be charged against and deducted from the mileage otherwise allotted or to be allotted to such several counties under such other acts and no other allottment made or to be made by any such act shall inure to the benefit of any such county until sixty per centum of the mileage of the turnpikes in such county taken over by this act have been deducted therefrom"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—0

NAYS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS TO SENATE BILL No. 571

He also presented communication from the House of Representatives, informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 571, entitled:

An Act in relation to the procedure in cases at law in which certain questions other than of jurisdiction over the defendant or of the cause of action are raised preliminarily.

MOTION TO APPOINT COMMITTEE OF CONFERENCE

Mr. MILLER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments to the foregoing bill, and that a committee of conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Frazier, Miller and Armstrong be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS TO SENATE BILL No. 246

He also presented communication from the House of Representatives, informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 246, entitled:

An Act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto.

MOTION TO APPOINT COMMITTEE OF CONFERENCE

Mr. EALY. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments to the foregoing bill, and that a committee of conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Ealy, Staudenmeier and Rice be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Frank S. Napierkowski, Pittsburgh.

LACKAWANNA COUNTY

Thomas A. Garvey, Carbondale.

NORTHAMPTON COUNTY

Paul T. M. Hahn, Easton.

PHILADELPHIA COUNTY

Miss A. E. Daly, Philadelphia.
Joseph F. Marcer, Philadelphia.
Harry W. Raff, Philadelphia.

BERKS COUNTY

Leroy Klopp, Reading.

GIFFORD PINCHOT.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 445

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows and agreed to:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 445, Printer's No. 834, entitled: "An Act to amend sections 703, 1015, 1406, 1902, 2103, 2403, Clause 53, 2559, 2562, 2563, 2564, 2566, 2567, 2601, 2620, 2621, 2706, 2955, 2978, 3206, 3211, 3212, 3501, 3801 and 3803 of, and to add sections 1913 and 2990 to, the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law"; providing for vacancies in office and the filling thereof where persons elected fail to qualify, for the publication of ordinances, for the deposit of funds by the city treasurer, for exemption from advertisement of contracts with the Commonwealth, for a platoon system for paid men of volunteer fire departments, for group insurance, for the exoneration of tax collectors and the settlement of their duplicates, for penalties and interest on taxes, for the collection of delinquent taxes, for the licensing of transient merchants and businesses, for the acquisition of unobstructed views, for detours, for the construction of sewage treatment works, and the acquisition of property therefor, for the collection of a frontage tax for water mains and certain license taxes, that the powers of the Shade Tree Commission may be exercised by council, for the advertisement of contracts in trade journals, and for the improvement of boundary streets," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEE

Mr. PETHICK, from the Committee on Military Affairs, reported as committed, Senate Bill No. 1261 (House Bill No. 504), entitled:

An Act to amend paragraph (b) of section four hundred forty-eight of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal School, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined"; as amended, by providing for the place where Veterans' Commission records shall be filed and the place where its office shall be established; providing for the employment of veterans by said commission.

Mr. FRAZIER, from the Committee on Corporations, reported as committed, Senate Bill No. 1237 (House Bill No. 1076), entitled:

An Act requiring the Secretary of the Commonwealth to inquire into the purposes of the incorporators of labor groups and to approve or disapprove their incorporation or right to do business within the Commonwealth.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 25, 1933.

To the Honorable, the Senate of the Commonwelath of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

W. R. Amos, Pittsburgh.
Miss Irene Kovacs, Pittsburgh.

BERKS COUNTY

Mrs. Eva M. Millard, Reading.
Miss Dorothy M. Stump, Robesonia.

CARBON COUNTY

Frank Lench, Tresckow.

FAYETTE COUNTY

Miss Bertha R. Grigsby, Uniontown.
Joseph C. McGill, Dawson.

JEFFERSON COUNTY

Miss Nan C. Wilson, Punxsutawney.

PHILADELPHIA COUNTY

Miss Verna Martin, Philadelphia.

WASHINGTON COUNTY

Miss Margaret Townsend, Washington.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF THE MOTHERS' ASSISTANCE FUND

TIOGA COUNTY

(Mrs. Effie, A. Ryon, Lawrenceville, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Bertie F. Merrick, Wellsboro, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Naomi B. Davies, Blossburg, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Frances P. Critchton, Wellsboro, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Martha Barden Warren, Elkland, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Gertrude S. Strang, Westfield, from August 20, 1932, until June 1, 1933, and until her successor is duly appointed and qualified.

McKEAN COUNTY

(Mrs.) Maude Kebler Kane, from August 20, 1932, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Fantine Rogers Burdick, Mt. Jewett, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Miss) Mae E. Choate, Smethport, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mame Butler, Kane, from August 20, 1932, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Rena Anderson, Port Alleghany, from August 20, 1932 until June 1, 1937, and until her successor is duly appinted and qualified.

(Mrs.) Emma G. Bovaird, Bradford, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Eva S. Fannin, Bradford, from August 20, 1932 until June 1, 1935, and until her successor is duly appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS COLLEGE

(Mrs.) Mary V. Darrin, Wellsboro, from August 20, 1932, for the term of four years, and until her successor is qualified.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Mrs. Rowena R. Engle, of New Sheffield, Beaver County, as Justice of the Peace in the Township of Hopewell, Beaver County, vice her husband, Paul Engle, deceased, until the first Monday in January, 1934.

Milton H. Diehl, of Mount Bethel, Northampton County, as Justice of the Peace in the Township of Upper Mt. Bethel, Northampton County, until the first Monday in January, 1934.

David A. Hatter, of Donaldson, Schuylkill County, as Justice of the Peace in the Township of Frailey, Schuylkill County, vice H. L. Hatter, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

Malcolm A. Lloyd, of Altoona, Blair County as Justice of the Peace in the Township of Logan, Blair County, vice Harry H. Figart, resigned, until the first Monday in January, 1934.

Harry R. Quinby, of Carversville, Bucks County, as Justice of the Peace in the Township of Solebury, Bucks County, vice George C. Butler, resigned, until the first Monday in January, 1934.

Charles D. Cooper, of Harmonsburg, Crawford County, as Justice of the Peace in the Township of Summit, Crawford County, vice Wilbur P. Putman, deceased, until the first Monday in January, 1934..

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent.

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. HOMSHER. Mr. President, I move that the Executive Session do now rise.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED

Mr. SCOTT read in his place and presented to the Chair Senate Bill No. 1468, entitled:

An Act authorizing State departments, boards and commissions, with the consent and approval of the executive board, to charge and collect certain fees.

Which was committed to the Committee on Finance.

Mr. REED read in his place and presented to the Chair Senate Bill No. 1469, entitled:

An Act adjourning treasurers' sales of lands in cities of the third class to be held in the year one thousand nine hundred and thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four, or any later date to which such sales may be adjourned, and suspending existing laws.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 1470, entitled:

An Act adjourning county treasurers sales of seated and unseated lands to be held in the year one thousand nine hundred thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four or any later date to which such sales may be adjcurned and suspending existing laws.

Which was committed to the Committee on Judiciary General.

RESOLUTION REQUESTING CONGRESS TO REJECT LEGISLATION TO COMPEL BLENDING OF ALCOHOL WITH GASOLINE

Mr. SCOTT offered the following resolution, which was twice read:

In the Senate, April 26, 1933.

Whereas, The Commonwealth of Pennsylvania now taxes gasoline three cents per gallon, and exacts special registration fees on all motor vehicles; while the Federal Government also taxes gasoline, motor vehicles and accessories; and

Whereas, There is demand from certain special interests for legislation to compel blending of alcohol with gasoline; and

Whereas, Such blending would increase the price of gasoline about three cents per gallon, amounting to a special tax on the already overburdened motorist; and

Whereas, The only beneficiaries would be the manufacturers of alcohol; therefore be it

Resolved (if the House of Representatives concur), That Congress of the United States is requested to reject any legislation to compel blending alcohol with gasoline;

Resolved, That certified copies of this resolution be forwarded by the Chief Clerk of the House of Representatives to each branch of the Congress and to each Senator and Representative from Pennsylvania in Congress of the United States.

Mr. SCOTT. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee be suspended and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

TIME OF NEXT MEETING

Mr. KRAUSE offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 26, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, May 1, at nine o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, May 1, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 102, entitled:

An Act authorizing county treasurers to make, execute, acknowledge and deliver deeds of seated lands sold by them for delinquent taxes under the provisions of an act of Assembly of the Commonwealth of Pennsylvania, approved the ninth day of May, one thousand nine hundred and twenty-nine (P. L. 1684), entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assesed on such seated lands by authority of any county borough, town, township, school district and poor district are delinquent and remain unpaid, and fixing penalties for such delinquency; authorizing county commissioners to purchase such lands under certain circumstances;" prior to its repeal, notwithstanding that said deeds were not made, issued, acknowledged or delivered and surplus bond not given prior to said repeal; and authorizing the making, execution, acknowledgment and delivery of said deeds by said county treasurers after the expiration of term of office or by their successors in office; and confirming the title to lands so sold where the deeds have been made, executed and delivered and the surplus bonds filed since the repeal of said act, and whether the said deeds were made, executed or delivered by the county treasurer who made said sale during the term of his office or after its expiration, or by his successor in office.

Senate Bill No. 109, entitled:

An Act to amend section six hundred and thirty of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing school districts to lay water pipe lines in certain cases, and to condemn a right-of-way therefor.

Senate Bill No. 158, entitled:

An Act to amend section six, as amended, and section eight of an act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; prohibiting persons from being candidates for more than one party nomination.

Senate Bill No. 748, entitled:

An Act authorizing and regulating the reorganization of banks and trust companies.

Senate Bill No. 360, entitled:

An Act to validate sheriff's deeds acknowledged previous to the return day of the writ by virtue of which the real estate was sold or acknowledged defectively.

Senate Bill No. 363, entitled:

An Act to amend sections one, two, four, five, six and seven of the act, approved the first day of June, one thousand nine hundred and fifteen (P. L. 678), entitled "An act to regulate the sale for agricultural purpose of crushed limestone, lime, gypsum, and related products; defining said products; and prescribing penalties for the violation of this act," extending the provisions of said acts so as to regulate the sale of all "liming materials for agricultural purposes," defining said term, and giving the Secretary of Agriculture power in certain cases to revoke licenses issued under this act.

Senate Bill No. 386, entitled:

An Act to amend section one of the act approved the ninth day of July, one thousand nine hundred and nineteen (P. L. 795), entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants."

Senate Bill No. 625, entitled:

An Act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders attorneys and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing acts and parts of acts

Senate Bill No. 699, entitled:

An Act to amend clause five of section three of the act approved the thirteenth day of May, one thousand nine hundred and nine (P. L. 520), entitled "An act relating to food; defining food; providing for the protection of the public health; and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated misbranded or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," as amended, further regulating the use of sulphur dioxide in the preparation of dried fruits and molasses.

Senate Bill No. 727, entitled:

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in and ownership of space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws.

Senate Bill No. 740, entitled:

An Act making an appropriation to the Department of Property and Supplies to reimburse any contractor having a contract with the Commonwealth, for costs, expenses and loss incurred where work under such contract was not prosecuted on account of the lapsing of part of the appropriation on which the contract was based.

Senate Bill No. 763, entitled:

An Act to amend sections one and four of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred four), entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" by providing for the maintenance of the existing highway.

Senate Bill No. 638, entitled:

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors providing for the appointment and compensation of a director of welfare investigators assistants experts and employes and for the employment and compensation of elected directors whose terms have not expired and repealing existing laws

Senate Bill No. 1, entitled:

An Act authorizing counties of the second class and cities of the second class to appropriate sums of money to aid in defraying the expenses of entertaining the stated convention of the National Encampment of the United Spanish War Veterans in the year one thousand nine hundred and thirty-four.

Senate Bill No. 61, entitled:

An Act to amend section one of the act approved the twenty-seventh day of April, one thousand nine hundred and eleven (P. L. 101), entitled "An act for the assignment of judges to districts other than their own, for the purpose of expediting business, with provision for their compensation," as amended; allowing certain judges and requiring certain judges who can spare the time from their own courts to send monthly statements to the prothonotary of the Supreme Court of the days when they can sit in other courts; and requiring the prothonotary of the Supreme Court to transmit transcripts of the Judicial Assingment Register to the General Assembly.

Senate Bill No. 67, entitled:

An Act increasing the discretionary powers of the county commissioners in counties of the third class with reference to the assessment levy and collection of taxes

Senate Bill No. 68, entitled:

An Act increasing the discretionary powers of boards of school directors in school districts of the second class with reference to the assessment, levy and collection of taxes.

Senate Bill No. 77, entitled:

An Act to amend the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (P. L. 148), entitled "An act to require all magistrates and other officials in cities of the first, second and third class, authorized to take acknowledgments and administer oaths, to perform such service free of charge for soldiers and widows of soldiers when making affidavit to papers for the purpose of drawing pensions," extending the provisions of the act to all officers taking oath, and to papers other than those connected with pensions.

Senate Bill No. 144, entitled:

An Act to amend section two of the act approved the twenty-ninth day of April, one thousand nine hundred and fifteen (P. L. 200), entitled "An act creating, in counties having over eight hundred thousand, and less than one million five hundred thousand, inhabitants, according to the last preceding United States census, a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments, and divisions thereof; prescribing the powers and duties of said board, and regulating appeals from the decision thereof"; defining the voting power of members of the salary board.

Senate Bill No. 153, entitled:

An act to amend clause (d) of section ten of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," as amended, by defining the powers of the courts on appeals from the Department of Public Instruction.

Senate Bill No. 183, entitled:

An Act to amend sections fifty-one and sixty as amended, and section one hundred and four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," by fixing the time at which the terms of elected county officers shall begin, and the time for the county commissioners to organize.

Senate Bill No. 194, entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; by authorizing counties of the second class to levy and collect tolls on certain county bridges for the purpose of paying off the indebtedness incurred in locating, constructing and purchasing such bridges.

Senate Bill No. 209, entitled:

An Act fixing the compensation of property assessors elected for county purposes in boroughs, townships of the second class and wards, and repealing existing acts relating thereto.

Senate Bill No. 228, entitled:

An Act relating to taxation; designating the subjects, property, and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws.

Senate Bill No. 237, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by adding a new subdivision providing for the appointment of a fire marshal in counties of the second class.

Senate Bill No. 257, entitled:

An Act requiring State-aided hospitals under certain conditions immediately to admit indigent veterans as herein defined. and to provde care and treatment for them until they can be accommodated in Federal institutions.

Senate Bill No. 266, entitled:

An Act to provide for the hospitalization of tubercular patients in State and State-aided hospitals when State owned institutions established for that purpose are unable to provide therefor

Senate Bill No. 296, entitled:

An Act to amend sections five and six of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws, seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of streets improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act" by providing for the limit of width of construction and maintenance on said streets.

Senate Bill No. 314, entitled:

An Act authorizing the Commonwealth, the City of Philadelphia and the State of New Jersey to accept from the Delaware River Joint Commission bonds or other obligations, in lieu of moneys, for the repayment of the amounts due for moneys advanced in the construction of the Delaware River Bridge and its approaches and in the acquisition of property in connection therewith; providing for the disposition of such bonds delivered to the Commonwealth and the City of Phliadelphia; authorizing the purchase thereof by custodial funds of the Commonwealth; and providing that this act shall become effective upon the adoption of reciprocal legislation by the State of New Jersey.

Senate Bill No. 322, entitled:

An Act to eliminate reckless and irresponsible drivers from the public highways, and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident), and for the establishment of ability to respond in damages for injury to property and persons, including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles); conferring powers and imposing duties upon the Department of Revenue, the Insurance Commissioner, insurance carriers, and clerks of the courts; requiring certain provisions in motor vehicle liability insurance policies; and providing penalties.

Senate Bill No. 368, entitled:

An Act authorizing the Secretary of Property and Supplies to convey a certain lot of ground in the possession and occupancy of the Philipsburg State Hospital to the Rush Township School District.

Senate Bill No. 373, entitled

An Act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon.

Senate Bill No. 399, entitled:

An Act authorizing the Board of County Commissioners of counties of the second class to appropriate monies toward the maintenance of the Organized Reserve of the Army of the United States and for the assistance of conventions and meetings of Associations of Officers of the Officers Reserve Corp of the Army of the United States, and validating, ratifying, and approving all such appropriations heretofore made.

Senate Bill No. 427, entitled:

An Act relating to libraries making it unlawful to retain any book, pamphlet, magazine, newspaper, manuscript, map or other property belonging to a library after notice to return the same providing penalty to be imposed in summary proceedings providing for payment of any fine imposed to the library instituting the prosecution.

Senate Bill No. 433, entitled:

An Act to amend section four hundred and forty-eight of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by increasing the membership of the State Military Reservation Commission.

Senate Bill No. 454, entitled:

An Act authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and members of the school board in relation to said funds and fixing a penalty for the violation thereof

Senate Bill No. 468, entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and

municipal liens, in the several cities of the third class of this Commonwealth, and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessments and claims.

Senate Bill No. 467, entitled:

An act relating to Trusts for Charitable or Benevolent Purposes and Providing for the Combining of the same under certain conditions

Senate Bill No. 476, entitled:

An Act ratifying and confirming certain contracts for the erection of joint county bridges where the bridges have been erected and accepted.

Senate Bill No. 478, entitled:

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended, and paragraph one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two.

Senate Bill No. 498, entitled:

An Act authorizing counties, cities, boroughs, townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds, and fixing a penalty for the violation thereof.

Senate Bil lNo. 507, entitled:

An Act fixing the salaries of directors of the poor in counties of the second class.

Senate Bill No. 516, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of May, one thousand eight hundred and ninety-seven (P. L. 89), entitled "An act authorizing and requiring grand and petit juries to dispose of the costs in criminal prosecutions for larceny, where the value of the goods alleged to be stolen is less than ten dollars, and in the prosecutions for assault or assault and battery where felony is charged, and in which the prosecutor had no reasonable ground for making the charge of felony," by giving the juries jurisdiction over the costs in prosecutions for larceny and receiving stolen goods.

Senate Bill No. 535, entitled:

An Act to amend section eight of the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances;" as amended, by further providing for the sales of seated lands for delinquent taxes assessed and levied for the year one thousand nine hundred and thirty, or any year prior thereto; where no sales have previously been made for delinquent taxes of that year, and validating liens on lands, taxes heretofore returned when land has not been advertised or sold.

Senate Bill No. 537, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred ten) entitled "A further supplement to 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four" by providing that all corporations organized not for profit shall have authority to issue capital stock to an amount not exceeding five hundred thousand dollars

Senate Bill No. 548, entitled:

A Supplement to act number four-A approved the fourteenth day of April one thousand nine hundred thirty-one (Appropriation Acts of one thousand nine hundred thirty-one page five) entitled "An act providing for the investigation and study of the effect of the diversion of water for water supply purposes upon the lower Delaware River and the industries using water therefrom imposing certain duties upon the Sanitary Water Board and making an appropriation" authorizing the Sanitary Water Board for the continuation of the investigation and study of the effect of the diversion of water for water supply purposes from the lower Delaware River and the industries using water therefrom and extending the scope of the investigation and study.

Senate Bill No. 615, entitled:

An Act validating certain proceedings of borough councils pursuant to the provisions of the act, approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs; and revising, amending and consolidating the law relating to boroughs," and the several supplements and amendments thereto.

Senate Bill No. 640, entitled:

An Act to amend the first "Whereas" clause, the first paragraph of article one, clause (d) of article two, and article ten of section one, and section two as amended, of the act approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said Commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by providing for the appointment of an engineer by the commission, and for the repayment to the Commonwealth of appropriation herein made.

Senate Bill No. 643, entitled:

An Act dedicating and setting aside certain lands in Cameron and Clinton Counties as a public park and pleasure ground, to be known as "Bucktail State Park;" and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth.

Senate Bill No. 645, entitled:

An Act to amend section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-

two (Pamphlet Laws ninety two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances

Senate Bill No. 674, entitled:

An Act to repeal section three of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 98), entitled "A supplement to the act, approved the eleventh day of June, one thousand nine hundred and thirty-one (Act Number Fifteen-A) entitled 'An act to provide for the ordinary expenses of the Executive, Legislative, and Judical Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one,' making additional appropriations to the Department of Military Affairs an dto the Department of Property and Supplies, and an appropriation to the Senate Committee for the Investigation of The Public Service Commission"; lapsing the appropriation made by said act to the Senate committee for the invesigation of the Public Service Commission.

Senate Bill No. 679, entitled:

An Act to amend section twenty-nine of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; refining highways and State-aid highways; providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by relieving townships of the duty to contribute towards the maintenance of certain State-aid highways; and discharging certain existing obligations therefor.

Senate Bill No. 690, entitled:

An Act providing for the assessment of costs for the acquiring and adopting of or connecting with existing sewers of adjacent municipalities by townships or boroughs and the maintenance thereof and providing for filing of liens therefor

Senate Bill No. 691, entitled:

An Act to amend section fifty-seven of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by requiring the county commissioners to furnish office supplies for county officers not located in county buildings or at the county seat

Senate Bill No. 695, entitled:

An Act to preserve the continuity of service of officers and enlisted men of the Pennsylvania National Guard who are mustered into the service of the United States during the World War and afterward were enlisted or commissioned in the said National Guard.

Senate Bill No. 702, entitled:

An Act to repeal the act, approved the twentieth day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, three hundred ten), entitled "An act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the seventh class."

Senate Bill No. 728, entitled:

A Supplement to act number fifteen-A, approved the eleventh day of June, one thousand nine hundred thirty-one (Appropriation Acts of one thousand nine hundred thirty-one, page sixteen), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one," providing for a deficiency in the appropriation to the Department of Forests and Waters for the extinction and control of forest fires for the fiscal biennium ending May thirty-first, one thousand nine hundred thirty-three.

Senate Bill No. 730, entitled:

An Act to ratify, confirm and validate, as debts of the municipality, bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits.

Senate Bill No. 746, entitled:

An Act to amend section two hundred and four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing that the coroner shall act in case the sheriff resigns

Senate Bill No. 767, entitled:

An Act to add section seven hundred and thirty-seven to the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing two or more counties jointly, with the consent of the Department of Highways, to levy and collect tolls on certain toll bridges acquired and rebuilt by such counties for the purpose of paying off the indebtedness incurred or reimbursing such counties for moneys ex-

pended in the acquisition, rebuilding and maintenance of such toll bridges.

Senate Bill No. 771, entitled:

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of berths and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," as amended, by providing for special certificates of the birth of adopted persons; and requiring school authorities to accept such certificates for certain purposes.

Senate Bill No. 773, entitled:

An Act to repeal section thirteen of the act approved the twenty-fifth day of March, one thousand eight hundred and forty-two (P. L. 192), entitled "An act to appoint commissioners to re-survey and mark that portion of the county line, which divides the township of Bristol, in the county of Philadelphia, from the township of Cheltenham, in the county of Montgomery and for other purposes." (Proof of Publication attached).

Senate Bill No. 794, entitled:

An Act establishing certain public roads and streets in the City of Pittsburgh and County of Allegheny as a State highway, and providing for their construction and maintenance by the Department of Highways, subject to certain terms and conditions.

Senate Bill No. 820, entitled:

An Act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances

Senate Bill No. 834, entitled:

An Act empowering cities, boroughs, incorporated towns and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation and the amortization of indebtedness and interest thereof.

Senate Bill No. 848, entitled:

A Supplement to the act, approved the eighth day of May, one thousand nine hundred and nineteen (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River," and its amendments, authorizing the commission created under said act to borrow money from the Reconstruction Finance Corporation for the purpose of constructing toll bridges, to charge tolls thereon, and to repay loans from tolls collected.

Senate Bill No. 856, entitled:

An Act authorizing cities of the third class to provide, by ordinance, for the payment for public work or improvements heretofore made for or furnished to the city, where no legal or valid contract was entered into as required by law.

Senate Bill No. 876, entitled:

An Act to amend clause (a) of section four hundred and eleven of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing of operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties: providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds;" by providing for transfer of registration from husband and wife to either spouse.

Senate Bill No. 892, entitled:

An Act to amend section one of the act approved the fourteenth day of April, one thousand eight hundred and eighty-one (P. L. 10), entitled "An act granting power to counties, cities (except cities of the first and second classes) boroughs, municipalities and school districts in this Commonwealth, which have issued bonds or other interest-bearing evidences of indebtedness, to redeem the same and issue new bonds therefor, with or without interest coupons attached," as amended, by extending the provisions of the said act to cities of the first and second classes and providing that the refunding bonds, issued under the provisions thereof may bear interest at a rate of six per centum per annum and providing further that said bonds shall be payable at any time not exceeding twenty years after the date thereof.

Senate Bill No. 897, entitled:

An Act authorizing the issuance of scrip certificates for relief purposes by political subdivisions of this Commonwealth; providing for the printing and issuance of scrip and stamps by the Commonwealth, for the creation of scrip redemption fund in the State Treasury and for the redemption of scrip therefrom; imposing duties on the State Emergency Relief Board and the State Treasurer; appropriating the moneys in the scrip redemption fund and imposing penalties.

Senate Bill No. 898, entitled:

An Act authorizing municipalities and townships to provide work for unemployed persons by renewing, repairing and replacing sidewalks.

Senate Bill No. 932, entitled:

An Act to amend sections one, two three, and four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties;" limiting the status of an approved inspector; changing the requirements for holders of milk permits and imposing additional duties on such permit holders or applicants therefor; granting additional powers to the Secretary of Health in the enforcement of the act.

Senate Bill No. 985, entitled:

An Act to amend clause nine of section one and clause two of section eleven, of the act approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board of the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defin-

ing the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the haeds of departments in which State employes serve: excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties" as amended. openin gthe system further for original members, and preserving the rights of certain retired State employes who re-enter State service.

Senate Bill No. 995, entitled:

A Supplement to the act approved the eighth day of May, one thousand nine hundred and nineteen (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River" and its amendments, authorizing the commission created under said act to borrow money from the Reconstruction Finance Corporation for the purpose of constructing toll bridges to charge tolls thereon and to repay loans from tolls collected.

Senate Bill No. 1035, entitled:

An Act to amend paragraph seventeen of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred fifty-eight) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State emloyes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "final salary"

Senate Bill No. 187, entitled:

A Joint Resolution continuing the Senate Committee constituted to investigate charges against members of the Public Service Commission and related matters; defining the powers and duties of said committee, ratifying and confirming the filling of vacancies in the membership thereof; and making an appropriation for the payment of its past and future expenses.

Senate Bill No. 720, entitled:

An Act to authorize certain corporations organized under the laws of Pennsylvania including railroad corporations organized under the laws of Pennsylvania and of any other state or states to increase or decrease the par value of the shares of their capital stock providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued prescribing the manner in which such change shall be made and repealing all acts and parts of acts inconsistent herewith

Senate Bill No. 721, entitled:

An Act authorizing stock corporations with certain exceptions to make provisions for and to issue shares of capital stock of any class or classes or to change shares of authorzed or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualificatons as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith

Senate Bill No. 639, entitled:

An Act relating to insurance companies exchanges associations societies orders and individuals under the supervision of the Insurance Department authorizing the Insurance Commissioner during the existing emergency to suspend laws relating to certain payments by insurers and to impose conditions upon the conduct of the business of insurance and providing penalties.

Senate Bill No. 345, entitled:

An Act prohibiting contractors, subcontractors and builders and their agents from paying out using or appropriating moneys and funds received for the erection, construction, alteration, completion and repair of buildings and for additions thereto before first paying in full or pro rata all claims due to architects, surveyors, engineers, and persons furnishing labor and material,

Senate Bill No. 388, entitled:

An Act providing for the appointment promotion reduction removal and reinstatement of paid officers firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the first second and third class defining the powers and duties of civil service commissions for such purposes and fixing penalties

Senate Bill No. 389, entitled:

"An Act to amend sections six, seventeen and twenty-six of the act approved the fourteenth day of June, one thousand nine hundred and twenty-three (P .L. 710), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," as amended, by extending the provisions of said act so as to include bookers, booking agents, representatives of booking agencies for services of wrestlers; modifying license fees in certain cases; exempting amateur boxing or wrestling in schools, colleges and universities"

Whereupon,

The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

BILLS INTRODUCED

Mr. GELDER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER read in his place and presented to the Chair Senate Bill No. 1471, entitled:

A Joint Resolution authorizing the appointment of a Commission to make a survey of the construction and maintenance of public roads, streets, highways and bridges within the Commonwealth, to study and report to the Legislature its findings based upon such survey; giving it authority to sit after the adjournment of the Legislature and compel the attendance of witnesses and the production of books and papers, and making an appropriation from the Motor License Fund to meet the expenses of said Commission.

Which was committed to the Committee on Appropriations.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 146, as follows:

An Act to amend section one thousand one hundred and twenty-six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended limiting the number of assistant county superintendents and vesting discretion in the school directors of certain counties with respect to the appoint-

ment of additional assistant county superintendents and providing for the payment of the salaries of such assistant superintendents

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand one hundred and twenty-six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand seventy-eight) is hereby further amended to read as follows

Section 1126 Every county superintendent having more than one hundred and fifty [and not more than three hundred and fifty] teachers under his supervision shall have an assistant superintendent and every county superintendent having more than twenty-five hundred teachers under his supervision shall have five assistant superintendents [every county superintendent having more than three hundred and fifty and not more than six hundred teachers under his supervision shall have two assistant superintendents every county superintendent having more than six hundred and not more than eight hundred teachers under his supervision shall have three assistant superintendents and for each additional four hundred teachers or fraction thereof under his supervision a county superintendent shall have an additional assistant superintendent] And the school directors of any county at their convention for electing a county superintendent may authorize the appointment of additional assistant superintendents to those herein provided for but the Commonwealth shall not be liable for the payment of the minimum salary of any assistant superintendent except those required by this act The salary of all additional assistant superintendents authorized by school directors at their conventions for electing a county superintendent shall be paid from the school appropriation apportioned among the several school districts under the supervision of the county superintendent before the same is distributed as provided by the act to which this is an amendment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

MOTION TO RECOMMIT BILL

Mr. THOMPSON. Mr. President, I move that this bill be recommitted to the Committee on Education.

Mr. SNYDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. OWLETT. Mr. President, I ask that this bill be considered and passed at this time. There is another bill which passed this Senate yesterday amending the salaries paid to Superintendents and Assistant Superintendents of schools. Some changes will be required and it is the intention to send the bill to a Committee of Conference to iron out the difficulties.

Mr. THOMPSON. Mr. President, if this bill is to be considered in a Committee of Conference I will withdraw the motion.

Mr. SNYDER. Mr. President, I will withdraw my second.

The PRESIDENT. The motion to recommit has been withdrawn.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Armstrong,	Frazier,	Mansfield,	Rogers,
Aron,	Gelder,	McClure,	Salus,
Baumer,	Graff,	Norton,	Scott,
Bell,	Harris,	Owlett,	Shapiro,
Bennett,	Harvey,	Pethick,	Sones,
Boyd,	Homsher,	Pierson,	Sordoni,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Ziesenheim,
Fay,			

NAYS—6

Batchelor,	Parkinson,	Staudenmeier,	Thompson,
Miller,	Snyder,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Mr. TRAINER. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 1450, on third reading, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale transprotation and distribution of such beverages imposing license fees and providing for collections and distribution of revenues therefrom restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, legislative bodies of political subdivisions of the State and election officers; providing penalties and repealing existing acts.

Mr. McCLURE. Mr. President, I second the motion.

The motion was agreed to.

Mr. SNYDER. Mr. President, I ask unanimous consent that Senate Bill No. 1450, go over in its order.

The PRESIDENT. Is there objection?

Mr. McCLURE. Mr. President, I object. There is no reason why this bill should go over in order. I now ask that the Senate proceed to the consideration of the bill.

The PRESIDENT. The Chair hears objection.

Mr. SNYDER. Mr. President, I understand that my request was seconded.

Mr. HARRIS. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Allegheny will state his point of order.

Mr. HARRIS. Mr. President, a request for a bill to go over in order it requires unanimous consent.

The PRESIDENT. The point of order is well taken.

Mr. SNYDER. Mr. President, do I understand that the Senator from Dealware, Mr. McClure, objects to the bill going over in its order.

The PRESIDENT. The Chair informs the Senator from Lehigh, Mr. Snyder, that his understanding is correct.

Mr. COYNE. Mr. President, I suggest that we go into conference on this bill. This bill was not properly reported to this body anyway. There was a sub-committee of three appointed and that sub-committee never had a chance to act on this bill, it was reported without their consent.

MOTION TO RECOMMIT

Mr. SNYDER. Mr. President, I move that Senate Bill No. 1450 be recommitted to the Committee on Law and Order.

Mr. BAUMER. Mr. President, I second the motion.

On the question.

Will the Senate agree to the motion?

Mr. McCLURE. Mr. President, I object to the motion. This motion was only for the purpose of further delay. We are approaching the end of the session, and the members of the Senate now well know what is in this bill. They are as able today to decide for the bill or against the bill as they will be at any time in the future. I believe we should have some regulatory measure. The former bill which was passed to the Governor was vetoed by him, and there was no attempt made to pass it over his veto.

Mr. SNYDER. Mr. President, in the first place, it is not true that this motion was made for the purpose of delay. In fact, the purpose of this motion was just the reverse. I think every member of the Senate knows that this bill arrived on the desks at ten-thirty this morning. I also imagine that every Senator on the floor will admit that he has not had any opportunity to read this bill. I would like to say that the members of the Committee on Law and Order know in what manner this bill arrived on the calendar. I think the members of this committee know that this bill in its present form does not exactly appear, at least in my judgment, in the form in which it was discussed at the last meeting of the Committee on Law and Order. I want to go so far as to say that in the Committee on Law and Order a sub-committee was appointed which never did report to the general committee any recommendation; and this morning we find the bill upon the calendar, and even though the members of the Senate are ready to go home—well, here is one man who is not. When we have an important measure of this kind to consider, I want to know why, instead of going along in the regular routine of the calendar, this bill should be immediately called for consideration out of place. Last night I waited until two o'clock to get a copy of the bill for study, and I want the members of the Senate, if they will, to agree that this matter is of sufficient importance to send it back to committee for further study. I marvel at the intelligence, yes, the sagacity of the Senators who can pick up a bill at ten-thirty, and at twelve o'clock, after considering other important matters, decide yes or no on this bill. I have heard personalities; but, gentlemen of the Senate, I prefer to talk about issues rather than men, and I want to have an opportunity for this bill to be understood. In this behalf I want to say that the members of the Senate go back to the Governor with everything he has done; but, while we realize that this is a wet state, we do not want to have any railroading of a matter without any opportunity to deliberate. So then let us give him what he wants. I want this motion passed because you will agree that we have had no opportunity to study it. Some of the members say that I presented this motion for delay. Well, if delay is necessary to legislate wisely for the people of the Commonwealth, I am for delay. I hope the members of the Senate will vote favorably on my motion.

Mr. BUCKMAN. Mr. President, this bill is regularly upon the calendar. It was introduced, referred to committee at least once or twice, reported out, read at length three times on three separate days, and is now on final passage. I do not profess to know all of the proposed changes in this bill. I do not profess to know that every line in the bill is correct. The bill is not a hundred per cent. satisfactory to me, and I do not believe it is satisfactory in full to every Senator on the floor. But I do know this, that it is a regulartory measure; and I will vote for anything that will regulate the sale and flow of beer in this Commonwealth and help to get from the people who are selling this beer the taxes which are due the Commonwealth for the support of our starving people, and I think it is a shame and an outrage if this bill is delayed by a motion to recommit. I ask the Senators to vote for the measure, and let it be vetoed; and if the bill is vetoed or not passed by the House, the responsibility will be theirs and not ours.

Mr. REED. Mr. President, I agree with this motion—at least I agree in part—because I do not think it is right and proper that this bill be voted on at this time. As soon as I was able to secure a copy of this bill, I started to study it, and I have not been able to read over all of the bill up until the present moment. This is a bill of very vital importance, and I think it should have serious consideration, and I think it should have very, very full debate on the floor of the Senate. As far as I am concerned, as far as I have read it, I am perfectly willing personally to vote, because I have made up my mind with respect to the bill. But I know there are many Senators who have not been able to consider it fully, and therefore I hope that this motion will prevail, or if it does not prevail at least a time will be fixed later in this day at which the bill may be voted upon.

Mr. McCLURE. Mr. President, if the Senator will withdraw his motion, I will ask that it go over, and will call it up at four-thirty as a special order.

Mr. SNYDER. Mr. President, I withdraw the motion.

SENATE BILL No. 1450 SPECIAL ORDER AT 4.30 P. M.

Mr. McCLURE. Mr. President, I move that Senate Bill No. 1450, entitled:

be made a special order for four-thirty today.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

Senate Bill No. 1450, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing license fees and providing for collection and distribution of revenue therefrom restricting ownership and interest in licensed places making appropriations providing penalties and repealing existing acts

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE SENATE SENATE BILL No. 538

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows and agreed to:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That Senate Bill No. 538, entitled: "An Act prohibiting the publication, printing or radio broadcasting of advertisements or notices of insurance companies, associations, exchanges or persons not authorized to do business in this Commonwealth; requiring certificates from the Insurance Department before accepting insurance advertisements or broadcasting the same by radio and fixing penalties," be recalled from the Senate for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1106

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and agreed to:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 1106, Printer's No. 437, entitled: "An Act to provide for the incorporation and regulation of cooperative agricultural credit associations having capital stock; and defining the limitations, powers and duties of such associations," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 945 (House Bill No. 1788), as follows:

An Act to further amend Sections three and four of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" by making the moneys in the Motor License Fund available for the reimbursement General fund for certain services rendered or supplied by certain departments and for the maintenance of the State Highway Patrol

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Secttion three of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Mitor License Fund" as amended by the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eighty-nine) is hereby further amended to read as follows

Section 3 As much of the money from time to time in the Motor License Fund as may be necessary is hereby appropriated to the Department of Revenue for the proper conduct of its work in titling and registering motor vehicles trailers and tractors licensing the operators of vehicles and enforcing the laws regulating the registration titling and operation of vehicles upon the highways and for the collection of liquid fuels taxes as follows

(a) For the payment of the salaries wages or other compensation and traveling and other necessary expenses of the Commissioner of Motor Vehicles or such other officer or officers of the department appointed by the secretary thereof to have charge of the foregoing activities of the department and such deputies directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts engineers draftsmen acountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers laborers and other assistants and employes as may be required in the performance of the duties above mentioned and such special deputy attorneys general assistant deputy attorneys general and attorneys as may be assigned by the Attorney General to the department or for handling any legal business pertaining to its work

(b) For the payment of the salaries wages or other compensation board lodging uniforms arms and equipment and their maintenance and traveling and other necessary expenses of State Highway Patrolmen Provided That the provisions of this clause shall not authorize any appropriation for such purposes to the Department of Revenue if the State Highway Patrol is by law placed under the administration of the State Police but said appropriation shall be available for like purposes to the State Police but not in excess of the amount limited by any other law

(c) For the purchase maintenance and repair of furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding and for the payment of premiums on policies of insurance covering motor vehicles operated by employes of the department and surety bonds for officers or employes of the department required to furnish such bonds but all such purchases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as purchasing agent

(d) For the payment of postage telegrams telephone rentals and toll charges and rentals for or royalties upon leased office equipment or other devices or machines

(e) For the construction through the Department of Property and Supplies or other purchase and repair or maintenance of buildings for the use of the State Highway Patrol

(f) Through the Department of Property and Supplies to purchase or lease lands and to construct thereon highways and buildings suitable for the examination of applicants for operators' licenses or to purchase or lease lands for the use of of the State Highway Patrol

(g) For the payment of rentals for branch buildings and repairs thereto

(h) For the payment of transportation medical attendance and hospital charges of employes injured or killed in line of duty and the payment of workmen's compensation to injured employes or dependents of deceased employes or the payment of premiums upon policies insuring the Commonwealth against workmen's compensation liability to employes or dependents of employes of the department Provided That such insurance shall be carried only with the approval of the Governor

(i) For the payment of traveling expenses and witness fees in the amount of two ($2) dollars per capita per diem to witnesses testifying for the Commonwealth at hearing and for the payment of fees charged by the physicians for examining persons suspected of operating motor vehicles while intoxicated whenever such persons are found as a result of such examination not to be intoxicated except that no sum in excess of five ($5) dollars shall be paid to any physician for such an examination

(j) For the payment of expenses in connection with traffic safety educational work exhibits photography models and other exhibition or educational accessories and for all other expense of every kind and description necessary effectively to carry on this work

(k) For the purchase of registration plates and any other expense incidental thereto

(l) For the payment of rewards for detection of fraud

(m) For all other expenses of every kind and description necessary for the performance by the department of the aforesaid work

(n) For payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the Motor License Fund and in auditing annually periodically or specially the aforesaid affairs of the Department of Revenue at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine

(o) For payment to the Treasury Department of the cost of making disbursements out of the Motor License Fund on behalf of the Department of Revenue in the performance of the duties above mentioned at such amounts as the Treasury Department with the approval of the Executive Board shall determine

(p) For payment to the Department of Property and Supplies for space occupied in the Capitol buildings and for water light heat power telephone and other services utilized and consumed by the Department of Revenue in the performance of the above mentioned duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine

Section 2 That Section four of said act as amended by the act approved the twenty-ninth day of May one thousand nine hundred eighty-nine) is hereby further amended to read as follows

Section 4 The remainder of the money from time to time in the Motor License Fund is hereby appropriated to the Department of Highways for the following purposes

(a) For the payment of the salaries wages or other compensation and the traveling and other necessary expenses of the Secretary of Highways such deputies directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers laborers and other assistants and employes as may be required for the proper conduct of the work of the department and such special deputy attorneys general assistant deputy attorneys general and attorneys as may be assigned by the Attorney General to the department or for handling any legal business pertaining to its work

(b) For the purchase maintenance and repair of furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding and for the payment of

premiums on policies of insurance covering motor vehicles operated by employes of the department and surety bonds for officers and employes of the department required to furnish such bonds but all such purchases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as purchasing agent except that the Department of Highways may purchase directly equipment materials and supplies necessary for the construction and repair of highways if such equipment materials or supplies are not on the schedule of the Department of Property and Supplies

(c) For the payment of rentals for branch buildings and repairs thereto

(d) For the payment of postage telegrams telephone rentals and toll charges and rentals for or royalties upon leased office equipment or other devices or machines

(e) For maintaining reconstructing replacing and repairing or assisting in maintaining reconstructing replacing and repairing State highways State-aid highways and any other highways which the department may be authorized to maintain reconstruct replace and repair or assist in maintaining reconstructing replacing and repairing and of such bridges as the department may be authorized by law to maintain reconstruct replace and repair or to assist in maintaining reconstructing replacing and repairing

(f) For constructing and improving or assisting in constructing and improving State highways State-aid highways and any other highways or streets and any bridges which the department may be authorized by law to construct or improve or assist in constructing or improving but the moneys expended by the department under this clause for construction and improvement of highways without expense to the political subdivisions of the State shall be allocated among the several counties in such manner and to such an extent as shall from time to time be provided by law and in the absence of or beyond any such statutory direction shall be expended as the department shall determine and the moneys expended for State aid and upon city streets shall be expended to the extent to which such expenditures shall from time to time be authorized by law

(g) For the maintenance and repair of all interstate bridges over the Delaware River between the Commonwealth and the State of New Jersey now owned or to be acquired or constructed from Morrisville Bucks County to Milford Pike County and of interstate bridges between this Commonwealth and the State of New York now owned or which may hereafter be acquired or constructed

(h) For the payment of transportation medical attendance and hospital charges for employes injured or killed in line of duty and the payment of workmen's compensation to injured employes or the dependents of deceased employes or the payment of premiums upon policies insuring the Commonwealth against workmen's compensation liability to employes or dependents of employes of the department Provided That such insurance shall be carried only with the approval of the Governor

(i) For purchasing acquiring and leasing lands in the name of the Commonwealth containing stone suitable for use in the construction improvement reconstruction replacement or maintenance of highways and to quarry and prepare the stone therein for the use in the construction improvement reconstruction replacement and maintenance of highways to manufacture any other material used in the construction improvement reconstruction replacement or maintenance thereof whether for use by the department in the construction improvement reconstruction replacement or maintenance of highways or for selling the same to contractors engaged in such work or to political subdivisions of the State for the construction improvement reconstruction replacement and maintenance of roads as may now or hereafter be provided by law

(j) For the erection of such buildings and the purchase of such machinery as may be necessary or essential for the proper prosecution of the work of quarrying or manufacturing stone or materials for the construction improvement reconstruction replacement or maintenance of highways

(k) Subject to the approval of the Governor and of the Department of Property and Supplies for the purchase or acquisition of land in the name of the Commonwealth for the purpose of erecting thereon garages storage sheds laboratories or other buildings necessary in connection with the construction improvement reconstruction replacement or maintenance of highways and for the erection on land thus acquired of such garages storage sheds laboratories or other buildings

(l) To propagate or purchase trees shrubs vines or grasses for planting on or along the State highways and to maintain the same

(m) For the purchase installation and maintenance of signs and traffic signals on State highways

(n) For the payment of traveling expenses and witness fees in amount of two ($2) dollars per capita per diem to witness testifying for the Commonwealth

(o) For the payment of damages to property heretofore or hereafter caused or occasioned in connection with the work of the department in the construction improvement maintenance and repair or in the preparation of materials for such purpose of roads highways or bridges under the jurisdiction of the department and for which the Commonwealth is responsible for maintenance and attributed to negligence or carelessness on the part of the employes of the department not exceeding however the sum of twenty-five thousand ($25,000) dollars during any fiscal biennum All claims for damages to property payable hereunder shall be submitted to the Secretary of Highways in writing verified by affidavit and the secretary shall investigate the same and determine the amount to be paid if any subject to the approval of the Attorney General

(p) For all other expenses of every kind and description necessary effectively to carry on the work of the department as authorized by law

(q) For payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the Motor License Fund and in auditing annually periodically or specially the aforesaid affairs of the Department of Highways at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine

(r) For payment to the Treasury Department of the cost of making disbursements out of the Motor License Fund on behalf of the Department of Highways in the performance of the duties above mentioned at such amounts as the Treasury Department with the approval of the Executive Board shall determine

(s) For payment to the Department of Property and Supplies for space occupied in the Capitol buildings and for water light heat power telephone and other services utilized and consumed by the Department of Highways in the performance of the above mentioned duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine

(t) For payment to the Department of Property and Supplies of the cost incurred by that department in making purchases of supplies equipment and materials for the Department of Highways as purchasing agent including salaries wages or other compensation of employes traveling expenses telephone toll charges telegrams newspaper advertising and notices and all other expenses necessary for the performance by the Department of Property and Supplies of the aforesaid duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine

Section 3 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. STAUDENMEIER. Mr. President, in connection with this bill I merely desire to make the statement that, inasmuch as House Bill No. 1426 was defeated in the House last night, which, according to the assumption in the minds of some of the members of the Senate places the Highway Patrol under the jurisdiction of the State Police, and that bill has been defeated, Senator McClure has agreed to have striken from the calendar No. 1030, which we will reach later, and in that event House Bill No. 1788 is in shape for passage. You will not on page 2, section 3, it states this: "As much of the money from time to time in the Motor License Fund as may be necessary is hereby appropriated to the Department of Revenue

for the proper conduct of its work in titling and registering motor vehicles, trailers and tractors, licensing the operators of vehicles, and enforcing the laws regulating the registration, titling and operation of vehicles upon the highways, and for the collection of liquid fuels taxes as follows: (a) For the payment of the salaries, wages or other compensation," and so forth. Then we come to section (b): "For the payment of the salaries, wages or other compensation, board, lodging, uniform, arms and equipment, and their maintenance and traveling and other necessary expenses of State Highway Patrolmen, provided"—if House Bill No. 1426 had passed; but, inasmuch as it was defeated in the House last night, it has absolutely no meaning and does not affect this bill, because you know the proviso was this: "this clause shall not authorize any appropriation for such purposes to the Department of Revenue if the State Highway Patrol is by law placed under the administration of the State Police, but said appropriation shall be available for like purposes to the State Police, but not in excess of the amount limited by any other law." And No. 1426 having failed, and that bill would have placed, at least in some respects, the Highway Patrol under the same category as the State Police, therefore this proviso falls and the State Highway Patrol remains as it now is and the State Police remain; and Senator McClure has agreed, when we reach No. 1030, to have it stricken from the calendar. So I ask the members of the Senate to vote for this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1069 (House Bill No. 1791), as follows:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction and providing for the repayment of such moneys from the General Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five million dollars $5,000,000 is hereby specifically appropriated out of the Motor License Fund to the Department of Public Instruction of the Commonwealth of Pennsylvania for the two fiscal years commencing June first one thousand nine hundred and thirty-three for aiding financially handicapped and distresesd local public school districts The Superintendent of Public Instruction shall apportion the sum hereby appropriated to such local public school districts and in such amounts as he shall deem expedient The sum hereby appropriated shall be in addition to any appropriation made to the said Department of Public Instruction by the general appropriation bill passed at this session of the Legislature

Section 2 The amount appropriated from the Motor License Fund by this act to aid financially handicapped school districts shall be repaid by the Motor License Fund from moneys in the General Fund during the fiscal bicennium beginning June first one thousand nine hundred and thirty-three at such time or times and in such instalments as the Governor Auditor General and State Treasurer shall determine and for such purposes any moneys in the General Fund are hereby specifically appropriated

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 625

Mr. SHAPIRO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 26, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 625, entitled:

An Act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts."

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1376 (House Bill No. 1051), as follows:

An Act to amend section seven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party offices including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended by increasing the number of signers required for nomination petitions for magistrates in cities of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenss of the same authorizing the State Committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended by the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred thirty-nine) the act approved the twenty-ninth day of April one thousand nine hundred and twenty-five (Pamphlet Laws three hundred sixty-one) and the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred eighty-five) is hereby further amended to read as follows

Section 7 The nomination petitions in the case of candidates for the office of President of the United States Senator of the United States Member of the House of Representatives of the United States for all State offices for the office of delegate or alternate delegate to a National party convention and for the office of member of the State or National committee shall be filed at least fifty days prior to the primary with the Secretary of the Commonwealth Nomination petitions in all other cases shall be filed at least four weeks prior to the primary with the county commissioners of the respective counties

Nomination petitions of candidates shall be signed

(a) If for the office of President of the United States or of Senator of the United States by at least one hundred qualified electors in each of at least ten counties of the State

(b) If for a State office to be filled by a vote of the electors of the State at large for the office of Representative from the State at large in the Congress of the United States for the office of delegate or alternate delegate at large to a National party convention or for the office of member of the national committee by at least one hundred qualified electors in each of at least five counties of the State

(c) If for the office of a Member of the House of Representatives of the United States to be filled by a vote of the electors of a congressional district or of delegate or alternate delegate to a national party convention other than delegate or alternate delegate at large or of judge of any court other than a court whose judges are to be elected by a vote of the electors of the State at large or of State Senator or of any municipal office to be filled by a vote of the electors of a senatorial district by at least two hundred qualified electors

(d) If for the office of a Member of the State House of Representatives or for the office of member of the State committee or an office to be voted for by the electors of the entire county by at least one hundred qualified electors except for the office of magistrate in cities of the first class in which case it must be signed by at least three thousand qualified electors

(e) If for the office of inspector of election at least five qualified electors

(f) And for all other offices and all other party offices by at least ten qualified electors

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

RESOLUTION RELATIVE TO LEGISLATIVE COMMITTEE TO INVESTIGATE THE AFFAIRS OF THE DEPARTMENT OF BANKING WITH RESPECT TO CLOSED BANKS AND OTHER CLOSED FINANCIAL INSTITUTIONS

Mr. BELL. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BELL offered the following resolution, which was twice read, and referred to the Committee on Appropriations:

In the Senate, April 26, 1933.

Whereas, The continued depreciation of the value of securities has brought about a material shrinking of the assets of closed banks now being liquidated by the Department of Banking; and

Whereas, There are many complaints that an unduly large percentage o fthe assets of corporations in receivership are used up in the expenses of receiverships and in the payment of salaries and fees; and

Whereas, It is the desire of the General Assembly that the assets of closed banks be preserved to the fullest extent for the benefit of depositors therein and creditors; therefore be it

Resolved (if the House of Representatives concur), That the President Pro Tempore of the Senate appoint three members of the Senate, the Speaker of the House of Representatives appoint three members of the House of Representatives, who, together, shall constitute a joint legislative committee, whose duty it shall be to investigate the affairs of the Department of Banking with respect to closed banks and other closed financial institutions, to ascertain whether the assets of such banks and institutions are being carefully preserved, the affairs of such institutions economically administered, and the assets of such institutions liquidated to the best advantage for the interests of creditors and depositors;

Resolved, That the said committee shall have power to issue subjoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being

inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases;

Resolved, That said committee shall make report of its findings to the next session of the General Assembly.

BILLS INTRODUCED

Mr. SHAPIRO. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO read in his place and presented to the Chair Senate Bill No. 1472, entitled:

An Act to amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended; by exempting interest bearing accounts in any bank or banking institution, savings institution or trust company from taxation under the provisions of said act.

Which was committed to the Committee on Finance.

Mr. WOODWARD. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 1473, entitled:

An Act making an appropriation for the support of the American Legislators' Association.

Which was committed to the Committee on Appropriations.

Mr. SORDINI. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SORDINI read in his place and presented to the Chair Senate Bill No. 1474, entitled:

An Act to amend section two of the act, approved the eighth day of June, one thousand eight hundred and ninety-three (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will and enabling them to sue and to testify against each other in certain cases," by enabling a married woman to become accommodation indorser, maker, guarantor or surety for another.

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEES

Mr. COYNE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Municipal Affairs, reported as committed, amended, Senate Bill No. 940 (House Bill No. 902), entitled:

An Act to amend the title and sections one and three of the act approved the fourteenth day of April one thousand nine hundred and thirty-one (Pamphlet Laws thirty-eight) entitled "An act regulating the removal or dismissal of policemen and firemen in cities of the second class A" extending the provisions of said act to cities of the second class.

Mr. HOWELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on Elections, re-reported as committed, Senate Bill No. 600 (House Bill No. 99), entitled:

An Act to amend section eighteen of article nineteen of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled, "An act for the better government of cities of the first class of this Commonwealth," by making provisions for the reinstatement of persons removed from the classified service of the city without fault or delinquency on their part.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD, from the Committee on Agriculture, re-reported as committed, Senate Bill No. 1382 (House Bill No. 1418), entitled:

An Act declaring and adopting the azalea nudiflora also known as the wild azalea, wild honeysuckle and pinxter bloom, as the Pennsylvania State flower.

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO, from the Committee on Judiciary General, reported as amended, Senate Bill No. 807 (House Bill No. 197), entitled:

An Act to amend sections eight hundred and eight hundred and one of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" defining legal settlement and the liability of poor districts for support.

Also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 803 (House Bill No. 198), entitled:

An Act to amend sections one two and three of the act approved the sixth day of April one thousand nine hundred and five (Pamphlet Laws one hundred twelve) entitled "An act providing for the relief of poor persons regulating their settlements in poor districts providing a means of enforcing the removal of a poor person to the district of his settlement the payment for relief furnished to him and the payment of costs thereto and authorizing courts of quarter sessions to compel certain relations to contribute to the relief of poor persons" defining legal settlement and the liability of poor districts for support

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 714 (House Bill No. 1277), entitled:

An Act relating to writs of execution on goods and chattels and regulating the period within which such property must be sold to preserve the lien of a levy thereon, and providing that sheriffs or coroners may return any such writ if no sale shall be made thereon, within said period unless the sale be stayed by law or an order of court and relieving them from liability or abandonment of the levy in such cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 724 (House Bill No. 987), entitled:

An Act to amend section one of the act approved the tenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred seventy-nine) entitled "An act to regulate procedure where a defendant desires to have joined as additional defendants persons who he alleges are alone liable or liable over to him or jointly or severally liable with him for the cause of action declared on and providing for entry of judgments against such additional defendants" as amended by providing for service of process on an added defendant in counties other than that within which the action was instituted

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Fay,	Mansfield,	Roberts,
Aron,	Frazier,	McClure,	Salus,
Batchelor,	Gelder,	Norton,	Scott,
Baumer,	Graff,	Owlett,	Shapiro,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—3

Miller,	Snyder,	Thompson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 786, entitled:

An Act making an appropriation to the Southern Dispensary, three hundred and eighteen Bainbridge Street, Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 819 (House Bill No. 1543), entitled:

An Act to amend section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the period for payment of part of the tax.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Snyder,
Baumer,	Graff,	Owlett,	Sones,
Bell,	Harris,	Parkinson,	Sordoni,
Bennett,	Harvey,	Pethick,	Staudenmeier,
Boyd,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,	Mansfield,	Roberts,	

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1001 (House Bill No. 1200), entitled:

An Act making it unlawful to unnecessarily crop or cut off the ear or ears of dogs or to show or exhibit such dogs and providing for the registration of dogs so cut or cropped before this act becomes effective with the county treasurer.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott.
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments

BILL DROPPED FROM CALENDAR

Mr. McCLURE. Mr. President, I move that Senate Bill No. 1030, on third reading, entitled:

An Act to amend sections three and six as amended of and to add section three and one-tenth to the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1046), entitled "An act appropriating the moneys in the Motor License Fund," transferring the appropriation for the State Highway Patrol from the Department of Revenue to the Pennsylvania State Police; and making the same a definite amount for each biennium.

be dropped from the calendar.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1217 (House Bill No. 1054), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth, by adding thereto section sixteen.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. KRAUSE. Mr. President, I move that Senate Bill No. 1269 (House Bill No. 1567), on third reading, entitled:

An Act to amend section 11, sections 20, 30 and 40 as amended, sections 50, 71, 72, 98 and 102, sections 220 and 224 as amended, and sections 226, 228, 240, 255 and 272 of the act, approved the second day of May one thousand nine hundred and twenty-five (P. L. 448), entitled "Fish Law of 1925" defining bait fish; changing closed seasons, legal sizes and creel limits; regulating minnow traps; prohibiting the possession of certain fillets; regulating the issuance of resident fishing licenses; providing for monthly returns by county treasurers and the revocation of fishing licenses; authorizing the Commissioner of Fisheries to accord special fishing privileges to unnaturalized foreign born persons; empowering the board to create nursery waters; providing for the payment over of fines and for refunds; generally regulating fishing; and providing penalties.

be recommitted to the Committee on Game and Fisheries.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1270 (House Bill No. 1780), as follows:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws Five Hundred Ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing certain routes and adding certain new routes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following routes established by the Act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws Five Hundred Ninety-four) entitled "An Act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" are hereby amended to read as follows

Route 01047 Beginning at a point in [Huntingdon] Huntington Township on the Adams-Cumberland County line about .5 of a mile east of the Tyrone-[Huntingdon] Huntington Township line thence southwestwardly through [Huntingdon] Huntington Township to a point [intersecting] on Route 01006 thence eastwardly through [Huntingdon] Hun-

tington Township by way of Idaville and Gargol [to a point intersecting Route 342 at the York Spring Borough line] intersecting Route 41 at Idaville to a point on the western boundary line of York Springs Borough in Adams County a distance of about 6.4 miles

Route 02002 Beginning at a point on Route 742 in Penn Township [at] near the Penn-Wilkins Township line and extending easterly thence northerly to a point on the Frankstown Road Route [288] 228 about 0.3 of a mile west of Rodi in Allegheny County a distance of about [1.5] 1.43 miles

Route 02017 Beginning at a point in Penn Township on the Saltsburg Road Route 228 and extending in a southerly and southeasterly direction by way of the Stolter Road to an intersection with [Frankstown Road] County Universal Road near the property of Jacob Berg in Allegheny County a distance of about [1.7] 1.69 miles

Route 02018 Beginning on the Coraopolis-Cliff Mine Road near [McClarence] McClaran's Mill thence in a general northeasterly direction to an intersection with Route 02006 thence beginning on Route 02006 and running in a northeasterly direction across the Beaver Grade Road thence in a northerly direction to an intersection with the Coraopolis and Carnot Road about .25 of a mile [east] west of its intersection with the Hassam Road State-aid Application 2386 in Allegheny County a distance of about [2.9] 2.97 miles

Route 02030 Beginning at a point on [Route 02022] the county Oakdale-Thomas Run Road near Beechmont thence in a northwardly and an eastwardly direction to an intersection with the Noblestown Road [about .25 of a mile west of] near Rennerdale in Allegheny County a distance of about [1 mile] 1.38 miles

Route 02032 Beginning at the [Washington County] McDonald Borough line about .25 of a mile [south] southeast of the [borough of McDonald] Noblestown Road thence northeasterly and easterly along the Ridge Road south of the Noblestown Road to an intersection with Route 681 in Allegheny County a distance of about [2.2] 1.78 miles

Route 02034 Beginning at State-aid Application 4624 about 5 of a mile west of the village of Federal thence in a southeasterly direction along the Ridge Road to an intersection with Route 397 [thence in a southwesterly direction to an intersection with Route 545 near Sygan] in Allegheny County a distance of about [3.4] 2.64 miles

Route 02044 Beginning at a point in Penn Township on the Hulton Road [about 300 feet south of] near its intersection with the Old Coal Road and extending in a southwesterly direction on the [Poketa] Puketa Road to a point where it intersects the [Arona] Verona Road [at] near the property of W Hansell in Allegheny County a distance of about 1.1 miles

Route 02046 Beginning at [a point on Route 545 near its intersection with Route 681] an intersection with Route 02049 near a public school about .2 of a mile south of Route 545 in in the village of Traveskyn thence in a southeasterly direction to an intersection with Route 108 about one mile north of the Washington County line thence [a point near Mayview] beginning on Route 108 near the same point and running in a southeasterly direction to Boyce Station thence in a southeasterly direction to an intersection with Route 02057 about .5 of a mile north of the Washington County line beginning on Route 02057 near the same point thence in an easterly direction to an intersection with the county McMurray Road about .25 of a mile north of Jewel in Allegheny County a distance of about [5.6] 5.83 miles

Route 02050 Beginning at a point [on] near the Washington Pike [near] on the Bridgeville Borough line thence in an easterly direction to an intersection with the Clifton-Bridgeville Road thence in a [northerly] northeasterly direction to a point [near] on the county road at the village of Beadling thence beginning on the county road near the Mount Lebanon-Upper Saint Clair Township line with the Bower Hill Road [about .25 of a mile from the Mount Lebanon Township line] in Allegheny County a distance of about [4.2] 3.91 miles

Route 02052 Beginning on the Clifton-Bridgeville Road about .75 of a mile west of [Clinton] Clifton thence in a westerly direction to an intersection with Route 02054 near Morrow farm in Allegheny County a distance of about [1.2] 1.11 miles

Route 02066 Beginning at a point on the Library Road extension near Piney Forks thence in a southeasterly direction along a branch of the Baltimore and Ohio Railroad to a point [in Jefferson Township near the Heath farm] on the Washington County line about 1 mile east of the Snowden-Jefferson Township line thence to an intersection with Route 02087 in Washington County also beginning on Route 02087 about 1 mile northeast of the Washington County line thence in a southeasterly direction to an intersection with the Dravesburg Road about .25 of a mile north of the Washington County line in Allegheny County a distance of about [5.8] 5.51 miles and in Washington County a distance of about .07 mile

Route 02071 Beginning at a point on the Lovedale Road about .25 of a mile [south] southwest of its intersection with the [Portview] Port Vue and Lovedale Road and extending in a general northerly direction to an intersection with [the Portview Road about .5 of a mile north of an] Route 687 near its intersection [of] with the [Portview] Port Vue and Lovedale Road [and Route 687] in Allegheny County a distance of about [2] 1.52 miles

Route 02074 Beginning at the end of the improved section of the New England Road thence [northwesterly along Pine Run] westerly to an intersection with Route 376 near the end of Route 02113 in Allegheny County a distance of about [1] 0.6 of a mile

Route 02078 [Beginning at a point on the Air Port Boulevard near the Union Railroad crossing thence in a general northwesterly direction to a point on the Streets Run Road thence along Street Run to a point on the Pittsburgh City Line in Allegheny County a distance of about 1.6 miles] Beginning at a point on the Duquesne City line near Kennedy Avenue thence in southwesterly disection to a point on the Dravosburg Borough line near Amity Avenue in Allegheny County a distance of aboue 1.6 miles

Route 02082 [Beginning at a point on the Homestead Park extension road near the Pittsburgh-McKeesport Boulevard thence in an easterly direction across the Homestead-Duquesne Road to a point near Thompson Run thence in a northeasterly direction toward Kennywood Park to a point on the Duquesne City Line in Allegheny County a distance of about 4.2 miles] Beginning at a point on the Pittsburgh City line near the end of the West Run Road thence in an easterly direction across the Homestead-Duquesne Road to a point near the Mifflin Township Municipal Building thence in an easterly direction to a point on the Duquesne City line in Allegheny County a distance of about 3.2 miles

Route 02084 [Beginning at the end of Homeville improved road at Route 02185 thence in a southerly direction across Route 02082 near Thompson Run thence in an easterly direction to an intersection with the Homestead and Duquesne Road near the Duquesne City line in Allegheny County a distance of about 2.5 miles] Beginning at a point on the McKeesport Boulevard near Bettis Field thence in an easterly direction to a point on the Homestead-Duquesne Road in Allegheny County a distance of about 1.5 miles

Route 02088 Beginning at a point [near Broadway on Route 392 at] on the East McKeesport Borough line on Broadway thence in a southerly direction], via Delaware Avenue to Washington Avenue thence along Washington Avenue to Fifth Avenue] to an intersection with Route 392 near the Greer property in Allegheny County a distance of about [1.1 miles] .85 of a mile

Route 02093 Beginning at a point on the Brentwood Borough line about .25 of a mile south of the Glass Run Road thence in a southeasterly direction to an intersection with the Streets Run Road]; thence northeasterly along Streets Run to an intersection with Route 02078] in Allegheny County a distance of about [2.2] 1.66 miles

Route 02095 Beginning at a point on [Route 02097 and extending in a southwesterly direction to an intersection with Route 02099 the Provost-Millers Grove Road] the line between Allegheny and Beaver Counties at the end of Route 04067 thence southeasterly southwesterly and southeasterly to an intersection in Findley Township with the county road known as Spring Run Road about .2 of a mile south of the intersection of the said Spring Run Road with the line between Findley and Moon Townships in Allegheny County a distance of about [1] .81 of a mile

Route 02099 Beginning at the Streets Run Road near [Millers Grove] Willock thence in a northwesterly direction to [Route 330] the Brentwood Borough line near the South Hills Country Club in Allegheny County a distance of about [1.4] 1.23 miles

Route 02101 [Beginning at a point on the New England Road about .5 of a mile southeast of New England thence in a north and northwesterly direction to a point on the Lebanon Church

Road Route 376 near the County Air Port in Allegheny County a distance of about 2.2 miles] Beginning at a point on the River Road near Camden thence in a northwesterly direction to a point on the Lebanon Church Road near the County Air Port in Allegheny County a distance of about 2.2 miles

Route 02110 Beginning at a point on Route 679 near the Deer Creek Bridge [,] and extending in a general easterly and southeasterly direction across Long Run thence to an intersection with [the Little Deer Creek Road near] Route 02156 about .5 of a mile west of Rural Ridge in Allegheny County a distance of about [3.2] 2.34 miles

Route 02116 Beginning at a point [on] near the Spring Garden Road [near] on the Pittsburgh City line [;] and extending along William Street to a point [near the new East Street Bridge] on the Pittsburgh City line in Allegheny County a distance of about [.5] .18 of a mile

Route 02128 Beginning at a point [on] near the Babcock Boulevard [near] on the southern Boundary of North Park [;] and extending in a [Southeasterly and] southwesterly direction to an intersection with Route 02126 about .25 of a mile northeast of [the Ferguson Road] State-aid Application 3756 in Allegheny County a distance of about [2] 1.05 miles

Route 02145 Beginning at a point in Penn Township on the Coal Hollow Road Route 02172 [about 250 feet south of] near the Verona Road [;] and extending in an easterly direction to a point on [the Hulton Road] Route 228 [at] near Rodi in Allegheny County a distance of about [1.7] 1.55 miles

Route 02150 Beginning at a point on Route 72 near the end of [the Gibsonia Road] State-aid Application 3581 and extending in a general [easterly] southeasterly direction [to the] along the west branch of Deer Creek to a point on the county Middle Road Extension thence beginning on Route 02148 near the same point and running in a northeasterly direction to an intersection [of] with the Bairsford Road in Bairsford in Allegheny County a distance of about [3.5] 3.81 miles

Route 02152 Beginning at a point about .25 of a mile north of Russelton on the [Bull Creek] Little Deer Creek Valley Road thence in a westerly and northerly direction to an intersection with the Dorseyville-Culmerville Road near the end of the Bairsford Road in Allegheny County a distance of about [1.9] 1.97 miles

Route 02154 Beginning at a point on the county Bailey Run Road [near its intersection with Days Run Road] about .5 of a mile north of Creighton thence northwesterly along Days Run [to an intersection with the Tarentum and Culmerville improved road] to a road intersection about .7 of a mile east of the West Deer Township line thence westerly to an intersection with the county Baily Run Road near the Little Deer Creek Road in Allegheny County a distance of about [4.6] 4.50 miles

Route 02181 Beginning at a point [about .25 of a mile north of] near the intersection of the Babcock Boulevard and [Duncan Avenue] State-aid Application 3756 thence in a westerly direction to an intersection with the Perry Highway Route 246 in Allegheny County a distance of about [1.2] 1.09 miles

Route 02194 Beginning on [Penn Avenue at Markle Street] old Route 120 at the east end of the bridge over Turtle Creek thence [southwesterly to Versailles Avenue thence along Versailles Avenue] in a westerly and southerly direction to the East Pittsburgh and McKeesport Boulevard in Allegheny County a distance of about [.6 of a mile] 1.11 mile

Route 02196 Beginning at a point in Penn Township on the [Hunter Road about 250 feet east of] Verona Borough line near Plum Creek [;] and extending easterly and southeasterly over Hunter Road to a point where it intersects Hamil or Ryan Road Route 02165 also from a point on the Hamil or Ryan Road about .3 of a mile east of the first intersection and extending in a southerly direction to intersect the Hulton Road in Allegheny County a distance of about [2.2] 2.46 miles

Route 02199 Beginning at a point, [at] on the Universal Road near Clarksville in Penn Township about .3 of a mile [north] south of the intersection of [Frankstown] Universal Road and the [Clarksville Road] Route 228 and extending northeasterly by way of Main Street to a point on [the Saltsburg Road] Route [288] 228 in Allegheny County a distance of about [.6] .53 of a mile

Route 05018 Beginning at the West Kittanning Borough line [,] : thence [southwest] southwesterly through East Franklin and North Buffalo Townships by way of Foster Dairy farm], to bridge crossing Glade Run at] and bridge crossing Glade Run to the Pony farm in Armstrong County a distance af about [2.5] 2.60 miles

Route 03028 Beginning at a point on Route 214 at D Aurell's thence in a general northwesterly direction in Brady's Bend Township to a point on the Brady's Bend-Perry Township line and continuing in a general [northerly] northwesterly direction in Perry Township past Criswell [Schoolhouse] schoolhouse to an intersection with the Fredericksburg-Queenstown Road [approximately .75 of a mile northeast of Fredericksburg] at Fredericksburg In Armstrong County a distance of about [4.3] 3.65 miles

Route 03089 Beginning at a point on the Eddyville-Timblin Road at McWilliams and extending in a [northeasterly] northwesterly direction in Red Bank Township to a point on the Armstrong-Clarion Connty line at Oak Ridge Bridge in Armstrong Connty a distance of about [4.6] 4.37 miles

Route 03090 Beginning at a point on the [southwest] southeast borough line of South Bethlehem in a general easterly direction [in Mahoning Township] to a point on the Mahoning-Red Bank Township line and continuing easterly and southeasterly in Red Bank Township to an intersection with the Oak Ridge-McWilliams Road at a point adjacent to Mudlick Church in Armstrong County a distance of about [4.5] 4.08 miles

Route 04021 Beginning at a point on Route [354] 265 about .5 of a mile north of the Darlington Borough line [;] . in Darlington Township and extending in an easterly and northerly direction to a point on the south borough line of New Galilee Borough in Beaver County a distance of about [1.5] 1.65 miles

Route 04024 Beginning at a point near Bellton on Route 04005 and extending in [an easterly] a southeasterly direction to an intersection with the Ellwood City-New Brighton Road [State-aid Application 125] in Beaver County a distance of about [1 mile] 1.11 miles

Route 04072 Beginning at Route 04043 near the Raccoon Creek crossing in Center Township thence in a [northerly] northeasterly and [easterly] southeasterly direction [toward] to the Aliquippa Borough line in Hopewell Township [and] near the County Green Garden Road near Halls Hill in Beaver County a distance of about [2.0] 2.34 miles

Route 04073 Beginning at the [east Rochester] Freedom Borough line about [.5 of a mile west of the Freedom Borough line] . in Rochester Township thence [northerly] northeasterly to an intersection with Route 04065 near the New Sewickley Township line in Beaver County a distance of about [0.5 mile] 1.63 miles

Route 04063 Beginning at a point on Route [04069] 04068 near Hoult in Raccoon Township and extending northerly to an intersection with Route 115 near the Potter farm in Potter Township in Beaver County a distance of about [1.0 mile] 1.33 miles

Route 04085 Beginning at a point on Route 78 about .25 of a mile north of the Rochester Township line in Daugherty Township thence in a southeasterly direction [along] across old Route 78 in Rochester Township to [a road] an intersection with Route 04073 near the New Sewickley Township line thence in a northeasterly direction to an intersection with the Sun Flower improved road about .25 of a mile southeast of Sunflower on Spur Route 78 in Beaver County a distance of about [3.0] 3.49 miles

Route 05018 Beginning at a point on Route 329 approximately 2.75 miles southeast of the borough line of Rainsburg in Southampton Township Bedford County thence northerly through Southampton Township to a point on the Southampton-Monroe Township line thence northeasterly through Monroe Township to [the village of Steckman] an intersection with Route 05023 at Black Valley Church thence [northerly] northeasterly to a point on the Monroe-West Providence Township line thence northeasterly through West Providence Township to a road intersection approximately 0.25 of a mile southeast of the borough of Everett in Bedford County a distance of about [12.9] 12.27 miles

Route 05023 Beginning at a road intersection with Rural Route 05016 approximately 0.50 of a mile west of the village of Clearville in Monroe Township Bedford County thence northwesterly through Monroe Township to [a road intersection approximately 0.50 of a mile north of] the village of Steckman thence northwesterly to a road intersection with Route 05018 at Black Valley Church in Bedford County a distance of about [2.7] 2.79 miles

Route 05025 Beginning at a point on Route 49 in the village of West End in Juniata Township Bedford County thence southeasterly through Juniata Township to [the West End School thence easterly to a point on the Juniata-Londonderry Township line thence easterly through Londonderry Township to a point on the Londonderry-Harrison Township line thence northeasterly] a road intersection at Little Wills Creek approximately .50 of a mile south of West End School thence easterly along Little Wills Creek to the village of Straub thence southeasterly along Little Wills Creek to the village of Rockville thence easterly to a point on the Juniata-Harrison Township to a point on Route 356 in the village of Bard in Bedford County a distance of about [6.1] 6.04 miles

Route 05034 Beginning at [Lincoln Highway at west end of] a point on the southern Everett Borough line West Providence Township Bedford County thence [south] south southerly through West Providence Township to [intersect road between Ashcom and Route 286] a road intersection on Rural Route 05039 approximately .25 of a mile east of Rural Route 05018 in Bedford County a distance of about [0.2] .06 of a mile

Route 05053 Beginning at a road intersection approximately 0.25 of a mile north of the Moore School on the road between Schellsburg and Springhope through Napier Township Bedford County thence northwesterly through Napier Township to a road intersection on Chestnut Ridge thence northerly for a distance of approximately .25 of a mile thence northwesterly to a point on [the east borough line of New Paris] Route 356 approximately .02 of a mile south of the borough of New Paris in Bedford County a distance of about [2.4] 2.5 miles

Route 05060 Beginning at a point on Route 47 approximately 0.125 of a mile north of the village of Cessna in East Saint Clair Township Bedford County thence northwesterly through East Saint Clair Township to a road intersection approximately 0.75 of a mile northeast of Fishertown Railroad Station thence northwesterly to [a point on] the eastern end of Route 222-A in the village of Reynoldsdale beginning again at a point approximately 40 feet west of the eastern end of Route 222-A in the village of Reynoldsdale thence northeasterly to a point on [Route 47] the East Saint Clair-King Township line thence northerly through King Township to a point on Route 380 in the village of Osterburg in Bedford County a distance of about [6.4] 6.61 miles

Route 05075 Beginning at a point on Route 380 [at] approximately .25 of a mile south of Osterburg Railroad Station in [East Saint Clair] King Township Bedford County thence westerly through [East Saint Clair] King Township to a point on the King-East Saint Clair Township line thence northwesterly through East Saint Clair Township to a road intersection [at] near Union School thence northwesterly to a point on the East Saint Clair-King Township line thence northwesterly through King Township to a point on Route 380 approximately 0.25 of a mile south of the village of Weyant in Bedford County a distance of about [3.4] 3.47 miles

Route 03078 Beginning at a point on Route 222 approximately 1.50 miles west of the borough line of Pleasantville Alum Bank Post Office in West Saint Clair Township Bedford County thence northwesterly through West Saint Clair Township to a point on the West Saint Clair-Lincoln Township line thence northeasterly through Lincoln Township to a road along the West Branch of Georges Creek thence southeasterly along the West Branch of Georges Creek to a road intersection [at a church approximately .0625 of a mile east of Georges Creek] in the village of Lovely in Bedford County a distance of about [5.8] 6.28 miles

Route 06059 Beginning at a point on Route 146 in Amity Township and about [.8 of a mile northeast of Monocacy Station of the Reading Railroad] one mile west of Douglassville thence northerly northwesterly and northerly through Amity Township to a point on State-aid Application 954 [at Weavertown] near Amityville in Berks County a distance of about 2.7 miles

Route 06132 Beginning at a point in Albany Township on Route 285 [near Station 514] near Albany Station thence northeasterly through Albany Township for a distance of about .2 of a mile to a point of road intersection thence southeasterly and easterly through Albany Township to a point on the Lehigh-Berks County line about [7.5] .3 of a mile northwest of the intersection of said county line with the Albany-Greenwich Township line in Berks County a distance of about [5.1] 5.3 miles

Route 06141 Beginning at a point on the eastern boundary line of Kutztown Borough at about .5 of a mile southwest of the northeastern corner of Kutztown Borough thence of the northeastern corner of Kutztown Borough thence easterly [and] southeasterly and southerly through Maxatawny [and Longswamp Township] Township to a point [of road intersection] on Route 06119 about [.3 of a mile] 1.3 miles [southeast of the intersection of Maxatawny Rockland and Longswamp Township lines] northeast of Lyons Borough in Berks County a distance of about [3.3] 3.6 miles

Route 07017 Beginning at the village of South Lakemont on Route 55 thence northeasterly through Logan Township [.2 of a mile] approximately 750 feet to Leslie Street thence southeasterly by way of [Logan Township School .5 of a mile] Leslie Street to Elm Street approximately 300 feet thence northeasterly by way of Elm Street to First Avenue approximately 160 feet thence southeasterly by way of First Avenue to Spruce Street approximately 1550 feet thence southwesterly [.2 of a mile] by way of Logan Township School approximately 1515 feet over Spruce Street to Route 55 in Blair County a distance of about [.9] .81 of a mile

Route 07021 Beginning at a point on [Route 260 approximately one-half mile east of the village of Canoe Creek] the county road in the village of Wallstown in Frankstown Township Blair County thence northerly through Frankstown Township to a point approximately one-quarter of a mile west of the stream named Canoe Creek thence southwesterly to a road intersection 1.5 miles thence south .9 of a mile to intersection Route 260 about one mile northwest of the village of Canoe Creek in Blair County a distance of about [5.4] 5.81 miles

Route 08020 Beginning at a point on [State Highway Route 13 in Asylum Township just west of the Terry Township line thence westerly] Route 08021 about 0.5 of a mile south of Spring Lake thence northwesterly through Terry and Asylum [Township] Townships past Ackley's Pond to the intersection with Route 08019 about 2 miles south of Durell in Bradford County a distance of about [3.5] 3.58 miles

Route 08026 Beginning at a point on State Highway Route 241 in Standing Stone Township about 1.5 miles west of Rummerfield thence northerly intersecting Route 08106 in Standing Stone Township thence northerly through Standing Stone and Wysox Townships intersecting Route 08027 [to] at the village of Mercur [;] in Wysox Township thence easterly through Wysox Standing Stone and Herrick Townships [to the intersection with] crossing Route 08025 at Herrickville thence easterly through Herrick Township to East Herrick thence southeasterly through Herrick and Pike [and Stevens] Townships [to the crossing of State Highway Route 343 about 1.0 miles south of the Pike Township line] to the Pike-Stevens Township line thence southeasterly through Stevens Township about two miles thence southerly through Stevens Township to the intersection [of] with State Highway Route 14 [about 2.0 miles west of the Susquehanna County line] at Stevensville in Bradford County a distance of about [15.2] 14.2 miles

Route 08031 Beginning at a point on State Highway Route 14 at Merryall thence easterly through Wyalusing and Tuscarora Townships to Hurds Corners thence northeasterly to an intersection with Route 08032 at Snyders Corners beginning against on Route 08032 at Spring Hill thence easterly through Tuscarora Township to the intersection with State Highway Route 539 at Silvara in Bradford County a distance of about [6.2] 5.9 miles

Route 08036 Beginning at a point on the western boundary of Canton Borough thence [northerly] northwesterly along Mill Creek through Canton and Armenia Townships to an intersection with Route [08037] 58078 on the Bradford-Tioga County line in Bradford County a distance of about [4.65] 1.56 miles

Route 08045 Beginning [at the intersection with State Highway Route 212] at a point on the eastern boundary of Sylvania Borough thence along the northern bank of Sugar Creek through Columbia and Troy Townships to the [intersection with State Highway Route 20 at the] northern boundary of Troy Borough in Bradford County a distance of about [4.3] 4.06 miles

Route 08048 Beginning at a point on the Tioga-Bradford County line about 3.0 miles [southwest] southeast of Roseville in Tioga County thence southeasterly through Columbia Township to the intersection with Route 08046 at Austinville in Columbia Township Bradford County a distance of about [2.8] 2.63 miles

Route 08062 Beginning at a point on State Highway Route 385 about 1.25 miles north of West Franklin thence northeasterly through Grantville and Franklin Townships to the

southern boundary of West Burlington Township thence northerly through West Burlington Township about 2.5 miles thence southwesterly through West Burlington Township to a road intersection about 0.25 of a mile east of Vroman Hill thence [northwesterly] northerly and westerly through West Burlington Township to the intersection with Route 08053 about 0.25 of a mile south of West Burlington in Bradford County a distance of about [7.0] 6.68 miles

Route 08091 Beginning at a point on Route 08090 [at] about 0.75 of a mile west of Orwell thence northeasterly through Orwell and Warren Townships to the intersection with State Highway Route 699 at West Warren in Bradford County a distance of about [4.6] 4.34 miles

Route 09016 Beginning at a point on the northwestern boundary line of Perkasie Borough thence northwesterly through East Rockhill Township to a point on a road known as the Three Mile Run Road about 0.4 of a mile northeast of Route [156] 153 in East Rockhill Township in Bucks County a distance of about [0.6] .45 of a mile

Route 09034 Beginning at Churchville at a point the intersection of the Upper Southampton-Northampton Township line and the county road thence northerly on a road known as line and the county road thence northerly on a road known as Southampton Northampton and Warminster Townships Ivyland Borough Warwick and Warrington Townships and crossing Route 155 at Hartsville to a point the intersection of said Bristol Road with teh Warrington-Warwick Township line thence through Warrington Township crossing Route 151 at Warrington to a point the intersection of the said Bristol Road with the Warrington Doylestown Township line thence along the said line and road northwesterly to a point the intersection of the said Bristol Road and township line with the New Britain Township line thence northwesterly through New Britian Township to the southeastern borough line of Chalfont Borough thence northwesterly along the Chalfont Borough-New Britain Township line to the New Britain Borough line in Bucks County a distance of about [13.3] 12.23 miles

Route 09042 Beginning at a point on the eastern borough line of Ivyland Borough thence northeasterly on a road through Warminster and Northampton [Newtown] Townships [by way of] to Jacksonville [,] : [Richboro] thence southeasterly [crossing] to a point on Route [326] 362 [near Station 400] about .3 of a mile north of Richboro thence easterly crossing Route 326 near Newtown Borough to a point [and] on the western borough line of Newtown Borough in Bucks County a distance of about [8.6] 8.17 miles

Route 09052 Beginning at a point on a road about 1.2 miles southwest of Wrightstown in Wrightstown Township thence northerly and easterly through Wrightstown and Upper Makefield Township crossing Route 152 [near Station 559] at Wrightstown to a point [in] on Route 500 [near Station 40] about .3 of a mile [east] southwest of Taylorsville in Upper Makefield Township in Bucks County a distance of about [7.3] 6.90 miles

Route 09104 Beginning at a point on the Bucks-Montgomery County line about one mile north of the northwestern boundary of West Telford Borough thence northeasterly through [East] West Rockhill Township and crossing the northeast branch of the Perkiomen Creek [at] continuing northeasterly to a point on the southwestern boundary of Sellersville Borough in Bucks County a distance of about [2.6] 2.55 miles

Route 10036 Beginning at a point on [State-aid Application 4544 at West Winfield] Route 10034 at Denny's Mills about .7 of a mile northwest of West Winfield and extending [in a northerly direction] northeasterly and northwesterly in Winfield Township to a point on the Winfield-Clearfield Township line thence northwesterly in Clearfield Township past the forks at Edward Swartzlander's [;] . [thence in a generally northerly direction crossing State Route 71 at Coyleville Crossroads] to a point of intersection with Route 71 at Greene thence [continuing] northerly through the crossroads at Fenelton to a point on the Clearfield-Donegal Township line thence in a generally northerly direction in Donegal Township on what is known as the Fenelton Road to [an] a point of intersection with [the Chicora-Craigsville Road adjacent to] the south borough line of [Chicora] Millerstown Borough in Butler County a distance of about [11.7] 11.64 miles

Route 10077 Beginning at a point on [Route 251 south of] East Main Street at the Petrolia Borough line [easterly to John Jameson's] thence in a general [northeasterly] easterly direction in Fairview Township on the East Brady and old Petrolia-Queenstown [Road] Roads t oa point on the Butler-Armstrong County line in Butler County a distance of about [1.5] 1.34 miles

Route 10078 Beginning at [the intersection at John Jameson's southeasterly] a point on Route 251 approximately 0.2 of a mile south of the Petrolia Borough line thence easterly in Fairview Township to an intersection at John Jameson's thence southeasterly towards Kaylor to a point on the Butler-Armstrong County line in Butler County a distance of about [1.5] 1.77 miles

Route 11003 Beginning at a [road intersection] point on the Cambria-Somerset County line approximately [one-quarter] one-sixteenth of a mile [west] north of the village of Kring [Railroad Station] in Richland Township Cambria County thence [southeasterly in] northerly through Richland Township to a road intersection approximately one-quarter of a mile north of the county line thence southeasterly to the village of Walsall thence easterly to the intersection with Route 11001 approximately one and one-half miles east of Walsall in Cambria County a distance of about [2.4] 2.96 miles

Route 11060 Beginning at a point on Route [276-Spur] 383 approximately one mile west of the village of Blandburg in Reade Township Cambria County thence northerly through Reade Township to the village of Mountaindale thence northerly to a point on Route 276 in the village of Glasgow in Cambria County a distance of about [1.9] 2 miles

Route 11081 Beginning at a point on Route 32067 on the Cambria-Indiana County line approximately [one mile north of the village of Crip] 0.25 of a mile south of Douglass Run in Susquehanna Township thence northeasterly through Susquehanna Township [to a point on Route 62 in] by way of the village of Greenwich Emmons Post Office to a road intersection thence southerly to an intersection with Route 62 at Garman's Mills in Cambria County a distance of about [2.6] 1.5 miles

Route 11065 Beginning at [West Edge of Westmont Borough thence northwesterly through Upper Yoder Township to Lower Yoder Township line] a point on the Westmont Borough-Lower Yoder Township line near Saint Clair Run thence [northerly] northeasterly through Lower Yoder Township along Saint Clairs Run [2.4 miles to Morrellville] to a point on the Lower Yoder Township-Johnstown City line in Cambria County a distance of about [2.9] 2.2 miles

Route 13019 Beginning at a point on State Highway Route 550 near Christmans Penn Forest Township thence northwesterly through Penn Forest Township to a [point where it connects a secondary township road approximately three miles northwest of Christmans] road approximately .85 o fa mile from Christmans thence southwesterly to Unionville in Carbon County a distance of about 3 miles

Route 15035 Beginning at a point of road intersection at the north end of the bridge at Williams Corner in Schuylkill Township thence northwesterly through Schuylkill and East Pikeland Township crossing Route 202 about .4 of a mile [southeast] southwest of the [southeastern] southwestern boundary line of Phoenixville Borough to a point on Route 270 in East Pikeland Township and about .6 of a mile west of the western boundary line of Phoenixville Borough in Chester County a distance of about [2.5] 2.38 miles

Route 15039 Beginning at a point on the Pennsylvania-Delaware State line about 1.75 miles [southeast] southwest of its intersection with Route 134 thence northwesterly through Kennett Township crossing State-aid Application 245 at Clifton Mill to a point of road intersection at Five Points about .3 [to] of a mile south of the Kennett Square Borough line in Chester County a distance of about [3] 2.81 miles

Route 15040 Beginning at a point on the Pennsylvania-Delaware State Line about [.3 of a mile southwest of its intersection with the Pennsbury-Kennett Township Line thence northwesterly about .9 of a mile to a road intersection] .03 of a mile east of its intersection with the Pennsbury-Kennett Township Line and in Pennsbury Township thence in a general northwesterly direction through Pennsbury and Kennett Townships to a road intersection for a distance of approximately 1.13 miles thence northeasterly through Kennett and Pennsbury Township to a point on Route 134 near Station 558 at Fairville in Chester County a distance of about [1.9] 2.34 miles

Route 15110 Beginning at a point on Route 541 at Gum Tree Store in Highland Township thence in a northerly direction by way of the properties of William Coates Albert Reynolds and Joseph Donnelly to a point on township road at Charles Ash farm thence westerly by way of the property of

Charles Ash thence [northeasterly] westerly and northwesterly through Highland Township by way of Harmony School [and continuing to Marvin Irwin farm thence northerly to] to a point of intersection on a road known as the Highland Road [at George Scott's property thence northerly through Highland East Fallowfield and Sadsbury Townships along Highland Road by way of Russell's Mill to a point on State-aid Application 3001 in Sadsbury Township in the village] said point being in Highland Township and about 1 mile south of Stottsville in Chester County being a distance of about [3] 3.27 miles

Route 16003 Beginning at the Armstrong-Clarion County line at the county bridge in Lawsonham thence through Lawsonham and thence running in a northerly direction to a point on the dividing line between [Madison and Toby Townships thence northwest by Toby Township to a point on the dividing line between Rimersburg Borough and Toby Township] Madison Township and Rimersburg Borough in Clarion County being a distance of about [3.4] 3.54 miles

Route 16051 Beginning at the intersecting roads in Hueffnet and running westerly in Knox Township to a point on the dividing line between Knox and [Elk] Washington Townships thence [northwest] northwesterly in [Elk] Washington Township to a point on State Route 92 in Clarion County being a distance of about [4.6] 4.32 miles

Route 18001 Beginning at a point on the Karthaus-Keating road about [seven] ten and a half miles northeast of the Clearfield-Clinton County line thence northeast through [West Keating and] East Keating [Townships] Township to intersect Route 105 near Keating in Clinton County a distance of about [7.25] 3.75 miles

Route 18009 Beginning at a point on Route 359 [about one mile] near the northwest [of the] Beech Creek Borough line thence [east] easterly via Quay School House Bitner School House and Laurel Run Church through Beech Creek Bald Eagle and Allison Townships to the Lock Haven City line in Clinton County a distance of about [9.5] 10.5 miles

Route 19004 Beginning at a point on Route 19022 at Kreischer's Store thence northwesterly through Cleveland Township to a point on the dividing line between Cleveland and Franklin Township to its intersection with State Highway Route 283 [2.5] miles southwest of Catawissa] 0.3 of a mile northwest of the Cleveland Township line in Columbia County a distance of about [5.0] 4.4 miles

Route 19012 Beginning at a point on Route 19011 approximately 0.75 of a mile east of the Montour County line thence southeasterly southerly and easterly through Franklin Township to the intersection with State Highway Route 283 and Rural Route 19004 [approximatel 2.5 miles southwest of Catawissa Borough] in Columbia County a distance of about [2.2] 2.8 miles

Route 19014 Beginning at a point on the eastern boundary of Catawissa Borough at the end of Church Street thence northeasterly through Catawissa and Main Townships along Catawissa Creek to the intersection with State Highway Route 415 about 1.5 miles northwest of Mainville in Columbia County a distance of about 4.1 miles

Route 19060 Beginning at a point on State Highway Route 249 approximately 2.5 miles north of Rohrsburg in Greenwood Township thence northerly through Greenwood and Jackson [Township] Townships via Green Creek schoolhouse and along Green Creek to Waller thence northerly through Jackson Township to the intersection with State Highway Route 321 at Divide in Columbia County a distance of about [7.0] 7.5 miles

Route 19063 Beginning at a point on Route 19030 approximately 1.0 mile west of Orangeville Borough thence northerly through Orange and Greenwood Townships to the crossing of State Highway Route 249 about 2.5 miles west of Rohrsburg thence northerly approximately 1 mile to the intersection with Route 19064 thence northeasterly through Greenwood Township to the Jackson Township thence northerly in Jackson Township about 0.75 of a mile thence easterly in Jackson Township to the intersection with Route 19060 about [0.5] 0.25 of a mile north of the Greenwood Township line in Columbia County a distance of about [10.4] 11.66 miles.

Route 20002 Beginning at a point on the Pennsylvania-Ohio State line about .5 of a mile north of the southwest corner of West Shenango Township thence east in West Shenango Township .4 of a mile to McLelland Corners thence northeasterly in West Shenango Township, [via] to Route 208 near Turner Station [and Turnersville to a point on the west line of South Shenango Township at the Shenango River bridge] beginning again in South Shenango Township at the northeastern end of the road constructed across the Pymatuning Reservoir dam by the Water and Power Resources Board thence northwesterly and northeasterly in South Shenango Township by way of McLain's Corners to a point on Route 238 at [Ferr's] Kerr's Corners in Crawford County a distance of about 5 miles

Route 20007 Beginning at [a point on the Pennsylvania-Ohio State line one mile west of] the intersection of a township road and the eastern end of the roadway now being constructed across the Pymatuning Reservoir by the Water and Power Resources Board at or near Fenkel's Corners thence east in North Shenango Township by way of [Fenkel's Corners] Espyville and Elliott Corners to a point on the Linesville-Hartstown Road at Stewartsville Corners in Crawford County a distance of about [4.9] 3.9 miles

Route 20020 Beginning at the north line of Geneva Borough (near Geneva Station) thence northerly in Greenwood Township to the south line of Union Township at Outlet Creek thence northeasterly in Union Township to [Scowden Corners] Route 20021 thence easterly [in Union Township to Houser's Corners thence] and northerly by way of Scowden Corners in Union [Township to a point in the south line of Vernon Township near Kebhar's Corners thence northeasterly in] and Vernon [Township] Townships crossing Route 213 to Reamore Corners thence easterly in Vernon Township to the Geneva Road Corners on old State Route 213 in Crawford County a distance of about [4.9] 4.5 miles

Route 20021 Beginning at [Scowden Corners in the western part of Union Township] a point on Route 20020 thence northerly in Union Township to the south line of Vernon Township thence northerly in Vernon Township to Watson Run Station thence westerly in Vernon Township to Collum Corners thence northerly in Union Township to Watson Run Church Corners thence northwesterly and northerly to a point on State Route 82 about .25 of a mile east of Watson Run and known as Brown's Corners in Crawford County a distance of about [3.9] 3.7 miles

Route 21009 Beginning at a point in Dickson Township intersecting Route 21008 at Montsera thence northerly to a point intersecting Route 35 at Mooredale thence easterly following the old York Road through Dickinson and South Middleton Townships by way of Craighead intersecting Route 41 to a point intersecting [Route 507] Route 21008 in the village of Boiling Springs thence northerly to a point intersecting county road about .15 of a mile north of Route 507 in Cumberland County a distance of about [10.4] 10.7 miles

Route 21015 Beginning at a point in East Pennsboro Township [on the northern boundary line] about 0.2 of a mile north of Camp Hill Borough intersecting with Route 708 thence northerly by way of Oysters Mill to a point intersecting Route 569 at Lantz's Schoolhouse in Cumberland County a distance of about [3.7] 3.31 miles

Route 21039 [Beginning at a point in East Pennsboro Township intersecting Route 21015 about one-eighth mile north of the northern borough line of Camp Hill Borough thence easterly through East Pennsboro Township to a point intersecting Route 21021 about one-eighth mile north of the northern boundary line of Camp Hill Borough in Cumberland County a distance of about .6 of a mile] Beginning at a point on Route 21016 at or near Good Hope Mills thence in a northerly direction through Hampden Township to an intersection with Route 469 at or near Mount Zion in Cumberland County a distance of about 1.75 miles

Route 21049 Beginning at a point in Southampton Township on the boundary line between Cumberland and Franklin Counties about [one-quarter] .25 of a mile south of Southampton-Shippensburg Township line thence northerly through Southampton and Shippensburg Townships to a point on the [southern boundary of Shippensburg Borough] boundary line of Cumberland and Franklin Counties about .2 of a mile south of Shippensburg Borough thence from a point on the northern boundary line of Shippensburg Borough through Shippensburg Township to a point (intersecting Route 2148 at the Shippensburg Borough line] on the boundary line of Shippensburg Borough about .03 of a mile west of Route 21048 in Cumberland County a distance of about [1.1 miles] .87 of a mile

Route 22001 Beginning at a point [in Upper Paxton Township] on Route 1 [near the northern boundary line of Millersburg

Borough] at the Millersburg Borough-Upper Paxton Township line thence in an easterly direction along the Millersburg Borough-Upper Paxton Township line thence in a northerly and eastwardly direction through Upper Paxton and Mifflin Townships intersecting Route 336 about [one-half] .50 of a mile north of Berrysburg Borough [thence from] beginning again at a point on Route 236 about [one-half] .50 of a mile south of Uniontown Borough thence eastwardly through [Mifflin and] Lykens [Townships] Township to a point on the boundary line between Dauphin and Schuylkill Counties about one mile southeast of the Dauphin-Northumberland County line in Dauphin County a distance of about [17.71] 17.00 miles

Route 22008 Beginning at a point in Susquehanna Township in the east boundary line of Penbrook Borough thence easterly along the Penbrook Borough-Susquehanna Township line thence easterly through Susquehanna and Lower Paxton Townships to a point on Route 22018 about one and one-half miles north of Lower Paxton-Swatara Township line beginning again at a point on Route 22018 about .1 of a mile north of the last named intersection thence easterly through Lower Paxton and South Hanover Townships by way of Union Deposit to a point in South Hanover Township [intersecting] on Route 22007 at Sand Beach in Dauphin County a distance of about [12.07] 11.08 miles.

Route 22015 Beginning at a point in Londonderry Township [intersecting] on Route 407 about two miles south of Royalton Borough thence northeasterly through Londonderry Township t oa point [intersecting] on Route 129 [thence from] beginning again at a point in Londonderry Township [intersecting] on Route 624 about one mile east of the Londonderry Lower Swatara Township line thence northerly through Londonderry and Derry Townships by way of Waltonville to a point on the southern boundary line of Hummelstown Borough thnece along the Hummelstown Borough-Derry Township line t oa point where the route enters the borough [thence from] beginning again at a point on northern boundary line of Hummelstown Borough thence northerly through South Hanover Township to a point intersecting Route 2208 about 1|1 miles east of the Lower Paxton-South Hanover Township line thence northerly through South Hanover and West Hanover Townships to a point in West Hanover Township [interestcing] on Route 140 about one and one-half miles [west] east of the West Hanover-Lower Paxton Township line in Dauphin County a distance of about [14.08] 13.47 miles

Route 22017 Beginning at a point in Lower Swatara Township [intersecting] on Route 22019 about one mile north of Highspire Borough thence easterly and northeasterly through Lower Swatara and Derry Townships intersecting Route 618 to a point on the southern boundary line of Hummelstown Borough thence along the Hummelstown Borough-Derry Township line to a point on the Hummelstown Borough line where the route enters the borough in Dauphin County a distance of about [6.95] 6.53 miles

Route 22043 Beginning at a point in Susquehanna Township intersecting the Harrisburg City line on Herr Street thence eastward along the Harrisburg City-Susquehanna Township line on Herr street thence through Susquehanna Township on Herr Street to a point intersecting the Penbrook Borough line in Dauphin County a distance of about [0.4] .67 of a mile

Route 23073 Beginning at a point on Route 420 about Station 23 in Darby Township and extending in a northerly direction through Darby Township to a point on the boundary line between Darby Township and Sharon Hill Borough beginning again on Route 420 thence over Magazine Lane to an intersection with Tribett Avenue in Delaware County a distance of about [.25] .88 of a mile

Route 23092 Beginning at a point at [the intersection of Fairview and Michigan Avenues in Ridley Township] the intersection of Michigan Avenue with the southeasterly boundary line of Swarthmore Borough and extending in an easterly direction through Ridley Township to a point on Route 751 [about Station 94] near Rutledge Borough in Delaware County a distance of about [.9] .33 of a mile

Route 25010 Beginning at a point on the north line of Crawford County being the Pageville-Crossingville Road thence northwesterly in Elk Creek Township through Pageville to a point on Route 709 [at Murphys Corners] about [one mile] two miles northwest of Pageville in Erie County a distance of about [2.2] 3.3 miles

Route 25054 Beginning at a point on State-aid Application 179 at Johnsons Corners near the north line of the city of Corry thence north in Wayne Township on the Scioto Road to the Bemus Road at Scioto Church thence northeasterly on the Spirit Hill Road to the New York State line thence east along the State line a distance of about .25 of a mile to a point where the road crosses the State line in Erie County a distance of about [4.0] 5.0 miles

Route 26001 Beginning at the end of the county improved road near Rush Run thence in a southwesterly direction along the Monongahela River to the [north] south end of Route 977 [and] ; beginning again at the [improved township road .75 of a mile east of East Millsboro and extending in a northerly direction to the concrete road near LaBelle thence in a northeasterly direction to the end of Route 977] north end of Route 977 and extending in a westerly direction along the Monongahela River to a point about .25 of a mile west of LaBelle thence southerly to a point on Route 26095 about 1.25 miles southeast of East Millsboro in Fayette County a distance of about [4.9] 5.23 miles

Route 26010 Beginning [near Edenborn] at a point of road intersection about .15 of a mile south of the intersection of Route 26062 and Route 26089 and extending in [an easterly] a southerly direction by way of Leckrone[;] and Ross School to a point of road intersection with a county road near High House beginning again at a point on said county road near High House thence in a general southeasterly direction [by way of Ross School High House and Grove Baptist Church] to Route 116 in Fayette County a distance of about [7.1] 8.54 miles

Route 26014 Beginning at the village of Perryopolis and extending in an easterly direction thence in a northwesterly direction along the Youghiogheny River to Whitsett[,] ; thence in the same direction to Route 288 about .5 of a mile south of Wick Haven in Fayette County a distance of about [3.1] 3.31 miles

Route 26015 Beginning at the Fayette-Westmoreland County line near Jacobs Creek [;] and extending in a [southeasterly] southwesterly direction through Banning thence in a southeasterly direction to the intersection with [county road] Apette County a distance of about [8.7] 8.97 miles

Route 26018 Beginning [near the end of the county brick road] at Route 26012 at Kenneth thence in a northeasterly direction to [an intersection with State Route 247 near] the south end of an improved county road at the Jefferson-Washplication 10 about .75 of a mile northeast of Dawson in Fayington Township line about .5 of a mile southwest of Gillespie in Fayette County a distance of about [2] 1.5 miles

Route 26021 Beginning at a point on Route 26030 near [Searight] Keister and extending in a southeasterly direction by way of Ross School and Jennings Run to Route 113 [at the] about .25 of a mile west of the Fayette County Home in Fayette County a distance of about [4.4] 4.84 miles

Route 26035 Beginning at a point [in Fairchance] of road intersection on the northeastern borough line of Fairchance and extending in a northwesterly direction along said borough line for a distance of about .4 of a mile thence continuing northwesterly through Georges Township to Collier [;] and thence extending in a general northerly direction to [the end of improved road at Continental Number 3] an intersection with Route 26038 near the Walnut Hill Methodist Episcopal Church thence in a westerly direction to the intersection with [county road] a township concrete road about one mile [north] northeast of High House in Fayette County for a distance of about [4.6] 4.72 miles

Route 26037 Beginning at Route 117 about .7 of a mile north of the city line of Connellsville [;] and extending in a [general west] westerly direction by way of Poplar Grove School to road intersection near the Evangelical Church thence in a [and] southwesterly direction to [improved county road at city line Jacobs Creek] intersection with city line of Connellsville at end of Pittsburgh Street near Mounts Creek in Fayette County for a distance of about [1] .99 of a mile

Route 26038 Beginning at Route 26035 [;] about 800 feet northwest of Walnut Hill Methodist Episcopal Church and extending in an easterly direction [by way of Methodist Episcopal Church] to a township concrete road in Fayette County for a distance of about [.3] .78 of a mile

Route 26039 Beginning at [a point on State Road 116 near] southern borough line of [Point Marion] Point Marion [Borough] about .41 of a mile from Route 116 [thence] and extending in a southeasterly direction to a point on the West Virginia State line in Fayette County a distance of about [1.4] 1.17 miles

Route 26044 Beginning at Route 26051 near the village of [White] Buchanan and extending in a northwesterly direction by way of Stauffers School to intersection with Route 26050 near [Haines] Mines School thence in a southerly direction by way of [Hemminger Mills] Pleasant Valley School and Breakneck School to the intersection of Route 117 [at] near the north city line of Connellsville in Fayette County for a distance of about [10.6] 11 miles

Route 26047 Beginning at the old Connellsville Road about two miles northeast of the city limits of Uniontown [:] and extending by way of Lamont Furnace Mount Braddock and Ferguson to the borough of Dunbar thence in a general southeasterly direction by way of Dunbar Creek and [Sandy Flat Schoolhouse] Hughes schoolhouse to the Dunbar-Stewart Township line in Fayette County a distance of about [13.5] 12.68 miles

Route 26050 Beginning at Route 26044 [:] and extending in a [northwesterly] westerly direction by way of Wooddale [to intersection with State-aid route about one mile northeast of Everson] and crossing State-aid Application 4898 to the county road at Prittstown in Fayette County for a distance of about [3.1] 3.37 miles

Route 26054 Beginning at the Westmoreland-Fayette County line [about .7 of a mile north of United Brethren Church and extending] near Bridgeport thence in a southerly direction through the village of Hammondville to forks of road [about .7 of a mile south of] near the United Brethren Church thence in a [southeasterly] easterly direction to intersection with [township road about one-half mile northwest of Haines School] Route 26056 near Mudd School in Fayette County for distance of about [2.5] 2.19 miles

Route 26066 Beginning at the intersection of State Route 113 about .25 of a mile southeast of Brownsville [:] and extending in a northwest direction to the [county road to Albany] Brownsville Borough line in Fayette County a distance of about [1.5 miles] .46 of a mile

Route 26070 Beginning at a point on the [southern] western line of Dunbar Borough thence [in a general southwesterly direction] westerly by way of Pechin Hill farm to an intersection with State Route 117 about one mile [southwest] southeast of Monarch in Fayette County a distance of about [1.8 miles] .89 of a mile

Route 26071 Beginning at [State Route 366 near] the borough line of Ohiopyle [;] about 2000 feet west of Route 366 and extending in a northwesterly direction to cross roads near Kentucky School in Fayette County for a distance of about [1.2] 1.27 miles

Route 26093 Beginning at [an] intersection [with Route 117 at] of West Crawford Avenue with the city line of Connellsville thence in a general westerly and southwesterly direction by way of Trotter to a point about .25 of a mile east of Leisenring thence in a southeasterly direction to an intersection with Route 117 in Fayette County a distance of about [3.2] 3.10 miles

Route 26100 Beginning at the intersection [with county road] of Route 26102 and Route 26034 at [Butte] Bute thence extending in a general northeasterly direction [along the county road] by way of Bute School to a point [about .8 of a mile southwest of Graham's Crossing] of intersection with the western terminus of county road said point being about 1 mile west of Monarch in Fayette County a distance of about [3.7] 2.44 miles

Route 26109 Beginning at a point on Route 113 [one-half] about .8 of a mile northwest of Searight [:] and extending [east one mile] in a general easterly direction to an intersection with [county road one-half] State-aid Application 741 about .4 of a mile north of Searights in Fayette County a distance of [one mile] about 1.22 miles

Route 3007 Beginning at the Washington and Greene County line at Burdetts Bridge thence southeasterly through Richhill Township to [the Graysville Borough line] the Richhill-Gray Township line via Owens Run thence southeasterly through Gray Township to an intersection with Route 30070 at its intersection with Route 256 in Gray Township in Green County a distance of about [3.5] 4.5 miles

Route 30010 Beginning at the line between [New] Freeport [Borough] and Gilmore [Township] Townships thence easterly southeasterly and easterly through Gilmore Township by way of Pleasant Hill Church and Jollytown to a point near Dennis Maighan farm[,] : thence northerly and easterly to Pine Bank[,] : thence southeasterly and easterly to [the line between] meet Route 30045 at the Gilmore- [and] Wayne [Townships] Township line [thence to intersect Route 30045 just east of the Gilmore-Wayne Township line] in Greene County a distance of about [10] 10.91 miles

Route 30019 Beginning at Route 268 near Greene County Country Club thence northwesterly through Morgan and Washington [and Morris] Townships [by the way of] along Ruff's Creek crossing Route 325 near the village of Ruff Creek to the Washington-Greene County line near Dunn's Station in Greene County a distance of about [9.6] 9.99 miles

Route 30053 Beginning on Route 256 near Sayers [Schoolhouse] schoolhouse thence in a southeasterly direction by way of Yonkin farm to an intersection with Route 30003 in [Center] Richhill Township about .35 of a mile west of the Richhill Center Township line in Greene County a distance of about [2.8] 2.14 miles

Route 30037 Beginning at [the Graysville Borough line] a point on Route 30007 at Orndorff's Corners in Gray Township thence northerly through Gray Township to the Gray-Richhill Township line thence northerly via Huffman Grinage Ross and Robert Martin farms to a point near Time on Route 30040 in Greene County a distance of about [2] 2.75 miles

Route 30070 [Beginning at a point on the Graysville Borough-Morris Township line] Beginning at a point in the village of Graysville on Route 256 about one mile east of the Richhill-Gray Township lin ethence northwestwardly through Gray Township to the Gray-Morris Township line thence northerly and northwesterly through Morris Township to the intersection of Route 109 near Buelah Church in Greene County a distance of about [4] 5.75 miles

Route 31023 Beginning at a road intersection approximately two and three-quarter miles south of the village of Cora in Cromwell Township Huntingdon County thence easterly along Old Woman's Run in Cromwell Township to a [point on Route 121 approximately one-half mile north of the borough line of Orbisonia] road intersection approximately one-fifth of a mile east of Augwick Creek thence southerly to the northern line of Rockhill Borough in Huntingdon County a distance of about [2.6] 3.0 miles

Route 31032 Beginning at a road intersection approximately one mile east of the village of Entriken in Lincoln Township Huntingdon County thence northeasterly through Lincoln Township to a point on the Lincoln-Penn Township line thence northeasterly through Penn Township to a point on the Penn-Juniata Township line [at a school] thence northerly through Juniata Township to the village of [Hanns] Hauns Bridge thence northerly along Snyders Run to a point on the Juniata-Smithfield Township line thence northerly through Smithfield Township to a point on State-aid Application [135] 9 approximately one mile southeast of the borough line of Huntingdon in Huntingdon County a distance of about 16.6 miles

Route 31059 Beginning at a point on Route 31032 at a road intersection about three-quarters of a mile east of [Grantville] Grantsville in Penn Township thence in a southerly and southeasterly direction [to a road intersection thence in a southeasterly direction] through Penn Township across the Raystown Branch of the Juniata River to a road intersection [,] with State Forest road approximately one and one-quarter miles west of the Penn-Tod Township line in Huntingdon County a distance of about [1.3] 1.6 miles

Route 32032 Beginning at a point on Route 228 approximately .75 of a mile north of the village of Clarksburg in Young Township Indiana County thence northeasterly through Young Township along Hooper Run to [a road] an intersection with Route 32033 in Young Township approximately [one mile] 1.6 miles north of the village of McIntyre in Indiana County a distance of about 5.6 miles

Route 32033 Beginning at a point on the northern borough line of Jacksonville in Young Township Indiana County thence northwesterly through Young Township to the village of McIntyre thence northwesterly to a point on the Young-Armstrong township line approximately [.75 of a mile] .3 of a mile south of Route 188 thence [northerly through Young and Armstrong Townships to a point on the Young-Armstrong Township line approximately .25 of a mile south of Route 183 thence northerly through Armstrong Township to a point on Route 188 approximately one-eighth of a mile east of the Armstrong-Young Township line in Indiana County] north and northwesterly in Armstrong Township to the Young-Armstrong Township line about .1 of a mile south of Route 188 thence northwesterly in Young Township to a point on Route 188 approximately .10 of a mile west of the Armstrong-Young

Township line in Indiana County a distance of about [4.3] 4.5 miles

Route 32052 Beginning at a point on Route 54 about [.2] 1.7 [mile] miles east of Clymer Borough thence southwesterly through Cherryhill Township by way of lands of J. M. Dick Elmer Barnett J. W. Acherson to [Rich Hill-Penn Run Road crossing Penn Run-Diamondville Road by way of lands of David Brown and Nannie Dinwiddie to an intersection with Route 32051 about .8 of a mile northeast] Application 4597 in the village of Penn Run in Cherryhill Township in Indiana County a distance of about [2.4] 3.11 miles

Route 32067 Beginning at a road intersection with Route 32066 approximately .5 of a mile east of the village of Spruce in Green Township Indiana County thence easterly through Green Township to a point on the Indiana-Cambria County line approximately .25 of a mile [north] south of Douglass Run in Indiana County a distance of about 1.6 miles

Route 32096 Beginning at a road intersection approximately .5 of a mile east of the village of Rosemoyne in South Mahoning Township Indiana County on Route 189 approximately 1.125 miles [southeast] southwest of the village of Georgeville in South Mahoning Township thence easterly to a point on the South Mahoning-East Mahoning Township line thence easterly through East Mahoning Township to a point on Route 63 approximately .5 of a mile north of the village of Hamill in Indiana County a distance of about [3.4] 4.1 miles

Route 33017 Beginning on Route 33010 near where this route crosses Little Sandy Creek into Ringgold Township thence southeast and east through Beaver Township to Northville [then] thence northeasterly and northerly from Werthville through Beaver and Oliver Townships to intersect Route 63 about [one mile due west] 1.75 miles northwest of Cool Spring in Jefferson County a distance of about [3.4] 5 miles

Route 35001 Beginning at a point on [the intersection of Spring Brook-Covington Townships and Moscow Borough lines] Route 35009 thence [south[to a point intersecting Route 168 [439 at Yostville] in Lackawanna County a distance of about 2.5 miles

Route 35002 Beginning at a point on State Highway Route 168 about one mile south of Daleville in Covington Township thence northeasterly through Covington [Township intersecting Route 35003 thence through] and Madison [Township] Townships to Jubilee intersecting Route 35004 thence northeasterly to a point on the dividing line between Wayne County and Lackawanna County in Lackawanna County a distance of about [5.30] 5.01 miles

Route 35007 Beginning at a point on State Highway Route 439 in [Sprinbrook] Spring Brook Township approximately [2.5 miles southwest of Maple Lake intersecting Route 35009 thence easterly through Springbrook Township to] .5 of a mile north of Rockdale thence northeasterly through Spring Brook Township intersecting Route 35009 near Maple Lake thence northeasterly to a point on the dividing line between Moscow Borough and [Springbrook] Spring Brook Township in Lackawanna County a distance of about [4.10] 4.36 miles

Route 35008 Beginning at a point on Isaac's Road Route 35009 in Roaring Brook Township approximately [1.25 miles west of Elmhurst Borough line] one half mile northwest of the line dividing the townships of Springbrook and Roaring Brook thence northeasterly and easterly through Roaring Brook Township to a point on the dividing line of Elmhurst Borough and Roaring Brook Township in Lackawanna County a distance of about [2.42] 2.97 miles

Route 35009 Beginning at a point on Route 35007 in Springbrook Township [at] east of Maple Lake thence northerly and northwesterly to intersect Isaac's Road thence along Isaac's Road through Springbrook and Roaring Brook Township [intersecting Route 35008 thence northwesterly] to a point on the dividing line of Scranton City and Roaring Brook Township at Lake Scranton in Lackawanna County a distance of about [7.53] 6.24 miles

Route 35030 Beginning at a point on the dividing line [of] between La Plume Borough and North Abington Township thence in an easterly direction crossing State Highway Route 365 Spur at Wellsville in [North Abington] Benton Township thence easterly to a point intersecting State Highway Route [648] 322 at East Benton in Lackawanna County a distance of about 5.16 miles

Route 36009 Beginning at a point in Little Britain Township intersecting Route 345 at Fairmount thence northeasterly through Little Britain and Colerain Townships by the way of [Kingsbridge] Kings Bridge intersecting Route 527 about one mile northwest of Kirkwood thence northeasterly through Corein Bart and Sadsbury Townships by way of Bartville and Nine Points to the the southern boundary line of Christioana Borough thence from a point in [Sadsburg] Sadsbury Township intersecting Route 344 about and and one-half miles west of Christiana Borough northerly through Sadsbury and Salisbury [Township] Townships to a point intersecting Route [215] 698 about one-half mile [south] west of Gap thence from a point in Salisbury Township intersecting Route 215 about one-half mile west of Gap northwesterly through Salisbury and Leacock Townships by way of Buyerstown to a point in Leacock Township intersecting Route 142 at Intercourse thence from a point in Leacock Township again intersecting Route 142 about one-fourth mile west of Intercourse northwesterly through Leacock and Upper Leacock Townships to a point intersecting State-aid Application [145] 390 thence from a point in Upper Leacock Township again intersecting State-aid Application [145] 390 at Monterey westerly through Upper Leacock Township to a point intersecting Route 148 about one and one-half miles south of Mechanicsburg thence from a point in Upper Leacock Township intersecting Route 148 at Mechanicsburg northwesterly through Upper Leacock and Manheim Townships to a point intersecting State-aid Application 50 about one-half mile east of Oregon in Lancaster County a distance of about [31.14] 29.97 miles

Route 36031 Beginning at a point in East Lampeter Township [intersecting] on Route 215 about one-half mile northwest of Soudersburg thence northerly through East Lampeter Leacock and Upper Leacock Townships by way of Ronk and Bird-in-Hand intersecting Route 142 to a point [intersecting] on State-aid Application [145] 390 at Monterey [thence from] beginning again at a point in Upper Leacock Township [intersecting] at the northern limits of State-aid Application 69-145[,] ; thence northerly to a point [intersecting] on Route 244 at Leola in Lancaster County a distance of about [4.92] 4.24 miles

Route 36053 Beginning at a point in Caernarvon Township at Narvon thence northerly through Caernarvon Township intersecting Route 137 near Beartown to a point [intersecting] on Route 244 about one mile west of Churchtown [thence from] beginning again at a point [again intersecting] on Route 244 about one-half mile west of Churchtown[,] ; thence northwesterly through Caernarvon and East Earl Townships intersecting Route 518 to a point on the [western] eastern boundary line of Terre Hill Borough in Lancaster County a distance of about [7.25] 6.95 miles

Route 36060 Beginning at a point in Warwick Township [intersecting] on State-aid Application [183] 83 about [one] .50 of a mile east of Rothville thence northeasterly through Warwick and Ephrata Townships intersecting Route 148 about one mile southwest of Ephrata Borough [thence from] beginning again at a point [again intersecting] on Route 148 about [three-quarters] .75 of a mile southwest of Ephrata Borough [,] ; thence northeasterly through Ephrata Township intersecting Route 137 to a point [intersecting] on Route 36046 about one mile southwest of Stevens in Lancaster County a distance of about [6.55] 6.29 miles

Route 36061 Beginning at a point in Warwick Township intersecting Route 36060 about one-half mile [west] south of Millway thence northerly through Warwick and Ephrata Townships intersecting Route 36046 about two miles west of Lincoln in Lancaster County a distance of about [2.57] 2.46 miles

Route 36062 Beginning at a point in [Elizabeth] Warwick Township intersecting State-aid Application [183] 83 about one mile east of Lititz Borough thence northerly through Warwick Township to a point [intersecting] on Route 36011 at Brunnerville in Lancaster County a distance of about [2.04] 1.94 miles

Route 36076 Beginning at a point in Ephrata Township intersecting Route 36060 approximately 0.60 of a mile northeast of the Warwick-Ephrata Township line thence in a southeasterly direction in Ephrata Township to the northwest boundary line of Akron Borough beginning again at a point Ephrata Township on the eastern boundary line of Akron Borough thence easterly through Ephrata and West Earl Townships to apoint intersecting Route 36030 [about one-fourth mile west of] at Diamond Springs in Lancaster County a distance of about [.57 mile] 1.03 miles

Route 36078 Beginning at a point in Salisbury Township [intersection] on Route 142 [at] near Gap thence southerly to a point intersecting Route 215 near Gap [thence from] beginning again at a point [again intersecting] on Route 215 about [one] .50 of a mile south of Gap[,] ; thence southeasterly through Salisbury and Sadsbury [Township] Townships to a point on the Lancaster-Chester County line about one mile north of Christiana Borough in Lancaster County a distance of about [2.50] 2.32 miles

Route 36083 Beginning at a point in Sadsbury Township at the intersection of Route 215 [near] on the Christiana Borough line thence easterly and northerly [through] on the Sadsbury Township-Christiana Borough line and through Sadsbury Township to the intersection of Route 36078 about one and one-half miles southeast of Gap in Lancaster County a distance of about [1.25] 1.33 miles

Route 37003 Beginning at a point on the Ohio-Pennsylvania State line approximately 2.5 miles south of the Mahoning-North Beaver Township line and extending in North Beaver Township [East] easterly through [Small's Ferry and] Mount Jackson [Crossroads] Crossroad to Route 265 in Lawrence County a distance of about [3.5] 3.51 miles

Route 37019 Beginning at a point on the Lawrence-Beaver County line approximately 2.5 miles west of the Butler County line and extending in a [northerly] northeasterly and northwesterly direction in Perry Township to [the] an intersection with Route 350 [at] near Red Barn Hill approximately [one-quarter] .25 of a mile [east] southwest of Pleasant Hill Grange Hall in Lawrence County a distance of about [2.4] 2.17 miles

Route 37020 Beginning at a point on the Lawrence-Beaver County line approximately 1.1 miles west of the Butler County line extending north in Perry Township [through Brinton's Corners] to Route 37021 thence east to Pyle's Mills and continuing northeasterly to the Butler-Lawrence County line in Lawrence County a distance of about [2] 2.53 miles

Route 37021 Beginning at the intersection of Pleasant Hill Grange Hall on Route 350 thence extending southeasterly in Perry Township to [Brinton's Corners] Route 37020 in Lawrence County a distance of about [1.5] 1.33 miles

Route 37046 Beginning at a point on State Route 614 [immediately east of bridge over Neshannock Creek] at the intersection of the first road north of the stream known as Potter Run extending [northeasterly] easterly in Washington Township to an intersection with Route 246 about one mile south of the Lawrence-Mercer County line in Lawrence County a distance of about [1.1] 2.0 miles

Route 38002 Beginning at a point in Heidelberg Township on the boundary line between Lebanon and Lancaster Counties about two miles southwest of the Heidelberg-Mill Creek Township line thence northerly and westerly through Heidelberg [,] and Jackson[,] Townships to the southern boundary line of Meyerstown Borough by way of Kleinfeltersville Schaefferstown and Reistville thence from a point on Route 38002 about 0.02 of a mile south of the Myerstown Borough line westerly and northerly through Jackson South Lebanon North Lebanon and Bethel Townships by way of "Kleinfeltersville Schaefferstown Reitsville and] Prescott and intersecting Route 39 to a point in Bethel Township intersecting Route 149 to a point in Bethel Township intersecting State-aid Application 3582 about one-half mile north of the Bethel-North Lebanon Township line thence from a point in Bethel Township intersecting State- aid Application 3582 at Mount Zion northerly through Bethel Township by way of Hamlin to a point on the Lebanon-Berks County line about [three] two and one-half miles northwest of the Bethel-Jackson Township line in Lebanon County a distance of about [19.1] 19.65 miles

Route 38006 Beginning at a point in Heidelberg Township [intersecting] on Route 38002 about one mile west of Schaefferstown thence westerly to a point [intersecting] of intersection with the eastern limits of State-aid Application 2212 [thence from] beginning again at a point on the South Lebanon-Heidelberg Township line at the western limits of State-aid Applicatiaon 2212 thence northwesterly and northeasterly through South Lebanon [Township] and Heidelberg Townships by way of Iona to a point on the southern limits of State-aid Application 4047 [thence from] beginning again at a point in South Lebanon Township on the northern limits of State-aid Application 4047[,] : thence northerly to a point [intersecting Route] at the intersection of Routes 38017 and 38002 at Prescott in Lebanon County a distance of about [3.5] 3.40 miles

Route 38007 Beginning at a point in North Lebanon Township on the northern boundary line of Lebanon Independent Borough thence northerly to a point [intersecting] on State-aid Application 1368 at Bustontown [thence from] beginning again at a point on [the North Lebanon-Bethel Township line intersecting State-aid Application 1368] the North Lebanon-Swatara Township line at the northern limits of State-aid Application 1368 thence northerly through Swatara Township to a point on the Swatara-Bethel Township line about .25 of a mile northwest of the North Lebanon-Swatara-Bethel Township line thence northerly along the Swatara-Bethel Township line to a point about .5 of a mile northwest of the North Lebanon-Swatara-Bethel Township line thence northerly and easterly through Bethel and Jackson Townships by way of Mount Zion and intersecting State-aid Application 3582 to a point on Route 423 near the Lebanon-Berks County line about three miles southeast of the Bethel-Jackson Township line in Lebanon County a distance of about [8.0] 8.09 miles

Route 38012 Beginning at a point in Heidelberg Township intersection Route 38002 in Schaefferstown thence northeasterly through Heidelberg and Mill Creek Townships to a point [intersecting] on Route 425 about one-quarter of a mile west of Millbach [thence from] beginning again at a point in Mill Creek Township [intersecting] on State-aid Application 119 about one-fourth mile south of Millbach[,] ; thence southwardly through Mill Creek [Township] and Heidelberg Townships to a point on Route 607 [at] in Heidelberg Township near the [Mill Creek-Heidelberg Township] Lebanon-Lancaster County line in Lebanon County a distance of about [7.5] 7.49 miles

Route 38020 Beginning at a point in Bethel Township [intersecting] on Route [39002] 38002 at Hamlin thence easterly through Bethel Township to a point on the Lebanon-Berks County line about two miles northwest of the Bethel-Jackson Township line in Lebanon County a distance of about [0.8] .66 of a mile

Route 38025 Beginning at a point in North Annville Township intersecting Route 651 about one mile north of the North Annville-Annville Township line thence eastwardly through North Annville Township to a point on the western boundary line of Cleona Borough thence from a point on the northern boundary line of Cleona Borough eastwardly through North Lebanon Township to a point intersecting Route 141-A about one-half mile south of Ebenezer thence southwardly through North Lebanon and West Lebanon Township and eastwardly through West Lebanon Township to a point on the [western boundary line of] Lebanon City-West Lebanon Township line thence southerly along the Lebanon City-East Lebanon Township line to an intersection with Route 132 at the intersection of the Lebanon City-West Lebanon Township-North Cornwall Township lines in Lebanon County a distance of about [4.9] 5.35 miles

Route 38026 Beginning at a point in North Cornwall Township on the southern boundary line of Cleona Borough thence easterly through North Cornwall Township to point on the [western boundary line of] Lebanon City-North Cornwall Township line thence northerly along the Lebanon City-North Cornwall Township line to an intersection with Route 139 at the intersection of the Lebanon City-North Cornwall Township-West Lebanon Township lines in Lebanon County a distance of about [2.5] 2.57 miles

Route 38030 Beginning at a point in South Annville Township intersecting Route 38004 about one-half mile west of the South Annville-North Cornwall Township line thence northeasterly through South Annville and North Cornwall Townships to a point on the [southern] Lebanon City-North Cornwall Township line thence northeasterly along the Lebanon City-North Cornwall Township line to a point on the western boundary line of Lebanon City in Lebanon County a distance of about [4.0] 4.04 miles

Route 38031 Beginning at a point in West Cornwall Township intersecting Routes 501 and 138 at Quentin thence southeasterly through West Cornwall and North Cornwall Townships to a point [intersecting Route 280 about one-fourth mile south of the] on the southern boundary line of Lebanon City [line] in Lebanon County a distance of about [3.7] 3.31 miles

Route 38032 Beginning at a point in South Londonderry Township on the Lebanon-Lancaster County line about three miles southwest of the South Londonderry-West Cornwall Township line thence northerly through South Londonderry Township by way of Colebrook [intersecting Route 995] to a point intersecting Route 280 about [one-half] .5 of a mile north of Colebrook in Lebanon County a distance of about [1.7] 1.82 miles

Route 39007 Beginning at a point on Route 39001 at Vera Cruz in Upper Milford Township thence easterly through Upper Milford and Lower Milford Townships [crossing] intersecting Route 39002 thence easterly through Lower Milford and Upper Saucon Townships intersecting Route 39011 thence easterly through Upper Saucon Township [crossing] intersecting State Highways Routes 153 and 153-Spur thence easterly through Upper Saucon Township to apoint on the division line between Lehigh and Bucks Counties approximately [one mile] 1.75 miles from the Northampton County line in Lehigh County a distance of about [8.9] 8.6 miles

Route 39055 Beginning at a point on Route 39057 in Heidelberg Township approximately 1.75 miles northwest of Newside thence northerly through Heidelberg and Washington Townships crossing Route 39054 thence to a point where it intersects State-aid Application 745 [near Slatedale] at Lehigh Furnace in Lehigh County a distance of about [2.9] 2.75 miles

Route 40017 Beginning at a point on Route 40016 in Nescopeck Township approximately .6 of a mile east of Columbia County line thence northerly through Nescopeck Township [touching the southerly boundary line of Nescopeck Borough] thence westerly to the Luzerne-Columbia County line in Luzerne County a distance of about [2.7] 2.85 miles

Route 40028 Beginning at a point on the Columbia-Luzerne County line approximately two miles north of Berwick thence northeasterly through Salem Township intersecting Route 40029 thence easterly through Salem Township to a point where it intersects State Highway Route 4 approximately three miles south of Shickshinny in Luzerne County a distance of about [2.6] 6.03 miles

Route 40030 Beginning at [a point on State Highway Route 635 in Conyngham Township approximately .3 of a mile north of Pond Hill Station thence northeasterly] the east end of the bridge across the North Branch of the Susquehanna River at Mocanaqua in Conyngham Township thence southeasterly to the northern end of State Highway Route 655 thence easterly through Conyngham Township along Turtle Run via Lee Station to a point where it connects [county road at the Slocum Township line approximately one mile south of] with Route 40031 on the Conyngham-Newport Township line in Luzerne County a distance of about [2.8] 3.4 miles

Route 40040 Beginning at a point on county road in Dennison Township approximately one mile north of White Haven Boro thence northwesterly through Dennison [Township thence northeasterly through Dennison Township] and Wright townships to a point where it intersects county road [approximately 3.5 miles north of White Haven Borough] near the southeast corner of Wright Township in Luzerne County a distance of about 4.3 miles

Route 40045 Beginning at a point on county road in [Bear Creek] Plains Township [approximately .75 of a mile east of Laurel Run Borough] near the Lehigh Valley Railroad underpass in Plains Township thence [northwesterly] westerly through [Bear Creek] Plains [Townships] Township crossing State Highway Route 515 thence northwesterly through Plains Township to the city line of Wilkes-Barre in Luzerne County a distance of about [2.8] 2.5 miles

Route 40064 Beginning at a point on State Highway Route 361 at Meeker in Lehman Township thence northwesterly through Lehman and Lake Townships intersecting Route 40065 thence northwesterly and westerly through Lake Township to a point where it intersects State Highway Route 177 [at Loyalville] about .3 of a mile north of Route 369 in Lake Township in Luzerne County a distance of about [3.5] 3.34 miles

Route 41003 Beginning at a point on the Union County line [on the Old State Road from Uniontown to Montmogery] at the end of Route 59029 thence northerly [through Brady Township to the end of the Loyalsock Gap Turnpike at the Clinton Township line thence] and northeasterly through Brady and Clinton [Township] Townships to its intersection with Route 41005 about .75 of a mile distant from State-aid Application 1381 at Hulsizer's Garage in Lycoming County a distance of about 2.6 miles

Route 41037 Beginning at the end of Route 41006 in Armstrong Township [at the end of the road called the Loyalsock Gap Turnpike which was formerly a county road] thence southeasterly [over the Loyalsock Gap Turnpike] through Armstrong and Clinton Townships to [the end of the Loyalsock Gap Turnpike and the] an intersection with Route 41003 [at the Brady Township line] in Lycoming County a distance of about 6.3 miles

[Route 43013 Beginning at a point on the dividing line between Lawrence and Mercer Counties and running northeast in Springfield Township to State Route 246 at Leesburg being known as the Volant-Leesburg Road in Mercer County a distance of about 1.4 miles]

Route 43015 Beginning at a [point on] road intersection about 600 feet northwest of the Hilltop School near the Lawrence-Mercer County line [at Number 2 Mine] and running northwest in Springfield Township to point of intersection with the Leesburg-Grove City Road at Schollard's Crossing in Mercer County a distance of about [2.2] 2.16 miles

Route 44001 Beginning at a point in Wayne Township on the eastern boundary line of Newton Hamilton Borough [intersecting Route 33-spur] thence northeasterly through Wayne and Oliver Townships by way of Atkinson Mills intersecting Route 33 to a point [intersecting] on State-aid Application 2764 about [one and one-half] 1.5 miles north of McVeytown Borough thence from a point [intersecting] to the northern limits of State-aid Application 2764 northeasterly through Oliver Oranville and Derry Townships to a point [intersecting Route 29] on the western boundary line of Burnham Borough in Mifflin County a distance of about [27.23] 24.61 miles

Route 44005 Beginning at a point in Union Township about .25 of a mile south of Belleville thence northerly to a point intersecting Route 192 at Belleville [thence from] beginning again at a point intersecting Route 192 about one mile east of Belleville [,] ; thence northerly and northeasterly through Union Brown and Armagh Townships by way of [Barr] Barrville and intersecting Route 29 to an intersection with Route 29 Spur at Thompsons Store in Milroy Mifflin County a distance of about [12.2] 11.42 miles

Route 44018 Beginning at a point in Wayne Township [at] on the road leading to the Juniata River Bridge opposite the Community Hall and Store near Kistler Borough [and] thence leading along the northern line of Kistler Borough in a southeasterly [,] and [then in a] northeasterly direction through Wayne Township to a point on the western boundary line of Newton Hamilton Borough in Mifflin County a distance of about [2.88] 2.33 miles

Route 45017 Beginning at a point on State Highway Route 220 Smithfield Township and Middle Smithfield Townships [intersecting Route 45018 thence] to a point on the division line fo Pike and Monroe Counties approximately .25 o fa mile east of Price Township line in Monroe County a distance of about 7.50 miles

Route 45018 Beginning at a point approximately .25 of a mile northeast of Analomink in Stroud Township thence [northeasterly] northerly through Stroud Price [and , Middle Smithfield and Price Townships to a point where it intersects Route [45017] 45020 approximately [2.75] 2.0 miles [south] west of the Pike County line in Monroe County a distance of about [6.15] 8.3 miles

Route 45022 Beginning at a point on State-aid Application 3760-A Jackson Township approximately .75 of a mile west of Appenzell thence [northeasterly] northwesterly through Jackson Township for a distance of approximately 1.75 miles thence [scutheasterly] easterly to a point where it intersects State-aid Application 3759-60 at [approximately .5 of a mile southwest of] Reeders in Monroe County a distance of about [3.9] 4.5 miles

Route 45046 [Beginning at a point on a secondary township road at Dottersville in Polk Township thence northeasterly through Polk Township to a point where it intersects Route 45045 approximately .85 of a mile northeast of Dottersville in Monroe County a distance of about .85 of a mile] Beginning at a point on Route 45045 about one mile south of the village of Dottersville thence in a northerly direction by the way of Little Creek to the village of Dottersville in Monroe County a distance of about one mile

Route 47012 Beginning at a point on [Route 240 about 1.0 mile north of Mansdale] Route 47011 about .4 of a mile north of its intersection with State Highway Route 240 thence southeasterly through Valley Township to a point on State Highway Route 505 about 1.0 mile north of its intersection with State Highway Route 240 in Montour County a distance of about [1.4] 1.47 miles

[Route 48041 Beginning at a point on the northerly borough line of Stockertown thence northerly through Plainfield Township to a point where it intersects State Highway Route 164

approximately .3 of a mile south of Belfast Junction in Northampton County a distance of about .35 of a mile]

Route 48044 Beginning at a point on [State-aid Application 3908 in East Allen Township approximately .5 of a mile north of Bath Borough line] the northern boundary line of Bath Borough in East Allen Township thence northeasterly through East Allen and Moore Townships intersecting State Highway Route 752 at Moorestown in Moore Township thence beginning at a point on State Highway 752 in Bushkill Township approximately .75 of a mile north of Moorestown in Moore Township thence northeasterly through Moore and Bushkill Townships intercesting Route 48043 thence northeasterly through Katellen in Buskill Township thence easterly through Bushkill Township at a point where it intersects State Highway Route 752 approximately 1.25 miles southwest of Wind Gap Borough line in Northampton County a distance of about 10.45 miles

Route 49001 Beginning at a point on State Highway Route 1 [just] about .2 of a mile north of the Mahantango Creek thence [northeasterly] southeasterly through Lower Mahonoy Township [,] to a point of road intersection about 1.3 miles west of Malta thence in a general easterly direction through Malta and following the meanderings of Mahantango Creek to [the] an intersection with State Highway Route 336 [just] about .25 of a mile west of Uniontown Pillow Post Office Dauphin County in Northumberland County a distance of about [7.6] 7.7 miles

Route 50001 Beginning at a point in Toboyne Township at a point on a township road along Houston Run about .5 of a mile west of the Jackson-Toboyne Township line thence easterly and northerly through Toboyne and Jackson Townships to a point on the southern boundary line of Blain Borough thence from a point on the northern boundary line of Blain Borough easterly through Jackson Southwest Madison Northeast Madison [,] and Saville Townships by way of Stony Point and Kistler interserting Route 590 to a point in Saville Township intersecting Route 191 at Ickesburg thence from a point in Saville Township intersecting Route 191 about .5 of a mile southeast of Ickesburg easterly and southerly to a point intersecting Route 591 at Eschol thence from a point in Tuscarora Township intersecting Route 591 about .5 of a mile east of the Tuscarora-Saville Township line easterly Through Tuscarora [,] Township to a point intersecting Route 50024 about one mile southeast of Route 191 in Tuscarora Township thence from a point on Route 31 about .25 of a mile south of Millerstown Borough in Greenwood Township in an easterly direction through Greenwood [,] and Liverpool Townships by way of Reward and Berlee to a point on the western boundary line of Liverpool Borough in Perry County a distance of about [40.11] 38.46 miles

Route 50004 Beginning at a point in Penns Township intersecting Route 195 about 20 feet northeast [on] of the northeastern boundary line of Duncannon Borough thence northwesterly and westerly through Penn Wheatfield Miller [,] and Center Township to a point intersecting Route 31 about [two] one [miles] mile northeast of New Bloomfield Borough in Perry County a distance of about [11.59] 10.84 miles

Route 50014 Beginning at a point [in Wheatfield Township intersecting] on [Routes 40 and] Route 30 at Mecks Corner thence southeasterly along the Crroll-Wheatfield Township line to a point about 1.2 miles south of Mecks Corner thence southerly and easterly through Wheatfield and Penn Townships by way of Wellville to a point intersecting Route 30 about one mile northwest of Duncannon Borough in Perry County a distance of about [6.76] miles

Route 50021 Beginning at a point on Route 293 in Greenwood Township about 1.5 miles west of the Greenwood-Liverpool Township line thence northerly by way of Nekoda to a point on the Perry-Juniata County line about 1.5 miles west of the Greenwood-Liverpool Township line in Perry County a distance of about [1.5] 1.40 miles

Route 51001 Beginning at a point on State Highway Route 167 at Bushkill Lehman Township thence northeasterly through Lehman Township intersecting Routes 51002 and 51003 thence northeasterly through Lehman and Delaware Townships intersecting Route 51005 crossing [Route 51006] State-aid Application 5782 crossing county road thence northeasterly through Delaware and Dingman Townships intersecting Route 51007 to a point where it intersects the junction of Route 51008 and State Highway Route 746 approximately three miles southwest of Milford Borough in Pike County a distance of about [17.6] 18.11 miles

Route 51006 Beginning at a point on State Highway Route 220 Porter Township near the outlet of Porter Lake thence easterly through Porter and Delaware Townships to the present northerly end of State-aid Application 5782 [thence] beginning again at the present southerly end of State-aid Application 5782 Delaware Township [crossing Route 51001] thence southeasterly through Delaware Township to a point where it intersects county road approximately one mile northeast of Dingman's Ferry Village in Pike County a distance of about [11.6] 10.62 miles

Route 52035 Beginning at a point on Route 52031 about [a mile east] 1.4 miles northeast of Bingham Center in Bingham Township thence in [an easterly] a northeasterly direction through Bingham [and Harrison Townships] Township to a point on Route 52030 approximately [1.5] 3.8 miles northwest of Mills in Potter County a distance of about [2.75] 1.1 miles

Route 53019 Beginning at a point on Route 754 about [one mile north] 1.3 miles south of the village of West Penn [thence southwesterly through West Penn Township to the intersection with Route 754 about one mile south of West Penn] thence southeasterly through West Penn Township near the eastern boundary of East Brunswick Township to the intersection with Route 53018 about .25 of a mile east of the East Brunswick Township line in Schuylkill County a distance of about [4.3] 2.84 miles.

Route 53032 Beginning at a point on the northern boundary of the city of Pottsville thence northerly through Norwegian and New Castle Townships to Wade thence [northerly] through New Castle Township to [the top of Broad Mountain thence northwesterly through New Castle Cass and Butler Townships to the intersection with Route 718 at Fountain Springs beginning on what was originally [a part of the Center Turnpike from Reading to Sunbury] a point on State Highway Route 161 at Darkwater in Schuylkill County a distance of about [11.7] 4.10 miles

Route 54007 Beginning at a point on State Highway Route 195 [at Summit thence southeasterly through Washington Township] about 1.5 miles south of Middleburg thence southeasterly through Franklin and Washington Townships to the crossnig of State Highway Route 194 about two miles west of Freeburg thence southerly through Washington Township to the Chapman Township line thence southeasterly through Chapman Township to the line between Chapman and Union Townships thence southeasterly along the Chapman-Union Township line to the intersection with State Highway Route 229 about three miles northeast of McKees Half Falls in Snyder County a distance of about [10.4] 11.4 miles

Route 55017 Beginning at [a road] an intersection with Route 55012 in the village of Saint Paul in Elk Lick Township thence [northwesterly] northeasterly through Elk Lick Township to [a road] an intersection with Route 55008 about one mile east of the D Hay School in Somerset County a distance of about [.40 mile] 1.12 miles

Route 55018 Beginning at the northwest borough line of Confluence in Lower Turkeyfoot Township thence northwesterly through Lower Turkeyfoot Township [through Lower Turkeyfoot Township] direction by way of [Huston and] Draketown to a point on Little Glade Run thence northeasterly to an intersection with Route 55021 near the Brushtown [Schoolhouse] schoolhouse [on Route 55021] in Somerset County a distance of about [3] 3.84 miles

Route 55025 Beginning at [farm of Lester Lohr] a point about 1½ miles west of Route 317 on Route 55092 thence northerly through Jenner Township to village of Conner on Route 317 in Somerset County a distance of about [2.5] 3.4 miles

Route 55053 Beginning at [a road] an intersection with Route 55045 about 1.50 miles [north] northeast of the village of Roxbury in Stonycreek Township thence [northeasterly] northwest through Stonycreek Township about 1.1 miles to a road intersection thence northerly to an intersection with Route 55054 thence in the same general direction to a point on the south borough line of Shanksville in Somerset County a distance of about [3.6] 4.27 miles

Route 55059 Beginning at [a point on] the east end of State-aid Application [726] 736 [about at] near Quemahoning Junction in Somerset Township thence southeasterly [through Somerset Township] to a point on the Somerset-Stonycreek Township line thence [southwesterly] easterly through Stonycreek Township crossing Route 55057 to a point near Buck Run thence southeasterly to [a road] an intersection with Route 55058 about [one mile] 1.5 miles west of Shanksville Borough line in Somerset County a distance of about [3.9] 3.92 miles

Route 55036 Beginning at a point on Route [994 in the village of Cairnbrook in Shade Township thence easterly through Shade Township to] 55087 in the village of Crumb thence northerly to a point on the Shade-Ogle Township line thence northerly through Ogle Township to a point at a school on Route 222 in the village of Ogletown Felix Post Office in Somerset County a distance of about [9.4] 4 8 miles

Route 55098 Beginning at a point on Route 52 on the north borough line of Benson Holsopple Post Office in Conemaugh Township thence northeasterly to a point on the Conemaugh-Paint Township line thence easterly through Paint Township to an intersection with Rural Route 55099 in the village of Seanor [thence easterly] beginning at a point 1.85 miles east of Seanor thence extending to a point on State-aid Application 739 about one mile west of the borough line of Windber thence northerly to a point on the south borough line of Paint in Somerset County a distance of about [6.1] 5.5 miles

Route 55108 Beginning at a point on the North Somerfield Borough line thence northeasterly [and], northwesterly and northeasterly through Addison Township to a road intersection about one-eighth of a mile east of the Youkhiogheny River in Somerset County a distance of about [2.2] 4.72 miles

Route 57044 Beginning at a point on Route 57045 approximately 1.25 miles north of West Clifford in Clifford Township thence [northwesterly] northeasterly through Clifford Gibson and Herrick Townships to a point where it intersects Route 57043 approximately 1.5 miles south of Dimock Corners in Susquehanna County a distance of about [4.4] 4.62 miles

Route 57052 Beginning at a point on Route [296] 459 Ararat Township approximately [one mile north of East Ararat] 0.25 of a mile east of its intersection with Route 296 thence northeasterly through Ararat Township intersecting Route 57051 thence northeasterly through Ararat Township to a point where it intersects the division line between Wayne and Susquehanna Counties approximately .5 of a mile south of Thompson-Ararat Township line in Susquehanna County a distance of about [2.48] 3.18 miles

Route 57092 Beginning at a point on Route 57043 approximately one mile north of the [North] Clifford Township line thence in a northeasterly direction through Herrick Township to a point where it intersects Route 57041 approximately 1.5 miles north of the [North] Clifford Township line in Susquehanna County a distance of about [.8] .83 of a mile

Route 58020 Beginning at a point on State Highway Route 22 in the village of Niles Valley thence northwesterly through Middlebury and Chatham Townships along Norris Brook to the intersection with State Highway Route 292 [at Shortsville] near the Peter Davis farm residence about 1.0 mile east of the village of Little Marsh in Tioga County a distance of about [6.5] 8.18 miles

Route 58031 Beginning at Blackwell's Corner on State Highway Route 106 in Morris Township thence easterly in Morris Township through the village of Three Springs Run to Nauvoo in Liberty Township beginning again at Kruger's Corner on Route 58032 thence southerly in Liberty Township to a road intersection about 1.5 miles south of Kruger's Corner thence [southeasterly] easterly through Liberty Township to the western boundary of Liberty Borough in Tioga County a distance of about [10.1] 9.0 miles

Route 58036 Beginning at a point on State Highway Route [106 at Morris in Morris Township thence northerly through Morris and Duncan Townships to Antrim thence northerly through Duncan Townships to Brownlee thence northerly through Duncan and Charleston Townships to the end of State Highway Route 477 at Round Top in Tioga County a distance of about 8.4 miles] 447 at Round Top thence southerly through Charleston and Duncan Townships by way of the village of Antrim locally known as Sulphur Run to a point about 0.4 of a mile south of it's intersection with Route 58037 in Tioga County a distance of about 6.26 miles

Route 58038 Beginning at a point on State Highway Route 21 near the top of Bloss Mountain in Liberty Township thence northerly through Liberty and Bloss Township [to Arnot] thence northwesterly through Bloss and Charleston Townships over the Maple Hill Road to the intersection with State Highway Route 21 [at the William Bliss Farm] near the residence of Henry Newberry about 0.6 of a mile east of the village of Pitts in Tioga County a distance of about [12.7] 14.64 miles

Route 58048 Beginning at a point on State Highway Route 22 at Holliday thence northwesterly through Middlebury Township to an intersection with Route 58049 near the residence of G. D. Cummings beginning again at the eastern end of Route 58049 near the Ge eSchoolhouse thence northerly through Middlebury and Farmington Townships to Farmington Hill thence northeasterly through Farmington Township to Route 58047 about 1.5 miles south of its intersection with Route 58046 in Tioga County a distance of about [5.8] 6.6 miles

Route 58055 Beginning at a point on Route 58053 in Union Township approximately 2.0 miles east of East Point thence southeasterly about 0.5 of a mile to the first road intersection thence southerly and southeasterly to the intersection with State Highway Route 20 at Roaring Branch in Tioga County a distance of about [5.1] 5.77 miles

Route 59029 Beginning at a point on State Highway Route 176 at Allenwood thence northwesterly through Gregg Township [, over what was originally the old State Road from Uniontown to Muncy] to the southern terminus of Route 41003 on the Lycoming County line [about 2.5 miles south of Montgomery] in Union County a distance of about [2.4] 3.56 miles

Route 59001 Beginning at a point [on] about .6 of a mile east of the Mifflin County line [about 0.25 of a mile south of the corner between Mifflin Centre and Union Counties] thence northeasterly through Hartley Township to Weibert thence northeasterly through Hartley Township to the crossing of State Highway Route 454 at Laurelton thence northeasterly through Hartley Township to the western boundary of Hartleton Borough in Union County a distance of about [10.7] 10.1 miles

Route 59021 Beginning at a point on State Highway Route 176 on the north bank of Buffalo Creek thence westerly through Kelly Township to [the second road leading in a northerly direction] the Federal Yenitentiary grounds in Union County a distance of about [0.6 miles] 1.2 miles

Route 62007 Beginning at the Greene and Washington County line at [Burdett's] Ackley's Bridge thence [northerly] northwesterly through West Finley Township by way of Burnsville to [road intersection on Beham Ridge Road] Route 62118 near the residence of Frank Kennedy in Washington County a distance of about [7.0] 7.15 miles

Route 62020 Beginning at Ackley's Bridge thence northeasterly along Wheeling Creek by way of Simpson's Store to a point on Route 109 a part of said route being in Greene County and a part in Washington County a distance of about 6.29 miles

Route 62027 Beginning at county concrete road 1.3 miles north of Patterson's Mills thence [northerly] northwesterly in Cross Creek and Jefferson Townships to [intersection of township] Route 26006 about two miles northeast of Bethel Church also beginning again on Route 62006 thence easterly through Jefferson Township to Route 62025 two miles southeast of Eldersville in Washington County a distance of about [3.5] 3.45 miles

Route 62038 Beginning at [State] Route [247] 62075 near Mingo [Schoolhouse] schoolhouse thence [easterly] southeasterly through Union Township to State Route 736 at [Houston Run] Courtney in Washington County a distance of about [1.2] 1.91 miles

Route 62042 Beginning at [county brick road] Route 62014 near Anderson and about [one-half] .50 of a mile east of Venetia thence [easterly] southeasterly through Nottingham and Union Townships to State Route 247 [at] near Mingo Church in Washington County a distance of about [2.8] 2.85 miles

Route 62049 Beginning at [road intersection] Route 62030 near [Peters Church Peters Township] Wright's schoolhouse thence northerly and westerly through Peters Township by way of Peters Church to county concrete road [, by way of Wright's Schoolhouse] in Washington County a distance of about [1.0] 1.17 miles

Route 62054 Beginning [in] at [Somerset Township] Route 62075 near United Presbyterian Church [and] thence easterly and southeasterly through Somerset Township by way of Vanceville to the Ellsworth Borough line [near Wherry Schoolhouse] in Washington County a distance of about [7.4] 7.51 miles

Route 62057 Beginning at Route 62014 at Thompsonville thence [northerly] northeasterly through Peters Township to the Allegheny County line about .2 of a mile west of the [by Montour Railroad] Pittsburgh Electric Railways in Washington County a distance of about [1.6] 1.33 miles

Route 62063 Beginning at State Route 181 near Dunningsville thence northerly through Nottingham Township to county road northeast of Muntown [Pa] in Washington County a distance of [4.5] 4.36 miles

Route 62067 Beginning at [end of] Route 62126 thence northerly through South Franklin Township to [road intersection at] Route 62128 about 1.0 mile north of Point Lookout in Washington County a distance of about [0.9] 10.01 miles

Route 62088 Beginning at State Route 181 near Washington City line thence easterly and northeasterly through South Strabane and North Strabane [Township] Townships by way of Vance Station to [road intersection near] Route 62075 about 1.7 miles south of Eighty-four in Washington County a distance of about [5.4] 6.11 miles

Route 62089 Beginning at intersection of [Township] Route 62082 near Bissell [in] thence northerly and northwesterly through West Bethlehem and Amwell [Township] Townships [; thence northerly] to [end of] county road [below] about 1.5 miles southeast of Lone Pine in Washington County a distance of about [4.6] 3.51 miles

Route 62092 Beginning at State Route 108 near Quail farm thence westerly through North Strabane South Strabane and Chartiers [Township] Townships to county road about one mile [east] northeast of Meadowlands in Washington County a distance of about [1.4] 1.52 miles

Route 62093 Beginning at county road near W A Leems residence thence northerly through West Pike Run Township to a point on the southeast borough line of Bentleyville Borough beginning again on the southeast borough line of Bentleyville Borough thence easterly through West Pike Run Township to [road] an intersection with Route 62016 near [old] White Pigeon [Schoolhouse] school house in Washington County a distance of about [5] 2.81 miles

Route 62101 Beginning [on the Glyde-Lone Pine Road] at Route 62075 about 1.8 miles [south] southwest of Clyde thence in a northwesterly direction to Route 113 about [1.5] 2 miles est of Laboratory through [South Strabane] Amwell Township in Washington County a distance of about [2.7] 2.97 miles

Route 62104 Beginning at Route 62109 at Buffalo Creek in Donegal Township thence easterly along Buffalo Creek to road intersection about one mile south of [Januson Schoolhouse] Jamison schoolhouse thence easterly through Independence and Hopewell Townships to the county brick road along [Buffalo] Brush Run Creek about 1.25 miles southeast of Templeton in Washington County a distance of about [6.9] 7.42 miles

Route 62127 Beginning at [intersection] Route 62126 1.2 miles west of Lagonda thence northerly through [South Franklin] Buffalo [, and Ganton Townships] Township to intersection of [Ridge Road] Route 62107 about [1.5 miles] one mile northeast of Logan's Corners in Washington County a distance of about [3.8] 3.79 miles

Route 63004 Beginning at a point on the division line between Lackawanna and Wayne Counties approximately [two] three miles south of Hollisterville thence easterly through Sterling Township intersecting Route 63006 [,] and crossing county road [and intersecting Route 63005] at Sterling thence southeasterly through Sterling and Dreher Townships to a point where it intersects State Highway Route 171 approximately 1.75 miles northwest of Newfoundland in Wayne County a distance of about [6.87] 6.70 miles

Route 63014 Beginning at a point on Route 63013 Lake Township [near] at the Lake-Salem Township line thence northeasterly through Lake Township to a point where it intersects the north and south turnpike approximately 1.25 [southeast] southwest of the village of Lake Ariel in Wayne County a distance of about [2.24] 2.22 miles

Route 63035 Beginning at a point on Route 63032 in Oregon Township approximately .5 of a mile west of Upper Wilcox Pond thence [easterly] northeasterly through Oregon Township to a point where it intersects Route 63029 approximately [1.75] 2.25 miles north of Berlin Township line in Wayne County a distance of about 2.2 miles

Route 63052 Beginning at a point on Route 63051 in the village of Lake Como in Preston Township thence northerly through Preston Township touching State Highway Route 450 thence through Preston Township to a point where it intersects State Highway Route 365 approximately .5 of a mile [west] east of Preston Park in Wayne County a distance of about [3] 2.8 miles

Route 64036 Beginning at Route 187 [about one mile west] near the west borough line of Export and extending northerly and [easterly] northeasterly by way of an improved road and Franklin School to [and across] Route [64148 and] 64184 beginning again on Route 64184 near the same point and extending easterly across Route 69 about .5 of a mile north of Montgomery School thence extending in an easterly direction [to] along Thorn Run [; thence northeasterly] crossing Spur Route 348 to Route 288 [about .5 mile west of Stewart's School] near Waukena in Westmoreland County a distance of about [11.8] 11.86 miles

Route 64071 Beginning on Route 302 2.5 miles southwest of Ligonier and extending in a northerly direction by way of Brant School to [and along] Route 119 near [Mill Bank and continuing] Bells beginning again on Route 119 near Millbank thence in a northeasterly direction along Trout Run [to intersection of said road about .5 mile south of Rife's School thence in a northwesterly direction to intersection of township road leading from Derry to Mill Bank thence in a general northerly direction to borough of Derry] to a road intersection about one mile north of the Latrobe Reservoir in Westmoreland County a distance of about [9.3] 5.5 miles

Route 64074 Beginning at the village of Acme on Route 186 and extending in a southeasterly direction along the Fayette-Westmoreland County line crossing Route 578 at the village of Roaring Run and continuing in a southeasterly direction to a point on the Westmoreland County [Somerset] Fayette County line [at top of Laurel Ridge] about 1 mile northwest of the Somerset County line in Westmoreland County a distance of about [12] 10.5 miles

Route 64090 Beginning at Route 120 at Circleville and extending in a southerly direction crossing Long Run continuing in a southerly direction to Crawford Run thence southwesterly by way of the M. M. Turner farm to road intersection [thence in a northerly direction and westerly direction to road intersection with Route 64101] thence southwesterly to [Route 64012 to] Robbins Station in Westmoreland County a distance of about 3.5 miles

Route 64097 Beginning at Route 120 [about 1.25 miles southeast of the Allegheny County line] between the villages of Stewartsville and Circleville and extending in a [northeasterly] northerly direction [and southeasterly direction to join] through Skellingtown to intersect with the Larimer and Trafford concrete road at the southern end of Route 64088 on the north side of the Pennsylvania Railroad main line tracks at a point about .5 miles northwest of Larimer in Westmoreland County a distance of about [1.7 miles] 1 mile

Route 64102 Beginning at the county road in Herminie and extending in a general southwesterly direction to the village of Dick thence in a northwesterly direction to Shaner [, also to the village of Guffey from a point] beginning again on Route 64102 about .5 mile east of Shaner [, and] thence northwesterly through Guffey to Route 64090 [near] northeast of Robbins Station [thence southwesterly to Robbins Station and easterly back to Route 64012 also from] beginning again on Route 64106 [near end] about 1 mile east of county road in Herminie thence in a southerly direction to and across Route 118 to Route 64180 near Bells Mills in Westmoreland County a distance of about 8.9 miles

Route 64124 Beginning at the end of county improved road one mile west of Scottdale Borough and extending northwesterly to Route 64172 thence southwesterly by way of Felgors School to Tyrone Mills to intersect with Route 64167 thence [northwesterly to] westerly to the Jacobs Creek Bridge about .3 of a mile west of Tyrone Mills beginning again at a point about two miles south of Macbeth thence northerly to a point near Macbeth on Route 991 in Westmoreland County a distance of about [6.1] 5.1 miles

Route 64137 Beginning at Route [118] 64144 [at] near the Harmony School Number two in Rostraver Township and extending in a southerly direction to the Westmoreland-Fayette County line in Westmoreland County a distance of about [.8] .89 of a mile

Route 64140 Beginning at a point on the improved county road about 1 mile southeast of Greensburg [;] and extending in a northeasterly direction along Slate Creek to Route 119 [, by way of] also beginning again on Route 64140 about .5 of a mile east of county road and extending to the Greensburg-Pittsburgh Airport in Westmoreland County a distance of about [2.5] 2.66 miles

Route 65039 Beginning at a point on State Highway Route 13 at North Mehoopany in Mehoopany Township thence in a northerly direction through Mehoopany Township crossing the Susquehanna River to the western boundary line of Meshoppen Borough beginning again on the northwestern boundary line of Meshoppen Borough thence in a northwesterly direction through Meshoppen Township to a point on the dividing line between Wyoming and Susquehanna Counties ap-

proximately three-quarters of a mile east of Braintrim Township line in Wyoming County a distance of about [6.03] 6.06 miles

Route 65044 Beginning at a point on State Highway Route 13 Windham Township approximately one quarter mile [northeast] northwest of Jenningsville thence northerly through Windham Township intersecting Route 65042 thence northeasterly through Windham Township to a point where it intersects Route 65041 at approximately two miles northwest of Scottsville Windham Township in Wyoming County a distance of about 2.13 miles

Route 65049 Beginning at a point on State Highway Route 365 approximately 0.75 of a mile northwest of Mill City thence in a southwesterly through Falls Township to a point where it intersects a secondary township road in Falls Township in Wyoming County a distance of about 2.00 miles

Route 66004 Beginning at a point in Manheim Township on the Pennsylvania-Maryland State Line about 1.5 miles south of Hokes thence northeasterly through Manheim [Codorus and Shrewsbury Townships by way of Sticks Hildebrand and Seitzland] and Codorus Township intersecting Application 2003 at Sticks thence from a point about .15 of a mile south of Sticks at the end of Application 2003 through Codorus and Shrewsbury Townships by way of Hildebrand and Bonnair to the end of State-aid Application 2338 south of Seitzland beginning again at an intersection with State-aid Application 2338 at Seitzland thence easterly to a point intersecting Route 127 about .5 of a mile north of Shrewsbury Borough thence from a point in Shrewsbury Township intersecting Route 127 about [one-eighth] .125 of a mile north of Shrewsbury Borough easterly and northerly through Shrewsbury Hopewell and North Hopewell Townships to a point on the western boundary line of Winterstown Borough thence from a point on the western boundary line of Winterstown Borough northerly through North Hopewell and York Townships to a point on the southern boundary line of Dallastown Borough thence from a point on the eastern boundary line of Yoe Borough at the end of Application 2796 northeasterly through York Windsor and Lower Windsor Townships to a point intersecting Route 332 [about one-eighth of a mile south of Yorkana Borough] at the southern end of State-aid Application 5150 thence from a point in Lower Windsor Township on the northern boundary line of Yorkana Borough at the northern end of State-aid Application 5150 through Lower Windsor and Hallam Townships to a point intersecting Route 128 [about .5 of a mile west of] near Wrightsville Borough line in York County a distance of about [36.52] 34.51 miles

Route 66007 Beginning at a point in Penn Township [intersecting Route 190 about 1.5 miles north of Hanover] on the eastern boundary line of Hanover Borough thence easterly through Penn and Heidelberg Townships to a point intersecting Route 230 at Jacob's Mills thence from a point intersecting Route 230 about .5 of a mile west of Jacob's Mills southerly through Heidelberg and Manheim Townships to a point intersecting Route 441 about .5 of a mile east of Manheim-Penn Township line thence from a point intersecting Route 441 about one mile northwest of Marburg thence northeasterly through Manheim Heidelberg and North Codorus Townships by way of Porters to a point intersecting Route 644 at Stoverstown thence from a point intersecting Route 644 about .25 of a mile north of Stoverstown northwesterly through North Codorus West Manchester and Jackson Townships by way of Blair's Station to a point intersecting Route 230 about .5 of a mile [south west] southwest of Bair thence from a point in Jackson Township on Route 230 about .75 of a mile southwest of Bair to intersect Route 126 [at] near Thomasville thence northerly through Jackson and Dover Townships intersecting State-aid Application 6518 near Davidsburg to a point intersecting Route 68034 at Harmony Grove in York County a distance of about [27.51] 26.11 miles

Route 66050 Beginning at a point in North Codorus Township [intersecting Route 492 about .25 of a mile north of] on the western boundary line of New Salem Borough thence northeasterly through North Codorus and West Manchester Townships to a point [intersecting] of intersection of Hoke Avenue [about .25 of a mile south of] and the southern boundary line of West York Borough thence from a point in Spring Garden Township intersecting State-aid Application 4952 at the Northern Central Railroad underpass westerly southerly and southeasterly through Spring Garden and York Townships intersecting Route 127 to a point on Route 216 about .5 of a mile south of Spry thence from a point again intersecting Route 216 about one mile south of Spry southerly through York and Springfield Townships to a point intersecting Route 66010 about 1.5 miles southwest of Rye in York County a distance of about [13.12] 12.87 miles

Route 66059 Beginning at a point in Lower Chanceford Township intersecting Route 216 about one mile southeast of Lower Chanceford-Chanceford Township line thence northeasterly via Goram [to a point intersecting Route 332 at Shenks Ferry in York County a distance of about 4.03 miles] past Kohler's Mill to an intersection with Route 332 near Bethel Church in York County

Route 66105 Beginning at a point [on the railroad Borough line near the northwest corner of said borough in Shrewsbury Township] on the Shrewsbury Borough-Shrewsbury Township line leading in a southwesterly direction to the Railroad Borough-Shrewsbury Township line beginning again at a point on the Railroad Borough line near the northwest corner of said borough in Shrewsbury Township and leading in a northwesterly direction along the tracks of the Baltimore Division of the Pennsylvania Railroad toward Glen Rock Borough and intersecting Route 60004 at a point about .75 of a mile south of Seitzland in York County a distance of about 1.7 miles

Route 66107 Beginning at a point on Route 332 in Chanceford Township [half way between St. Johns and Bethel Churches into the village of Lockport in York County a distance of about 1.8 miles] at a point about .4 o f a mile east of Bethel Church on Route 332 to Shenks Ferry York County a distance of about 1.2 miles

Section 2 That said Act is hereby amended by adding thereto the following routes

Route 02201 Beginning at or near the intersection of State Highway Route 397 and Rural Route 02034 in Allegheny County thence in a southerly direction over a dedicated right-of-way or right-of-way purchased by the county commissioners to the Bridgeville Borough South Fayette Township line at the continuation of Villars Avenue in Allegheny County a distance of about .5 of a mile

Route 05091 Beginning at a point on Route 692 approximately .375 of a mile north of Sexton Borough line in Liberty Township Bedford County thence northeasterly through Liberty Township to a point on the Bedford-Huntingdon County line at approximately .25 of a mile south of the Raystown Branch of the Juniata River at an intersection with Route 31019 in Bedford County a distance of about .3 of a mile

Route 18025 Beginning at a point where Route 17068 intersects the Clearfield-Clinton County line thence northeasterly in West Keating Township to Birch Island Run in Clinton County a distance of about 3.5 miles

Route 21061 Beginning at a point on the boundary line of Cumberland and Franklin Counties intersecting Rural Route 28009 thence southeasterly through Shippensburg Township to a point on the boundary line of Shippensburg Borough in Cumberland County a distance of about .31 of a mile

Route 23095 Beginning at a point on Flower Street in Chester Township at the intersection of Conrad Avenue Route 180 and running thence to a point at the line of the City of Chester 243.34 feet north of Ninth Street in Delaware County a total distance of 1440 feet

Route 25030 Beginning at the end of Route 304 Spur on the Northeast-Greenfield Township line in Erie County thence southeasterly through Greenfield Township to a point on the New York State line in Erie County a distance of about .35 of a mile

Route 26110 Beginning at a point on the Fayette-Westmoreland County line at the eastern terminus of Route 64074 and extending in a southerly southeasterly and northeasterly direction through Elk Lick Township by way of Trout Run Church to intersect Route 55049 on the Fayette-Somerset County line near its intersection with the Fayette-Westmoreland County line in Fayette County a distance of about 1.3 miles

Route 31079 Beginning at a point about .5 of a mile northwest of Grantsville in Penn Township and extending in a northwestwardly direction to the east borough line of Markleburg Borough a distance of about .23 of a mile in Huntingdon County

Route 32117 Beginning at a point on Route 32021 approximately one-eighth mile south of the village of Rexis in Buffington Township Indiana County thence easterly through Buffington Township to Main Street Vintondale Borough on

the Indiana-Cambria County line in Indiana County a distance of about 0.2 of a mile

Route 53072 Beginning at a point on State Highway Route 199 at Llewellyn in Branch Township thence northwesterly and northerly through Branch and Cass Townships by way of Phoenix Park to a point where it intersects Route 53071 at Forestville in Schuylkill County a distance of about 1.80 miles

Route 53075 Beginning at a point of road intersection about .25 of a mile north of the point of intersection of Cass New Castle and Norwegian Township lines in Cass Township thence northeasterly through Cass and New Castle Townships to a point where it intersects Route 53032 at Wade in Schuylkill County a distance of about 1.6 miles

Route 53074 Beginning at a point on State Highway Route 141 in North Manheim Township approximately .7 of a mile west of the western Orwigsburg boundary line thence southerly through North Manheim Township by way of Adamsdale to the northern boundary line of Landingville Borough in Schuylkill County a distance of about 1.3 miles

Route 53075 Beginning at a point on the west borough line of Landingville thence southerly and southwesterly through South Manheim Township to Route 53007 at Brommerstown in Schuylkill County a distance of about 2.9 miles

Route 55109 Beginning at a point on the Windber Borough-Paint Township line in Somerset County about one-eighth mile north of Paint Creek thence paralleling Paint Creek in an easterly direction to the Somerset Cambria County line about 2.00 miles in length

Route 55110 Beginning at a point on Route 456 near the Central City Borough line thence in a northerly direction to an intersection with Application 6448 in Shade Township Somerset County a distance of about 1 mile

Route 55111 Beginning at a point on Route 55043 about one-eighth of a mile south of the borough line of Somerset thence in a northerly direction to the east borough line of Somerset in Somerset County a distance of about 0.6 of a mile

Route 55112 Beginning at a point on Route 52 about 2.10 miles northeast of the Somerset Borough-Somerset Township line near the village of Geiger thence northeasterly through Somerset Township in Somerset County a distance of about 1.36 miles

Route 55113 Beginning at a point at the end of the bridge spanning the Youghiogheny River about 200 feet south of Confluence Borough thence easterly and northerly to the Confluence Borough line at Yough Road in Somerset County a distance of about 0.04 of a mile

Route 58077 Beginning at a point on Route 58042 about 0.70 of a mile east of the village of Charleston in Charleston Township thence in a northeasterly direction to a point known as Benedict's Corner in Tioga County a distance of about 3.14 miles

Route 58078 Beginning at a point on the Bradford-Tioga County line approximately 0.25 of a mile north of the Union Township line thence over the lower mountain road in a westerly direction to its intersection with Route 58057 in Ward Township Tioga County a ditsance of approximately 2.75 miles

Section 3 The highways established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the approval of this act but shall be taken over not later than the fifteenth day of August one thousand nine hundred thirty-three

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. GELDER. Mr. President, I ask unanimous consent to amend page 11, line 24, by striking out the figures "05018" and inserting in lieu thereof the figures "03018"; also page 17 by striking out lines 9 to 15, inclusive, and inserting in lieu thereof the following: "Route 06059. Beginning at a point on Route 146 in Amity Township and about [.8] 0.25 of a mile [northeast of Monocacy Station of the Reading Railroad] east of Monocacy Creek; thence northerly, northwesterly, and northerly, through Amity Township, to a point on State-aid Application 954 [at] about 1.25 miles west of Weavertown, in Berks County, a distance of about [2.7] 3.10 miles"; also page 17 by inserting after line 15, and before line 16, the following: "Route 06125. Beginning at a point on the eastern boundary line of Hamburg Borough and about .7 of a mile north of the southeastern corner of Hamburg Borough; thence easterly and northeasterly through Windsor Township intersecting Route 06128; thence southeasterly through Windsor and Perry Townships, via Windsor Castle, to a point of road intersection in Perry Township about .6 of a mile southeast of Windsor Castle; thence [southeasterly] easterly through Perry Township to a point of road intersection in Perry Township about [2 miles] .4 of a mile northwest of [Moselem] Virgenville; thence [easterly and northeasterly] southeasterly through Perry and Richmond Townships to a point of road intersection at [Virginville] Virgenville; thence southeasterly through Richmond Township to a point of [road] intersection with Route 06124 about .9 of a mile northwest of Moselem Springs, in Berks County, a distance of about [10.7] 9 miles. Route 06126. Beginning at a point of road intersection in Perry Township about two miles northwest of Moselem; thence northwesterly through Perry Township to a point of road intersection about [1.2 miles] .6 of a mile southeast of Windsor Castle, in Berks County, a distance of about [1.4] 1.7 miles"; also page 21 by inserting between line 28, ending with the word "mile," and line 29, the following: "Route 09029. Beginning at a point [, the intersection of Route 281 and the western] on the northern borough line of [South Langhorne] Hulmeville Borough; thence northerly through Middletown Township to a point on Route [252-Spur near Station 2690] 281-Spur, about .2 of a mile west of the western borough line of Langhorne Borough, in Bucks County, a distance of about [1.3] 2 miles"; also page 29 by inserting after line 13, and before line 14, the following: "Route 19023. Beginning at a point at the end of the river bridge in Mifflinville; thence [southeasterly] southerly and easterly through Mifflin Township, via the properties of Thomas Law, S .P. Slusser, J. E. Creasy, L. M. McMurtrie, and Mary A. Creasy, to Hetlerville; thence southeasterly through Mifflin Township to the Luzerne County line about 1.0 mile north of Beaver Township line, in Columbia County, a distance of about [5.1] 5.9 miles"; also page 36 by inserting after line 27 and before line 28, the following: "Route 25056. Beginning at a point on the east line of Waterford Borough; thence easterly in Waterford Township, via Waterford Station, to the Donation Road at Hoods Corners; thence northerly along the Donation Road in Waterford Township to Bonnell School; thence east in Waterford Township about .3 of a mile to Cosgrove farm; thence northeasterly along the west Green Road in Waterford Township to the south line of Greene Township; thence northeasterly in Greene Township through Yaple Corners to the Lake Pleasant Road at Weeds Corners, at the south end of the Barton Road; thence northerly along the Barton Road in Greene Township [across] to Route 88 [continuing north, via Cook School, to the south line of Harbor Creek Township at Townline Road; thence northerly in Harbor Creek Township to the Station Road at a point about .5 of a mile west of Owen School] in Erie County, a distance of about [12.8] 6.8 miles. Route 25068. Beginning at Phillipsville, at the junction with Rural Route 25060, in Venango Township; thence north and northwesterly across Route 88 at Corbins Corners by way of Rose Corners to a point on the east line of Greene Township at Wales School; thence northwesterly in Greene Township to a point on the south line of Harbor Creek Township; thence northerly in Harbor Creek Township to a point on the Station Road at Owen School; thence north in Harbor Creek Township, via Cass Corners, to the junction of the Davison and Harbor Creek

Roads; thence northwesterly in Harbor Creek Township along the Harbor Creek Road, via Runser Corners and Wells Corners, to a point on Route 87, .25 of a mile south of the village of Harbor Creek, in Erie County, a distance of about [4.3] 10.7 miles"; also page 47 by striking out lines 1 to 5 inclusive, and inserting in lieu thereof the following: "Route 35001. Beginning at a point on [the intersection of Spring Brook-Covington Townships, and Moscow Borough lines] Route 35009 at Maple Lake; thence [south] to a point intersecting Route 168 near Daleville [439 at Yostville] in Lackawanna County, a distance of about 2.5 miles"; also page 48, by striking out lines 3 to 10, inclusive, and inserting in lieu thereof the following: Route 35009. Beginning at a point on Route 35007 in Springbrook Township [at] east of Maple Lake; thence northerly and northwesterly via Blumer farm to intersect Isaac's Road; thence along Isaac's Road through Springbrook and Roaring Brook Townships [intersecting Route 35008; thence northwesterly] to a point on the dividing line of [Scranton City and] Roaring Brook Township and Dunmore Borough at Lake Scranton, in Lackawanna County, a distance of about [7.53] 6.24 miles; also page 60 by inserting after line 26, and before line 27, the following: Route 40058. Beginning at a point on the northerly borough line of [Plymouth; thence northerly through Plymouth Township; thence northeasterly through Jackson Township;] Larksville; thence northwesterly through Jackson Township crossing Route 40059 at Chase; thence northwesterly through Jackson Township to a point, where it intersects State Highway Route 361 at Huntsville, in Luzerne County, a distance of about [4.4] 2.67 miles; also page 61, by inserting after line 23, and before line 24, the following: Route 42008. Beginning at a point on Route 42006 near Lafayette; and thence northeast in Lafayette Township, by way of Irishtown [, to connect with the southern end of Route 97-Spur], and Big Shanty to the southern boundary line of Lewis Run Borough, in McKean County, a distance of about [4.6] 5.66 miles; also page 69 by inserting after line 2, and before line 3, the following: Route 54002. Beginning at a point on State Highway Route 194 in West Perry Township about 0.25 of a mile east of the Juniata County line; thence along the north bank of the Mahantango Creek, through West Perry Township, to the Perry Township line; thence [easterly] northeasterly through Perry Township about 0.7 of a mile; thence southeasterly through Perry Township to the intersection with State Highway Route 195 about [1.5 miles] 0.75 of a mile north of Meiserville, in Snyder County, a distance of about [6.7] 8.1 miles; also page 71 by adding after line 29, the following: Route 57005. Beginning at a point on Route 468 approximately 2.25 miles south of Middletown Center in Middletown Township; thence in a northwest direction through Middletown Township to a point, [where it intersects Route 57082] approximately two miles west of Middletown Center; thence southwesterly to the Bradford-Susquehanna County line, in Susquehanna County, a distance of about [2.7] 3.1 miles; also page 72 by inserting after line 22, and before line 23, the following: "Route 57092. Beginning [at Bradford-Susquehanna County line.] on Route 57096, approximately [3] 2.5 miles south of the Apolacon Township line; thence in [an easterly] a northeasterly direction through Middletown Township [, intersecting Route 57005 and] to Jackson Valley; thence in a southeasterly direction; thence easterly crossing Route 468 near Middletown Center, intersecting Route 57088; thence northeasterly through Middletown Township to the southeasterly boundary line of the borough of Friendsville; thence from the northerly borough line of Friendsville, in a northerly direction through Choconut Township to a point where it intersects Route 57083 approximately 1.5 miles east of the Apolacon Township line, in Susquehanna County, a distance of about [8.8] 10.41 miles"; also amend page 90 by striking out lines 10 to 15, inclusive, and inserting in lieu thereof the following: "Route 53072. Beginning at a point on State Highway Route 199 at Branchdale, in Reilly Township; thence northerly and easterly through Reilly and Cass Townships to point of intersection with Route 53071, at Forestville, in Schuylkill County, a distance of about 2.8 miles."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1288 (House Bill No. 960), entitled:

An Act to amend section one hundred and thirteen of the act approved the fifteenth day of April, one thousand eight hundred and thirty-four (P. L. 537), entitled "An act relating to counties and townships, and county and township officers, as amended; by requiring a deputy constable in cities of the first class to work under or through the constable who appoints him

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. COYNE. Mr. President, I ask unanimous consent to amend title, page 1, line 7 of title, by inserting after the word "first" the words: "and second"; also section 1, page 2, line 8. by inserting after the word "first" the words: "or second."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1291 (House Bill No. 1104), entitled:

An Act to amend sections one and two as amended and section seventy of the act, approved the seventh day of June one thousand nine hundred and eleven (P. L. 680), entitled, "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules and regulations and requirements for the construction of plumbing, house drainage, and cesspools in cities of the first class, and imposing fines, penalties, and forfeitures for violation thereof," by including water piping additions, alterations and repairs to plumbing, house drainage, waterpiping cesspools wastes traps or vents changing the terms of the certificate of master plumbers changing the fee for examinations requirements for registration and re-registration of master plumbers and journeymen and providing for the penalty for the violation of the provisions herein.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 1324 (House Bill No. 1888), on third reading, entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" extending the time within which school districts of the second class may levy their taxes conferring jurisdiction upon certain courts to review the budgets of school districts of second third and fourth classes and relating to the effect of the institution of such proceedings upon contracts agreements undertakings and the tax levy made during their pendency.

be recommitted to the Committee on Education.

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SNYDER. Mr. President and members of the Senate, this bill has nothing to do with beer regulation. I make that statement so the members of the Senate might know I am talking about something else. If the members of the Senate will refer to page 3 of this bill, they will find a provision which would permit two hundred and fifty or more freeholders, or holders of twenty-five per cent. of the property assessed for school purposes, to do something which has never been permitted in the State of Pennsylvania. Explanatory provisions make an attempt to say that under this bill these persons or the owners of the real estate may petition the court of common pleas after the school budget has been made by the school directors or the tax levied to review both the budget and tax levy. That would not be so bad if it were not for the fact that it would be placing in the hands of the courts a power which under the provisions of the constitution courts were never permitted to have. In addition to that, if an appeal would be taken to the Supreme Court of the State as required by the bill, those of you who are acquainted with procedure would know there would be a delay of six months or possibly a year. In the meantime the school districts of the second, third and fourth class in effect could not do any business. You will understand why that is when I tell you that on the top of page 5 there is a provision that the filing of a petition against the budget or tax levy, or rather for an appeal to the Supreme Court, should not act as a supersedeas. That, in ordinary language, I think means this: That the school district, as much as it might wish to break that, would be permitted to go ahead in its routine matters just as though no appeal had been taken to the Supreme Court. But there is a contradictory provision following, that contracts which are undertaken relating to any items in the budget, however, may be cancelled. In other words, you will see it is all tied up by litigation. The school districts would be tied up by litigation. I do not know the proponents in the Senate, but right now I notice a printer's error on page 5, line 19, and the printers and proponents of the bill may wish to do something about that. But if you will refer to the last section, to section 2635, you will find this astounding provisions: "Any contract, agreement or undertaking which relates to an item of the budget which has been attacked in the petition and which shall be entered into during the pendency of the proceedings shall be cancelled or made to conform to such budget." It might be well for the lawyers in the Senate to consider that provision. I think you will agree with me that this cannot be done by law. In other words, I think you will agree that the principle is bad, and the proponents of the bill, I think, will agree, if the bill gets the attention it deserves, it will have to go over anyhow because of the printer's error.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1339, entitled:

An Act to amend section thirty-seven of the act approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal"; providing a fee for consents and certificates to transfer stock of decedents.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SCOTT. Mr. President, I ask unanimous consent to amend title, page 1, line 10, by inserting after the word "death" the following: "defining and taxing transfers made in contemplation of death"; also amend section 1, page 2, line 12, by inserting after the word "death" the following: "defining and taxing transfers made in contemplation of death."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1349 (House Bill No. 2155), entitled:

An Act to amend section twenty of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties by abolishing the fee payable to police officers for killing and disposing of unlicensed dogs

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Homsher,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. REED. Mr. President, I move that Senate Bill No. 1387 (House Bill No. 2107), on third reading, entitled:

An Act to further amend section six hundred and three of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department, and amending, revising and consolidating the law relating to the licensing, qualification regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by further regulating the licensing of insurance agents.

be recommitted to the Committee on Finance.

Mr. GRAFF. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1398 (House Bill No. 1519), entitled:

An Act to regulate insurance companies chartered under general or special laws of this Commonwealth by providing that no director need be a resident of any particular city or county that the directors shall elect the president or appoint the secretaries that the residence of the president and secretaries need not be in the county wherein the principal office of the company is located and that the annual meeting shall be held and reports shall be published as provided in the by-laws

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Gelder,	Miller,	Scott,
Batchelor,	Graff,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Hunsicker,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1407 (House Bill No. 1351), entitled:

An Act to amend section two hundred and thirteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended by adding thereto provisions granting hearings before reports of examinations of insurance companies by the Insurance Department are filed and providing for authority to the Insurance Commissioner to publish such reports and authorizing the Insurance Commissioner accept the report of examination of insurance companies made by or upon the authority of the supervising official of any other state

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1408 (House Bill No. 1353), entitled:

An Act to amend section six hundred fifty-two of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporations of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing that all premiums and interest charges on account of policies insuring employers against workmen's compensation liability and all judgments recovered for same shall be preferred claims in all insolvency or bankruptcy proceedings and trustees proceedings for administration of estates and receiverships

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1411 (House Bill No. 1517), entitled:

An Act to amend section two hundred and five of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by fixing the minimum par value of the shares of capital stock of all stock insurance companies

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1412 (House Bill No. 1518), entitled:

An Act to amend section six hundred and twenty-nine of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies, associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended exempting additional corporations from the provision of subdivision (b) of Article six of the act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,

Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1413 (House Bill No. 1704), entitled:

An Act to further amend the first paragraph of section two hundred twelve of the act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1422, entitled:

An Act authorizing directors of building and loan associations to pro rate, or with the approval of the Department of Banking, to fix the maximum amount of withdrawals and maturities; and applying retroactively.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1423, entitled:

An Act limiting the period within which non-assenting or dissenting shareholders of building and loan associations, which have merged and consolidated or which shall merge and consolidate prior to the third day of July, one thousand nine hundred thirty-three, may enforce their rights.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1424, entitled:

An Act providing for the preservation of the records of banks, bank and trust companies, trust companies, savings banks, and private banks; and imposing penalties for violations.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,

Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RECONSIDERATION OF MOTION RECOMMITTING SENATE BILL No. 1387

Mr. REED. Mr. President, I move to reconsider the vote by which Senate Bill No. 1387, entitled:

An Act to further amend section six hundred and three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the licensing of insurance agents

was recommitted to the Committee on Finance.

Mr. SHAPIRO. Mr. President, I second the motion.

On the motion,

Will the Senate agree to the motion?

Mr. REED. Mr. President, and members of the Senate, a short time ago I made a motion to recommit a bill to the Committee on Finance, which was carried. I was under the impression it was Senate Bill No. 1349, and I now learn that the bill which was actually recommitted was Senate Bill No. 1387; and I would therefore make a motion to reconsider the vote by which Senate Bill No. 1387, House Bill No. 2107, was recommitted to the Committee on Finance.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1387 (House Bill No. 2107), entitled:

An Act to further amend section six hundred and three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine), entitled as amended, "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associatons reciprocal and inter-insurance exchanges and certain societi s and others the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the licensing of insurance agents.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1446 (House Bill No. 1925), entitled:

An Act authorizing persons employed under any system of State work relief to work out the per capita school taxes of himself and members of his family and providing for the payment of such taxes

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

RECONSIDERATION OF SENATE BILL No. 1349

Mr. REED. Mr. President, I move to reconsider the vote by which Senate Bill No. 1349 (House Bill No. 2155), entitled:

An Act to amend section twenty of the act approved the eleventh day of May, one thousand nine hundred and twenty-

one (P. L. 522), entitled "Dog Law of 1921" by abolishing the fee payable to police officers for killing and disposing of unlicensed dogs.

passed finally.

The PRESIDENT. How did the Senator vote?
Mr. REED. Mr. President, I voted "aye."
Mr. GRAFF. I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. GRAFF. Mr. President, I voted "aye."
The motion was agreed to.
And the question recurring,
Shall the bill pass finally?
Mr. REED. Mr. President, I move to reconsider the vote by which the bill passed third reading.
The PRESIDENT. How did the Senator vote?
Mr. REED. Mr. President, I voted "aye."
Mr. GRAFF. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. GRAFF. Mr. President, I voted "aye."
The motion was agreed to.
And the question recurring,
Will the Senate agree to the bill on third reading?

BILL RECOMMITTED

Mr. REED. Mr. President, I move that Senate Bill No. 1349 (House Bill No. 2155), be recommitted to the Committee on Finance.

Mr. GRAFF. Mr. President, I second the motion.
The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1451, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred twenty-one (Pamphlet Laws, three hundred seventy-four), entitled "An act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith, a contract based upon payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties," as amended, by providing for the transfer from the Department of Banking to the Pennsylvania Securities Commission of the rights and duties with respect to the licensing and regulation of such corporations, copartnerships, associations, and individuals.

And said bill having been read at length the third time,
On the question
Will the Senate agree to the bill?
Mr. SHAPIRO. Mr. President, I ask unanimous consent to amend section 3, page 4, line 6 by striking out after the word "by" and before the word "the" the words "[section one of]"; also section 4, page 5, line 14, by striking out after the word "by" and before the word "the" the words "[section one of]"; also section 8, page 8, by striking out line 28; also section 9, page 8, line 29, by inserting at the end of the line after the syllable "here-" the following: "by amended to read as follows"; also section 12, page 11, line 14, by striking out after the word "persons" and before the word "the" the word "[under]" and inserting in lieu thereof the words "subject to."

The PRESIDENT. Is there objection? The Chair hears none.
The amendment was agreed to.
On the question,
Will the Senate agree to the bill on third reading as amended?
It was agreed to.
Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED

Mr. PETHICK. Mr. President, I move that Senate Bill No. 1454, on third reading entitled:

An Act relating to milk control during the existing emergency; creating a milk control board in the Department of Agriculture; and defining its jurisdiction, powers and duties.

be recommitted to the Committee on Agriculture.

Mr. THOMPSON. Mr. President, I second the motion.
The motion was agreed to.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1455, entitled:

An Act to amend Act No. 12-A, approved the twentieth day of April, one thousand nine hundred thirty-three (Appropriation Acts of one thousand nine hundred thirty-three, page), entitled "An act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania," by changing the fiscal biennium for which the appropriation is made.

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?
Mr. SCOTT. Mr. President, I ask unanimous consent to amend page 1, section 1, line 7, by striking out after the word "an" and before the word "for" the word: "appropration" and inserting in lieu thereof the word: "appropriation."
The PRESIDENT. Is there objection? The Chair hears none.
The amendment was agreed to.
On the question,
Will the Senate agree to the bill on third reading as amended?
It was agreed to.
Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1456, entitled:

An Act to authorize boroughs and townships of the first class to sue out writs of scire facias on certain tax liens where more than five years have elapsed since said liens were filed and to reduce such liens to judgment and providing for the revival of such judgments.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1459, entitled:

An Act to amend sections one hundred and twenty-seven, one hundred and twenty-eight, one hundred and twenty-nine, and one hundred and thirty, as added, and to add section one hundred and thirty-one to the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating the creation of union school districts.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RESOLUTION RELATIVE TO UNIVERSAL AUTOMATIC SAFETY SIGNALS

Mr CHAPMAN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN offered the following resolution, which was twice read and referred to the Committee on Public Roads and Highways:

In the Senate, April 26, 1933.

Whereas, A new system of safety signals for use on motor vehicles has been invented for which is claimed the saving of many lives and thousands of wrecks annually, the prevention of the loss caused by collisions and the addition of fifty per centum of safety to travel on the Nation's highways; and

Whereas, The system provides for the removal of red lights from the highways when and where there is no danger and puts them on the road only when and where there is danger; and

Whereas, The question of the adoption of such a system and the incorporation thereof into our Motor Vehicle Code is worthy of the study and consideration of those charged with keeping the highways safe; therefore be it

Resolved, That the Bureau of Motor Vehicles of the Department of Revenue of the Commonwealth is hereby requested to make a careful study of the use of the Universal Uniform Automatic Safety Signal System on all vehicles and of similar systems having as the basis thereof the use of red lights only in case of danger, and if convinced of its value in making travel more safe, to use its best efforts to secure the adoption of such system by other States or by the Federal government in order to make the system uniform throughout the Nation; and be it further

Resolved, That the said Bureau of Motor Vehicles make a report to the next Session of the Legislature of the result of their study, the conclusion arrived at regarding such systems and the effort, if any, made by the Bureau to secure the adoption of the system by other States or by the Federal government; and be it further

Resolved, That a copy of this resolution be forthwith transmitted by the Secretary of the Senate to the Bureau of Motor Vehicles of the Department of Revenue.

BILL INTRODUCED

Mr. CHAPMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN read in his place and presented to the Chair, Senate Bill No. 1475, entitled:

An Act to amend section one thousand nine hundred and twenty-six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts, thereof, that are or may be insonsistent therewith," as amended, by fixing the number of assistant county superintendents.

Which was committeed to the Committee on Education.

REPORT FROM COMMITTEE

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Finance, reported as committed, Senate Bill No. 1341, entitled:

An Act to amend section seven of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 465), entitled "An act to provide for the safety of persons employed, housed or assembled in certain buildings and structures not in cities of the first class, second class and second class A, by requiring certain construction and ways of egress, equipment and maintenance; providing for the licensing of projectionists, requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of

fire departments in cities of the third class; providing penalties for violations of the provisiosn of this act and repealing certain acts," by providing for fees for licensing of projectionists.

RESOLUTION RELATIVE TO INVESTIGATION OF RELIEF

Mr. PARKINSON. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON offered the following resolution, which was twice read and referred to the Committee on Appropriations:

In the Senate, April 26, 1933.

Whereas, Answers to letters forwarded to the press of the Commonwealth have revealed that in the administration of relief to the unemployed in the Commonwealth there is lacking a comprehensive social service including proper investigation of relief applicants and a workable work-relief program and provisions for rehabilitation, and that a very serious grievance in the administration of such relief is the lack of proper co-ordination of flour, medical, milk and shelter relief with food; and

Whereas, In every county of the Commonwealth, many are receiving relief who are not entitled to the same, because they are congenitally disinclined to work, have sufficient funds or incomes to sustain themselves without relief, or could well get along without relief, and that in addition thereto, there are many who, by reason of pride, abstained from asking for relief; and

Whereas, An investigating committee clothed with proper powers of investigation, including the right to pry into other sources of income or resources of those applying for relief, would result in the saving to the Commonwealth of much money now needlessly used for this purpose, thereby allowing more funds for the granting of adequate relief to those in actual need; therefore be it

Resolved (if the House of Representatives concur), That a committee of seven, four of whom shall be appointed by the Speaker of the House and three by the President pro tempore of the Senate for the purpose of investigating:

(1) The needs for relief throughout the Commonwealth;

(2) The methods of administration; and

(3) The number of cases where relief is being given unjustifiably; and be it

Resolved, That said committee shall have power to issue subpoenas under the hand and seal of its chairman, requiring and commanding any person to appear before it and answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before it. Any person who shall wilfully neglect or refuse to appear and testify for said committee, or to produce any books, papers, records and documents, shall be subject to the penalties provided by the laws of this Commonwealth in such cases; and be it further

Resolved, That the members of said committee shall receive no compensation for their services, but shall be reimbursed for expenses actually incurred in the performance of their duties, to be paid out of an item to be inserted in the General Appropriation Bill.

REPORT FROM COMMITTEE

Mr. ARMSTRONG. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARMSTRONG, from the Committee on Education, reported as committed, Senate Bill No. 1393, entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January, one thousand eight hundred and seventy-four (P. L. 31), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended, providing that when the authorities of any county shall have provided a place for the safe keeping of ballot boxes, they shall after each election be delivered at such place to the sheriff.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 512, as follows:

An Act to amend clause twenty-five as amended and renumbered clause eighteen of and to add clause twenty to section three hundred and two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State Government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State Depository and every debtor or creditor of the Commonwealth" by establishing the State Parks Fund and transferring certain revenues from the State School Fund to the State Parks Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause twenty-five of Section three hundred and two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three, entitled "An Act relating to the finances of the State Government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth of any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" which was amended and renumbered clause eighteen by the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eighten) is hereby further amended to read as follows:

18 State School Fund All moneys received by the Treasury Department from the Department of Revenue arising from

the net receipts and proceeds derived in any way from or on account of the forest reservations except such as are derived from the rental of permanent camp sites and from the maintenance and operation of Cook Forest Park and other recreational facilities on lands under the jurisdiction of the Department of Forests and Waters together with all water powers and water rights belonging to this Commonwealth in the streams rivers lakes or other waters of this Commonwealth from all real estate owned by this Commonwealth which is not used for State or other public purposes for all escheated estates in this Commonwealth and from all other property or money which shall in any way accrue to such fund whether by devise gift or otherwise shall be credited to the State School Fund

Section 2 That section three hundred and two of said act is hereby further amended by adding thereto clause twenty as follows

20 State Parks Fund All moneys received by the Treasury Department from the Department of Revenue arising from the net receipts and proceeds derived in any wav from or on account of the rental of permanent camp sites and from the maintenance and operation of Cook Forest Park and other recreational facilities on lands under the jurisdiction of the Department of Forests and Waters shall be credited to the State Parks Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 534, as follows:

An Act creating in counties of the fourth fifth sixth seventh and eighth classes a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of the fourth fifth sixth seventh and eighth classes in this Commonwealth there is hereby created a board to be known as the Board for the Assessment and Revision of Taxes which shall be composed of three members The members of said board shall be appointed by the county commissioners of such counties to serve for terms of four years each Vacancies happening in said office shall be filled by appointment by the county commissioners for the unexpired terms The salary of the members of said board shall be fixed by the salary board of the county or by the county commissioners in counties where there is no salary board

The duties and terms of the borough ward and township assessors in such counties so far as assessments for taxation are concerned shall cease and terminate upon the final enactment of this act

Section 2 It shall be the duty of said board in each county to which this act applies to make and have supervision of the making of all assessments of persons property and occupations now or hereafter made subject to assessment for taxation for county borough town township school and poor purposes

Section 3 The said board shall divide the county into convenient districts which it may change as occasion may require and shall appoint subordinate assesosrs for said districts The subordinate assessors shall receive such compensation as the salary board or county ocmmissioners where there is no salary board shall fix which salaries shall be paid out of the county treasury The said board shall also have the right to appoint such clerks at such salaries as the salary board or county commissioners as the case may be of the county may allow for the proper discharge of the duties of said board which salaries shall be paid out of the county treasury

Section 4 The board may prescribe rules and regulations for the conduct of the said subordinate assessors determine when precepts shall be issued to them and when they shall make returns to said board both in triennial and intermediate years

Section 5 The field assessors shall make the triennial assessment of all property and persons taxable upon occupations subject to assessment for taxation for aforesaid purposes together with a list of all persons subject to a school per capita tax or a poll tax within their respective districts and in so doing shall view all properties in their district taxable for said purposes and shall make a personal house to house canvass for their district in order that the lists of persons taxable upon occupation or subject to a school per capita tax or poll tax may be accurate and correct in so far as it is possible to make them They shall also have and possess except as modified by this act the same powers and perform the same duties and be subject to the same liabilities as are now or shall hereafter be conferred or imposed upon borough ward town and township assessors with respect to making assessments and valuations for taxation purposes All such assessors who shall fail to make assessments and lists in the manner herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and in default of the payment of such fine and costs to undergo an imprisonment not exceeding ninety days

Section 6 The board shall examine and revise the triennial assessments and valuations increasing or decreasing the same as in their judgment may seem proper and shall add thereto and assess such property or persons taxable upon occupations as may have been omitted and may also add thereto the names of any persons subject to a school per capital tax or poll tax as may have been omitted After such revision the board shall fix convenient times for the hearing of appeals on said assessments and valuations and after the hearing of said appeals and the making of whatever changes may be considered proper the valuations as so ascertained and revised unless changed in the manner hereinafter provided shall stand as the assessments for taxation for the aforesaid purposes until the next triennial assessment

Section 7 It shall be the duty of the board to give notice by advertising in one or more newspapers printed in each county at least three weeks before the day of appeal of the time and place fixed for such appeal It shall also be the duty of the board to give written or printed notice as hereinafter provided at least five days before the day of appeal to every taxable inhabitant within such county of the amount or sum for which he stands rated and of the time and place of such appeal

Section 8 After action on such assessments by the board any dissatisfied taxable may within thirty days from the final fixing of his assessment and valuation appeal therefrom to the court of common pleas of the county in the manner provided by law for appeals from assessments and it shall be the duty of the court at once to hear and determine said appeal and if necessary to make such changes therein as may be right and proper from the decision of the court an appeal may be taken to the Superior or Supreme Court as now provided by law

Section 9 The subordinate assessors shall between the triennial assessments revise any assessment or valuation according to right and equity by correcting errors and by adding thereto any property or subject of taxation which may have been omitted or any new property or subject of taxation which may have come into being since the last triennial assessment

They shall also add thereto the names of any persons who have moved into such district and strike therefrom the names of any persons who have removed from such district since the last triennial assessment

The assessors shall also revise assessments and valuations between the triennial assessments by increasing or decreasing the same where the value of the property or subjects of taxation assessed or value thereof has changed by reasons of any change of conditions thereon or adjacent thereto or in the

vicinity thereof or for the reason that the property assessed or valued has been subdivided or laid out into a plan of lots or other subdivisions or for the reason that improvements have been placed thereon or added thereto or for the reason that any public or other improvement has been made adjacent thereto or in the vicinity thereof or where for any other reason whatsoever the value of the property has changed and it is equitable to make a change in the valuation thereof The assessors shall also between the triennial assessments in all cases where it is apparent that any assessment is not in accord with the generality or uniform standard of assessments revise and correct the same by increasing or decreasing the same where the value of property or subject of taxation does not conform to the generality or uniform standard of assessments Provided however That whenever assessments of property are increased or new assessments of property are added between triennial assessments as aforesaid said board shall fix convenient times for the hearing of appeals therefrom and shall give to each taxable affected by such increase or new assessment written or printed notice thereof and of the time and place of appeal which notice shall be served in the manner hereinafter provided and at least five days before the day of appeal after final action by the board on appeal from such assessments any dissatisfied taxable may appeal to the court of common pleas within the same time and in the same manner as provided in section eight of this act and may also appeal from the decision of the court of common pleas to the Supreme and Superior Court as provided in that section

Section 10 All notices required by this act may be served in the manner following anything herein contained to the contrary notwithstanding Upon the taxable personally or upon an adult person residing upon the property assessed or by posting upon the property assessed when it is vacant or unoccupied or by notice mailed to the last known address of the taxable

No defect in service of any such notice shall be sufficient ground for setting any assessment aside but upon proof thereof being made the taxable person shall have the right to a hearing before said board relative to said assessment with the same right of appeal from its decision as provided in section seven of this act

Section 11 After the hearing of any objections thereto and the making of any changes that may be deemed proper the valuations as so ascertained shall unless changed in the manner herein provided stand as the valuations for assessments for aforesaid purposes until the next triennial assessment

Section 12 No appeal taken from any such assessments made under the provisions of this act shall affect the validity of any taxes assessed but if such assessment shall thereafter be reduced an exoneration shall be granted or restitution ordered for the excess of taxes paid by reason of any improper increase in the assessment

Section 14 Upon request of any taxpayer he shall at any time receive from the board a statement of his taxable property and its valuation

Section 14 When the valuations and assessments have been made all taxation for county borough town township school purposes (except in cities) and poor purposes within the limits of such county shall be based upon such valuations

Section 15 The office of ward borough town and township assessor as now existing in counties coming under the provisions of this act is hereby abolished in so far as respects the assessment and valuation of persons and property for taxable purposes

Section 16 The county commissioners of any such county shall have authority to prepare at the cost of the county such proper maps and plans and surveys as may be deemed necessary to secure to a proper and equitable assessment

Section 17 The corporate authorities of any borough town township school and poor district who may feel grieved by any assessment of property or subjects of taxation for its corporate purposes shall have the right to appeal therefrom to the court of common pleas or the Superior or Supreme Court in the same manner and subject to the same procedure and with like effect as if such appeal were taken by a taxable with respect to his property

Section 18 Any city in any county wherein such a board is created under this act may become subject to the provisions of this act and the mayor and council of any such city may effect the same by an ordinance duly passed A copy of such ordinance approved by the mayor and duly certified accompanied by a statement of the vote thereon with the names of the members of council voting for and against such ordinance shall be forwarded to and filed in the office of the Secretary of the Commonwealth and when so filed the Governor shall under the great seal of the Commonwealth certify the acceptance of the provisions of this act which certificate shall be recorded among the minutes of the council and in the office for the recording of deeds in the proper county

From the date of the completion of such acceptance the assessment of property in such city for city and school purposes shall be done only in accordance with the provisions of this act and by the officers designated in this act

Whenever any city accepts the provisions of this act all the provisions thereof including the right to appeal from assessments as provided for other municipal districts shall apply to such city

Section 19 The provisions of this act are severable and if any of its provisions are held unconstitutional the decision so holding shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 20 This act shall be in effect immediately upon its final enactment

Section 21 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 869 (House Bill No. 1279), entitled:

An Act to amend article fourteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by adding thereto a new section providing that the Department of Public Instruction shall reimburse school districts for educating children of employes of public institutions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 710 (House Bill No. 183), as follows:

An Act to amend sections twenty-five and thirty-eight of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred thirty-seven) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" clarifying the ground for divorce where the respondent has been convicted of certain crimes providing for the amendment of libels to include additional grounds for divorce providing for service of notice of hearing on correspondents and providing for alimony pendente lite in cases of divorce from bed and board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections ten twenty-five thirty-eight and forty-six of the act approved the second day of May one thousand

nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred and thirty-seven) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" are hereby amended to read as follows

2 When a marriage has been heretofore or shall hereafter be contracted and celebrated between two persons within the prohibited degrees of consanguinity or affinity according to the tables established by law it shall be lawful for either of said parties to obtain a divorce from the bond of matrimony in the manner hereinafter provided or

3 If any spouse upon any false rumor in appearance well founded of the death of the other when such other has been absent for the space of two whole years hath married or shall marry again the party who has not remarried may at his or her return have his or her own marriage dissolved by divorce on the grounds of bigamy leaving the other party to remain with the second husband or wife Any such action shall be instituted within six months after such return

Section 25 Presentation of Libel Contents Affidavit Any spouse may have his or her petition or libel in divorce presented to the court of common pleas when in session or during vacation to a judge thereof at chambers The petition or libel shall set forth therein particularly and specifically the cause of his or her complaint and shall be accompanied with an affidavit on oath or affirmation taken before one of the said judges or the prothonotary or clerk of the court of common pleas or any person in any county of the Commonwealth legally authorized to take acknowledgments that the facts contained in said petition or libel are true to the best of his or her knowledge and belief and that the said complaint is not made out of levity or by collusion between the said husband and wife and for the mere purpose of being freed and separated from each other but in sincerity and truth for the causes mentioned

In cases where the respondent is a hopeless lunatic or non compos mentis the fact of lunacy of the respondent and such circumstances as may be sufficient to satisfy the mind of the court as to the truth of the allegation shall be set forth in the petition or libel and affidavit required by this section shall be taken by the petitioner

In cases where the libellant is a minor the libel shall be presented by a relative or next friend and the affidavit thereto shall be taken by such minor libellant

The court may allow any libel to be amended so as to include additional grounds or causes for divorce including such as arose subsequent to the awarding of the subpoena Notice of any such amendment shall be served on the respondent in such manner as the court may direct in its order allowing the amendment

Section 38 Notice to Corespondent In any case for divorce on the ground of adultery the libellant shall cause to be served personally or by registered mail addressed to the last known post office address a notice on any corespondent named and identified in the libel and where such corespondent is named and identified first in the testimony then such notice shall be given before the testimony is closed and an opportunity afforded such corespondent to be heard A notice sent by registered mail addressed the last known post office address of the corespondent shall be equivalent to personal service of the notice Such notice shall set forth that such person was named in the proceedings as corespondent and designate the time and place of hearing and shall be served at least ten days previous to the hearing Proof of the personal service of such notice or the mailing of such notice to the last known post office address of the corespondent shall be filed in the office of the prothonotary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 907 (House Bill No. 860), as follows:

An Act conferring jurisdiction on the Municipal Court of Philadelphia with respect to civil proceedings arising in magistrates' courts providing for the filing of transcripts of judgments entered by magistrates in said court and validating proceedings heretofore filed in said court

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That proceedings in civil cases before magistrates that are sought to reviewed by appeal by certiorari by petitions for appeal nunc pro tunc by petition for mandamus or otherwise to magistrates directing the allowance of appeals may be brought or instituted in the Municipal Court of Philadelphia

Section 2 All transcripts of judgments entered in civil suits by magistrates shall hereafter be filed only in the Municipal Court of Philadelphia and not in the common pleas court

Section 3 All such proceedings specified in section one of this act from magistrates heretofore filed in the Municipal Court of Philadelphia are hereby validated ratified and confirmed

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 953, as follows:

An Act to further amend section three of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" by making the moneys in the Motor License Fund available for administering the laws rules and regulations relating to aeronautics

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" as amended by the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eighty-nine) is hereby further amended to read as follows

Section 3 As much of the money from time to time in the Motor License Fund as may be necessary is hereby appropriated to the Department of Revenue for administering and enforcing the laws rules or regulations relating to the operation of aircraft landing fields or intermediate landing fields and for the proper conduct of its work in titling and registering motor vehicles trailers and tractors licensing the operators of vehicles and enforcing the laws regulating the registration titling and operation of vehicles upon the highways and for the collection of liquid fuels taxes as follows

(a) For the payment of the salaries wages or other compensation and traveling and other necessary expenses of the Commissioner of Motor Vehicles or such other officer or officers of the department appointed by the secretary thereof to have charge of the foregoing activities of the department and such deputies directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts engineers draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers laborers and other assistants and employes as may be required in the performance of the duties above mentioned and such special deputy attorneys general assistant deputy attorneys general and attorneys as may be assigned by the Attorney General to the department or for handling any legal business pertaining to its work

(b) For the payment of the salaries wages or other compensation board lodging uniforms arms and equipment and their maintenance and traveling and other necessary expenses of State Highway Patrolmen

(c) For the purchase maintenance storage and repair of furniture furnishings stationery supplies materials equipment fuel motor vehicles aircraft and printing and binding and for the payment of premiums on policies of insurance covering motor vehicles or aircraft operated by employes of the department and surety bonds for officers or employes of the department required to furnish such bonds but all such purchases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as purchasing agent

(d) For the payment of postage telegrams telephone rentals and toll charges and rentals for or royalties upon leased office equipment or other devices or machines

(e) For the construction through the Department of Property and Supplies or the purchase and repair or maintenance of buildings for the use of the State Highway Patrol

(f) Through the Department of Property and Supplies to purchase or lease lands and to construct thereon highways and buildings suitable for the examination of applicants for operators' licenses or to purchase or lease lands for the use of the State Highway Patrol

(g) For the payment of rentals for branch buildings and repairs thereto

(h) For the payment of transportation medical attendance and hospital charges of employes injured or killed in line of duty and the payment of workmen's compensation to injured employes or dependents of deceased employes or the payment of premiums upon policies insuring the Commonwealth against workmen's compensation liability to employes or dependents of employes of the department Provided That such insurance shall be carried only with the approval of the Governor

(i) For the payment of traveling expenses and witness fees in the amount of two ($2) dollars per capita per diem to witnesses testifying for the Commonwealth at hearing and for the payment of fees charged by physicians for examining persons suspected of operating motor vehicles while intoxicated whenever such persons are found as a result of such examination not to be intoxicated except that no sum in excess of five ($5) dollars shall be paid to any physician for such an examination

(j) For the payment of expenses in connection with traffic safety educational work exhibts photography models and other exhibition or educational accessories and for all other expense of every kind and description necessary effectively to carry on this work

(k) For the purchase of registration plates and any other expense incidental thereto

(l) For the payment of rewards for detection of fraud

(m) For the purpose of purchasing and acquiring in the name of the Commonwealth of Pennsylvania air navigation facilities and intermediate landing field equipment through the Department of Property and Supplies as agent

(n) For the purpose of installing conditioning improving equipping maintaining and operating any air navigation facilities intermediate landing field equipment beacon sites landing fields and intermediate landing fields leased or acquired by the Commonwealth and lands acquired within the Commonwealth suitable for landing fields intermediate landing fields beacon sites and air navigation facilities

[(m)] (o) For all other expenses of every kind and description necessary for the performance by the department of the aforesaid work

Section 2 This act shall take effect on the first day of June one thousand nine hundred and thirty-one

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 980 (House Bill No. 1666), entitled:

An Act to amend section 9 of the act approved the thirteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, six hundred forty-four) entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes" by increasing the fee to be charged by the Department of Welfare for certificates of registration.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1011 (House Bill No. 1278), as follows:

An Act to amend section four hundred and twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended providing that the county commissioners shall provide for the graves of service men foundations for headstones furnished by the United States Government placed in lots containing the bodies of service men

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred and twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" which was amended by section one of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred one) is hereby further amended to read as follows

Section 426 Markers for Graves Headstones The county commissioners of the several counties of this State shall from time to time as is considered expedient by the commissioners procure appropriate markers made of suitable material for the grave of each and every deceased service man or woman buried within the limits of any city borough township or district Upon the petition of any five reputable freeholders of the city borough township or district where any such deceased service man or woman is buried a marker shall be placed upon the grave of such deceased service man or woman for the purpose of permanently marking and designating such grave for memorial purposes When such deceased service man or woman shall have been a veteran of any war for which the Government of the United States issued discharge buttons the markers designated for their graves shall include a facsimile of said discharge button The county commissioners may upon the petition of any five reputable freeholders of the city borough township or district within the county of which any deceased service man or woman may have been a resident place such marker upon his or her grave when he or she is buried without the limits of said county

It shall also be the duty of the county commissioners of each county in this State upon or at any time subsequent to the death of any service man who shall be buried within their counties on the application of any relatives or on the application of any friends of such deceased service man if such application by friends has been approved by any organization of veterans of any war in which the United States was engaged and provided that there be no objection by the nearest relative to cause a headstone to be placed at the head of the grave of each deceased service man containing his name and if possible the organization to which he belonged or in which he served in letters raised or cut in at least three-sixteenths of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base or if a headstone has been provided for such grave by the United States Government the county commissioners shall provide the foundation therefor and the expense for the same shall be paid out of the funds of the county in which such deceased service man died or shall have had his legal residence Provided however That the expense shall not exceed the sum of fifty dollars for each headstone and the county commissioners of each county acting

under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone or foundation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1019 (House Bill No. 1847), entitled:

An Act to protect the public health; defining and providing for the licensing of bakeries and regulating the inspection, maintenance and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale and offering for sale of baker products; conferring powers on the Department of Agriculture; and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1244 (House Bill No. 1536), entitled:

An Act to amend the title, and to amend section one of the act, approved the tenth day of May, one thousand nine hundred and twenty-seven (P. L. 879), entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods, wares, or merchandise of any kind, fixtures, machinery, equipment or real estate, by every corporation, joint-stock association, limited partnership or company; providing certain requirements, therefor and imposing certain duties upon the seller and buyer; and fixing penalties" by extending the provisions of the said act to individuals, copartnerships, and other unincorporated associations, and including notice thereof in the title of said act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SHAPIRO. Mr. President, I move that Senate Bill No. 1263 (House Bill No. 1131), on second reading, entitled:

An Act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties.

be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. ZIESENHEIM. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1281 (House Bill No. 1726), entitled:

An Act creating a commission to study the laws relating to poor districts and to draft such new laws as may be necessary to revise and codify such laws and establish State supervision over poor boards.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1285 (House Bill No. 2010), as follows:

An Act establishing a court of record in the county of Allegheny for control care and treatment of delinquent neglected and dependent children under sixteen years of age defining their jurisdiction powers and duties and regulating procedure therein providing for the transfer of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities

Whereas The public welfare demands that children should be guarded from association and contact with crime and criminals and the ordinary process of the criminal law does not provide such treatment and care and

Whereas Experience has shown that children lacking proper parental care or guardianship are led into courses of life which may render them liable to the pains and penalties of the criminal law although in fact the real inerest of such child or children requires that they be not incarcerated in penitentiary and jail as members of the criminal class and

Whereas It is important that the powers of the court in respect to the care treatment education and control of delinquent neglected and dependent children should be clearly distinguished from the powers exercised in the administration of the criminal law that those powers be such as may secure for each child under its jurisdiction such care guidance education and control preferably in his own home as will conduce to the child's welfare and the best interests of the State and when such child is removed from his own family to secure for him custody care education and discipline as nearly as possible equivalent to that which should have been given by his parents and that such powers be established in recognition of the principle that children under the jurisdiction of the court are wards of the State subject to the discipline and entitled to the protection of the State which may intervene to safeguard them from neglect or injury and to enforce the legal obligations due to them and from them and

Whereas In the more populous districts where the number of delinquent neglected and dependent children is large their intrests can best be safeguarded and the public welfare more adequately promoted through a court that is presided over by a judge who is chosen for that particular position because of peculiar qualifications and who may in security serve in such capacity over a period of years therefore

ARTICLE I

ESTABLISHMENT JURISDICTION

Section 1 ESTABLISHMENT OF JUVENILE COURT Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be and hereby is established in Allegheny County a court of record to be known as the juvenile court having such jurisdiction as may be necessary to carry out the provisions of this act and the provisions of any other law of general application concerning the care treatment and control of delinquent neglected and dependent children

Section 2 CONSTRUCTION OF ACT This act shall be liberally constructed to accomplish the purpose herein sought

Section 3 DEFINITIONS 1 Whenever the words "the court" are used in this act they shall refer to the juvenile court established by this act the term "judge" shall refer to the judge of that court the word "child" shall mean a person less than sixteen years of age the word "adult" shall mean a person sixteen years of age or over and the words "child" or "children" may be held to mean one or more children and the words "parent" or "parents" may be held to mean one or more parents when consistent with the intent of this act

2 The words "delinquent child" shall mean a child (a) who violates any law of the State or any ordinance or regulation of any subdivision thereof or (b) who is habitually disobedient

or beyond the control of his parents or other lawful authority or (c) who so deports himself as to injure or endanger the morals health or general welfare of himself or others

3 The words "neglected child" shall mean a child (a) who is abandoned by his parents guardian or custodian or (b) who is without proper parental care or guardianship or (c) whose parent guardian or custodian neglects or refuses to provide necessary food clothing shelter medical surgical or other care necessary for the health morals or well-being of such child or (d) who is found in any disreputable place or who associates with vagrant vicious or immoral persons or (e) who is in a condition or who engages in an occupation dangerous to the life or limb or injurious to the health morals or general welfare of himself or others

4 The words "dependent child" shall mean a child (a) who is homeless or destitute or dependent on the public for support or (b) who is without a parent or guardian able to provide for his support training and education or (c) who is otherwise in need of personal guardianship

Section 4 JURISDICTION 1 Children (a) Except as hereinunder provided the court shall have original and exclusive jurisdiction of all cases involving (1) a child found within the county who is delinquent neglected or dependent or (2) a child found within the county who is mentally defective or mentally disordered or (3) a child found within the county whose custody or the guardianship of whose person is subject to controversy or is to be determined except in such cases where jurisdiction has previously been acquired by a court of concurrent jurisdiction

The court shall have concurrent jurisdiction in all cases referred to in subdivision (a) of this section in which the child involved is at the time actually within the county but is not residing therein

(b) When once jurisdiction shall have been obtained by the court in the case of any child such child shall continue for the purposes of this act under the jurisdiction of the court until he becomes twenty-one years of age unless discharged prior thereto by the court

2 Adults The court shall have original and exclusive jurisdiction to examine all cases which may arise within the county of adults who are charged with contributing to encouraging or tending to cause by any act or omission the delinquency neglect or dependency of any child or who are charged with any act or omission with respect to any child which act or omission is a violation of any law or ordinance and of any case of an adult who deserts abandons or fails to provide for the proper maintenance of any child for whose maintenance such adult is legally responsible and to try and determine all such cases where offense is less than the grade of felony or where the alleged offense is of such nature that the defendant if found guilty would not be liable to incarceration in a penitentiary Provided That for the purposes of this act desertion and nonsupport upon the part of parents or guardians shall apply only to a child or children left entirely without parental or guardianship care by such act or omission

ARTICLE II

PROCEDURE IN CHILDREN'S CASES

Section 5 INFORMATION INVESTIGATION PETITION Any person having knowledge or information that a child is within the provisions of this act may and any peace officer having such knowledge or information shall report to the court such knowledge or information Upon receipt of such report the judge or a duly authorized probation officer or other agent of the court shall inquire into the case and determine whether the public interests or the interests of the child will be subserved by the court's acquiring jurisdiction in the case Whenever practicable such inquiry shall include a preliminary investigation of the home and environment conditions of the child his previous history and the facts and circumstances of the condition alleged and the results of the inquiry shall be reported in writing If the court through the judge or duly authorized probation officer or other agent shall determine that jurisdiction should be acquired it shall cause a petition to be made and filed by a person having such knowledge or information Provided That whenever a child is taken into custody a petition shall be filed forthwith unless the parent or guardian consents in writing to detention to such time as is necessary to make an investigation or unless a duly authorized officer or agent of the court consents to the child's release pending the disposition of the case And provided further That nothing in this act shall be construed to prevent any person having knowledge that a child is within the provisions of the act from making and presenting a petition to the court

The petition shall be verified under oath alleging the facts as briefly as may be which bring said child within the provisions of this act The petition shall also state (1) The name age and residence of the child (2) the names and residences of his parents (3) the name and residence of his legal guardian if the child is under guardianship and (4) the name and residence of the person or persons in whose custody or control the child is at the time of making the petition If any of the jurisdictional facts herein required are not known or cannot be ascertained by the petitioner the petition shall so state

Section 6 ISSUANCE OF SUMMONS NOTICE After a petition shall have been filed with the court and after the making of such further investigation as the court may direct unless the parties hereinafter named shall voluntarily appear or be in court the court shall issue summons reciting briefly the facts in the case and requiring the person or persons who have the custody or control of the child or in whose custody or control the child at the time is to personally appear and bring the child before the court at a time and place stated in the summons If the person so summoned shall be other than the parent or guardian of the child then the parent or guardian or both shall also be notified of the pendency of the case and of the time and place appointed by personal service at least twenty-four hours before the hearing except as hereinafter provided

Summons may be issued requiring the appearance of any other person whose presence in the discretion of the judge is necessary for the welfare of the child or for the proper hearing of the case Provided That if the whereabouts of any person whose presence in court may be desired shall be unknown the judge may determine what means shall be used to give such person notice to appear

Section 7 SERVICE OF SUMMONS TRAVELING EXPENSES Service of summons shall be made personally by the delivery of a true and attested copy thereof to the person summoned Provided That if the judge is satisfied that reasonable but unsuccessful efforts have been made to serve the summons or the notice required by the provisions of the preceding section personally upon any of the parties named therein or if it shall appear to the satisfaction of the judge that it is impractiable to serve such summons or notice personally upon any of them and the child is actually present in court the judge may make an order providing for the service of the summons or notice by registered mail addressed to their last known addresses or by publication thereof or both as may be ordered by the court It shall be sufficient to confer jurisdiction if service is effected at any time before the time fixed in the summons for the return thereof but the judge if requested by a parent or in case there is no parent by the person having the guardianship or custody of the child shall not proceed with the hearing earlier than three days after the service Failure to serve a summons upon any person shall not impair the jurisdiction of the court to proceed in cases of delinquent children if for good cause shown the judge shall have made an order dispensing with such service

Service of a summons process or notice required by this act may be made by any suitable person under the direction of the court The judge may in his dicretion authorize the payment of necessary travelling expenses incurred by any person summoned or otherwise required to appear at the hearing of any case coming within the provisions of this act Such expenses when approved by the judge shall be a charge upon the county

Section 8 FAILURE TO OBEY SUMMONS WARRANT If any person summoned as herein provided shall fail without reasonable cause to appear with the child in court and there abide the order of the court he may be proceeded against for contempt of court under and in accordance with the provisions of the general statutes In case the summons cannot be served or the parties served fail to obey the same and in any case when it shall be made to appear to the judge that the service will be ineffectual or the welfare of the child requires that he shall be brought forthwith into the custody of the court a warrant may be issued on the order of the court either against the parent or guardian or other person having the custody or control of the child or against the child himself

Section 9 ARREST CUSTODY OF THE CHILD RELEASE Whenever any child is arrested or taken into custody such

child shall be immediately taken to the place of detention designated by the court and the officer making the arrest shall immediately notify the court or duly authorized officer or agent thereof and shall file a petition when directed to do so by the court

In case in which a petition has been filed if it appears from the petition that the child is delinquent or is in such condition or surroundings that the welfare of the child requires that its custody be immediately assumed by the court the judge may endorse or cause to be endorsed upon the summons an order that the officer serving the same shall at once take the child into custody In the case of any child whose custody has been assumed by the court and pending the final disposition of any case the child may be released in the custody of a parent guardian or other person having charge of the child or in the custody of a probation officer or other person appointed by the judge to be brought before the court at the time designated When not released as herein provided such child pending the hearing of the case shall be detained in such place of detention as shall be designated by the court subject to the order of the court

Nothing in this act shall be construed as forbidding any peace officer or probation officer from immediately taking into custody any child who is found committing an act of delinquency or who is reasonable believed to be a fugitive from his parents or from justice or whose surroundings are such as to endanger his health morals or general welfare unless immediate action is taken Provided that in every such case the officer taking the child into custody shall immediately report the fact to the court and the case shall then be proceeded with as provided for in this act

Section 10 TRANSFER FROM OTHER COURTS If during the pendency of any criminal case against any person in any court within the county it shall be ascertained that said person is under the age of sixteen years it shall be the duty of the court before whom such proceedings are pending to immediately transfer such case together with all of the papers documents and testimony connected therewith to the juvenile court The court making such transfer shall order the child to be taken forthwith to the place of detention designated by the juvenile court or to that court itself but the court making such transfer may release such child in the custody of some sutable person to appear before the juvenile court at a time designated in said order The juvenile court shall thereupon proceed to hear and dispose of such case in the same manner as if it had been instituted in that court in the first instance causing a petition to be filed as provided in section five if such action is deemed necessary

Section 11 WAIVER OF JURISDICTION IN CERTAIN CASES If in the case of any child coming before the court upon petition it shall appear that the child is guilty of an offense which under the general statutes would be termed a felony and the child is fourteen years of age or older the judge of the court may after a full investigation and examination and after consultation with the prosecuting attorney of the county if he shall deem it to be for the public interests or the interests of the child waive jurisdiction thereof whereupon such child shall be tried in the court having general criminal jurisdiction of such offense provided however that such criminal court may in its discretion exercise the powers conferred on the juvenile court in this act in disposing of such case

Section 12 HEARING JUDGMENT Upon the return of the summons or other process or after any child has been taken into custody at the time set for the hearing the court shall proceed to hear and determine the case in a summary manner It may adjourn the hearing from time to time for the purpose of investigation and to enable the court to render such order or judgment as shall best conserve the welfare of the child and carry out the objects of this act During such adjournment the child may be released in the custody of his parents or guardian or may be placed under the supervision of a probation officer At any stage of the case the court may in its discretion appoint any suitable person to be the guardian ad litem of the child for the purposes of the proceedings

If the court shall find that the child is delinquent neglected dependent or otherwise within the provisions of this act it shall adjudge said child to be a ward of the court Thereupon the court may

1 Place the child on probation subject to the orders of the court or

2 Place the child in a suitable family home in the custody of a relative or other fit person upon such conditions as the court shall determine or

3 Commit the child to a suitable public agency or institution or to any suitable private institution society or association incorporated under the laws of the state and approved by the state department of welfare authorized to care for children or to place them in suitable family homes or

4 Render such further judgment or make such further order as the court may deem to be for the best interests of the child

Section 13 MODIFICATION OF JUDGMENT RETURN OF CHILD TO PARENTS Any order or commitment made by the court in the case of any child shall be subject to such modification or revocation from time to time as the court may deem to be for the welfare of such child except that a child committed to a State institution or agency may be released or discharged from custody only with the approval of such institution or agency

Any parent or guardian or if there be no parent or guardian the next friend of any child who has been or shall hereafter be committed by the court to the custody of an institution agency or person other than a State institution or agency may at any time file with the court a petition verified under oath stating that application for the release of the child has been made to and denied by such institution agency or person or that such institution agency or person has failed to act upon such application within a reasonable time A copy of such petition shall at once be served by the court upon such institution agency or person whose duty it shall be to file a reply to the same within five days If upon examination of the petition and reply the court is of the opinion that an investigation should be had it may upon due notice to all concerned proceed to hear the facts and determine the question at issue It may thereupon return such child to the custody of its parents or guardian or may retain the child in the custody of the institution agency or person and may direct such institution agency or person to make such other arrangements for the child's care and welfare as the circumstances of the case may require or the court may make such other order or commitment as it shall deem to be for the best interests of the child

Section 14 APPOINTMENT OF GUARDIANS Whenever in the course of a proceeding instituted in this act it shall appear to the court that the welfare of any child within its jurisdiction will be promoted by the appointment of a guardian of its person the court shall have jurisdiction to make such appointment Before making such appointment the court shall cause an order to be issued and served upon the parent or parents of such child in such manner and for such time prior to the hearing as the court may deem reasonable In the appoinment of such guardians the court shall be governed by all the provisions of law relating to the appointment of guardians In any case arising under this act the court may determine as between parents or others whether the father or mather or what persons shall have the custody and control of said child

Section 15 SELECTION OF CUSTODIAL AGENCY In committing any child to any institution or other custodial agency other than a public institution or agency or in placing the child under the guardianship or custody of any person other than that of its parents the court shall when practicable select as the custodial agency an institution society or association governed by persons of like religious faith as the parents of such child or an individual of like religious faith

Section 16 SUPPORT OF CHILD COMMITTED TO A CUSTODIAL AGENCY Whenever any child is committed by the court to the custody of an institution agency association society or person other than its parent or guardian compensation for the care of such child when approved by order of the court shall be a charge upon the county or the appropriate subdivision thereof Provided however That the rate of compensation for the care of any child or children to be paid by the county to any institution agency association society or person other than a State institution shall be determined by the salary board for the court But the Court may after giving the parent or other person having the duty under the law to support such child a reasonable opportunity to be heard adjudge that such parent or other person shall pay in such manner as the court may direct such sum as will cover in whole or in part the support of such child and if such parent or other person shall wilfully fail or refuse to pay such sum he may be proceeded against as provided by law in cases of desertion or failure to provide

ARTICLE III

PROCEDURE IN CASES OF ADULTS

Section 17 PROCEDURE IN CONTRIBUTORY DELINQUENCY AND OTHER ADULT CASES In the examination trial or determination of cases of adults charged with contributing to the delinquency neglect or dependency of children or in other cases involving adults coming within the provisions of this act the proceedings shall be conducted in the same manner as is provided by law for the conduct of equity or criminal cases or special proceedings of similar character Proceedings may be instituted by an interested party or on the court's own motion and a reasonable opportunity to appear shall be afforded the respondent The court may issue a summons or in proper cases a warrant or other process in order to secure or to compel the attendance of any necessary person All provisions of the preceding sections of this act relative to procedure in cases of children in so far as such provisions are applicable shall be construed as applying to cases against adults also

Upon the trial of such cases the court is authorized and empowered to render judgment therein and if judgment be rendered sustaining the charge against any such adult the court shall have power to fix such punishment as the law provides or may in the discretion of the court suspend sentence and place on probation and by order impose upon such adult such duty as shall be deemed to be for the best interests of the child or other persons concerned

Section 18 PROCEEDINGS FOR THE SUPPORT OF DEPENDENTS In the case of an adult who deserts abandons or fails to provide for the proper maintenance or care of any child for whose maintenance or care such adult is legally responsible or in the case of any adult adjudged liable for the maintenance or care of any child the court may inquire into and determine the ability of such adult to provide for the maintenance or care of such child in whole or in part and if satisfied that such adult is able to contribute toward the maintenance or care of such child may order that such provision be made The court may direct when how and where money for such maintenance or care shall be paid and in the event that such adult so ordered to pay such money shall wilfully or without just excuse fail or refuse to pay the same in accordance with the court's order said adult shall be deemed guilty of a misdemeanor and shall be dealt with in accordance with the provisions of the law or such adult may be proceeded against as for contempt of court

ARTICLE IV

APPOINTMENT AND ELECTION OF JUDGES AND OTHER EMPLOYES PROBATION

Section 19 APPOINTMENT AND ELECTION OF JUDGES Judges of the juvenile court shall be learned in the law and and shall have such other training experience and personality necessary to maintain in the court the highest standards of child welfare They shall be elected by the qualified electors of the county and shall hold office for a period of ten years if they shall so long behave themselves well and shall receive the salaries prescribed by law for judges of the county court The term of office of elected judges of the court shall begin on the first Monday of January following their election

The first judge of the juvenile court shall be elected at the next municipal election following the passage of this act

Whenever a vacancy shall occur by death or otherwise in the office of judge the Governor shall fill such vacancy by appointing a properly qualified person to serve until a judge is elected and installed as the law provides

If for any reason the judge shall be temporarily absent from or incapacitated for service in the court and it shall become necessary to have another to act in his stead the presiding judge of the county court shall have the authority to meet such emergency either by serving in that capacity himself or by appointing another proper person to serve in the interim provided however that in such service or appointment the presiding judge of the county court may be guided by the recommendations of the judge of the juvenile court when such are offered.

Section 20 APPOINTMENT OF PROBATION OFFICERS AND OTHER EMPLOYES The judge shall appoint a chief probation officer other probation officers and employes provided that the number of probation officers and other employes to be appointed shall be determined by the salary board All probation officers shall be appointed from an eligible list secured through competitive examinations The examinations given for the purpose of establishing such eligible lists shall have reference to the education previous experience ability personality and character of the candidates All of such probation officers and other employes shall receive such compensation as shall be fixed by the salary board The judge of said court shall constitute a member of the salary board when the salaries of such probation officers and other employes are to be fixed The judge may appoint other probation officers who shall serve without compensation The chief probation officer the probation officers and other employes appointed to serve under the supervision of the chief probation officer shall constitute the probation department of the court The judge shall have power to appoint clerks stenographers and such other employes as he may deem necessary They shall be paid such salaries and expenses as the judge shall determine subject to the approval of the salary board of the county All probation officers and other employes may be removed by the judge at any time

Section 21 DUTIES AND POWERS OF THE PROBATION DEPARTMENT The chief probation officer under the direction of the judge shall have charge of the work of the probation department and shall supervise the work of all probation officers It shall be the duty of the probation department to make investigations before during and after the hearing of any case or before or after the filing of any petition as the judge may direct and to keep a written record of all such investigations and to submit the same to the judge or as the judge may direct Upon the placing of any person on probation the probation department shall furnish to such person a written statement of the conditions of probation and shall instruct him regarding the same Such department shall keep informed concerning the conduct and condition of each person on probation under its supervision and shall report thereon to the judge placing such person on probation at least once each month Each probation officer shall use all suitable methods to aid persons on probation and to bring about improvement in their conduct and condition The probation department shall keep full records of its work shall keep accurate and complete account of moneys collected from persons under its supervision shall give receipts therefor and shall make at least monthly returns thereon and shall perform such other duties as the court may direct Probation officers for the purposes of this act shall have the powers of police officers All other provisions of the laws of the state relating to probation so far as they are applicable and not inconsisent with this act shall apply to cases coming within the provisions of this act

ARTICLE V

GENERAL PROVISIONS

Section 22 PLACE OF DETENTION No child coming within the provisions of this act shall be placed in or committed to any prison jail lock-up vehicle or other place where such child can come in contact at any time or in any manner with any adult convicted of crime or under arrest and charged with crime Provision shall be made for the temporary detention of such children in a detention home to be conducted as an agency of the court for the purposes of this act or the judge may arrange for the boarding of such children temporarily in a private home or homes in the custody of some fit person or persons subject to the supervision of the court or the judge may arrange with any incorporated institution society or association maintaining a suitable place of detention for children to the end that such place of detention shall receive for temporary care any child within the jurisdiction of the court

In order that the Allegheny County detention home may become more definitely an agency of the juvenile court all future appointments to its board of managers shall be made by the judges o fthe juvenile court and the judge shall be a member ex-officio of said board of managers

In case the judge shall arrange for the board of children temporarily detained in private homes a reasonable sum for the board of such children while temporarily detained in such homes shall be paid by the county

Section 23 EXAMINATION AND TREATMENT OF PERSONS FOUND TO BE MENTALLY DEFECTIVE OR IN NEED OF MEDICAL CARE The court in its discretion either before or after a hearing may cause any person within its jurisdiction to be examined by a physician psychiatrist or psychologist

appointed or designated for the purpose by the court If it shall appear to the court that any child within its jurisdiction is mentally defective or mentally disordered it may cause such child to be examined by two qualified psychiatrists or two physicians or one of each and on the written statement of such examiners that such child is mentally defective of mentally disordered the court may commit such child to an appropriate institution authorized by law to receive and care for mentally defective or mentally disordered children In any such case the parents guardian or custodian of such child shall be given due notice of any proceedings hereinunder

Whenever a child within the jurisdiction of the court and under the provisions of this act appears to the court to be in need of mental medical or surgical care a suitable order may be made for the treatment of such child by a competent individual or in a hospital or otherwise and the expense thereof when approved by the court shall be a charge upon the county or the appropriate subdivision thereof but the court may adjudge that the person or persons having the duty under the law to support such child shall pay part or all of the expenses of such treatment as provided in Section 16 of this act

Section 24 COURT SESSIONS ATTENDANCE AND PURLICITY QUARTERS Sessions of the court shall be held at such place or places throughout the county as the judge shall from time to time determine In the hearing of any cases coming within the provisions of this act the general public shall be excluded and only such persons admitted thereto as have a direct interest in the case

There shall not be published in any newspaper magazine or other periodical the name address or photograph of any child in connection with his or her relation to the court

All cases involving children shall be heard separately and apart from the trial of cases against adults Suitable quarters and physical equipment shall be provided by the board of county commissioners for the hearing of cases and for the use of the judge the probation officers and other employes of the court

Section 25 RECORDS FORMS The court shall maintain a complete record of all cases brought before it All records of investigations physical and mental examinations and supervision shall be deemed privileged and confidential records open to inspection in the discretion of the court but such records shall be open to inspection by the parents guardian or other authorized representative of the child concerned and in the discretion of the court to other persons having a legitimate interest in the case

The court shall devise and cause to be printed such forms for records and for the various petitions orders processes and other papers in the cases coming within this act as shall meet the requirements thereof and all expenses incurred in complying with the provisions of this act shall be a county charge

Section 26 RULES The court shall have power to devise and publish rules to regulate the procedure in cases coming within the provisions of this act and for the conduct of all officers of the court

Section 27 COOPERATION It is hereby made the duty of every county town or municipal official or department in said county to render such assistance and cooperation within his or its jurisdictional power to further the objects of this act All institutions or other agencies to which any child coming within the provisions of this act may be sent are hereby required to give such information concerning such child to the court or to any officer appointed by it as said court or officer may require for the purposes of this act The court is authorized to seek the cooperation of all socities or organizations public or private having for their object the protection or aid of children to the end that the court be assisted in every reasonable way to give each child within its jurisdiction such care protection and assistance as will best conserve its welfare

Police officers and courts not of record shall have no authority to conduct hearings or make dispositions in cases involving in any way the care and treatment of children except as herein provided

Section 28 CONTEMPT Any person who wilfully violates neglects or refuses to obey and perform any order of the court entered in pursuance of a regular hearing may be proceeded against by the court for contempt of court under the general statutes relating thereto.

Section 29 JURY TRIAL In all cases of children arising under the provisions of this act the court shall hear and determine such cases without a jury All cases of adults charged with offenses under this act where the defendants may be entitled to a trial by jury and do not waive that right shall be transferred to another proper court for trial

Section 30 APPEALS In the case of a child an appeal to the Superior Court may be taken by the party aggrieved in the manner provided by law or by rule of court for appeals in equity cases In any case against an adult an appeal may be taken to the Superior Court in the manner provided by law or by rule of court for appeals in criminal cases Written notice of such appeal shall be filed with the juvenile court within five days after the entering of the order An appeal with or without bail in the case of a child shall not suspend the order of the juvenile court nor shall it discharge the child from the custody of that court or of the person institution or agency to whose care such child shall have been committed unless that court shall so order If the Superior Court does not dismiss the proceedings and discharge the child it shall affirm or modify the order of the juvenile court and remand the child to the jurisdiction of the juvenile court for supervision and care and thereafter the child shall be and remain under the jurisdiction of the children's juvenile court in the same manner as if such court had made such order without an appeal having been taken

Section 31 TRANSFER OF CERTAIN FUNCTIONS FROM OTHER COURTS TO JUVENILE COURT When this act takes effect the various functions and services of other courts within the county having to do with care and protection of children as herein provided shall be transferred to the juvenile court All facilities and equipment such as records and files and persons employed by such other courts exclusively for such functions and services on behalf of children as herein provided shall also be surrendered or transferred to the juvenile court at the discretion of the judge of the juvenile court

Section 32 CONSTITUTIONALITY If any section subdivision or clause of this act shall be held to be unconstitutional or invalid such decision shall not affect the validity of the remaining portions of the act

Section 33 All acts and parts of acts inconsistent with any provision of this act is hereby repealed or made inactive for Allegheny County

Section 34 TIME OF TAKING EFFECT This act on the first Monday of January one thousand nine hundred and thirty-four shall take effect except in so far as it provides for the election of a judge of such juvenile court at the next municipal election

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. EALY. Mr. President, I move that Senate Bill No. 1285 (House Bill No. 2010), the bill just read, be recommitted to the Committee on Judiciary General.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1358 (House Bill No. 1701), entitled:

An Act to amend section two hundred and twenty-two of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing a procedure to provide for the holding of two or more county offices in counties of the sixth class by the same person.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1362, as follows:

An Act to amend section fifty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" permitting individual sureties on the bonds of county officers in counties of the sixth seventh and eighth classes and regulating and controlling the acceptance of such bonds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fifty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 54 Official Bonds The sureties to be furnished on the bonds of all county officers and of all deputies clerks and assistants required by this or any other act of Assembly to give bond to the county shall be one or more surety companies authorized to do business in the Commonwealth of Pennsylvania and which have been approved by the Insurance Commissioner of the Commonwealth [The] the premiums for [such] which bonds shall be paid out of the county treasury and in counties of the sixth seventh and eighth classes also individual suureties [Such] All bonds shall be approved by the court of common pleas In counties of the sixth seventh and eighttth classes where individual surety is offered for approval no one person may qualify for more than one-fourth of the total amount of the bond required such persons who shall be offered as sureties shall qualify in an aggregrate over and above their individual liabilities to an amount equal to three times the amount stipulated in the bond Each of said bonds shall be conditioned for the faithful discharge by such officer his deputies and appointees of all trusts confided in him and of all duties required of him by law fo r the faithful accounting and payment according to law of all money received by him and shall be taken in the name of the proper county and shall be for the use of the county and of the Commonwealth and for the use of such other party or parties for whom he shall collect or receive money as the interest of each shall appear in case of a breach of the conditions thereof The custody of each of said bonds shall belong to the county controller except the bond of the county controller the custody of which shall belong to the county commissioners In counties where the office of controller has not been established the custody of all bonds shall belong to the county commissioners except the bond of the commissioners and their chief clerk the custody of which shall belong to the prothonotary A copy of any of said bonds certified by the county controller or the chief clerk to the county commissioners or by the prothonotary as the case may be shall be competent evidence thereof in any judicial proceeding Nothing herein contained shall affect the bonds required by law to be given by any county officer to the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1367 (House Bill No. 1866), as follows:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred and seven (Pamphlet Laws six hundred and forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the owners and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousan eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirteenth day of June one thousand nine hundred and seven (Pamphlet Laws six hundred and forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the privisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws six hundred and seventy-three) be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and incumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies shall on or before the fifteenth day of March in each and every year make to the Department of Revenue a report in writing setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Department of Revenue to assess such shares for taxation at the rate of five mills upon each dollar of the actual value thereof The actual value of each share of stock to be ascertained and fixed by adding together so

much of the amount of capital stock paid in the surplus and undivided profits

As is not invested in shares of stock of corporations liable to pay to the Commonwealth a tax on shares or

As is not invested in shares of stock of corporations stock of corporations liable to pay to the Commonwealth a capital stock tax as the capital stock of such corporations employed within this Commonwealth and liable to a capital stock tax bears to the total capital stock of such corporation or

As is not invested in such portion of the capital stock of corporations specifically relieved under the laws of this Commonwealth from the payment of a capital stock tax as the capital stock of such corporation employed within this Commonwealth and relieved from the payment of a capital stock tax bears to the total capital stock of such corporation

And dividing this amount by the number of shares It General] Department of Revenue [at its option to pay the] It shall be the duty of every such company within a period of sixty days after the date of such settlement by the [Auditor amount of said tax to the State Treasurer through the Department of Revenue from its general fund or collect the same from its shareholders] to collect the amount of said tax from its shareholders and pay [over] the same to the State Treasurer through the Department of Revenue Provided That upon the payment of the tax fixed by this act into the State Treasury through the Department of Revenue the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all other taxation under the laws of this Commonwealth The procedure in case the Department of Revenue be not satisfied with the report made by any title insurance or trust company and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 This act shall become effective as of the date of approval and shall apply for the calendar year ending December thirty-first one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1369 (House Bill No. 244), entitled:

An Act to amend section fourteen of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" by giving the courts of the county wherein alleged violation occurs or the residence or place of business of the complainant jurisdiction in equity proceedings under the act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1373 (House Bill No. 910), entitled:

An Act to amend section one of the act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred eighty-four) entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and prvoiding for the collection of said tax" as amended exempting retail venders or retail dealers engaged in compounding and dispensing medicines on prescriptions of physicians

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. NORTON. Mr. President, I move that Senate Bill No. 1377 (House Bill No. 1196), on third reading, entitled:

An Act to amend section three of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" providing that such distributors may deposit bonds of the United States or of this Commonwealth in lieu of surety bonds.

be recommitted to the Committee on Finance.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1378 (House Bill No. 1097), entitled:

An Act to safeguard human health and life in counties of the second class by providing for the licensing and regulation of persons and entities engaged in the disposal of garbage through the construction keeping maintenance or conduct of garbage disposal plants conferring powers and imposing duties on the county commissioners of such counties and otherwise providing for the administration of the act and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1380 (House Bill No. 1373), entitled:

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and thirty-one (P. L. 555), entitled "An act to further amend section seven of the act approved the second day of May, one thousand eight hundred ninety-nine (P. L. 184), entitled 'An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax,' by changing the date upon which the city or county treasurer is required to sue for the recovery of certain licenses duly returned to him by the mercantile appraiser and not paid."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1383 (House Bill No. 1586), entitled:

An Act to amend section seven of the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring a certificate of death to include the military record of decedent if any

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1402 (House Bill No. 1865), as follows:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws six hundred seventy-seven) be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the [twentieth day of June] fifteenth day of March in each and every year make to the Department of Revenue a report in writing verified as required by law setting forth the full number of shares of the capital stock subscribed [as of the date of the report] for or issued as of the preceding thirty-first day of December by such bank or savings institution and the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained as hereinafter provided [but any such bank or savings institution which makes its report and pays its tax prior to March first of any year may make such report as of December thirty-first preceding] It shall be the duty of the Department of Revenue to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares. It shall be the duty of every bank or savings institution within a period of sixty days after date of such settlement by the Department of Revenue [at its option to pay the amount of said tax to the State Treasurer through the Department of Revenue from its general fund or] to collect the [same] amount of said tax from its shareholders and pay [it over] the same to the State Treasurer through the Department of Revenue Provided That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of four mills on the dollar upon the actual value of all the shares of stock of said bank or savings institution [according to the rule hereinbefore stated] according to the provisions of this act that have been subscribed for or issuued and pay the same into the State Treasury through the Department of Revenue [on or before the first day of March in each year] the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such banks or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon The procedure in case the Department of Revenue be not satisfied with the report made by any bank or savings institution and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 This act shall become effective on the twenty-first day of June one thousand nine hundred and thirty-three and shall apply for the calendar year ending the thirty-first day of December one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1405 (House Bill No. 1229), entitled:

An Act to amend section one hundred and thirty-five of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," as amended; by limiting the salary of the solicitor to the controller in counties of the fifth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1409 (House Bill No. 1372), entitled:

An Act to provide reciprocal relations in respect to death duties in taxation of estates of non-resident decedents.

And said bill hiving been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1415 (House Bill No. 1971), entitled:

An Act to amend section two hundred and twelve of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance

exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign companies associations or exchanges providing penalties and repealing existing laws" as amended by bringing public adjusters' solicitors within the retaliatory provisions relating to agents brokers and public adjusters

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1416 (House Bill No. 1972), entitled:

An Act to amend section six hundred and three as amended and section six hundred and twenty-two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign companies associations or exchanges providing penalties and repealing existing laws" by defining the right or corporations to be licensed as insurance agents or insurace brokers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1417 (House Bill No. 1973), as follows:

An Act to amend section six hundred and ten of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as added by further defining resident agents of certain foreign insurance companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six hundred and ten of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as added by the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred four) is hereby amended to read as follows

Section 610 Foreign Companies Associations and Exchanges to do Business Through Resident Agents Other than companies subject to the provisions of section five hundred and one of this act no insurance company association or exchange not incorporated or organized under the laws of this Commonwealth but authorized to transact business herein shall make write place or cause to be made written or placed any policy or contract of insurance in this Commonwealth except through an agent whether an individual copartnership or corporation who or which is a resident of this Commonwealth or maintains his her or its principal place of business in this Commonwealth and who or which shall receive the commission thereon when the premium is paid to the end that the State may receive the taxes required by law to be paid on the premiums collected for insurance written or placed in this State Provided however That the Insurance Commissioner may under such regulations and restrictions as may be deemed necessary issue licenses to nonresident agents who are licensed in the State in which they reside but such agents shall not countersign any policy or contract of insurance but all such policies and contracts shall be signed only by resident agents who or which shall receive a commission thereon when the premium is paid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 143 (House Bill No. 1127), entitled:

An Act declaring and adopting the Mountain Laurel (Kalmia latifolia) as the State flower of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1433 (House Bill No. 933), entitled:

An Act reducing the salaries and compensation of certain county city borough town township and poor district officers and employes and requesting and urging public officers of counties cities boroughs towns townships and poor districts now in office to agree to voluntary reductions of salaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1438 (House Bill No. 1642), entitled:

An Act to authorize incorporated towns to secure lands for the purpose of establishing and maintaining municipal airports airdromes aviation landing fields intermediate landing fields and airport facilities to establish equip condition operate and maintain municipal airports airdromes landing fields or intermediate landing fields and lease the same either separately or jointly with other political subdivisions of this Commonwealth.

And said bill hiving been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1440 (House Bill No. 188), entitled:

An Act to amend section one hundred and seventy-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," prescribing the oath to be taken by members of the board of viewers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1449 (House Bill No. 1235), entitled:

An Act to amend section two hundred and twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by changing the qualification of the first deputy prothonotary in counties of the third class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1457, as follows:

An Act authorizing counties cities boroughs incorporated towns and townships to incur indebtedness and issue bonds for certain purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of funding temporary loans made in alleviating unemployment distress and to provide funds for similar future expenditures the authorities of any county city borough incorporated town or township in this Commonwealth are authorized to brorrow money and incur indebtedness in an amount not to exceed two per centum of the assessed valuation of the taxable property in such municipality as fixed by the last preceding assessed valuation thereof and to issue as evidence thereof registered or coupon serial bonds payable by such municipality within ten (10) years from the date of their issue and bearing interest at a rate not exceeding six per centum (6%) per annum payable annually or semi-annually and to negotiate the same for the purpose of raising the money necessary to carry out the provisions of this act and further to levy and collect taxes on all taxable property in said municipality for the purpose of paying any bonded indebtedness which may be incurred as herein provided

Section 2 This act shall be in force immediately upon its final enactment

Section 3 All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1458, as follows:

An Act authorizing counties cities boroughs incorporated towns and townships to incur indebtedness and issue bonds for certain purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of funding temporary loans made in alleviating unemployment distress and to provide funds for similar future expenditures the authorities of any county city borough incorporated town or township in this Commonwealth are authorized with the consent of the electors thereof in the manner provided by law to borrow money and incur indebtedness in an amount exceeding two per centum (2%) but in excess of seven per centum (7%) of the assessed valuation of the taxable property in such municipality as fixed by the last preceding assessed valuation thereof and to issue as evidence thereof registered or coupon serial bonds payable by such municipality within twenty (20) years from the date of their issue and bearing interest at a rate not exceeding six per centum (6%) per annum payable annually or semi-annually and to negotiate the same for the purpose of raising the money necessary to carry out provisions of this act and further to levy and collect taxes on all taxable property in said municipality for the purpose of paying any bonded indebtedness which may be incurred as here provided

Section 2 This act shall be in force immediately upon its final enactment

Section 3 All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1461, entitled:

An Act providing for the reduction by a building and loan association with the approval of the Department of Banking and upon order of the court of common pleas of its liability to shareholders applying to building and loan associations whether or not in possession of the Secretary of Banking

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the losses of any association resulting from a depreciation of its securities or otherwise exceed its accumulated profits and its reserve for contingent losses so that the fair value of its assets is less t han the total amount due its creditors and shareholders the court of common pleas of the country in which the place of business of the association is located may upon the petition of the association approved by a majority of all its directors and by the Department of Banking order a reduction of its liability to its shareholders in such manner as to distribute the loss equitably among such shareholders Such petition shall be advertised at least once in a newspaper of general circulation in the county.

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 1, page 1, line 4, by inserting after the word "any" and before the word "association" the words "building and loan"; also line 9, by striking out after the word "the" and before the word "in" the word "country," and inserting in lieu thereof the word "county"; also page 2, line 4, by inserting after the word "circulation" and before the word "in" the word "published"; also line 4, by inserting at the end of the line after the word "county" following: "in which the association has its place of business."

Mr. GRAFF. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agree to.

On the question,

Will the Senate agree to the section as amended?

It was agree to.

The second section of the bill was read as follows:

Section 2 The provision of this act shall likewise apply to any association the business and property of which were or shall be taken in possession by the Secretary of Banking prior to the third day of July one thousand nine hundred thirty-three

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 2, page 2, line 6, by inserting after the word "any" and before the word "association" the words "building and loan."

Mr. GRAFF. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agree to.

On the question,

Will the Senate agree to the section as amended?

It was agree to.

The third section of the bill was read as follows and agreed to.

Section 3 The act shall become effective immediately upon its approval by the Governor and shall continue to be effective until the thirty-first day of March one thousand nine hundred thirty-four

The title of the bill was read as follows and agreed to.

An Act providing for the reduction by a building and loan association, with the approval of the Department of Banking and upon order of the court of common pleas, of its liability to shareholders; applying to building and loan associations, whether or not in possession of the Secretary of Banking.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1462, entitled:

An Act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund providing for subsequent transfers of equal sums between such funds and making appropriations necessary to effect such transfers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the Governor shall ascertain that the cash balance and the current estimated receipts of the General Fund or of the Motor License Fund shall be insufficient at any time during any fiscal biennium to meet promptly the expenses of the Commonwealth payable from either fund the State Treasurer is hereby authorized and directed from time to time during such fiscal biennium to transfer to such fund from the Motor License Fund or the General Fund as the case may be such sums as the Governor shall direct Any sums so transferred shall be available for the purposes for which the fund to which they are transferred is appropriated by law Transfers shall be made hereunder upon warrant by the Auditor General upon requisitions of the Governor.

Section 2 In order to reimburse the Motor License Fund or the General Fund as the case may be an amount equal to that transferred from such fund during any fiscal biennium under section one of this act shall be transferred to such fund from the other fund before the end of such fiscal biennium in such amounts and at such times as the Governor shall direct Such transfers shall be made by the State Treasurer upon warrant of the Auditor General upon requisitions of the Governor

Section 3 The moneys in the General Fund and the Motor License Fund are hereby specifically appropriated for transfer from time to time as provided in this act

Section 4 This act shall be effective on the first day of June one thousand nine hundred thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF RECOMMITMENT OF SENATE BILL No. 1263 (HOUSE BILL No. 1131)

Mr. SHAPIRO. Mr. President, I move to reconsider the vote by which Senate Bill No. 1263 (House Bill No. 1131) on second reading, entitled:

An Act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions, designating such credit unions as corporations and defining their powers and duties, conferring certain powers and duties on the Department of Banking and providing penalties.

was recommitted to the Committee on Banks and Building and Loan Associations.

Mr. ZIESENHEIM. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1263 (House Bill No. 1131), entitled:

An Act to provide for the organization, incorporation, operation and supervision of cooperative savings and credit associations to be termed credit unions, designating such credit unions as corporations and defining their powers and duties, conferring powers and duties on the Department of Banking and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR, SENATE BILL No. 345

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives, recalling from the Governor Senate Bill No. 345, Printer's No. 330, for the purpose of amendment

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL No. 345

Mr. PARKINSON. Mr. President, I move to reconsider the vote by which Senate Bill No. 345, passed finally.

The PRESIDENT. How did the Senator vote?

Mr. PARKINSON. Mr. President, I voted "aye."

Mr. BUCKMAN. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. PARKINSON. Mr. President, I move to reconsider the by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. PARKINSON. Mr. President, I voted "aye."

Mr. BUCKMAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. PARKINSON. Mr. President, I ask unanimous consent to amend title, last line, by inserting after the word "material" the following: "imposing certain duties upon owners of buildings for the protection of the claims of such architects, surveyors, engineers and persons, and providing that the contractor in receiving payments on the contract shall be the agent of such claimants; also section 1, page 4, line 4, by striking out the word "subcontractors" and insert in lieu thereof "architects, surveyors, engineers and persons furnishing labor and materials, also by inserting after line 18, the following: "Nothing contained in this act shall apply to public buildings where under existing law an additional bond has been required to be given by the contractor for the payment of the claims of persons furnishing labor and material."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreen to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced, presented communication from the House informing the Senate that the House of Representatives has concurred in resolution as follows:

In the Senate, April 26, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, May 1, at nine o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, May 1, at nine o'clock.

RESOLUTION REQUESTING CONGRESS TO REJECT LEGISLATION TO COMPEL BLENDING OF ALCOHOL WITH GASOLINE

He also presented communication from the House informing the Senate that the House of Representatives has concurred in resolution as follows:

In the Senate, April 26, 1933.

Whereas, The Commonwealth of Pennsylvania now taxes gasoline three cents per gallon, and exacts special registration fees on all motor vehicles; while the Federal Government also taxes gasoline, motor vehicles and accessories; and

Whereas, There is demand from certain special interests for legislation to compel blending of alcohol with gasoline; and

Whereas, Such blending would increase the price of gasoline about three cents per gallon, amounting to a special tax on the already overburdened motorist; and

Whereas, The only beneficiaries would be the manufacturers of alcohol; therefore be it

Resolved (if the House of Representatives concur), That Congress of the United States is requested to reject any legislation to compel blending alcohol with gasoline;

Resolved, That certified copies of this resolution be forwarded by the Chief Clerk of the House of Representatives to each branch of the Congress and to each Senator and Representatives to each branch of the Congress and to each Senator and Representative from Pennsylvania in Congress of the United States.

LEGISLATIVE COMMITTEE TO INVESTIGATE INCREASING COST OF EDUCATION

He also presented extract from the Journal of the House of Representatives, which was read as follows and referred to the Committee on Appropriations:

In the House of Representatives, April 25, 1933.

Whereas, The legislation introduced and pending during this Session of the Legislature on school matters has brought to those who have been devoting their time to school affairs a knowledge of the increasing load of taxation for school purposes that is being forced upon the taxpayer, and

Whereas, It has become evident that the property owner can no longer endure the payment of the excessive tax rate that is imposed upon him by reason of the requirements of the school law and that school districts will become bankrupt and their schools closed if no relief is afforded, therefore be it

Resolved (if the Senate concur), That a committee of three Senators to be appointed by the President pro tempore of the Senate and four Members of the House of Representatives to be appointed by the Speaker of the House is hereby constituted a Legislative Committee to investigate the cause of the increasing cost of education to the school districts and methods whereby such cost can be reduced.

Such committee shall make a report of their investigation to the next Session of the Legislature and shall accompany their report with recommendations of any changes it feels would result in lowering the cost to local communities of conducting their schools and with copies of drafts of bills intended to carry out its recommendations.

The members of said committee shall receive no compensation for their services but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

REPORTS FROM COMMITTEES

Mr. PETHICK. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PETHICK, from the Committee on Military Affairs, reported as committed, Senate Bill No. 1430 (House Bill No. 966), entitled:

An Act to amend sections four hundred twenty-two and four hundred thirty-two of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by extending the provisions of the act to the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania and authorizing flags to be placed on graves of members of the enlisted nurse corps female field clerks and yeomanettes

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Juidicary General, reported as amended, Senate Bill No. 1264 (House Bill No. 1248), entitled:

An Act authorizing the publication of legal and official advertising and notices in Sunday newspapers of general circulation in cities of the first class and counties of the third class only

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 4.15 o'clock this afternoon.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

RECONSIDERATION OF SENATE BILL No. 1461

Mr. SHAPIRO. Mr. President, I move to reconsider the vote by which Senate Bill No. 1461, entitled:

An Act providing for the reduction by a building and loan association, with the approval of the Department of Banking and upon order of the court of common pleas, of its liability to shareholders; applying to building and loan associations, whether or not in possession of the Secretary of Banking.

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. SHAPIRO. Mr. President, I voted "aye".

Mr. GRAFF. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GRAFF. Mr. President, I voted "aye."

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1461, entitled:

An Act providing for the reduction by a building and loan association with the approval of the Department of Banking and upon order of the court of common pleas of its liability to shareholders applying to building and loan association whether or not in possession of the Secretary of Banking

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the losses of any association resulting from a depreciation of its securities or otherwise exceed its accumulated profits and its reserve for contingent losses so that the fair value of its assets is less than the total amount due its creditors and shareholders the court of common pleas of the county in which the place of business of the association is located may upon the petition of the association approved by a majority of all its directors and by the Department of Banking order a reduction of its liability to its shareholders in such manner as to distribute the loss equitably among such shareholders Such petition shall be advertised at least once in a newspaper of general circulation in the county

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 1, page 1, line 4, by inserting after the word "any" and before the word "association" the words "building and loan"; also line 9, by striking out after the word "the" and before the word "in" the word "country", and inserting in lieu thereof the word "county"; also page 2, line 4, by inserting after the word "circulation" and before the word "in" the word "published"; also line 4, by inserting at the end of the line after the word "county" the following: "in which the association has its place of business"

Mr. GRAFF. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Will the Senate agree to the section as amended?

Mr. SHAPIRO. Mr. President, I move to amend section 1, page 1, line 9, by striking out the word "conntry" anl inserting in lieu thereof: "county"

Mr. GRAFF. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 The provision of ths act shall likewise apply to any association the business and property of which were or shall be taken in possession by the Secretary of Banking prior to the third day of July one thousand nine hundred thirty-three

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 2, page 2, line 6, by inserting after the word "any" and before the word "association" the words "building and loan"

Mr. GRAFF. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows and agreed to:

Section 3 This act shall become effective immediately upon its approval by the Governor and shall continue to be effective until the thirty-first day of March one thousand nine hundred thirty-four

The title of the bill was read as follows and agreed to.

An Act providing for the reduction by a building and loan association with the approval of the Department of Banking and upon order of the court of common pleas of its liability to shareholders applying to building and loan associations whether or not in possession of the Secretary of Banking

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES

Mr. MANSFIELD, Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD, from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 1322 (House Bill No. 1948), entitled:

An Act to amend section two thousand five hundred and sixty-three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws

nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the reductions and penalties provided by said act on city and poor taxes.

Mr. REED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1470, entitled:

An Act adjourning county treasurers sales of seated and unseated lands to be held in the year one thousand nine hundred and thirty-three until the time fixed by law for such sales in the year, one thousand nine hundred and thirty-four or any later date to which such sales may be adjourned and suspending existing laws.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 1469, entitled:

An Act adjourning treasurers' sales of lands in cities of the third class to be held in the year one thousand nine hundred and thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four, or any later date to which such sales may be adjourned, and suspending existing laws.

Also from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 1345 (House Bill No. 141), entitled:

An Act to amend sections two and three, section four as amended, and sections five seven and eight, of the act, approved the sixteenth day of May one thousand nine hundred and twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by reducing the salaries of judges.

Mr. COYNE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chairs hears none.

Mr. COYNE, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1427 (House Bill No. 541), entitled:

An Act establishing certain public roads and streets in the county of Allegheny as a State highway and providing for their construction and maintenance by the Department of Highways subject to certain terms and conditions.

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as amended, Senate Bill No. 1401 (House Bill No. 1746), entitled:

An Act establishing a State Emergency Public Works Commission; prescribing and defining its powers and duties, including the power to prepare an emergency program of construction projects for the immediate creation of employment, with the assistance of the various State agencies having charge of the construction of public works and the various duly constituted official planning agencies; or citizen-constituted planning bodies which have developed general plan studies to devise and recommend for adoption by local and State government, draft of legislation establishing properly staffed and empowered official planning bodies; to study and recommend, in general terms, such types of legislation as will encourage or effect such needed reforms of financial and taxing procedure as are particularly related to the execution of public works, and which will also result in the establishment of long-term programs of public works construction and expenditure.

Also from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 857 (House Bill No. 74), entitled:

An Act to amend section one thousand two hundred and seven of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the court and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles, imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, providing for the reimbursement from fines, penalties and forfeited bail collected of counties for costs and the maintenance of prisoners imposed on them as the result of prosecutions under this act, and for the adjustment of the accounts of counties by the Auditor General.

Mr. HARRIS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS, from the Committee on Public Roads and Highways, re-reported as committed, Senate Bill No. 1235 (House Bill No. 1053), entitled:

An Act to amend section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended exempting certain veterans' organizations from motor vehicles owned and used by them

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Public Roads and Highways, reported as amended, the following resolution, which was laid on the table:

AMERICAN LEGISLATORS' ASSOCIATION TO CALL A CONFERENCE TO PREPARE UNIFORM LEGISLATION RELATIVE TO REGULATION OF MOTOR VEHICLES

In the House of Representatives, February 27, 1933.

Whereas, Various bills have been introduced seeking to further regulate the transportation of passengers and freight by motor vehicles, and

Whereas, The correct and equitable solution of this important question cannot be solved by the lone action of one state without detriment to its own citizens through the breaking down of reciprocal relations between states; therefore be it

Resolved (if the Senate concur), That the American Legislators' Association be requested by the Legislature of the Commonwealth of Pennsylvania to call a regional conference of representatives of the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, Indiana, and Illinois, and the District of Columbia, with the view of framing reciprocal and uniform legislation and regulations relating to the size, weights, heights and lengths of motor vehicles for the transportation of passengers and freight which shall be permitted in the interests of the public safety and to make recommendations to the legislatures of said several states for the adoption of such legislation at a uniform date

Resolved, That if such conference be called the delegates thereto from the State of Pennsylvania shall be the Secretary of Highways, Speaker of the House, the Chairman of the House and Senate standing Committees on Highways, President of the Senate, two Senators to be appointed by the President Pro Tempore of the Senate and two Representatives to be appointed by the Speaker of the House of Representatives

Resolved, That a copy of this resolution be transmitted to the American Legislators' Association and to the Secretary of Highways by the Chief Clerk of the House of Representatives.

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1406 (House Bill No. 1319), entitled:

A Supplement to the act, approved the sixth day of April, one thousand eight hundred thirty (Pamphlet Laws, two hundred seventy-two), entitled "An act for the levy and collection of taxes upon proceedings in courts, and in the offices of register and recorder, and for other purposes, requiring prothonotaries and recorders of deeds to file with the Department of State a bond covering certain moneys received by them for use of the Commonwealth, and repealing section nine of said act.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as amended, Senate Bill No. 760, entitled:

An Act to provide for the leasing and releasing of land within the beds of streams, lakes and other bodies of water, wholly or partly within, or forming part of the boundary of, this Commonwealth, when such land is owned by the Commonwealth; conferring powers and imposing duties upon the Water and Power Resources Board; requiring lessees to establish an amortization fund for improvements placed or erected upon such land; granting certain preference and exemption rights to municipalities of the Commonwealth; and prescribing penalties.

Mr. MILLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MILLER, from the Committee on Public Roads and Highways, re-reported as committed, Senate Bill No. 1314 (House Bill No. 1754), entitled:

An Act to amend section four hundred fifteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by providing for the sale of statistics relating to the titling and registration of motor vehicles.

LEGISLATIVE COMMITTEE TO STUDY SCHOOL TAX COLLECTIONS

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows, and referred to the Committee on Appropriations:

In the House of Representatives, April 26, 1933.

Whereas, It appears that school tax collections during the school year ending July 1, 1933, will be only about sixty-five per cent of the normal collections, and it is estimated that the collections for the school year ending July 1, 1934, will be only fifty per cent of the normal collections; and

Whereas, State appropriations to school districts in the general appropriation bill now before the Legislature have been cut approximately ten per cent; and

Whereas, It appears that by reason of this tremendous loss in the revenue of school districts due to the decrease in the State appropriation and the decline in school tax collections, many school districts will be unable to open their schools in September, 1933, and probably as many as 500 school districts will find it necessary to close their schools before the end of the next regular school term; and

Whereas, Such closing of the schools of the Commonwealth will not only do permanent injury to the preparation for citizenship of the girls and boys now in our public schools, but also stop school expenditures for salaries, wages, supplies and plant maintenance, and thus add to the serious relief problems in many areas; therefore be it

Resolved (if the Senate concur), That a special committee of the General Assembly be appointed, three by the Speaker of the House of Representatives, and three by the President Pro Tempore of the Senate, to confer with the Governor of the Commonwealth and the Superintendent of Public Instruction, relative to measures that should be taken to make it possible to keep the schools of Pennsylvania open during the next fiscal biennium on a reasonable basis of efficiency and to report back to the General Assembly not later than Monday, May 1st, their findings and recommendations.

BILL ON THIRD READING (SPECIAL ORDER)

The PRESIDENT. The time fixed for the Special Order of business the consideration of Senate Bill No. 1450, having arrived, the bill is now before the Senate on Third Reading.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1450, as follows:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for collections and distribution of revenues therefrom restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys legislative bodies of political subdivisions of the State and election officers providing penalties and repealing existing acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That SHORT TITLE This act shall be known and may be cited as the "Beverage License Law"

Section 2 DEFINITIONS The following words and terms as used in this act shall be construed as defined in this section

(a) The word "beveragesl" means any beer lager beer ale porter wine similar fermented malt or vinous liquor and fruit juice containing one-half of one per centum or more of alcohol by volume and not exceeding three and two-tenths per centum of alcohol by weight by whatever name such liquors or fruit juices may be called the manufacture and sale of which for beverage purposes is not prohibited by the laws of the United States

(b) The word "person" means and includes natural persons associations partnerships and corporations

(c) The word "manufacturer" means and includes all persons holding permits issued by the Alcohol permit Board of this Commonwealth

(d) The term "distributor" means and includes persons licensed to engage in the purchase and resale of beverages in the original sealed packages as prepared for the market by the manufacturer but not for constumption on the premises where sold

(e) The term "retailer means and includes persons licensed to engage in the retail sale of beverages where the concupmtion thereof is upon the premises of such vendor with the privilege of selling beverages to be carried from the premises by the purchaser thereof only however in the original containers

(f) The term "original containers" means and includes bottles casks kegs or other containers that have been securely capped or corked by the manufacturer with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing same

(g) The term "license" means and includes both the person making the application thereofer and the premises upon which the privileges of the license are to be exercised and includes distributors' retailers' and public service licenses

(h) "Eating place" means a room having an area of not less than three hnudred square feet and equipped with tables and chairs accommodating forty persons at one time

(i) "Treasurer" means the county treasurer of the county in which is located any place specified in an application as the place for which a license is desired

(j) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and neuter

Section 3 Sales for Consumption on the Premises It shall be unlawful for any person to sell to another for consumption upon the premises where sold or to permit another to consume upon the premises where sold any beverage unless such person holds a valid retailer's license issued by the treasurer

Section 4 Sales Not for Consumption on the premises It shall be unlawful for any person to sell to another any beverage not for consumption upon the premises where sold unless such person holds a valid manufacturer's permit issued by the Alcohol Permit Board or a valid distributor's or retailer's license issued by the treasurer

Section 5 Distributor's License The treasurer may issue to any person who applies therefor, pays the license fee hereinafter prescribed and files the bond hereinafter required a distributor's license for the place at which such person desires to sell beverages not for consumption on the premises where sold

Section 6 Retailer's Licenses Subject to the restrictions hereinafter provided the treasurer shall issue to a person who conducts a reputable hotel or incorporated club or a reputable bona fide eating place where food is regularly and customarily prepared and sold and who makes application upon a form as hereinafter prescribed pays the license fee hereinafter required a retailer's license for such place

Such licenses shall be issued only to reputable individuals who are citizens of the United States and have for one year been residents of the municipality or township wherein the place of business is located at the date of their applications or to reputable corporations organized or duly registered under the laws of Pennsylvania

No retailer's license shall be granted for the sale of beverages for consumption on the premises in any municipality or township in which the electors shall as hereafter provided have voted against the licensing therein of places where beverages may be sold for consumption on the premises where sold

Section 7 Appeal from Refusal of License Any person aggrieved by the treasurer's refusal to issue a license on the ground that the application is not a reputable person or that the place for which application is made is not a reputable place may appeal to the court of quarter sessions of the county Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the treasurer The court shall hold a hearing upon not less than ten days' notice to the treasurer who shall be represented in the proceeding by the district attorney If the court shall find that the applicant is a reputable person and that the place for which application is made is a reputable place it shall order the treasurer to issue the licensse There shall be no further appeal

Section 8 PUBLIC SERVICE LICENSES The Department of Revenue may issue special retailers' licenses to a railroad pullman or steamship company permitting beverages to be sold in dining club or buffet cars or the dining compartments of steamships or vessels for consumption on the trains steamships or vessels Such licenses shall only be granted to reputable persons and for fit places The Department of Revenue shall have the power to suspend or revoke any such licenses for cause after granting a hearing thereon to the licensee. Any person aggrieved by the decision of the Department of Revenue in refusing suspending or revoking any such license may within thirty days thereafter appeal to the Court of Common Pleas of Dauphin County which shall fix a time for hearing of which notice shall be given to the Department of Revenue as the court may provide The court shall hear the appeal de novo and shall make such order affirming modifying or reversing the order of the Department as to it shall appear just The action of the court shall be final

Section 9 DISTRIBUTORS' AND RETAILERS' LICENSES LICENSE YEAR Licenses to distributors and retailers shall be granted by the treasurer and shall be for one year The license year in each county shall begin on June first

Section 10 FILING OF APPLICATIONS FOR DISTRIBUTORS' AND RETAILERS' LICENSES Every person inteding to apply for a distributor's or retailer's license as aforesaid in any municipality or township of this Commonwealth shall file with the treasurer his or its application at least one week before the first day of June and shall at the same time pay said county treasurer ten dollars for the use of the county

Section 11 APPLICATION FOR DISTRIBUTORS' AND RETAILERS' LICENSES Application for distributors' and retailers' licenses shall contain

(a) The name and residence of the applicant and how long he has resided there and if an individual the residence of such applicant and if an association partnership or corporation the residences of the members officers and directors for the period of two years next preceding the date of such application

(b) The particular place for which the license is desired and a detailed description thereof

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation when and where incorporated with the names and addresses of each officer and director

(d) Name of owner of premises and his residence

(e) That the applicant is not or in case of a partnership or association that the members or partners are not and in

the case of a corporation that the officers and directors are not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business regulated under this act except as hereinafter temporarily permitted ..

(f) That applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner pecuniarily interested during the continuance of the license except as hereinafter temporarily permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in case of a corporation any officer or director thereof has had a license for sale of beverages revoked during any time preceding his application and whether applicant or any of said persons during the past three years has ever been convicted for any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of beverages a full history of such business relating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location

There shall be annexed to such application a certificate signed by at least twelve reputable qualified electors of the ward borough or township in which such beverages are to be sold setting forth that they have been acquainted with the applicant or applicants or the members of the association or partnership or the directors and officers of the corporation where the applicant is a corporation that they have good reason to believe that each and all the statements contained in the petition are true and they therefore believe that the application should be granted and that the license should issue

The application must be verified by affidavit of applicant and if any false statement is made in any part of the application the affiant shall be deemed guilty of the crime of perjury A license shall not be granted by the treasurer unless the application contains the information herein required

Section 12 PROHIBITION AGAINST THE GRANT OF LICENSES Any retailer may be granted a license to maintain operate or conduct any number of places for the sale of beverages but a separate license must be secured for each place where beverages are sold or where orders are taken

No person shall possess or be issued more than one distributor's license in any one municipality or township nor shall any distributor maintain or operate any place or places other than that for which the license is granted where beverages are sold or where orders are taken

Licenses shall be granted by the treasurer only to reputable persons or to associations partnerships and corporations whose members or officers and directors are reputable persons

Licenses shall be granted by the county treasurer only to reputable persons or to associations partnerships and corporations whose members or officers and directors are reputable persons

Licenses shall be granted by the county treasurer only to individual citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding or to corporations organized in or duly authorized to transact business in this Commonwealth

Section 13 REVOCATION AND SUSPENSION OF LICENSES BY COURT OF QUARTER SESSIONS After a license has been granted upon petition of fifteen or more taxpayers residents of the ward borough or township where the place of business is located to the court of quarter sessions and upon sufficient cause being shown or proof being made to the court that the licensee holding a license or any partners members officers or directors of the licensee has or have violated any of the laws of this Commonwealth relating to the sale of beverages or relating to the manufacture sale or transportation of any alcoholic beverages it may upon due notice and proper hearing being given to the person so licensed suspend or revoke the said license issued by the county treasurer The court shall assess or remit the costs in its discretion The action of the court in suspending or revoking a license shall be final

Section 14 LICENSES NOT ASSIGNABLE TRANSFERS Licenses issued under this act may not be assigned The treasurer is hereby authorized to transfer any distributor's or retailer's license from one person to another or from one place to another within the same municipality or township as the treasurer may determine but no transfer shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally Any such transfer of a license may be made at any time From any refusal to grant a transfer the person aggrieved shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses

Section 15 APPLICATIONS FOR TRANSFERS FEE Applications for any such transfer shall be filed in the office of the county treasurer at least one week before the transfer is made

Whenever any license is transferred no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current license year except a fee of ten dollars to be paid to the county treasurer for the use of the county

Section 16 RENEWAL OF LICENSES Renewals of licenses shall be granted annually by the county treasurer upon the filing of an application as hereinbefore provided at least one week before the first day of June and the payment of a fee of ten dollars for the use of the county

Section 17 DISPLAY OF LICENSE Every licensee shall frame his or its license under a transparent substance and display the same in a conspicuous space so that it may easily be read in his or its place of business and no license shall authorize sales until this section has been complied with

Section 18 ALL LICENSES TO FURNISH BOND No license shall be issued to any distributor or retailer until the licensee shall have first executed a bond to the Commonwealth of Pennsylvania and a warrant of attorney to confess judgment in the penal sum hereinafter prescribed and with sufficient sureties either personal or a seurety company authorized to do business in this Commonwealth Such bond shall not be accepted until approved by the treasurer All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to the sale of beverages Such bond shall be filed with and retained by the treasurer The penal sums of such bonds shall be one thousand dollars for each place at which the licensee is authorized to sell beverages Every such bond shall be turned over to the district attorney to be sued out if and when the licensee's license shall have been revoked as herein provided

Section 19 LICENSE FEES DISTRIBUTION OF REVENUES No license shall be issued to any distributor or retailer until the licensee shall have first paid an annual license fee for such grant as follows

(a) In the case of a distributor the license fee shall be granduated according to the population of the municipality in which the place of business is located as follows and shall be paid to the treasurer

I In municipalities or townships having a population of less than one thousand five hundred inhabitants thirty-seven dollars and fifty cents

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants fifty dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants seventy-five dollars

IV In those having a population of fifty thousand and more but less than one hundred thousand inhabitants one hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants one hundred and twenty-five dollars

VI In those having a population of one hundred fifty thousand and more one hundred and fifty dollars

(b) In the case of retailer the license fee shall be graduated according to the population of the municipal unit in which the place of business is located as follows and shall be paid to the treasurer

I In municipalities or townships having a population of less than one thousand five hundred inhabitants seventy-five dollars

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants one hundred dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants one hundred and fifty dollars

IV In those having a populatian of fifty thousand and more but less than one hundred thousand inhabitants two hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants two hundred and fifty dollars

VI In those having a population of one hundred fifty thousand and more three hundred dollars

(c) In the case of an incorporated club the fee shall be twenty-five dollars in all cases

(d) In the case of a public service license for the sale of beverages in dining club and buffet cars the fee shall be ten dollars for each car on which beverages are sold and shall be paid to the State Treasurer by the Department of Revenue

(e) In the case of a public service license for the sale of beverages on a boat or vessel the fee shall be fifty dollars for each such vessel or boat which shall be paid to the State Treasurer by the Department of Revenue

The license fees fixed by this section shall be paid within fifteen days after the license is granted and the license shall not be delivered until the license fee is paid

The fees for distributors' and retailers' licenses shall be paid by the treasurer to the municipalities and townships of the first class in which the licensed places are located for the use of such municipalities and townships the fees for licenses of places located in townships of the second class shall be paid into the county treasury for the use of the county The fees for public service licenses shall be for the use of the Commonwealth

Remittances shall be made by the treasurer to municipalities and townships within thirty days of the receipt of any license fee

Section 20 SALES BY MANUFACTURERS MINIMUM QUANTITIES No manufacturer shall sell any of such beverages for consumption on the premises where sold nor sell or deliver any such beverages in other than orginal containers nor in quantites of less than two hundred and eighty-eight (288) fluid ounces nor shall any manufacturer maintain or operate any place or places other than the place or places covered by his or its permit where beverages are sold or where orders are taken

Section 21 SALES BY DISTRIBUTORS No distributor shall purchase receive or resell any beverages except in the original containers Provided That no such beverage sold or delivered shall be consumed upon the premises of the distributor or in any place provided for such purpose by such distributor

Section 22 SALES BY RETAILERS No retailer shall purchase or receive any beverages except in original containers and thereafter may break the bulk upon the licensed premises and sell or dispense the same for use and consumption only however in and upon the premises so licensed Provided however That such retailer may sell such beverages in the original containers to be carried from the premises by the purchaser thereof and may sell and deliver beverages in any room of a hotel occupied by a bona fide registered guest entitled to purchase the same

No retailer shall maintain any bar at which beverages are served to customers or sell any beverages for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times visible and accessible to the use and accommodation of the general public but this section shall not be interpreted to prohibit the sale of beverages at a lunch counter with seats or chairs permanently fastened thereto if such counter is in an eating place as herein defined A retailer licensed to sell beverages in a hotel or club house may however sell and deliver such beverages in any room of such hotel or clubhouse occupied by a bona fide registered guest or member entitled to purchase the same

Section 23 UNLAWFUL SALES It shall be unlawful for any licensee or his or its servants agents or employes

(a) To sell trade or barter in beverages between the hours of twelve o'clock midnight of any Saturday and six o'clock in the forenoon of the following Monday

(b) To sell furnish or give any beverages to any person visibly intoxicated or to any insane person or to any minor

(c) To sell furnish or give any beverages for consumption on the premises where sold to any person on any day on which a general municipal special or primary election is being held

(d) To sell or offer to sell any beverages to any person on credit excepting credits extended by an hotel to a bona fide registered guest. No right of action shall exist to collect any claims for credit extended contrary to the provisions of this clause

(e) To sell offer to sell or furnish any beverage to any person on a pass-book or store order or to receive from any person any goods wares merchandise or other articles in exchange for beverages

(f) To hawk or peddle any beverages in this Commonwealth

Section 24 THINGS OF VALUE NOT TO BE OFFERED FOR THE RETURN OF CERTAIN ARTICLES It shall be unlawful for any person licensed to sell beverages to offer or give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing such beverages or to offer or give anything of value as a premium or present to induce the purchase of such beverages or for any other purpose whatsoever in connection with the sale of such beverages Provided however that this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof

Section 25 UNLAWFUL TO FORTIFY ADULTERATE OR CONTAMINATE BEVERAGES It shall be unlawful to fortify adulterate contaminate or in any wise to change the character or purity of the beverages from that as originally marketed by the manufacturer

Section 26 TRANSPORTATION IN ORIGINAL PACKAGES It shall be unlawful to transport any beverages except in the original containers

Section 27 DELIVERY VEHICLES TO BEAR NAME AND ADDRESS OF DISTRIBUTOR OR MANUFACTURER It shall be uunlawful for a manufacturer or distributor to deliver any beverages excepting in vehicles bearing the name and address of such distributor or manufacturer on each side of such vehicle in letters no smaller than four inches in height

Section 28 INTERLOCKING BUSINESS PROHIBITED

(a) No manufacturer and no officer or director of any manufacturer shall at the same time be a distributor or retailer or an officer director or stockholder or creditor of any distributor or of any retailer nor be the owner proprietor or lessor of any place covered by any distributor's or retailer's license

(b) No wholesale distributor and no officer or director of any distributor shall at the same time be a manufacturer or retailer or be an officer director stockholder or creditor of a manufacturer or retailer or be the owner proprietor or lessor of any place covered by any retailer's license

No manufacturer or distributor or retailer licensed under this act shall own any stock of or have any financial interest in any other class of business licensed under this act

(d) Excepting as hereinafter provided no manufacturer or distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage lien against the same for which a retailer's license is granted nor shall a manufacturer or distributor either directly or indirectly lend any moneys credit or equivalent thereof to any retailer in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale and consumption upon the premises excepting only the usual and customary commercial credits for beverages sold and delivered

(e) Excepting as hereinafter provided no manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a distributor's license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or their equivalent to any distributor in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale by a distributor excepting only the usual and customary commercial credits for beverages sold and delivered

The purpose of this section is to require a separation of the financial and business interests between the various classes of business regulated by this act and no person or corporation shall by any device whatsoever directly or indirectly evade the provisions of this section But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest until January first one thousand nine hundred and thirty-six by a manufacturer of any place occupied by a dis-

tributor or retailer if the manufacturer has continuously owned or had a conflicting interest in such place for a period of at least three years prior to the effective date of this act

The term "manufacturer" as used in this section shall include manufacturers as defined in this act and any person manufacturing any beverage outside of this Commonwealth

Section 29 PENALTY Any person copartnership association or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three hundred dollars ($300) for the first offense and for any second or subsequent offense shall be sentenced upon conviction to pay a fine not exceeding five hundred dollars ($500) Any such person or the members agents servants or employes of any partnerships or association or the officers directors agents servants or employes of any corporation responsible for any violation of any of the provisions of this act may upon a second or subsequent conviction be sentenced to imprisonment for a term not exceeding six months or by both such fine and imprisonment in the discretion of the court

Section 30 CONSTITUTIONALITY. The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 31 LOCAL OPTION In any municipality or township an election may be held but not oftener than once in four years on the date of any municipal election to determine the will of the electors with respect to the granting of licenses to retailer of beverages under the provisions of this act Whenever electors equal to at least ten per centum of the highest vote cast fo rany office in the municipality or township at the last preceding general election shall petition the corporate authorities of the municipality or township for a referendum on the question of granting such licenses the said corporate authorities shall cause a question to be submitted at the municipal election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission of such question on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the granting of retail beverage licenses in the of	Yes No	

If a majority of the persons voting on such question vote "yes" then retailers' licenses may be granted by the treasurer in such municipality or township under the provisions of this act but if a majority of the persons voting on such question vote "no" then the treasurer shall thereafter have no power to grant or to renew upon their expiration any retailer's licenses in such municipality or township under the provisions of this act

Section 32 EFFECTIVE DATE This act shall become effective on June first one thousand nine hundred and thirty-three except that licenses may be granted prior to said date to become effective on said date

Section 33 REPEAL The following acts are hereby repealed as respectively indicated

The act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-seven) entitled "An act authorizing the transfer by the judges of the several courts of the Commonwealth of licenses for the wholesale or retail of vinous spirituous malt or brewed liquors from one person to another and from one place to another" absolutely

The act approved the thirtieth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws four hundred sixty-four) entitled "An act to provide revenue and regulate the sale of malt brewed vinous and spirituous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors" and the amendments thereto so far as the same relate to beverages licensed under this act

The act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" and the amendments thereto so far as the same relate to beverages the sale and distribution of which is regulated and licensed under this act

The act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of Federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of the permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" in so far as the same relates to requires permits for the manufacture production distillation the sale at wholesale of beverages the sale of which is regulated and licensed under this act

All other acts and parts of acts general local and special inconsistent with this act are hereby repealed But nothing contained in this act shall be construed to repeal any law relating to the purity or adulteration of beverages or any law relating to sanitation

Nothing contained in this act shall be construed to repeal or in any manner to impair the provisions of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-three) entitled "An act to permit the growers of grapes in this Commonwealth to manufacture wine from grapes of their own raising that are not first class or marketable and sell such wine to licensed dealers without taking out or paying a license for such manufacture or sale"

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. McCLURE. Mr. President, I ask unanimous consent to amend page 1, line 4, of the title by striking out at the beginning of the line before the word "and" the word: "[transportation]"; also line 5, of the title, by striking out after the word "for" and before the word "and" the word: "[collections]" and inserting in lieu thereof the words: "the collection"; also line 6, of the title by striking out after the word "distribution" and before the word "restricting" the words: "[of revenues therefrom]" and inserting in lieu thereof the word: "thereof"; also line 14, of the title by striking out after the word "attorneys" and before the word "of" the words: "[legislative bodies]" and inserting in lieu thorof the words: "corporate

authorities"; also section 5, page 6, line 7, by striking out after the word "treasurer" and before the word "issue" the word: "[may]" and inserting in lieu thereof the word: "shall"; also section 10, page 8, line 24, by striking out the word "county"; also section 12, page 11, line 19, by striking out the words "a license" and inserting in lieu thereof: "licenses"; also line 29, by striking out the word "persons" and inserting in lieu thereof: "individuals"; also page 12, line 2, by striking out the word "persons" and inserting in lieu thereof: "individuals"; also line 3, by striking out the word "county"; also section 13, page 12, line 18, by inserting after the word "of" and before the word "fifteen" the words: "the Attorney General the treasurer the district attorney or"; also line 26, by inserting at the end of the line after the word "of" the words; "alcohol or"; also line 27, by inserting after the word "any" and before the word "alcoholic" the word: "other"; also page 13, line 1, by striking out the word "county"; also section 15, page 13, line 29, by striking out the word "county" where it first appears in sail line; also section 16, page 14, line 2, by striking out the word "county"; also line 6, by inserting at the end of the line after the word "county" the words: "and the payment of the license fee and the filing of a bond as in the case of an original license"; also section 18, page 14, line 26, by inserting after the word "beverages" and before the word "Such" the words: "or relating to the manufacture sale or transportation of alcohol or any other alcoholic beverages"; also section 19, page 15, line 23, by inserting after the word "municipality" and before the word "in" the words: "or township"; also line 23, by striking out the word "municipality" and inserting in lieu thereof: "municipal unit"; also page 17, line 11, by striking out the word "by" and inserting in lieu thereof: "through"; also line 11, by striking out after the word "Treasurer" and before the article "the" the word: "[by]" and inserting in lieu thereof the word: "through"; also line 17, by striking out the word "by" and inserting in lieu thereof: "through"; also line 17, by striking out after the word "Treasurer" and before the article "the" the word: "[by]" and inserting in lieu thereof the word: "through"; also page 17, by striking out lines 19 and 20 and inserting in lieu thereof the words: "before the license or renewal is issued"; also section 20, page 18, line 12, by striking out the words "of such"; also section 22, page 19, by striking out lines 22 to 24 inclusive; also section 23, page 20, lines 21 and 22, by striking out the words "for consumption on the premises where sold"; also line 25, by inserting after the word "beverages" the following: "for consumption on the premises where sold"; also line 25, by striking out after the letter "(d)" and before the word "sell" the word: "[To]" and inserting in lieu thereof the words: "In the case of retailers to"; also line 28, by inserting after the word "hotel" and before the word "to" the words: "or club"; also line 28, by inserting after the word "guest" and before the word "No" the words 'or member"; also section 27, page 22, line 8, by striking out the word "Distributor" and inserting in lieu thereof: "distributor"; also line 19, by striking out the word "wholesale"; also section 31, page 25, line 17 and 18, by striking out the word "retailer" and inserting in lieu thereof: "retailers"; also page 26, line 11, by striking out after the syllable "censes" and before the word "be" the word: "[may]" and inserting in lieu thereof the word: "shall."

The PRESIDENT. Is there objection?

The Chair hears objection.

Mr. ARON. Mr. President, I would like to interrogate the sponsor of this bill with reference to these amendments.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, allow himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. ARON. Mr. President, I would like to ask the sponsor of this bill whether these amendments are his own amendments or agreed upon by the Committee of Law and Order?

Mr. McCLURE. Mr. President, these are the amendments prepared by the Legislative Reference Bureau and by the Attorney General.

Mr. ARON. Mr. President, that is not a response to my question. Are these his own amendments or the amendments agreed to passed upon by the Committee of Law and Order?

Mr. McCLURE. Mr. President, the principal amendment occurs on page six, line seven, where the word "may" is changed by these amendments to "shall," making it mandatory upon the county treasurer to grant licenses.

Mr. ARON. Mr. President, that still does not answer my question. Perhaps the Senator does not care to answer.

Mr. McCLURE. Mr. President, I offered these amendments today. Does that answer the Senator's question?

Mr. ARON. Mr. President, no. I would like to ask whether these amendments were not agreed upon by the Committee on Law and Order?

Mr. COYNE. Mr. President, I would like to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McCLURE, allow himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. COYNE. Mr. President, when this bill was put over until four-thirty today as a special order of business, was it not the understanding that we were to have a meeting and agree on some amendment in the Committee on Law and Order?

Mr. McCLURE. Mr. President, that was the understanding, I believe.

Mr. COYNE. Mr. President, then why was not the meeting of the members of the committee called to find out whether they had any amendment?

Mr. McCLURE. Mr. President, I am not a member of the Committee on Law and Order, and know nothing about their arrangements.

Mr. COYNE. Mr. President, I move that this bill be recommitted to the Committee on Law and Order for amendment.

The PRESIDENT. There are amendments pending here.

Mr. McCLURE. Mr. President, I object to this motion.

The PRESIDENT. Will the Senate agree to the amendments?

Mr. ARON. Mr. President, I believe we are wasting a lot of time in regard to this bill, and what we ought to do is to get together and get our minds together so that a bill can be framed that will meet with the Governor's approval. After all, we are satisfied with our experience of this session that we cannot pass this beer bill against the veto of the Governor—we do not have the vote to over-ride the veto—and I for one do not propose to come back here week after week and accomplish nothing. Now, it seems to me that the Committee on Law and Order should have this bill and go over the amendments and confer with the Governor and reach an agreement where we can all be satisfied. And for that reason I object to these amendments, and will support the motion made by the Senator from Allegheny, Mr. Coyne, that the bill be recommitted to the Committee on Law and Order so that it can be put in proper form and proper shape so we can vote upon it and have it approved by the Governor.

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, the amendments are not pending before the Senate, inasmuch as unanimous consent has been refused.

Mr. President, I move that the Senate go into the Committee of the Whole for the purpose of considering special amendments, the amendments just read from the desk.

Mr. HARRIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

COMMITTEE OF THE WHOLE

The Senate resolved itself into Committee of the Whole. Mr. TRAINER in the chair.

The CHAIRMAN. The Committee of the Whole has before them Senate Bill No. 1450, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale trasnportation and distribution of such beverages imposing license fees and providing for collections and distribution of revenues therefrom restricting ownership and interest in licensed places permitting municapilities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys legislative bodies of political subdivisions of the State and election officers providing penalties and repealing existing acts

Whereupon, the Committee of the Whole rose, the President (Lieutenant-Governor Edward C. Shannon), resuming the Chair.

Mr. TRAINER. Mr. President, the Committee of the Whole having had before it Senate Bill No. 1450, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale transportation and distribution of such beverages imposing license fees and providing for collections and distribution of revenues therefrom restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys legislative bodies of poltical subdivisions of the State and election officers providing penalties and repealing existing acts

have directed me to report that the same has been amended as directed by the Senate.

On the question,

Will the Senate agree to the report of the Committee of the Whole?

It was agreed to.

The PRESIDENT. The amendment is made as directed by the Committee of the Whole.

Mr. BUCKMAN. Mr. President, the bill will lie over for printing.

Mr. STAUDENMEIER. Mr. President, I rise to a question of parliamentary procedure.

The PRESIDENT. The Senator from Schuylkill, Mr. Staudenmeier, will state his question of parliamentary procedure.

Mr. STAUDENMEIER. Mr. President, it is the question of order. In order to get this record in proper form, I wish to state what happened. The Senator from Bucks, Mr. Buckman, moved that the Senate resolve itself into the Committee of the Whole. This motion was seconded by the Senator from Allegheny, Mr. Harris. In accordance with that, the Senate resolved itself into the Committee of the Whole at that time, but subsequently thereto at no time were any of these amendments for which the Senate resolved itself into the Committee of the Whole submitted to the Senate, and hence my contention is that no amendments were acted upon by the Senate acting as a Committee of the Whole. There was a remark made by the Senator from Bucks, Mr. Buckman, that the bill with the amendments lie over for printing. Now then, I am willing to do this, that that bill with the amendments lie over for printing, providing that tomorrow, when the bill is printed with the amendments, the amendments be taken up one by one in their order by the Senate acting as a Committee of the Whole. Otherwise this committee will not have acted upon any amendments. That bill cannot appear on the floor of the Senate in the amended form as far as the amendments introduced by the Senator from Delaware, Mr. McClure, are concerned.

I agree that there is a precedent for the Senate or the House resolving itself into the Committee of the Whole for the consideration of special amendments in regard to the general appropriation bill. But why did the Senate in its wisdom adopt that rule? For this reason: Every general appropriation bill, at least during the ten years that I spent over there in the House, invariably, and I may say without exception, was introduced in the closing days of the session, and that is the reason for that. It is manifest it is just like an omnibus road bill. If it were introduced two or three weeks before the end of the session, every man who has a hospital in his district or an institution that is anxious to get in its appropriation would be attempting to amend that appropriation bill, and the same way with an omnibus road bill, he would be trying to amend it; and therefore your road bill and general appropriation bill come out in the closing days of the session, and in order that amendments might be made, in some cases, in very many cases, amendments are offered. For instance, I am thinking of the Nanticoke State Hospital, if it had not received proper appropriation he would introduce an amendment, and if the Bloomsburg State College had not received proper appropriation, he would introduce an amendment and avoid the necessity then of the bill going back into the committee or delay the bill in its passage. There was a precedent established here a way back in the time of Senator Snyder for the purpose of considering special amendments to the general appropriation bill, the Senate resolving itself into the Committee of the Whole to dispose of the amendment by that motion. And I say with all due regard to the parliamentary ability of the Chair—we all make mistakes, I may be mistaken in this until we get a proper ruling—but, with all graciousness and the highest respect and greatest regard and kindliest feeling for the Chair, I must submit that this ruling was not proper, and that these amendments are not in the bill finally considered by the Senate acting as a Committee of the Whole.

We are in this position, we can either discharge the Committee of the Whole and have the bill go over in its regular order and have the bill printed, or we can have the bill go back into committee with promise of immediate consideration by the Committee on Law and Order so there will be no delay. I for one am not in favor of delaying the bill for one day. I want to say if there is a revenue bill comes over I will vote for the revenue; but I do not think this Senate should be placed in the position of placing in any piece of legislation any amendment when it knows it has nothing to do with the proposition, and you cannot get around the prop-

osition by voting that the Senate resolved itself into the Committee of the Whole and another Senator seconding the motion.

Mr. BUCKMAN. Mr. President, I do not know exactly what the Senator from Schuylkill, Mr. Staudenmeier, is talking about. In the first place, he did not state the premise properly. I did not move that we go into the Committee of the Whole. I moved that we go into the Committee of the Whole for the purpose of considering special amendments read from the desk, and when I made the motion that the Senate resolve itself into the Committee of the Whole for the purpose of considering the special amendments, that motion carried and it was effective for the purpose of considering the amendments, and those amendments are in the bill, and all that it had to do was to report. What the Senator said about lying over for printing has nothing to do with the subject. All he had to say about the Committee of Law and Order has nothing to do with it. The bill is not in the Committee on Law and Order. It is before the Senate and is in the control of the Senate. And I submit that the point of order raised by the Senator from Schuylkill, Mr. Staudemeier, is not well taken, and that the action of the Senate has already inserted the amendments as read from the desk into the bill.

Mr. COYNE. Mr. President, I would like to interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman, allow himself to be interrogated?

Mr. BUCKMAN. Mr. President, I will.

Mr. COYNE. Mr. President, what was the purpose of the Senate going into the Committee of the Whole?

Mr. BUCKMAN. Mr. President, for the purpose of inserting the amendments as read from the desk.

Mr. COYNE. Mr. President, what was the purpose of the chairman of the Committee on Law and Order going to the desk and presiding?

Mr. BUCKMAN. Mr. President, I did not known that he was going to the desk. If he did, I did not see him. That has nothing to do with the question.

Mr. COYNE. Mr. President, when they go into the Committee of the Whole, are they not supposed to act on the amendments?

Mr. BUCKMAN. Mr. President, no. When they go into the Committee of the Whole for the purpose of special amendments, that decision carries the amendments into the bill.

Mr. COYNE. Mr. President, the Committee of the Whole—when they did not take action on the bill?

Mr. BUCKMAN. Mr. President, it may be some were deaf, dumb and blind, but I do not know who they were.

Mr. COYNE. Mr. President, they took no action. The chairman proceeded to the desk and went back to his seat, but no action was taken on the amendments.

Mr. BUCKMAN. Mr. President, is that a question, or is the Senator telling me something?

Mr. COYNE. Mr. President, did they take action or vote on any question?

Mr. BUCKMAN. Mr. President, it is all finished business except the report from the committee. It is all done. It is before the Senate.

Mr. COYNE. Mr. President, what is the Senator's authority?

Mr. BUCKMAN. Mr. President, I refer to Rule 33 on page 1036 of Smull's Hand Book: "When the Senate shall resolve to go into Committee of the Whole on a bill on third reading, except for special amendments the question before the Senate, when the President shall have resumed the chair and the chairman of the committee has made a report, shall be, 'Will the Senate agree to the report of the committee?'"

Mr. COYNE. Mr. President, did he ask the Senate to agree to the report of the committee?

Mr. BUCKMAN. Mr. President, the rule does not apply to this case, it says special amendments, and that was my motion, and it carried. It is all finished business.

Mr. COYNE. Mr. President, the Senator from Bucks, Mr. Buckman, says it is all finished business.

Mr. SHAPIRO. Mr. President, is there any motion before the Senate?

Mr. PRESIDENT. The point of order raised by the Senator from Schuylkill, Mr. Staudenmeier.

Mr. STAUDENMEIER. Mr. President, may I at this time refer you to the Senate rules, on page 14, section 19? This rule is as follows: "Committee of the Whole. All bills shall be considered by a Committee of the Whole, unless the rule be dispensed with by unanimous consent. All amendments made in Committee of the Whole, shall be reported by the chairman to the Senate, and shall by him be moved to be inserted, and if adopted, shall then be entered on the Journal. Every bill shall be read at length in Committee of the Whole, and such reading shall be considered one of the readings required by the Constitution."

Mr. BUCKMAN. Mr. President, that refers to bills on second reading.

Mr. STAUDENMEIER. Mr. President, I am informed that that section applies only to second reading bills. I respectfully submit that nowhere in that rule is there anything said about second reading bills, and as a precedent for the position that I have taken here today, let me refer to the so-called fair rate trade procedures, when one minute we were in Committee of the Whole and the next minute were out practically during the whole thirty-one sessions; and at that time it was ruled time and time again that amendments that were submitted to the Committee of the Whole had to be read one after the other and acted upon. Why, if this were the procedure, any amendment that would be objectionable, instead of being able to take them up seriatim, all that would be necessary, if somebody made objection to the Senate that the measures were objectionable, the only thing that would be necessary to have those amendments inserted in the bill and embodied therein would be for one Senator to move to resolve the Senate into the Committee of the Whole and another Senator to second the motion. Now then, what position would the Senators be placed in? Some of those amendments may be perfectly proper and agreeable, but under this rule all the amendments would have to be inserted because there was no amendment taken up separately in the amendments acted upon, but by one motion, that the Senate resolve itself into the Committee of the Whole, seconded by another Senator, is it the thought of the Chair that these amendments become part of that bill? If it is, I for one, if I live long enough to be here next session will do everything in my power to have an iniquitous rule of that type removed from the rules of the Senate, because it would be a manifest effort to have foisted upon the people of the Commonwealth that which their representative had no opportunity to act upon in order.

I insist, Mr. President, upon a ruling upon the point of order raised.

The PRESIDENT. The Chair rules that the motion by the Senator from Bucks, Mr. Buckman, to go into the Committee of the Whole for the purpose of special amendments carried with it the amendments.

The question now is will the Senate agree to the bill on third reading as amended?

It was agreed to.

MOTION TO RECOMMIT

Mr. COYNE. Mr. President, now, if I may, I want to move that this bill be recommitted to the Committee on Law and Order.

Mr. ARON. Mr. President, I second the motion.

Mr. McCLURE. Mr. President, I object to the motion made by the Senator from Allegheny, Mr. Coyne.

On the question,

Will the Senate agree to the motion?

Mr. BUCKMAN. Mr. President, I hope this motion will not prevail. This bill has been in that committee quite a number of times, in my judgment a sufficient number of times, and the purpose of some of these people is that we are not going to get away from here until this bill is passed, has passed in proper shape. I know this, that the Commonwealth is losing from ten to twenty thousand dollars a day every day this bill is not passed. It may be there are interests combined here who are trying to keep this bill from passing week after week, month after month, in order that they may not have to pay the tax to the Commonwealth in order that there may be money to keep people from starving and for the unemployed. This bill has been duly considered and re-considered. It is not a hundred per cent satisfactory to me; but it is a fair bill, it is perhaps the best bill we could get at this session. Now let us take the best we can get and get through and go home. We have heard about the constitutional rights of the members of the Legislature, but that very Constitution you have referred to gives the Governor of Pennsylvania the right of veto, and that carries one-third of the members of the Senate and some sixty-six votes in the House. That is the Constitution just as much as our constitutional rights entitle us to pass this bill, and if we do not like those vetoes, we have the right to pass these bills over the Governor's veto. But I have not seen very much of it done, and I do not believe we will see much of it done at this session. Let us pass it and put it on the Governor's desk, and if he sees fit to veto it and we go home, the responsibility is his. Up to this time the responsibility is ours, and so far as a revenue measure connected with it is concerned, let us shove that responsibility from our shoulders to the Executive Chamber, and the burden will not be upon us to answer to our constitutents why we have delayed this measure passing so long with the possibility of not having any regulatory measure or any revenue measure passed. I do not think there is a man in the Senate who wants to leave without seeing a bill passed for regulating the sale and flow of beer. I do not believe there is a man in the Senate who wants to go home without passing a revenue bill. But I want to say there are special interests in the State who do not want to see either, and today they have made out pretty well with us. They have blocked every move we made. We have taken enough of it today. Let us pass the bill in the best shape we can and go home with the satisfaction that we have done all that the representatives of the people can do.

Mr. HARRIS. Mr. President, I think that the value and the importance of the amendments just read are greatly exaggerated. There are only two amendments, in spite of the fact that several pages of amendments have been read. Most of them are clerical errors and are amendments of no great consequence. The two amendments in this bill are in the amendments read, and are changing the word "may" to "shall" or "shall" to "may." There was a serious mistake made in the bill, which provided that the county treasurer may issue licenses, which would put the county treasurer in a position of refusing any license he may care to. That was a bad feature, and it would have given the county treasurers of the sixty-seven counties of this State the right to issue licenses to whom they please. That is the correction, and the only major correction, in spite of all the typewritten pages read. The object was to have the district attorney and county treasurer join in the revocation of any license—just the two things. Some persons have said that they have not had any chance to study the amendments. The Attorney General is here, the sponsor of the bill is here, Senator McClure; and there is no man in this State who cannot understand what this means. Each of those is a serious defect, and the other is of no consequence. Another thing it carries is that the license fee goes to the local community. A third amendment of the bill is that it keeps the money from the local communities in such shape that it could be used for local relief.

I want to say in passing there has been too much delay in this session, and those who are responsible for the delay in the revenue, in the tax on beer, are responsible for keeping food out of the mouths of the hungry and employment from those unemployed. It is one of the crimes of this Legislature, and those who are responsible for delaying the revenue can be charged with starving the poor and hungry of this country and this state.

Mr. SNYDER. Mr. President, I understood this was a motion to recommit, and the discussion has been on anything but that, and I want my colleague to be set straight. I think the Senator will remember that I made the very same motion, and that was to recommit the bill. The Senator from Delaware, Mr. McClure, requested that the motion be withdrawn until four-thirty this afternoon. I certainly would agree to something like that. The delay of one day would not make very much difference, and I supposed the purpose of the request was to have a vote upon the bill this afternoon; and I think it was the assumption of quite a few of the Senators. My distinguished colleague, Senator Coyne, was under the impression there would be a meeting held by the committee or sub-committee and it would be discussed. We had no knowledge that amendments were being introduced by anybody. If I was in error, if I was under a wrong impression, then I should have fortified myself with perhaps ten or twelve other amendments to really strengthen the bill. It should be strengthened. It does not come with good grace from anyone, I take it, since we have been here since January, to condemn any of us who are sincerely opposed to the bill to say we are delaying if I should switch from the question and simply say, "I am busy." There has been nothing but delay and juggling of measures; and if my distinguished colleague from Bucks wants to throw out the inference that some of us represent special interests or special privileges in really fighting for what we believe to be good legislation for the State of Pennsylvania, I think if he would try to bring that to me personally I would say, how could an insignificant Democrat from Lehigh county be interested in any special interests? I do not believe that would be possible. The statement has been made that this delay is doing serious damage to the question of unemployment relief. The members of the Senate know that that is not a fair statement, because it is not a true statement. It is not a revenue measure. We know where the revenue measure is. It is over in the House, and there is not a man here who does not want it to come over here. This revenue provided for in this bill goes to the counties and municipalities, and a negligible part goes to the state to cover the expense of administration.

Now then, having had a delay, there are some amendments in my mind, and I want to say honestly and sincerely right now that if I had known this measure was to be handled this way, if I had had any suspicion that it would be amended of four-thirty this afternoon, I am frank to say I would have had some amendments myself, and there might have been further delay. The only thing I am pleading with the Senate for is that this bill be recommitted for just a day, that this motion should prevail until all of us, as Senator Aron said, can find out, and that there might be afforded to everyone of us who are presently opposing this bill the opportunity to consider this matter. If it is a matter of two days or three days delay, when well done, what is the delay of a week? They are blaming us all over the state for delay. I won't admit to the charge of delay, or admit to the charge that I am representing some special interest; but I will only admit that it is my honest conviction that this bill is only half cooked. It is not ready to be on the floor. Therefore have it recommitted to the Committee on Law and Order and get it into shape.

Mr. SHAPIRO. Mr. President, as soon as the revenue bill came into this Senate, much as I disliked it, I voted for it, and I voted for it so frequently that I was as sick of the bill as I was of the beer that was issued without any regulatory measure.

Now, this is not a revenue measure, and I do not agree with a certain member of this Senate that we can be charged with delaying money that may come in that we may use for the unemployed. As a complete answer to that charge and for any request for delay of a day or two in the bill, I call attention to the fact that this bill does not become operative until July 1st, and no revenue either from licenses or otherwise can come into the coffers of the State or the municipalities or anything else, and I call attention to the fact that this bill ought to be submitted to the Senate for further consideration and ought to be amended properly. I agree that the amendments offered today are immaterial. I was told when I came up here I was coming up to get a good education, and I have gotten a liberal education from this session. And I say this bill is doing something that was never done before, and that is that a corporation can open up as many places to sell beer as it pleases. One corporation can open up fifty stores under the provisions of this bill. And I feel, so far as the people I represent are concerned, that that condition should not be tolerated, and therefore I want to say if that condition is not stricken from the bill I want it amended. There are half a dozen other instances in this bill in which it ought to be amended. In one instance the bill gives descriptive words. In one instance it deals with licenses, and in five or six other instances it deals with licensee and nobody under this bill can know what licensee is. I do not think we ought to be put in the position we have been in twice before of having bills misprinted in a way that changes the context and then be put in the position of asking to have a particular bill amended. I think we ought to go over the bill properly, and if we are going to regulate, we ought to regulate properly for all and not for some, and not be charged with not taking money from some and taking it from others for the unemployed, because this bill gives privileges to a few and takes them from many.

Mr. COYNE. Mr. President, I want to tell the members of the Senate I have no intention of delaying or stopping revenue from coming into the municipalities or the state government. I also want to tell the members of the Senate that I do not represent any special interests—never did. I suppose there is a good reason for it—they did not want me to. Nobody ever called upon me to represent them outside of my people in my district. The Senator that inferred there was a special interest represented is, I suppose, the one man who represents the greatest special interest in the Senate; and I do not suppose there is any man in the Senate who has not done more for the unemployed. He is long in mercy and short in charity. And I am afraid if this goes further they will have bleeding hearts, and I do not know of anybody that can give them transfusions if they have lost blood from this bill. You hear so much about the unemployed and the poor, but it is safe to say that every member of this Senate is interested in the people of his locality where he lives, and I assure you agan that I am not here to delay any revenue for the State or the county. I am here to get a square deal for this bill and others. We did not get it on this bill. We were supposed to have a sub-committee go over this bill and report to the other committee, and they would have a meeting and report this bill out. But it was not done in the proper way. I do not object to the few amendments offered by the Senator from Delaware, Mr. McClure. They may be all right. I have not had a chance to look them over. They may be all right, and perhaps we should adopt them, but I think the bill ought to go back to committee.

Mr. HARRIS. Mr. President, I merely want to correct the statement of my colleague from Philadelphia, Mr. Shapiro, as to the effective date of this bill. He said this bill would not become effective until July 1st. The fact is it will become effective in June; and I am very much afraid that if we continue as we have been doing in the past it may be past June 1st before we pass this bill.

I also desire to inform him that no large corporation can have a monopoly. It can have only one distributor in any one city, town or borough.

Mr. FRAZIER. Mr. President, I would like to interrogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, Mr. Harris, allow himself to be interrogated?

Mr. HARRIS. Mr. President, I will.

Mr. FRAZIER. Mr. President, is it not a fact that this delay has been occasioned by the veto of a measure which went through both the House and the Senate covering this very situation?

Mr. HARRIS. Mr. President, I would like to ask the Senator from Philadelphia, Mr. Frazier, to what measure he refers.

Mr. FRAZIER. Mr. President, the Sowers-Conner beer bill, which is the only one passed for the regulation of beer, probably a month ago, and that has been vetoed, and that has been the cause of some of the delay.

Mr. HARRIS. Mr. President, I can not say it was the cause of the delay. There was such a bill passed, which I voted for.

Mr. FRAZIER. Mr. President, it was vetoed.

Mr. HARRIS. Mr. President, it was vetoed, and is a matter of record.

Mr. McCLURE. Mr. President, I fear it is going to occur to some of the Senators that this bill has never been before the Committee on Law and Order. Last Friday I recommitted this bill to the Committee on Law and Order, and on Monday night they held a meeting. They amended the bill in many particulars, and reported it to the floor. Senator Harris has well stated the particular change I have made in this bill today. I also stated it to Senator Aron, that the change occurred on page six, line seven, and the provision is that the

treasurer shall grant licenses at the present time. In the bill in the condition in which it was this morning it was "may." I postponed action on this bill this morning because Senator Snyder said he had not had time to read the bill. This bill has been on the desks now, and everyone has had time to read it; and I say to Senator Snyder, if he had any amendments to offer to this bill, he had the same time I had. I also call the attention of the Senators to the fact that this is the only regulatory measure before the Senate or House today, and I fear it is possible for us to adjourn without passing a regulatory measure. And if we do the municipalities of this State will be deprived of many thousands of dollars. I ask the Senators to vote against the motion to recommit this bill.

Mr. TRAINER. Mr. President, I want to say there was some remark passed by the Senator from Bucks, Mr. Buckman, about special interests. I have not seen anything in Harrisburg that looked like it, and I think his remark was out of order, and not worth anybody in this Senate paying any attention to. I want to say if this bill is passed we know that we cannot be charged with trying to hold it back. Let us vote to let it go back to the committee and have the committee hold a meeting tonight or report it out at once.

And the question recurring,

Will the Senate agree to the motion?

A division being called for twenty-seven Senators voted in the affirmative and five in the negative, whereupon the question was determined in the affirmative.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Dauphin, Mr. Reed, will state his question of personal privilege.

Mr. REED. Mr. President, I feel that certain remarks of the Senator from Bucks, Mr. Buckman, with respect to the veto power of the Governor should not go unchallenged.

Last Wednesday Governor Pinchot submitted a written message to the Legislature relating to relief for the unemployed and relief for the local tax payer. The bills referred to were prepared in the Governor's office and introduced at his request. A few of these bills are good, some of them are of doubtful expediency, and some of them are vicious.

It is not my purpose to consume the time of the Senate in discussing the Governor's Legislative Program. I would refer to place over the portals of the Executive Mansion the lines which the Earl of Rochester placed upon the bed chamber of King Charles II of England which read:

"Here lies our sovereign lord and king
Whose word no one relies on.
Who never said a foolish thing
And never did a wise one."

The Governor, however, employed a sentence in that message which deserves attention. He said, "I have repeatedly announced that I would not insist on my plan but would accept any other reasonable plan." Stripped of its polite verbage, the Governor here stands forth in the role of Simon Legree cracking the slave driver's whip and saying to the Legislature give me what I want or you will get nothing. And then let us turn to the concluding sentence of that message which reads: "The amazing neglect of the folks back home does not lie at my door." The people of Pennsylvania have now gotten onto Governor Pinchot's curves and they know full well that his attempts to pass the buck to the Legislature of Pennsylvania are idle words.

This brings me to the question which I wish to discuss today, namely, Executive Power vs. Legislative Power. And, I ask in all seriousness whence this new born power in an Executive to dictate not only policies of legislation but also details of legislation?

From my study of Constitutional Government, I know of no example in American History wherein a Governor under the use of the veto power has coerced not only Legislative Policy, but all Legislation. It might be interesting for a moment to consider the true American Doctrine as to the proper use of the veto. I refer to one of America's greatest authorities on Constitutional Law, Thomas M. Cooley, who in his work "Principles of Constitutional Law," page 178 says:

> "The view most commonly taken of the veto power is perhaps that of Mr. Webster, that it is an extraordinary power, to be exercised only in peculiar and marked cases; that it was vested in the President, doubtless as a guard against hasty and inconsiderate legislation, and against any act, inadvertently passed, which might seem to encroach on the just authority of other branches of the government."

The use which Governor Pinchot is making of the veto power is enough to make Thomas M. Cooley and Daniel Webster rise from the dead. Not only, however, is Governor Pinchot attempting to coerce this Legislature into a legislative straight jacket of his own making, but his present course is but another illustration of his contempt for law and order. I know that "Yon Caesar hath a lean and hungry look" and William Shakespeare tells us that "Such men are dangerous." But Governor Pinchot has admitted his limitations from the Rostrum of the Senate. He cannot coerce the Legislature because under the constitution, the governing power in Pennsylvania is the legislative power.

I fear that possibly some Senators and many members of the House of Representatives have failed to grasp this truth. Under the Constitution, the powers and prerogatives of a Governor are very limited. The vast powers which he exercises have been granted to him by the Legislature, or in part they are usurped. Under the present Chief Executive, who possesses the lust for power of a Caesar and a Napoleon combined, they vault to the zenith of monarchial splendor. But these powers possessed by the Governor are merely legislative grants. The Legislature, when it desires, can strip the Governor of his emoluments of office; can reduce his salary to a point that hurts; can take away his office force and deprive him of all authority except what is expressly reserved in Article Four of the Constitution. Thus it is apparent that about 99.9 per cent. of the authority actually exercised by Governor Pinchot can be withdrawn by legislative power.

On the other hand, legislative power is almost limitless. As a great Republican jurist, Chief Justice Sterrett said in Powell vs. Commonwealth, 114 Pa. 265:

> "In creating a legislative department, and conferring upon it the legislative power, the people must be understood to have conferred the full and complete authority as it vests in and may be exercised by the sovereign power of any state, subject only to such restrictions as they have seen fit to impose, and to the limitations which are contained in the Constitution of the United States. The legislative department is not made a special agency for the exercise of specially defined legislative powers, but is intrusted with the general authority to make laws at discretion."

But a more forceful declaration of legislative power is contained in the deathless opinion of a great Democrat, Chief Justice Black in the case of Sharpless vs. The Mayor of Philadelphia, 21 Pa. 147, an opinion which will ever live as one of the most brilliant gems in the galaxy of judicial decisions adorning Pennsylvania's judicial history. After defining the limitations to legislative power contained in the

"bill of rights," with which everyone is familiar, and other limitations contained in the Constitution of the United States,

Chief Justice Black said:

"If the Legislature 'does any of these things, the judiciary claims, and in clear cases has always exercised, the right to declare such acts void.

"But beyond this there lies a vast field of power, granted to the legislature by the general words of the constitution, and not reserved, prohibited, or given away to others. Of this field the General Assembly is entitled to the full and uncontrolled possession. Their use of it can be limited only by their own discretion. . . . To me, it is as plain that the General Assembly may exercise all powers which are not properly legislative, and which are not taken away by our own, or by the federal constitution, as it is that the people have all the rights which are expressly reserved.'"

The power of one Senator is great. The power of twenty-six Senators united and in accord forces an absolute check upon any change in government. The power of a working majority in both Houses with a friendly Governor is supreme. It makes for good government. A working majority in both Houses with a tyrannical Governor only creates a deadlock. But a two-thirds working majority in both Houses, raises legislative power to the point of omnipotence and can crush a tyrannical Governor to powder.

No wonder, therefore, with his eye upon the Senatorial toga at Washington, the Governor of Pennsylvania has looked longingly to Democrats and with open arms has welcomed them to the Legislature of Pennsylvania. He is reported to have tried to dicker with a few Democratic leaders, hoping with vain promises of reward to cause them to lead their associates as lambs to the slaughter. I warn my Democratic friends that if they deal with Governor Pinchot, the hope which they now have, arising from success in a great national campaign, will turn to dust and ashes; and they will wither before a blast of popular fury as the leaves of autumn, before the winter's gales.

Party lines must be broken in this General Assembly. The Republican, the Democratic and the Socialist party stand in part, at least, for like ideals; for reduction of cost of government; for the elimination of corruption, waste and extravagance in public office; for cutting the public payroll; and for the reduction of the burden of taxation. Opposed to the program of all parties stands Governor Pinchot. With honeyed words he proclaims lofty ideals while his every act belies his words. He has publicly presented a budget, reckless and rank in its extravagance. He seeks to strangle the great fiscal departments of government, embedded in the constitution, with officers elected by the people, and to raise to the zenith of power the utterly useless and extravagant department of revenue. Wherever possible he grasps a straw or secures a job to advance his personal fortunes and to further build and expand the inefficient and extravagant Pinchot Machine.

I again quote from the eloquent opinion of Chief Justice Black heretofore refered to:

"There is nothing more easy than to imagine a thousand tyrannical things which the Legislature may do, if its members forget all their duties; disregard utterly the obligations they owe to their constituents, and recklessly determine to trample upon right and justice. But to take away the power from the legislature because they may abuse it, and give to the judges the right of controlling it, would not be advancing a single step, since the judges can be imagined to be as corrupt and as wicked as legislators. * * * What is worse still, the judges are almost entirely irresponsible, and heretofore they have been altogether so, while the members of the legislature, who would do the imaginary things referred to, would be scourged into retirement by their indignant masters.'"

I like those wordse "Scourged into retirement." To me it is reminiscent of the day 1900 years ago when the "Man of Galilee" entered into the Temple and "scourged" the corruptionists of his day and drove from the Temple those who exchanged money and those who sold doves. Lest we be scourged by our masters, the people, let the Senate of Pennsylvania turn an electric current of legislative power into the temple of official life of Pennsylvania, and "scourge" those who carelessly or recklessly are wasting the peoples' money.

I am talking to you today because Governor Pinchot is clearly understood in Dauphin County. My constituency is unique. On the public payroll at all times are approximately 2500 men and women accredited to Dauphin County. When Governor Pinchot took office in 1931 there were hundreds of men and women on the State payroll who had been there for ten, twenty and thirty years; many of them originally appointed from other counties, who had in the course of time changed their residence and had become Dauphin Countians by adoption. Therefore, we have in Dauphin County, a kind of official class, men and women retained in office because of fitness and not because of politics. They were the back bone, and not the heads of executive departments and bureaus. But all this has been changed. The experts are largely gone. Many of them are walking the streets of Harrisburg seeking jobs and some of them are begging bread. And in their shoes are place-holders, many of them incompetent and useless, so that executive departments exclusively under the Governor are becoming extravagant and tyrannical. Mr. President, I am fighting this fight on the floor of the Senate not only for the rights, but even for the very lives of my people.

Not only must this Legislature afford adequate relief for the unemployed, but we must relieve the burden of local taxation. This Legislature must not adjourn until these ends have been accomplished, and in order to enact this necessary legislation the unreasonable exercise of the veto must be curbed.

The people of Dauphin County have long since recognized the fact that a large part of the ills from which Pennsylvania suffers is due to the fact that we have a Governor who is neither fish nor fowl; one who did not let the people of Pennsylvania know until the vote was half counted whether he was for Hoover or Roosevelt or Cox or Thomas.

I trust that the Legislature of Pennsylvania will consider Dauphin County's appeal and that in the interests of the unemployed and as well in the interests of the over-burdened taxpayer, we may be sure that Governor Pinchot, when this Legislature adjourns, will not find himself on Elba but safely confined on some political St. Helena.

BILL INTRODUCED

Mr. BUCKMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 1476, entitled:

An Act to amend section seventeen of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (Pamphlet Laws, five hundred seven), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting interest-bearing accounts in banks,

banking institutions, savings institutions, and trust companies after June first, one thousand nine hundred thirty-five.

Which was committed to the Committee on Finance.

REPORTS FROM COMMITTEES

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Judiciary General, reported as amended, Senate Bill No. 1421 (House Bill No. 1188), entitled:

An Act exempting shoe repairing machinery and tools and the appurtenances thereto, leased, loaned, hired or conditionally sold, from levy or sale on execution or distress for rent.

Also from the Committee on Public Roads and Highways re-reported as committed, Senate Bill No. 1258 (House Bill No. 1775), entitled:

An Act authorizing agreements between the Department of Highways and local authorities to provide for the construction and maintenance of streets and highways in cities, counties, boroughs, towns and townships, under certain conditions; providing for assessments on abutting property owners; and making an appropriation.

Also from the Committee on Public Road and Highways re-reported as amended, Senate Bill No. 263, entitled:

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto; requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined; providing for the suspension of operators' license and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer, and prothonotaries; and prescribing penalties.

BILL INTRODUCED

Mr. NORTON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. NORTON read in his place and presented to the Chair Senate Bill No. 1477, entitled:

An Act to amend section four hundred forty-three of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schols, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers; and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," changing the personnel of the State Workmen's Insurance Board, prescribing their length of term, the method of filling a vacancy on the board, the election by the board of a manager and prescribing certain of his powers and duties.

Which was committeed to the Committee on Finance.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until nine o'clock this evening.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 1009, entitled:

An Act fixing the minimum salaries of county and assistant county superintendents for the first year of their terms which will begin on the first Monday of July one thousand nine hundred thirty-four providing for the payment of such minimum salaries by the Commonwealth and temporarily superseding any inconsistent acts and parts of acts.

House Bill No. 30, entitled:

An Act to amend section two thousand five hundred and fifty-six of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," providing for the fixing of the salary of the city treasurer as collector of city, school and poor taxes and for the number and salaries of assistants jointly by the city council and board of school directors, and for payment of such salaries and other expenses in connection with his office equally by the city and school districts, and requiring the city and school district to pay the premiums on the bonds required to be given to the city and school district.

House Bill No. 80, entitled:

An Act making an appropriation to the Kittanning General Hospital, Kittanning, Pennsylvania.

House Bill No. 118, entitled:

An Act making an appropriation to the Nason Hospital Association of Roaring Spring, Blair County, Pennsylvania.

House Bill No. 252, entitled:

An Act making an appropriation to the Westmoreland Hospital Association of Greensburg Pennsylvania.

House Bill No. 275, entitled:

An Act making an appropriation to the Mount Sinai Hospital of Philadelphia Pennsylvania.

House Bill No. 283, entitled:

An Act making an appropriation to the Westmoreland Children's Aid Society at Greensburg Pennsylvania

House Bill No. 284, entitled:

An Act to amend route 64097 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (Act No. 203) entitled "Rural State Highway Laws."

House Bill No. 295, entitled:

An Act making an appropriation to the York Hospital West College Avenue York Pennsylvania

House Bill No. 301, entitled:

An Act making an appropriation to the Christian H. Buhl Hospital, Sharon, Pennsylvania.

House Bill No. 302, entitled:

An Act making an appropriation to the Brookville Hospital Brookville Pennsylvania.

House Bill No. 303, entitled

An Act making an appropriation to the Pennsylvania Memorial Home of Brookville, Pennsylvania.

House Bill No. 304, entitled:

An Act making an appropriation to the Adrian Hospital Association of Punxsutawney Jefferson County Pennsylvania.

House Bill No. 322, entitled:

An Act making an appropriation to the Baby Welfare Association of Philadelphia.

House Bill No. 349, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania.

House Bill No. 353, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education.

House Bill No. 356, entitled:

An Act making and appropriation to the Pennsylvania Home Teaching Society and Free Circulating Library for the Blind at Philadelphia.

House Bill No. 377, entitled:

An Act making an appropriation to the Florence Crittenton Home of Erie, Pennsylvania.

House Bill No. 378, entitled:

An Act making an appropriation to the Zem Zem Hospital for Crippled Children of Erie, Pennsylvania.

House Bill No. 381, entitled:

An Act making an appropriation to the Erie Home for the Friendless of the City of Erie Pennsylvania.

House Bill No. 391, entitled:

An Act making an appropriation to the Erie Infants' Home and Hospital of Erie, Pennsylvania.

House Bill No. 404, entitled:

An Act making an appropriation to the Ellwood City Hospital of Ellwood City Pennsylvania.

House Bill No. 409, entitled:

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital at Wilkes-Barre Pennsylvania.

House Bill No. 412, entitled:

An Act making an appropriation to the Chester Day Nursery and Children's Home at Chester, Pennsylvania.

House Bill No. 414, entitled:

An Act making an appropriation to the Suburban General Hospital, of Bellevue, Allegheny County, Pennsylvania.

House Bill No. 416, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries.

House Bill No. 418, entitled:

An Act making an appropriation to the Hamot Hospital Association, of Erie, Pennsylvania.

House Bill No. 453, entitled:

An Act making an appropriation to the Coatesville Hospital, Coatesville, Pennsylvania.

House Bill No. 458, entitled:

An Act making an appropriation to the Home for the Veterans of the Grand Army of the Republic and Wives, Philadelphia, Pennsylvania.

House Bill No. 466, entitled:

An Act making an appropriation to the Centre County Hospital located at Bellefonte Centre County Pennsylvania

House Bill No. 467, entitled:

An Act making an appropriation to the Indiana Hospital of Indiana County Pennsylvania

House Bill No. 471, entitled:

An Act making an appropriation to the Homeopathic Hospital, West Chester, Chester County, Pennsylvania.

House Bill No. 472, entitled:

An Act making an appropriation to the Phoenixville Hospital, Phoenixville, Chester County, Pennsylvania.

House Bill No. 474, entitled:

An Act making an appropriation to the Corry Hospital Association of Corry Pennsylvania

House Bill No. 485, entitled:

An Act making an appropriation to the Home for the Friendless of Harrisburg, Pennsylvania.

House Bill No. 486, entitled:

An Act making an appropriation to the Harrisburg Polyclinic Hospital of Harrisburg, Pennsylvania.

House Bill No. 493, entitled:

An Act making an appropriation to the Henry Clay Frick Memorial Hospital at Mount Pleasant, Pennsylvania.

House Bill No. 497, entitled:

An Act making an appropriation to the Pittsburgh Hospital Association, Pittsburgh, Pennsylvania.

House Bill No. 498, entitled:

An Act making an appropriation to the Belvedere General Hospital of Pittsburgh Allegheny County Pennsylvania

House Bill No. 503, entitled:

An Act making an appropriation to the Johnson Industrial School of Scranton Pennsylvania.

House Bill No. 507, entitled:

An Act making an appropriation to the Sewickley Valley Hospital Association, Incorporated, of Allegheny County, Pennsylvania.

House Bill No. 509, entitled:

An Act making an appropriation to the Home for Friendless Children of Lancaster, Pennsylvania.

House Bill No. 510, entitled:

An Act making an appropriation to the Lancaster County Tuberculosis Society.

House Bill No. 516, entitled:

An Act making an appropriation to the Saint Vincent's Hospital Association of the City of Erie Pennsylvania

House Bill No. 519, entitled:

An Act making an appropriation to the Quakertown Hospital Association, Quakertown, Pennsylvania.

House Bill No. 520, entitled:

An Act making an appropriation to the Grand View Hospital, located near Sellersville, Bucks County, Pennsylvania.

House Bill No. 521, entitled:

An Act making an appropriation to the Tabor Home for Children, Doylestown, Bucks County, Pennsylvania.

House Bill No. 533, entitled:

An Act making an appropriation to the Mary M. Packer Hospital, Sunbury, Pennsylvania.

House Bill No. 538, entitled:

An Act making an appropriation to the Allegheny Valley Hospital, at Tarentum, Pennsylvania.

House Bill No. 540, entitled:

An Act making an appropriation to the Jamison Memorial Hospital Association New Castle Pennsylvania.

House Bill No. 542, entitled:

An Act making an appropriation to the Women's Homeopathic Hospital Philadelphia (now known as Broad Street Hospital) Philadelphia Pennsylvania.

House Bill No. 543, entitled:

An Act making an appropriation to the Pennsylvania Seamen's Friend Society of Philadelphia, Pennsylvania.

House Bill No. 545, entitled

An Act making an appropriation to the Lock Haven Hospital, Lock Haven, Pennsylvania.

House Bill No. 546, entitled:

An Act making an appropriation to the Renovo Hospital Renovo Pennsylvania

House Bill No. 547, entitled:

An Act making an appropriation to the Mercy Hospital of Philadelphia, Pennsylvania.

House Bill No. 551, entitled:

An Act making an appropriation to the York Society to Protect Children and Aged Persons of York Pennsylvania

House Bill No. 552, entitled:

An Act making an appropriation to the Children's Home of the City of York Pennsylvania

House Bill No. 556, entitled:

An Act making an appropriation to the J. C. Blair Memorial Hospital of Huntingdon Pennsylvania.

House Bill No. 557, entitled:

An Act making an appropriation to the Homestead Hospital Homestead Pennsylvania.

House Bill No. 560, entitled:

An Act making an appropriation to the Providence Hospital Beaver Falls Pennsylvania.

House Bill No. 561, entitled:

An Act making an appropriation to the Rochester General Hospital of Rochester Beaver County Pennsylvania.

House Bill No. 562, entitled:

An Act making an appropriation to the Beaver Valley General Hospital, at New Brighton, Pennsylvania.

House Bill No. 563, entitled:

An Act making an appropriation to the Beaver County Children's Home, at New Brighton, Pennsylvania.

House Bill No. 577, entitled:

An Act making an appropriation to the Mercy Hospital of Altoona, Pennsylvania.

House Bill No. 581, entitled:

An Act making an appropriation to the Children's Home of Harrisburg Pennsylvania.

House Bill No. 582, entitled:

An Act making an appropriation to the Harrisburg Hospital Harrisburg Pennsylvania.

House Bill No. 584, entitled:

An Act making an appropriation to the Altoona Hospital, of Altoona, Pennsylvania.

House Bill No. 621, entitled:

An Act making an appropriation to the Hahnemann Hospital, City of Scranton, Pennsylvania.

House Bill No. 622, entitled:

An Act making an appropriation to the Frederick Douglass Memorial Hospital and Training School at Philadelphia Pennsylvania.

House Bill No. 633, entitled:

An Act making an appropriation to the Pottstown Homeopathic Hospital, Pottstown, Pennsylvania.

House Bill No. 634, entitled:

An Act making an appropriation to the Pottstown Hospital Pottstown Pennsylvania

House Bill No. 636, entitled:

An Act making an appropriation to the Philadelphia Association for the Protection of Colored Women, Philadelphia, Pennsylvania.

House Bill No. 638, entitled:

An Act making an appropriation to the Pennsylvania Working Home for Blind Men, Philadelphia, Pennsylvania.

House Bill No. 646, entitled:

An Act making an appropriation to the McKeesport Hospital Pennsylvania

House Bill No. 653, entitled:

An Act making an appropriation to the Pottsville Hospital Pottsville Pennsylvania

House Bill No. 661, entitled:

An Act making an appropriation to the Children's Hospital Bainbridge Street Philadelphia Pennsylvania

House Bill No. 662, entitled:

An Act making an appropriation to the Bethel Orphanage located at Osceola Tioga County Pennsylvania

House Bill No. 665, entitled:

An Act making an appropriation to the Taylor Hospital Association of the Borough of Taylor Lackawanna County Pennsylvania

House Bill No. 667, entitled:

An Act making a nappropriation to the Pittsburgh and Allegheny Home for the Friendless Pittsburgh Pennsylvania

House Bill No. 668, entitled:

An Act making an appropriation to the Presbyterian Hospital of Pittsburgh Pennsylvania

House Bill No. 682, entitled:

An Act making an appropriation to the Mercy Hospital Wilkes-Barre Pennsylvania

House Bill No. 685, entitled:

An Act making an appropriation to the Northern Home for Friendless Children of Philadelphia Pennsylvania

House Bill No. 686, entitled:

An Act making an appropriation to the Memorial Hospital at Roxborough Philadelphia Pennsylvania

House Bill No. 715, entitled:

An Act making an appropriation to the Passavant Hospital of Pittsburgh, Pennsylvania.

House Bill No. 719, entitled:

An Act making an appropriation to the Grove City Hospital, in the Borough of Grove City, Pennsylvania.

House Bill No. 735, entitled:

An Act making an appropriation to the Taylor Hospital, Ridley Park, Delaware County, Pennsylvania.

House Bill No. 741, entitled:

An Act making an appropriation to the General Hospital, East Stroudsburg, Monroe County, Pennsylvania.

House Bill No. 745, entitled:

An Act making an appropriation to the Pittston Hospital Association of the City of Pittston, Pennsylvania.

House Bill No. 754, entitled:

An Act making and appropriation to the George Junior Republic Association of Western Pennsylvania.

House Bill No. 766, entitled:

An Act making an appropriation to the Lewistown Hospital, Lewistown, Pennsylvania.

House Bill No. 770, entitled:

An Act making an appropriation to the Benevolent Association's Home for Children, Pottsville, Pennsylvania.

House Bill No. 809, entitled:

An Act making an appropriation to the Temple University Garreston Hospital, Philadelphia, Pennsylvania.

House Bill No. 820, entitled:

An Act making an appropriation to the Home for Aged of Westmoreland County

House Bill No. 853, entitled:

An Act making an appropriation to the Children's Home of Easton Pennsylvania (formerly the Easton Home for Friendless Children)

House Bill No. 854, entitled:

An Act making an appropriation to the Home of Aged and Infirm Women of Easton Pennsylvania

House Bill No. 863, entitled:

An Act making an appropriation to the Northern Liberties Hospital, Philadelphia, Pennsylvania.

House Bill No. 865, entitled:

An Act making an appropriation to the Trustees of the A. C. Millikin Hospital Pottsville Pennsylvania (formerly the Anthracite Hospital)

House Bill No. 867, entitled:

An Act making an appropriation to the Chambersburg Hospital, at Chambersburg, Pennsylvania.

House Bill No. 868, entitled:

An Act making an appropriation to the Waynesboro Hospital Waynesboro Pennsylvania

House Bill No. 874, entitled:

An Act making an appropriation to the Children's Aid Society of Franklin County, Pennsylvania.

House Bill No. 907, entitled:

An Act making an appropriation to the Simon H. Barnes Memorial Hospital of Susquehanna Pennsylvania

House Bill No. 934, entitled:

An Act making an appropriation to the Braddock General Hospital Braddock Pennsylvania

House Bill No. 951, entitled:

An Act making an appropriation to the Western Pennsylvania Hospital, Pittsburgh, Pennsylvania.

House Bill No. 978, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy and Osteopathic Hospital of Philadelphia

House Bill No. 980, entitled:

An Act making an appropriation to the Saint Christopher's Hospital for Children, Philadelphia, Pennsylvania.

House Bill No. 983, entitled:

An Act making an appropriation to the Saint John's General Hospital of Pittsburgh, Pennsylvania.

House Bill No. 994, entitled:

An Act making an appropriation to the Christian Home of Johnstown, Pennsylvania.

House Bill No. 1003, entittled:

An Act making an appropriation to the Butler County Memorial Hospital, Butler, Butler County, Pennsylvania.

House Bill No. 1012, entitled:

An Act making an appropjriation to The United States Charities of Hazelton Pennsylvania.

House Bill No. 1016, entitled:

An Act making an appropriation to the Pittsburgh Homeopathic Medical and Surgical Hospital, Pittsburgh, Pennsylvania.

House Bill No. 1024, entitled:

An Act making an appropriation to the Delaware County Hospital, Lansdowne Avenue and Garrett Road, Upper Darby, Delaware County, Pennsylvania.

House Bill No. 1055, entitled:

An Act making an appropriation to the Nazarene Home for the Aged, at Philadelphia, Pennsylvania.

House Bill No. 1113, entitled:

An Act making an appropriation to the Warren General Hospital of Warren, Pennsylvania.

House Bill No. 1132, entitled:

An Act making an appropriation to the Northwestern General Hospital of Philadelphia, Pennsylvania.

House Bill No. 1141, entitled:

An Act making an appropriation to the Stetson Hospital of Philadelphia, Pennsylvania.

House Bill No. 1144, entitled:

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia, Pennsylvania.

House Bill No. 1174, entitled:

An Act making an appropriation to the Kensington Hospital for Women, Philadelphia, Pennsylvania.

House Bill No. 1181, entitled:

An Act making an appropriation to the Frankford Hospital located at Frankford Philadelphia Pennsylvania

House Bill No. 1184, entitled:

An Act to amend section five of the act, approved the fifteenth day of April, one thousand eight hundred and forty-five (P. L. 459), entitled "A supplement to an act, entitled 'An act relating to executions,' passed the sixteenth day of June, A. D., one thousand eight hundred and thirty-six," by permitting attachment of salary or wages of State employes in excess of one hundred dollars.

House Bill No. 1329, entitled:

An Act making an appropriation to the Kane Summit Hospital Association of Kane McKean County Pennsylvania

House Bill No. 1341, entitled:

An Act making an appropriation to the Hanover General Hospital of Hanover York County Pennsylvania

House Bill No. 1388, entitled:

An Act making an appropriation to the Good Samaritan Hospital Lebanon Pennsylvania.

House Bill No. 1464, entitled:

An Act making an appropriation to the Meadville Children's Aid Society and Home for the Aged Meadville Crawford County Pennsylvania.

House Bill No. 1465, entitled:

An Act making an appropriation to the Spencer Hospital Meadville Meadville Pennsylvania.

House Bill No. 1467, entitled:

An Act making an appropriation to the Titusville Hospital, at Titusville, Pennsylvania.

House Bill No. 1481, entitled:

An Act making an appropriation to the Berean Manual Manual Training and Industrial School.

House Bill No. 1484, entitled:

An Act making an appropriation to the Working Men's Home for the Aged, located at Warrington, Bucks County, Pennsylvania.

House Bill No. 1503, entitled:

An Act making an appropriation to the Julia White Priscilla Home for Aged Colored People located at LaMott, Montgomery County, Pennsylvania.

House Bill No. 1510, entitled:

An Act making an appropriation to the Montgomery Hospital at Norristown, Montgomery County, Pennsylvania.

House Bill No. 1533, entitled:

An Act making an appropriation to the Bradford Hospital, Bradford, Pennsylvania.

House Bill No. 1534, entitled:

An Act making an appropriation to the Beacon Light Mission near the city of Bradford Pennsylvania.

House Bill No. 1555, entitled:

An Act making an appropriation to the Children's Home Society of Pennsylvania.

House Bill No. 1724, entitled:

An Act making an appropriation to the Ohio Valley General Hospital at McKees Rocks Pennsylvania.

House Bill No. 2105, entitled:

An Act making an appropriation to the Elk County General Hospital Ridgway Pennsylvania.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C Shannon) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on Law and Order, re-reported as committed, Senate Bill No. 1450, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for the collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts districts attorneys corporate authorities of political sub-divisions of the State and election officers providing penalties and repealing existing acts

RECONSIDERATION OF SENATE BILL No. 1450

Mr. STAUDENMEIER. Mr. President, I move to reconsider the vote by which Senate Bill No. 1450, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale transportation and distribution of such beverages imposing license fees and providing for collections and distribution of revenues therefrom restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys legislative bodies of political subdivisions of the State and election officers providing penalties and repealing existing acts.

passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. STAUDENMEIER. Mr. President, I voted "aye."

Mr. ARON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. STAUDENMEIER. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. STAUDENMEIER. Mr. President, I now move to reconsider the vote by which the amendments adopted in the Committee of the Whole, were agreed to.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill as amended?

It was not agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

BILL RECOMMITTED

Mr. STAUDENMEIER. Mr. President, I move that Senate Bill No. 1450 be recommitted to the Committee on Law and Order.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. STAUDENMEIER. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on Law and Order, re-reported as amended, Senate Bill No. 1450, entitled:

An Act to regulate and restrain the traffic in malt, brewed and vinous and fruit juice beverages as herein defined; providing for the licensing of the sale, and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the state and election officers; providing penalties; and repealing existing acts.

Mr. WILLIAMSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WILLIAMSON, from the Committee on Education, re-reported as amended, Senate Bill No. 1324 (House Bill No. 1888), entitled:

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith"; extending the time within which school districts of the second class may levy their taxes; conferring jurisdiction upon certain courts to review the budgets of school districts of second, third and fourth classes and relating to the effect of the institution of such proceedings upon contracts, agreements, undertakings, and the tax levy made during their pendency.

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Finance, reported as committed, Senate Bill No. 1349 (House Bill No. 2155) entitled:

An Act to amend section twenty of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by abolishing the fee payable to police officers for killing and disposing of unlicensed dogs.

Also from the Committee on Finance, re-reported as committed, Senate Bill No. 1377 (House Bill No. 1196) entitled:

An Act to amend section three of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing certain duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," providing that such distributors may deposit bonds of the United States or of this Commonwealth in lieu of surety bonds.

Also from the Committee on Finance, reported as committed Senate Bill No. 1465, entitled:

An Act to amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting interest bearing accounts in any bank or banking institution, savings institution or trust company from taxation under the provisions of said act.

Also from the Committee on Finance, reported as committed, Senate Bill No. 1472, entitled:

An Act to amend section one of the act approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting interest bearing accounts in any bank or banking institution, savings institution or trust company from taxation under the provisions of said act.

Also from the Committee on Finance, reported as committed, Senate Bill No. 1476, entitled:

An Act to amend section seventeen of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (Pamphlet Laws, five hundred seven), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting interest-bearing accounts in banks, banking institutions, savings institutions, and trust companies after June first, one thousand nine hundred thirty-five.

Also from the Committee on Finance, reported as committed, Senate Bill No. 1477, entitled:

An Act to amend section four hundred forty-three of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and re-organizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," changing the personnel of the State Workmen's Insurance Board, prescribing their length of term, the method of filling a vacancy on the board, the election by the board of a manager and prescribing certain of his powers and duties.

Mr. HOWELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1428 (House Bill No. 712), entitled:

An Act to establish as a State highway a certain section of public road in the County of Lackawanna and providing for its construction and maintenance at the expense of the Commonwealth.

Also from the Committee on Judiciary General, reported as amended, Senate Bill No. 1463, entitled:

An Act declaring it to be a misdemeanor for accountants or auditors to issue or permit to be issued false financial statements.

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1464, entitled:

An Act to amend the act approved the twenty-ninth day of March, one thousand eight hundred and ninety-nine (P. L. 21), entitled "An act to establish a board for the examination of accountants, to provide for the granting of certificates to accountants, and to provide a punishment for the violation of this act," by adding thereto a section providing penalties for issuing or permitting to be issued a false financial statement.

RESOLUTION RECALLING FROM THE HOUSE OF REPRESENTATIVES HOUSE BILL No. 1104

Mr. SCOTT. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 26, 1933.

Resolved (if the House of Representatives concur), That House Bill No. 1104, entitled: "An Act to amend sections one and two as amended and section seventy of the act approved the seventh day of June, one thousand nine hundred and eleven (P. L. 680), entitled "An act providing for the examination, licensure and registration of persons, forms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules and regulations and requirements for the construction of plumbing, house drainage and cesspools in cities of the first class and imposing fines, penalties and forfeitures for violation thereof," by including water piping, additions, alterations and repairs to plumbing, house drainage, water-piping, cesspools, wastes, traps or vents, changing the terms of the certificate of master plumbers, changing the fees for examinations, requirements for registration and re-registration of master plumbers and journeymen and providing for the penalty for the violation of the provisions herein," be recalled from the House of Representatives for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILL No. 598

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 598, Printer's No. 497, entitled "An act to amend sections one hundred and sixty-four one hundred and sixty-five and one hundred and sixty-six of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred eighty-two) entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' by making unlawful the counterfeiting altering and uttering of scrip and possession of materials for falsely making the same."

GIFFORD PINCHOT.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 361

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 361, Printer's No. 521, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

Which was laid on the table.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 389

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 389, Printer's No. 510, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL No. 389

Mr. ROBERTS. Mr. President, I move to reconsider the vote by which Senate Bill No. 389 passed finally.

The PRESIDENT. How did the Senator vote?

Mr. ROBERTS. Mr. President, I voted "aye."

Mr. BAUMER. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BAUMER. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. ROBERTS. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. ROBERTS. Mr. President, I voted "aye."

Mr. BAUMER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BAUMER. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. ROBERTS. Mr. President, I ask unanimous consent to amend section 3, page 5, line 1, by striking out after the word "or" and before the word "by" the following: "[sporsored]" and inserting in lieu thereof the word: "sponsored."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 388

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 388, Printer's No. 509, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL No. 388

Mr. ROBERTS. Mr. President, I move to reconsider the vote by which Senate Bill No. 388, passed finally.

The PRESIDENT. How did the Senator vote?

Mr. ROBERTS. Mr. President, I voted "aye."

Mr. MANSFIELD. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. MANSFIELD. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. ROBERTS. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. ROBERTS. Mr. President, I voted "aye."

Mr. MANSFIELD. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. MANSFIELD. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. ROBERTS. Mr. President, I ask unanimous consent to amend section 9, page 14, by striking out lines 15, 16, and 17 and inserting in lieu thereof the following: "preceding the date of his application and is a resident of the city then such person shall be eligible for reinstatement in the discretion of the civil service commis-."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 223

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 223, Printer's No. 277, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

Which was laid on the table.

APPROVAL OF SENATE BILL No. 639

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 639, Printer's No. 529, entitled "An Act relating to insurance companies exchanges associations, societies, orders and individuals under the supervision of the Insurance Department; authorizing the Insurance Commissioner during the existing emergency to suspend laws relating to certain payments by insurers and to impose conditions upon the conduct of the business of insurance; and providing penalties."

GIFFORD PINCHOT.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1051

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1051, entitled:

An Act to amend section seven of the act, approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled "Uniform Primary Election Law," as amended; by increasing the number of signers required for certain nomination petitions.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1788

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1788, entitled:

An Act to further amend Sections three and four of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" by making the moneys in the Motor License Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1791

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1791, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1925

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1925, entitled:

An Act authorizing persons employed under any system of State work relief to work out the per capita school taxes of himself and members of his family; and providing for the payment of such taxes.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 2107

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2107, entitled:

An Act to further amend section six hundred and three of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled, as amended, "Insurance Department Act of 1921," by further regulating the licensing of insurance agents.

HOUSE CONCURS IN SENATE BILL No. 375

He also returned to the Senate, Senate Bill No. 375, entitled:

An Act fixing and regulating the fees, commissions, mileage and other costs chargeable by sheriffs for their official acts and the services of their deputies, watchmen, appraisers and other agents, requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the counties, including the compensation of special deputies; providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to their counties for certain fees and commissions collected and repealing inconsistent laws, general, special or local.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 625

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 26, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 625, entitled "An Act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts recorders of deeds and certain State departments, commissions and officers establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," be recalled from the Governor for the purpose of amendment.

CORRECTING PRINTING ERRORS IN LAWS

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Judiciary General:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That where any law shall have been finally enacted and it shall be ascertained that such law is technically defective in form or contains misspelled words or typographical errors, or the plural or singular appears where the opposite should be used, the Secretary of the Commonwealth, in punctuating and editing such law, shall have authority, with the approval of the Attorney General and the Director of the Legislative Reference Bureau, to correct the original copy of such law as filed in the Department of State if such correction will not in any manner affect or change the meaning, intent or substance of such law; and be it further

Resolved, That whenever any correction on any law is made as hereinbefore authorized, a notation thereof shall be made on the original copy by the Secretary of the Commonwealth together with his signature, followed by the approval and signatures of the Attorney General and the Director of the Legislative Reference Bureau.

HOUSE APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon the amendments made by the House to Senate Bill No. 246, entitled:

An Act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto

And has appointed Messrs. Blumberg, Sterling and Spann a Committee of Conference to confer with a similar committee of the Senate (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL No. 571

He also informed the Senate that the House of Representatives has non-concurred in amendments made by the Senate to House Bill No. 571, entitled:

An Act to amend section one hundred and seventy-one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law" as amended, by decreasing and limiting the compensation of the members of the board of viewers in counties of the third, fourth, fifth, sixth, seventh and eighth classes.

Mr. MILLER. Mr. President, I move that the Senate insist upon its amendments to House Bill No. 571.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1741

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 1741, Printer's No. 837, entitled:

An Act to amend section ten as amended of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "Sproul State Highway Law," by providing for the construction and maintenance of certain bridges in boroughs by the Commonwealth.

be recalled from the Senate for the purpose of further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows considered and agreed to:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 1119, Printer's No. 140, entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens, in the several cities of the third class of this Commonwealth and validating such improvements, assessments, claims and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessments and claims.

be recalled from the Senate for the purpose of futher consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS TO SENATE BILL No. 489

He also presented communication from the House of Representatives, informing the Senate that House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 489, entitled:

An Act establishing as State highways certain condemned or abandoned turnpikes, and turnpikes the companies or associations owning which have been dissolved, and requiring their construction, repair and maintenance as such.

MOTION TO APPOINT COMMITTEE OF CONFERENCE

Mr. GELDER. Mr. President, I move that the Senate insist upon it non-concurrence in the amendments to the foregoing bill, and that a committee of conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Gelder, Scott and Buckman be said Committee on the part of the Senate and that the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 58 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 58, entitled:

An Act to amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," as amended, by changing the compensation of Members of the General Assembly.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend Section 1, page 2, line 13, by striking out after the figure "($3,000)" the following: "two thousand five hundred dollars ($2,500)" and inserting in lieu thereof the following: "two thousand seven hundred dollars ($2,700)."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 678 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 678, entitled:

An Act to amend sections four hundred and twenty-two and four hundred and twenty-three of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; removing the expenditure limit within which counties may contribute to the cost of the funerals of deceased service persons.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 3, line 9, by striking out the light faced bracket after the word "facts" and before the word "Provided"; also line 14, by striking out after the word "exceed" the word "four" and inserting in lieu thereof the word "five"; also by striking out the light faced bracket after the word "dollars."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—0

NAYS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 793 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 793, entitled:

An Act to amend Section Two of the Act approved the twenty-second day of June, A. D. One thousand nine hundred thirty-one (Pamphlet Laws seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A. and third class as state highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 2, line 11, by inserting after the word "routes" the following: "and adding certain new routes"; also section 1, page 6, line 12, by inserting after the word "miles" the following: "Beginning at a point on Lehigh Street on the dividing line between the City of Allentown and Salisbury Township thence over Lehigh Street to the intersection of [Wyoming Street and Lehigh Street thence over Wyoming Street to the intersection of Wyoming Street and South Eighth Street thence over South Eighth Street to the intersection of South Eighth Street and continuance of Lehigh Street thence over Lehigh Street to the intersection of] Lehigh Street and Auburn Street in the City of Allentown a distance of about [1.09] 2.96 miles Beginning at a point on the Concord Township-Corry line thence northerly on Union Street to West Church Street thence northeasterly on West Church Street to [Lemon] Northwest Street thence northerly on [Lemon] Northwest Street to West Pleasant Street thence easterly on West Pleasant Street to Center Street thence northerly on Center Street to East Main Street thence in a general easterly direction on East Main Street to the Corry City-Warren County line in the City of Corry a distance of about 2.76 miles"; also page 7, line 8, by striking out after the word "mile" the following: "Section 2 This act shall become effective upon its approval by the Governor" and inserting in lieu thereof the following: "Beginning at a point on South Twenty-fourth Street on the dividing line between the City of Allentown and Salisbury Township thence north on Twenty-fourth Street to Elm Street thence east on Elm Street to Twenty-third Street thence north on Twenty-third street to Hamilton Street in the City of Allentown a distance of about .7 of a mile Beginning at a point on Third Avenue on the dividing line between the City of Allentown and Salisbury Township thence south on Third Avenue to Lehigh Avenue in the City of Allentown a distance of about 1.27 miles Beginning at a point on West Emaus Avenue on the dividing line between the City of Allentown and Salisbury Township thence over West Emaus Avenue to East Emaus Avenue thence over East Emaus Avenue to a point on the dividing line between the City of Allentown and Salisbury Township a distance of about 2.60 miles Beginning at a point on Fullerton Avenue on the dividing line between the City of Allentown and Whitehall Township thence over Fullerton Avenue and Front Street to the intersection of Front Street and Tilghman Street in the City of Allentown a distance of about 0.50 of a mile Beginning at a point on Schoenersville Road on the dividing line between the City of Allentown and Hanover Township thence over Schoenersville Road to the intersection of Schoenersville Road and Union Boulevard in the City of Allentown a distance of about 0.55 of a mile."

"Beginning at a point on Irving Street on the dividing line between the City of Allentown and Hanover Township thence over Irving Street to the intersection of Irving Street and Union Boulevard in the City of Allentown a distance of about 0.50 of a mile Beginning at a point on Frankstown Road on the dividing line between the City of Altoona and Logan Township thence northwesterly over Frankstown Road to the intersection of Frankstown Road and Plank Road in the City

of Altoona a distance of about 0.28 of a mile Beginning at a point on California Avenue on the dividing line between the City of Altoona and Allegheny Township thence easterly over California Avenue to the intersection of California Avenue and Fifty-eighth Street thence northerly over Fifty-eighth Street to the intersection of Fifty-eighth Street and Sixth Avenue in the City of Altoona a distance of about 0.54 of a mile Beginning at a point on Fortieth Street on the dividing line between the City of Altoona and Logan Township thence southeasterly over Fortieth Street to the intersection of Fortieth Street and Broad Avenue thence northeasterly over Broad Avenue to the intersection of Broad Avenue and Twenty-fourth Street in the City of Altoona a distance of about 1.65 miles Beginning at a point on Thirty-first Street on the dividing line between the City of Altoona and Logan Township thence southeasterly over Thirty-first Street to the intersection of Thirty-first Street and Walnut Avenue thence northeasterly over Walnut Avenue to the intersection of Walnut Avenue and Twenty-ninth Street thence southeasterly over Twenty-ninth Street to the intersection of Twenty-ninth Street and Broad Avenue in the City of Altoona a distance of about 0.61 of a mile Beginning at a point on Wopsononock Avenue on the dividing line between the City of Altoona and Logan Township thence southwesterly over Wopsononock Avenue to the intersection of Wopsononock Avenue and Ivyside Drive thence southeasterly over Ivyside Drive to the intersection of Ivyside Drive and Twenty-fifth Avenue thence southwesterly over Twenty-fifth Avenue to the intersection of Twenty-fifth Avenue and Wopsononock Avenue thence southerly over Wopsonock Avenue to the intersection of Wopsononock Avenue and Fourth Street thence southeasterly over Fourth Street to the intersection of Fourth Street and Howard Avenue thence westerly over Howard Avenue to the intersection of Howard Avenue and Eleventh Street thence southerly over Eleventh Street to the intersection of Eleventh Street and Thirteenth Avenue thence westerly over Thirteenth Avenue to the intersection of Thirteenth Avenue and Sixteenth Street thence southerly over Sixteenth Street to the intersection of Sixteenth Street and Twelfth Avenue thence westerly over Twelfth Avenue to the intersction of Twlfth Avenue and Eighteenth Street in the City of Altoona a distance of about 2.74 miles Beginning at a point on Sixth Avenue on the dividing line between the City of Altoona and Logan Township thence southwesterly over Sixth Avenue to the intersection of Sixth Avenue and Lloyd Street in the City of Altoona a distance of about 0.26 of a mile"

"Beginning at a point on Sixth Avenue on the dividing line between the City of Altoona and Allegheny Township thence over Sixth Avenue to the intersection of Sixth Avenue and Union Avenue in the City of Altoona a distance of about 2.25 miles Beginning at a point on Plank Road on the dividing line between the City of Altoona and Logan Township thence northeasterly over Plank Road to the intersection of Plank Road and Logan Avenue in the City of Altoona a distance of about 0.16 of a mile Beginning on Thirty-seventh Street at the dividing line between the Borough of West Mayfield and the City of Beaver Falls thence over Thirty-seventh Street to an intersection with Fourth Avenue in the City of Beaver Falls a distance of about 0.34 of a mile Beginning at a point on Steffin Hill Road on the dividing line between the City of Beaver Falls and White Township thence over Steffin Hill Road to the intersection of Twenty-fourth Street extension and Steffin Hill Road thence along Twenty-fourth Street extension to the intersection of Twenty-fourth Street extension and Twenty-fourth Street thence along Twenty-fourth Street to the intersection of Twenty-fourth Street and Seventh Avenue in the City of Beaver Falls a distance of about 0.37 of a mile Beginning at a point on Center Street on the dividing line between the City of Bethlehem and Hanover Township thence over Center Street to the intersection of Center Street and East Elizabeth Avenue in the City of Bethlehem a distance of about 2.10 miles Beginning at a point on City Line Road on the dividing line between the city line of Bethlehem and Bethlehem Township thence over City Line Road to the intersection of City Line Road and Nazareth Pike in the City of Bethlehem a distance of about 0.40 of a mile Beginning at a point on Applebutter Road on the dividing line between the City of Bethlehem and Lower Saucon Township thence over Applebutter Road to the intersection of Applebutter Road and Shimersville Road thence over Shimersville Road to the intersection of Shimersville Road and Hellertown Road in the City of Bethlehem a distance of about 1.25 miles Beginning at a point on Schoenersville Road on the dividing line between the City of Bethlehem and Hanover Township thence over Schoenersville Road to the intersection of Schoenersville Road and Mauch Chunk Road thence over Mauch Chunk Road to the intersection of Mauch Chunk Road and West Elizabeth Avenue thence over West Elizabeth Avenue to the intersection of Main Street in the City of Bethlehem a distance of about 2.60 miles Beginning at a point on Friedensville Road on the dividing line between the City of Bethlehem and Lower Saucon Township thence over Friedensville Road to a point on the dividing line of Bethlehem City and Hellertown Borough in the City of Bethlehem and Lower Saucon Township a distance of about 1.00 mile

"Beginning at a point on Easton Road on the dividing line between the City of Bethlehem and Lower Saucon Township thence over Easton Road to Cherry Lane thence over Cherry Lane to Hellertown Road in the City of Bethlehem a distance of about 1.30 miles Beginning at a point on West Corydon Street on the dividing line between the City of Bradford and Bradford Township thence over West Corydon Street to the intersection of West Corydon Street and South Avenue in the City of Bradford a distance of about 0.32 of a mile Beginning at a point on Seward Avenue on the dividing line between the City of Bradford and Foster Township thence over Seward Avenue and North Kendall Avenue to the intersection of North Kendall Avenue and Main Street in the City of Bradford a distance of about 0.68 of a mile Beginning at a point on Washington Street on the dividing line between the City of Bradford and Bradford Township thence over Washington Street to the intersection of Washington Street and Inter-State Parkway in the City of Bradford a distance of about 0.26 of a mile Beginning at a point on the dividing line between the City of Butler and Butler Township at the intersection of Lewis and Hansen Avenues thence over Hansen Avenue to the intersection of Hansen Avenue and Pillow Street thence over Pillow Street to the intersection of Pillow Street and Fifth Avenue thence over Fifth Avenue to the intersection of Fifth Avenue and New Castle Street in the City of Butler a distance of about 0.91 of a mile Beginning at a point on Center Avenue on the dividing line between the City of Butler and Butler Township thence over Center Avenue to an intersection with Fairview Avenue thence over Fairview Avenue and the viaduct crossing the Baltimore and Ohio Railroad Bessemer and Lake Erie Railroad and Connoquenessing Creek to Wayne Street thence over Wayne Street to an intersection of Wayne and Main Streets in the City of Butler Butler County a distance of about 1.07 miles Beginning at a point on Zeigler

Avenue the dividing line between the City of Butler and Butler Township thence over Zeigler Avenue to an intersection with the continuation of State-aid Application 405 at the intersection of Zeigler and Center Avenues in the City of Butler Butler County a distance of about 0.55 of a mile Beginning at a point on Wayne Street on the dividing line between the City of Carbondale and Jefferson Township thence northerly over Wayne Street thence northwesterly over Salem Avenue to the intersection of Salem Avenue and Main Street in the City of Carbondale a distance of about 1.1 miles Beginning at a point on the Upland Borough-Chester Township-Chester City line thence southerly along the Chester City-Chester Township line to an intersection with Concord Avenue on the Chester City-Chester Township line a distance of about 0.20 of a mile Beginning at a point in Chester City at the bridge over Ridley Creek on the Nether Providence-Chester City line thence southerly on Chestnut Street to the intersection of Chestnut Street and Providence Road in the City of Chester a distance of about 0.35 of a mile"

"Beginning at a point the intersection of the Upper Chichester Township Chester Township and Chester City lines thence in an easterly direction on Chichester Road and on the Chester Township-Chester City line to a point on Chichester Road about 900 feet west of its intersection with Concord Road beginning again at a point on Chester Township-Chester City line thence in a southerly direction on Engle Street to an intersection at Ninth and Engle Streets in the City of Chester Delaware County a distance of about .68 of a mile Beginning at a point on Route 02182 on the dividing line between the City of Clairton and Jefferson Township thence easterly to an intersection with State Street thence over State Street to the intersection of State Street and Walnut Street in the City of Clairton a distance of about 0.91 of a mile Beginning at a point on Route 02081 on the dividing line between the City of Clairton and Jefferson Township thence in a northeasterly direction to an intersection with State Street in the City of Clairton a distance of about 0.13 of a mile Beginning at a point on the Coatesville City-Valley Township line thence in a southwesterly direction on Black Horse Road in a westerly direction on Elm Street and in a southerly direction on Fifth Avenue to the intersection of Fifth Avenue and Lincoln Highway in the City of Coatesville Chester County a distance of about .58 of a mile Beginning at a point on West Chester Road on the South Coatesville Borough-Coatesville City line thence over West Chester Road to Oak Street thence over Oak Street to Eighth Avenue thence over Eighth Avenue to the intersection of Eighth Avenue and Lincoln Highway in the City of Coatesville a distance of about 0.59 of a mile Beginning at a point on First Avenue on the South Coatesville Borough-Coatesville City line thence over First Avenue to the intersection of First Avenue and Lincoln Highway in the City of Coatesville a distance of about 1.31 miles Beginning at a point on Olive Street on the Cain Township-Coatesville City line thence over Olive Street to 13th Avenue thence over 13th Avenue to the intersection of 13th Avenue and Lincoln Highway in the City of Coatesville a distance of about 0.19 of a mile Beginning at a point on Valley Road on the dividing line between the City of Coatesville and Valley Township thence along the aforesaid dividing line and continuing over Valley Road to the intersection of Valley Road and Strode Avenue in the City of Coatesville a distance of about 0.64 of a mile Beginning at a point on Crawford Avenue on the dividing line between the City of Connellsville and Dunbar Township thence over Crawford Avenue to the intersection of West Crawford Avenue and Ninth Street in the City of Connellsville a distance of 0.34 of a mile"

"Beginning at a point on the dividing line between the city of Connellsville and Connellsville Township at the end of State-aid Application 563 thence along the City line to an intersection with Pittsburgh Street thence southerly over Pittsburgh Street to the intersection of Pittsburgh Street and Crawford Avenue in the City of Connellsville a distance of about 0.76 of a mile Beginning at a point on West Main Street on the dividing line between the City of Corry and Concord Township thence over West Main Street to the intersection of West Main and Centre Streets in the City of Corry Erie County a distance of about 1.02 miles Beginning at a point on West Columbus Avenue on the dividing line between the City of Corry and Wayne Township thence over West Columbus Avenue to the intersection of West Columbus Avenue and North Centre Street in the City of Corry Erie County a distance of about 0.89 of a mile Beginning at a point on North Centre Street on the dividing line between the City of Corry and Wayne Township thence over North Centre Street to the intersection of North Centre Street and Columbus Avenue in the City of Corry Erie County a distance of about 0.37 of a mile Beginning at a point on South Centre Street on the dividing line between the City of Corry and Concord Township thence over South Centre Street to the intersection of South Centre and Pleasant Streets in the City of Corry Erie County a distance of about 0.90 of a mile Beginning at a point on East Du Bois Avenue on the dividing line between the City of Du Bois and Sandy Township thence over East Du Bois Avenue to the intersection of East Du Bois Avenue and First Street in the City of Du Bois a distance of about 0.93 of a mile Beginning at a point on First Street on the dividing line between the City of Du Bois and Sandy Township thence over First Street to the intersection of First Street and East and West Du Bois Avenue in the City of Du Bois a distance of about 0.53 of a mile Beginning at a point on Kennedy Avenue on the dividing line between the City of Duquesne and Mifflin Township thence over Kennedy Avenue to an intersection with Duquesne Avenue in the City of Duquesne a distance of about 0.85 of a mile Beginning at a point on Rural Route 02082 on the dividing line between Mifflin Township and the City of Duquesne thence in a southeasterly direction to a point on Commonwealth Avenue thence over Commonwealth Avenue to an intersection of Commonwealth Avenue and Duquesne Boulevard in the City of Duquesne a distance of about 0.61 of a mile Beginning at a point on Old Philadelphia Road on the dividing line between Williams Township and the city of Easton thence over the Old Philadelphia Road to the intersection of Smith Avenue and the Old Philadelphia Road (also known as Folk Street) thence over Smith Avenue to the intersection of Third Street and Smith Avenue in the City of Easton a distance of about 1.03 miles Beginning at a point on the Bushkill Drive on the dividing line between the City of Easton and Forks Township thence over Bushkill Drive to the intersection of Thirteenth Street and Bushkill Drive thence over Thirteenth Street to the intersection of Thirtieth Street and Northampton Street in the City of Easton a distance of about 1.04 miles"

"Beginning at a point on Hackett Avenue on the dividing line between Palmer Township and the City of Easton (Hackett's Park) thence over Hackett Avenue to the dividing line between the City of Easton and Wilson Borough thence beginning again on Wood Avenue on the dividing line be-

tween the Borough of Wilson and the City of Easton thence over Wood Avenue to the intersection of Wood Avenue and Thirteenth Street the extension of Route 48021 in the City of Easton a distance of about 0.70 of a mile Beginning at a point on Thirty-eighth Street on the dividing line between the City of Erie and Mill Creek Township thence over Thirty-eighth Street to an intersection with Pittsburgh Avenue thence over Pittsburgh Avenue to the intersection of Pittsburgh Avenue and Twenty-sixth Street in the City of Erie Erie County a distance of about 0.77 of a mile Beginning at a point on Lake Pleasant Road on the dividing line between the City of Erie and Mill Creek Township thence over Lake Pleasant Road to the intersection of Lake Pleasant and Wattsburg Roads in the City of Erie Erie County a distance of about 0.30 of a mile Beginning at a point on Twelfth Street on the dividing line between the city of Erie and Mill Creek Township thence over Twelfth Street to an intersection with Liberty Street thence over Liberty Street to Park Avenue South thence over Park Avenue South to Poplar Street thence over Poplar Street to an intersection with Sixth Street beginning again on Liberty Street at the intersection of Liberty Street and Twelfth Street thence over Liberty Street to an intersection with West Twenty-sixth Street in the city of Erie Erie County a distance of about 3.20 miles Beginning at a point on Third Street on the dividing line between the City of Franklin and Sandy Creek Township thence over Third Street to Liberty Street thence over Liberty Street to the intersection of Liberty and Eighth Streets in the City of Franklin a distance of about 0.80 of a mile Beginning at a point on the Humphrey Road on the dividing line between the City of Greensburg and Hampfield Township thence over the Humphrey Road to the intersection of the Humphrey Road and East Pittsburgh Street in the City of Greensburg a distance of about 0.03 of a mile Beginning at a point on Stanton Avenue on the Greensburg City-Southwest Greensburg Borough-Hempfield Township lines thence over Stanton Avenue along the Greensburg City-Southwest Greensburg Borough lines to Hamilton Avenue thence over Hamilton Avenue to the intersection of Hamilton Avenue and West Newton Street in the City of Greensburg a distance of about 0.28 of a mile"

"Beginning at a point on Cameron Street on the dividing line between the City of Harrisburg and Susquehanna Township thence over Cameron Street to the intersection of Cameron Street and the approach to Thirteenth Street on the north side of the Soldiers and Sailors Memorial Bridge thence over the approach to the intersection of Thirteenth Street and State Street in the City of Harrisburg a distance of about 1.33 miles Beginning at a point on Herr Street on the boundary line between the City of Harrisburg and Susquehanna Township thence over Herr Street along the dividing line between the City of Harrisburg and Susquehanna Township to another point on the dividing line between the City of Harrisburg and Susquehanna Township thence over Herr Street to the intersection of Herr Street and Cameron Street in the City of Harrisburg a distance of about 0.94 of a mile Beginning at a point on Diamond Avenue on the dividing line between the City of Hazleton and Hazle Township thence westerly over Diamond Avenue to the intersection of Diamond Avenue and Church Street in the City of Hazleton a distance of about 1.1 miles Beginning at a point on the Jeansville Road on the dividing line between the City of Hazleton and Hazle Township thence northerly over Jeansville Road thence northerly over Poplar Street to the intersection of Poplar Street and Broad Street in the City of Hazleton a distance of about 1.2 miles Beginning at a point on Solomon Street on the dividing line between the City of Johnstown and Stony Creek Township thence westerly over Solomon Street to the intersection of Solomon Street and Buck Avenue thence southerly over Buck Avenue to the intersection of Buck Avenue and Bedford Street in the City of Johnstown a distance of about 0.76 of a mile Beginning at a point on Polecat Road on the dividing line between the City of Johnstown and Middle Taylor Township thence southerly over Polecat Road to the intersection of Polecat Road and Iron Street thence southeasterly over Iron Street to the intersection of Iron Street and Fourth Avenue thence southwesterly over Fourth Avenue to the intersection of Fourth Avenue and Broad Street in the City of Johnstown a distance of 0.49 of a mile Beginning at a point on Fairfield Avenue on the dividing line between the City of Johnstown and Lower Yoder Township thence easterly over Fairfield Avenue to the intersection of Fairfield Avenue and Strayer Street in the City of Johnstown a distance of about 0.28 of a mile Beginning at a point on Marietta Avenue on the dividing line between the City of Lancaster and Lancaster Township thence over Marietta Avenue to the intersection of Marietta Avenue and Columbia Avenue in the City of Lancaster a distance of about 0.55 of a mile"

"Beginning at a point on South Duke Street on the dividing line between the City of Lancaster and Lancaster Township thence over South Duke Street to the intersection of South Duke Street and East King Street in the City of Lancaster a distance of about 1.30 miles Beginning at a point on Wabank Street on the dividing line between the City of Lancaster and Lancaster Township thence over Wabank Street to the intersection of Wabank Street and West Hazel Street thence over West Hazel Street to the intersection of West Hazel Street and South Prince Street in the City of Lancaster a distance of about 0.79 of a mile Beginning at a point on East Orange Street on the dividing line between the City of Lancaster and Lancaster Township thence over East Orange Street to the intersection of East Orange Street and North Franklin Street thence over North Franklin Street to the intersection of North Franklin Street and East King Street in the City of Lancaster a distance of about 0.31 of a mile Beginning at a point on a public street on the dividing line between the City of Lebanon and South Lebanon Township thence to the intersection with Pershing Avenue thence over Pershing Avenue to the intersection of Pershing Avenue and Lincoln Avenue thence over Lincoln Avenue to the intersection of Lincoln Avenue and Cumberland Street in the City of Lebanon a distance of about 0.55 of a mile Beginning at a point at the intersection of Lehman Street and Sixteenth Street on the dividing line between the City of Lebanon and West Lebanon Township thence over Sixteenth Street along the dividing line between the City of Lebanon and West Lebanon Township thence over Sixteenth Street along the dividing line between the City of Lebanon and West Lebanon Township to the intersection of Sixteenth Street and Cumberland Street in the City of Lebanon a distance of about 0.45 of a mile Beginning at a point at the intersection of Chestnut Street and Sixteenth Street on the dividing line between the City of Lebanon and North Cornwall Township thence over Sixteenth Street along the dividing line between th e City of Lebanon and North Cornwall Township to the intersection of Sixteenth Street and Cumberland Street in the City of Lebanon a distance of about 0.07 of a mile Beginning at a point on Oak Street at the dividing line between the City of Lebanon and North Cornwall Township thence over Oak Street along the dividing line between the City of Lebanon and North Cornwall

Township thence over Oak Street to the intersection of Oak Street and Twelfth Street thence over Twelfth Street to the intersection of Twelfth Street and Cumberland Street in the City of Lebanon a distance of about 0.91 of a mile Beginning at a point on Quentin Road on the dividing line between the City of Lebanon and North Cornwall Township thence over Quentin Road to the intersection of Quentin Road and Colebrook Road in the City of Lebanon a distance of about 0.26 of a mile"

"Beginning at a point on Hanna Street on the dividing line between the City of Lock Haven and Castanea Township thence over Hanna Street to the intersection of Hanna Street and Water Street in the City of Lock Haven a distance of about 0.40 of a mile Beginning at a point on Hill Street (Saint Marys Street) on the dividing line between the City of Lock Haven and Allison Township thence over Hill Street to the intersection of Hill Street and Susquehanna Avenue in the City of Lock Haven a distance of about 0.07 of a mile Beginning at a point on Sugar Run Road on the dividing line between the City of Lock Haven and Allison Township thence over Sugar Run Road to the intersection of Sugar Run Road and Susquehanna Avenue in the City of Lock Haven a distance of about 0.08 of a mile Beginning at a point on Rogers Ferry Road on the dividing line between the City of Meadville and Vernon Township thence over Rogers Ferry Road to an intersection with Lincoln Avenue thence over Lincoln Avenue to an intersection with Race Street over Race Street to an intersection with Terrace Street thence over Terrace Street to an intersection with Spring Street thence over Spring Street to the intersection of Spring and Baldwin Streets in the City of Meadville Crawford County a distance of about 1.07 miles Beginning at a point on North Main Street on the dividing line between the City of Meadville and West Mead Township thence over North Main Street to the intersection of North Main and North Streets in the City of Meadville Crawford County a distance of about 1.22 miles Beginning at a point on Alden Street on the dividing line between the City of Meadville and West Mead Township thence over Alden Street to an intersection with Chestnut Street thence over Chestnut Street to an intersection at Chestnut Street and Park Avenue in the City of Meadville Crawford County a distance of about 0.97 of a mile Beginning at a point on Williamson Road on the dividline between the City of Meadville and West Mead Township thence over Williamson Road to Poplar Street thence over Poplar Street to an intersection at Poplar and Liberty Streets in the City of Meadville Crawford County a distance of about 0.36 of a mile Beginning at a point on Schoonmaker Avenue on the dividing line between the City of Monessen and Rostraver Township thence westerly over Schoonmaker Avenue to Clarendon Avenue thence over Clarendon Avenue or the Monessen-Bellevernon Road to a point on the dividing line between the City of Monessen and Rostraver Township a distance of about 2.34 miles Beginning at a point on East Main Street on the dividing line between Carroll Township and the City of Monongahela thence in a northwesterly direction over East Main Street to the intersection of East Main Street and Cemetery Street in the City of Monongahela a distance of about one mile"

"Beginning at a point on West Main Street on the dividing line between the City of Nanticoke and Newport Township thence northeasterly over West Main Street thence easterly over East Main Street to the intersecton of East Main Street and Rural Route 40033 at the City of Nanticoke-Hanover Township line a distance of about 1.60 miles Beginning at a point on Front Street on the dividing line between the City of Nanticoke and Hanover Township thence westerly over Front Street thence northerly over Espy Street to the intersection of Espy Street and Middle Road in the City of Nanticoke a distance of about 1.0 miles Beginning at a point on the Middle Road on the dividing line between the City of Nanticoke and Newport Township thence easterly over the Middle Road to the intersection of the Middle Road and Espy Street in the City of Nanticoke a distance of about 1.0 mile Beginning at a point on Pennsylvania Avenue on the dividing line between the City of New Castle and Shenango Township thence over Pennsylvania Avenue and Long Avenue thence over Long Avenue to the intersection of Long Avenue and Moravia Street in the City of New Castle a distane of about 0.81 of a mile Beginning at a point on Moravia Street on the dividing line between the City of New Castle and Shenango Township thence over Moravia Street to the intersection of Moravia Street and Jefferson Street thence over Jefferson Street to the intersection of Jefferson Street and Washington Street in the City of New Castle a distance of about 1.43 miles Beginning at a point on Highland Avenue on the dividing line between the City of New Castle and Neshannock Township thence over Highland Avenue to the intersection of Highland Avenue and North Mill Street thence over North Mill Street to the intersection of North Mill Street and Washington Street in the City of New Castle a distance of about 2.01 miles Beginning at a point on the Frew Mill Road on the dividing line between the City of New Castle and Shenango Township thence over the Frew Mill Road to the intersection of Frew Mill Road and Cascade Street thence over Cascade Street to the intersection of Cascade Street and Butler Avenue in the City of New Castle a distance of about 0.40 of a mile Beginning at a point on Washington Street on the dividing line between the City of New Castle and Union Township thence over Washington Street to the intersection of Washington Street and Atlantic Avenue in the City of New Castle a distance of about 0.70 of a mile Beginning at a point on West First Street on the dividing line between the City of Oil City and Cranberry Township thence over West First Street to the intersection of West First and Petroleum Streets in the City of Oil City Venango County a distance of about 1.96 miles"

"Beginning at a point on Innis Street on the dividing line between the City of Oil City and Cranberry Township thence over Innis Street to an intersection with a continuation of Rural Route 60024 at Innis and West First Streets in the City of Oil City Venango County a distance of about 0.72 of a mile Beginning at a point on Halyday Street on the dividing line between the City of Oil City and Cornplanter Township thence over Halyday Street to the intersection of Halyday and Main Streets in the City of Oil City Venango County a distance of about 0.49 of a mile Beginning at a point on East Bissel Avenue Extension (not yet opened) on the dividing line between the City of Oil City and Cornplanter Township thence over East Bissel Avenue Extension (not yet opened) to East Bissel Avenue thence over East Bissel Avenue to the intersection of East Bissel Avenue and Harriot Avenue in the City of Oil City a distance of about 1.7 miles Beginning at a point on Allegheny Avenue on the dividing line between the City of Oil City and Cranberry Township thence over Allegheny Avenue to East Fourth Street thence over East Fourth Street to Wilson Avenue thence over Wilson Avenue to an intersection at Wilson Avenue and East Second Street in the City of Oil City Venango County a distance of

about 0.65 of a mile Beginning at a point on Plumer Street on the dividing line between the City of Oil City and Cornplanter Township thence over Plumer Street to Bissel Avenue thence over Bissel Avenue to Harriot Avenue thence over Harriot Avenue to Spring Street thence over Spring Street to Center Street thence over Center Street to the intersection of Center and Seneca Streets in the City of Oil City a distance of about 1.4 miles Beginning at a point on Brierly Street on the dividing line between the City of Pittsburgh Munhall Borough and Mifflin Township thence over Brierly Street to the intersection of Brierly Street and Interboro Street in the City of Pittsburgh a distance of about 0.07 of a mile Beginning at a point on Route 02114 on the dividing line between the City of Pittsburgh and Reserve Township thence to an intersection with Mount Pleasant Road thence over Mount Pleasant Road to the intersection of Mount Pleasant Road and East Street in the City of Pittsburgh a distance of about 0.40 of a mile Beginning at a point at the intersection of Troy Hill Road and Wicklines Lane on the dividing line between the City of Pittsburgh and Reserve Township thence along Wicklines Lane to the intersection of Wicklines Lane and the Spring Garden Road in the City of Pittsburgh a distance of about 0.40 of a mile Beginning at a point on Blackadore Street on the dividing line between the City of Pittsburgh and Penn Township thence over Blackadore Street to the intersection of Blackadore Street and Frankstown Avenue in the City of Pittsburgh a distance of about 0.32 of a mile Beginning at a point on Cready Street on the dividing line between the City of Pittsburgh and Baldwin Township thence over Cready Street to the intersection of Cready Street and Baldwin Road thence over Baldwin Road to an intersection with Irwin Street in the City of Pittsburgh a distance of about 0.44 of a mile"

"Beginning at a point on Agnew Road on the dividing line between the City of Pittsburgh and Baldwin Township thence over Agnew Road to the intersection of Agnew Road and Becks Run Road in the City of Pittsburgh a distance of about 0.04 of a mile Beginning at a point on South Main Street on the dividing line between the City of Pittston and Jenkins Township thence northeasterly over South Main Street to the intersection of South Main Street and Plank Street in the City of Pittston a distance of about 0.16 of a mile Beginning at a point on Railroad Street on the dividing line between the City of Pittston and Pittston Township thence northwesterly over Railroad Street to the intersection of Railroad and South Main Streets in the City of Pittston a distance of about 0.33 of a mile Beginning at a point on North Main Street on the dividing line between the borough of Duryea and the City of Pittston thence over North Main Street to the intersection of North Main and Exeter Streets in the City of Pittston a distance of about 1.25 miles Beginning at a point on Cressona Road on the dividing line between the City of Pottsville and North Manheim Township thence over Cressona Road to the intersection of Cressona Road and Hotel Street thence over Hotel street to the intersection of Hotel Street and Morris Street thence over Morris Street to the intersection of Morris Street and South Centre Street in the City of Pottsville a distance of about 0.90 of a mile Beginning at a point on North Centre Street on the dividing line between the City of Pottsville and Norwegian Township thence over North Centre Street to the intersection of North Centre Street and Nichols Street in the City of Pottsville a distance of about 0.50 of a mile Beginning at a point on Eagan Street on the dividing line between the City of Pottsville and Norwegian Township thence over Eagan Street to the intersection of Eagan Street and Peacock Street thence over Peacock Street thence over Peacock Street to the intersection of Peacock Street and North Centre Street in the City of Pottsville a distance of about 1.10 miles Beginning at a point on Mill Creek Avenue on the dividing line between the City of Pottsville and Norwegian Township thence over Mill Creek Avenue to the intersection of Mill Creek Avenue and Nichols Street in the City of Pottsville a distance of about 0.20 of a mile Beginning at a point on West Wood Road on the dividing line between the City of Pottsville and North Manheim Township thence over West Wood Road to the intersection of West Wood Road and West Market Street in the City of Pottsville a distance of about 0.80 of a mile Beginning at a point on Pricetown Road on the dividing line between the City of Reading and Muhlenberg Township thence over Pricetown Road to the intersection of Pricetown Road and Marion Street thence over Marion Street to the intersection of Marion Street and Ninth Street in the City of Reading a distance of about 1.50 miles"

"Beginning at a point on Kutztown Road on the dividing line between the City of Reading and Muhlenberg Township thence over Kutztown Road to the intersection of Kutztown Road and Ninth Street thence over Ninth Street to the intersection of Ninth Street and Eighth Street thence over Eighth Street to the intersection of Eighth Street and Spring Street thence over Spring Street to the intersection of Spring Street and Fifth Street in the City of Reading a distance of about 1.50 miles Beginning at a point on the dividing line between Dunmore Borough and the city of Scranton at or near Lake Scranton thence in a general northerly and northwesterly direction over a new street to be opened by the city to Moosic Street thence over Moosic Street to the intersection of Moosic Stret and Crown Avenue in the city of Scranton a distance of about 2.0 miles Beginning at a point on Keyser Avenue on the Taylor Borough-City of Scranton line thence over Keyser Avenue to the intersection of Keyser Avenue and Gorge Street in the City of Scranton a distance of about 3.26 miles Beginning at a point on [Electric] Green Ridge Street on the dividing line between the city of Scranton and the borough of Dunmore at the end of Route 676 [thence over Electric Street to the intersection of Electric Street and Wyoming Avenue thence over Wyoming Avenue to the intersection of Wyoming Avenue and Green Ridge Street] thence over Green Ridge Street to the intersection of Green Ridge Street and North Main Avenue thence over North Main Avenue to the intersection of North Main Avenue and West Market Street in the city of Scranton a distance of about 1.67 miles Beginning at a point on North Water Avenue on the dividing line between the City of Sharon and Hickory Township thence on North Water Avenue to an intersection of North Water Avenue and State Street in the City of Sharon Mercer County a distance of about 0.66 of a mile Beginning at a point on the Farrell City-Hickory Township line and running in a southwesterly direction on Mercer Avenue to a point on the Farrell City-Hickory Township line in the City of Farrell a distance of about .84 of a mile Beginning at a point on the Farrell City-Hickory Township line and running in a northwesterly direction on Division Street to a point on the Farrell City-Sharon City line in the city of Farrell a distance of about 1.24 miles"

"Beginning at a point on the intersection of Haywood Street and Broadway Street and running in an easterly direction on Haywood Street to the intersection of Haywood Street and

Division Street in the City of Farrell a distance of about 1.37 miles Beginning at a point on the Farrell City-Wheatland Borough line and running in a northwesterly and northerly direction on Broadway Street to a point on the Farrell City-Sharon City line in the City of Farrell a distance of about 1.48 miles Beginning at a point on the Farrell City-Sharon City line and running in a northerly direction on South Dock Street to the intersection of State Street and South Dock Street in the City of Sharon a distance of about .87 of a mile Beginning at a point on Catawissa Avenue on the dividing line between the City of Sunbury and Upper Augusta Township thence over Catawissa Avenue to the intersection of Catawissa Avenue and Market Street in the City of Sunbury a distance of about 0.72 of a mile Beginning at a point on North Fourth Street on the dividing line between the City of Sunbury and Upper August Township thence over North Fourth Street to the intersection of North Fourth Street and Market Street in the City of Sunbury a distance of about 1.05 miles Beginning at a point on Brook Street on the dividing line between the City of Titusville and Oil Creek Township thence over Brook Street to the intersection with an extension of Route 20104 at Brook and Franklin Streets in the City of Titusville Crawford County a distance of about 0.64 of a mile Beginning at a point on Church Run Street on the dividing line between the City of Titusville and Oil Creek Township thence over Church Run Street to Union Street thence over Union Street to Franklin Street thence over Franklin Street to the intersection of Franklin Street and Central Avenue in the City of Titusville Crawford County a distance of about 0.73 of a mile Beginning at a point on Allen Street on the dividing line between the City of Titusville and Cherrytree Township Venango County thence over Allen Street to Bloss Street thence over Bloss Street to Dairy Street thence over Dairy Street to Bank Street thence over Bank Street to Drake Street thence over Drake Street to Bloss Street thence over Bloss Street to the intersection of Bloss and Franklin Streets in the City of Titusville Crawford County a distance of about 1.11 miles Beginning at a point on Derrick Avenue on the dividing line between the City of Uniontown and South Union Towship thence over Derrick Avenue to the intersection with Berkeley Street thence over Berkeley Street to the intersection of Berkeley and Morgantown Streets in the City of Uniontown a distance of about 0.39 of a mile Beginning at a point on Edgewood Avenue on the dividing line between Washington City and South Strabane and North Franklin Townships thence over Edgewood Avenue to the intersection with South Main Street thence over South Main Street to the intersection of South Main Street and Park Avenue in the City of Washington a distance of about 0.39 of a mile"

"Beginning at a point on North Main Street on the dividing line between the City of Washington and South Strabane Township thence over North Main Street to an intersection at North Main and Chestnut Streets a distance of about 0.8 of a mile Beginning at a point on North Main Street on the dividing line between the City of Wilkes-Barre and Plains Township thence southwesterly over North Main Street to the intersection of North Main Street and Courtright Street in the City of Wilkes-Barre a distance of about 0.6 of a mile Beginning at a point on Mock Street on the dividing line between the City of Wilkes-Barre and Plains Township thence northwesterly over Mock Street thence southwesterly over South Columbia Street thence southwesterly over Main Street thence southwesterly over Scott Street (Parsons Road) to the intersection of Scott Street and Kidder Street in the City of Wilkes-Barre a distance of about 1.9 miles Beginning at a point on Northampton Street on the dividing line between the City of Wilkes-Barre and Wilkes-Barre Township thence northwesterly over Northampton Street thence southwesterly over Park Avenue to the intersection of Park Avenue and South Street in the City of Wilkes-Barre a distance of about 0.65 of a mile Beginning at the intersection of Carey Avenue and Horton Street thence along Horton Street to its intersection with South Main Street thence along South Main Street to its intersection with Blackman Street thence along Blackman Street to its intersection with Hazel Street in the City of Wilkes-Barre a distance of 1.25 miles Beginning at a point on the Blooming Grove Road on the dividing line between the City of Williamsport and Loyalsock Township thence over Blooming Grove Road and Market Street to the intersection of Market Street and Washington Boulevard in the City of Williamsport a distance of about 0.97 of a mile Beginning at a point on the Dougherty's Run Road on the dividing line between the City of Williamsport and Woodward and Old Lycoming Townships thence over the Dougherty's Run Road to the intersection of the Dougherty's Run Road and Jersey Shore Road in the City of Williamsport a distance of about 0.59 of a mile Beginning at a point on Ridge Avenue on the dividing line between the City of Williamsport and Old Lycoming Township thence over Ridge Avenue to the intersection of Ridge Avenue and West Fourth Street in the City of Williamsport a distance of about 0.55 of a mile Beginning at a point on Grampian Boulevard on the dividing line between the City of Williamsport and Loyalsock Township thence over Grampian Boulevard to the intersection of Grampian Boulevard and Market Street in the City of Williamsport a distance of about 1.45 miles"

"Beginning at a point on East Third Street on the dividing line between the City of Williamsport and Loyalsock Township thence over East Third Street to the intersection of East Third Street and Market Street in the City of Williamsport a distance of about 1.11 miles Beginning at a point on Bull Road on the boundary line between the City of York and West Manchester Township thence along said boundary line on Bull Road Fahs Street and Roosevelt Avenue to a point about eighty-five feet northwest of Elm Terrace thence over Roosevelt Avenue and North Penn Street to the intersection of North Penn and West Market Streets in the City of York a distance of about 1.54 miles Beginning at a point on North Sherman Street on the dividing line between the City of York and Spring Garden Township thence over North Sherman Street to the intersection of North Sherman and East Market Streets in the City of York a distance of about 0.4- of a mile Beginning at a point on Grantley Avenue on the dividing line between the city of York and Spring Garden Township thence over Grantley Avenue to Salem Road thence over Salem Road to West King Street thence over West King Street to South Penn Street thence over South Penn Street to the intersection of South Penn Street and West Market Street in the City of York a distance of about 0.68 of a mile Beginning at a point on Arch Street on the dividing line between the City of York and Spring Garden Township thence over Arch North Court and Washington Streets to the intersection of Washington and North George Streets in the City of York a distance of about 0.37 of a mile Beginning at a point on South Richland Avenue on the dividing line between the City of York and West Manchester Township thence over South Richland Avenue to the intersection of South Richland Avenue and West Market Street in the City of York a distance of about 0.35 of a mile Section 2 The streets established as State highways under the provisions of this act may be taken over for construction and maintenance

at any time subsequent to the approval of this act but shall be taken over not later than the fifteenth day of August one thousand nine hundred thirty-three"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 100 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 100, entitled:

An Act relating to the relief of the burden of local taxation; making an appropriation out of the Motor License Fund; providing for the allocation thereof to cities, towns, boroughs, and townships; prescribing the time, manner, basis and purposes for and upon which such said money shall be allocated and paid; specifying the uses for which said moneys may be expended; and imposing powers and duties upon the Department of Highways, the Auditor General, State Treasurer and on cities, boroughs, towns and townships and officers thereof; and providing penalties.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend preamble, page 2, line 19, by striking out after the word "of" the word "thirty" and inserting in lieu thereof the word "nineteen"; also by inserting after the word "million" the following: "two-hundred fifty thousand"; also page 3, line 3, by striking out after the word "thirty" in heavy-faced brackets the word "twenty-five" and inserting in lieu thereof the word "nineteen"; also by inserting after the word "million" the following: "two hundred fifty thousand"; also line 4, by striking out before the word "is" the figures "($25,000,000)" and inserting in lieu thereof "($19,250,000)"; also line 7, by inserting after the word "cities" the word "incorporated"; also line 15, by inserting after the word "borough" the word "incorporated"; also line 22, by striking out all of the line after "Section 3"; also by striking out all of lines 23 to 28 inclusive; also by striking out the first two words of line 29; and inserting in lieu thereof the following: "Of the nineteen million two hundred and fifty thousand dollars ($19,250,000) thus appropriated and transferred the sum of three million dollars ($3,000,000) shall be allocated to cities of the first class one million five hundred thousand dollars ($1,500,000) to cities of the second class two hundred and fifty thousand dollars ($250,000) to cities of the second class A one million five hundred thousand dollars ($1,500,000) to cities of the third class two million two hundred and fifty thousand dollars ($2,250,000) to boroughs and incorporated towns seven hundred and fifty thousand ($750,000) to townships of the first class"; also page 4, line 29, by inserting after the word "borough" the word "incorporated"; also page 5, line 17, by striking out after the article "the" the word "exclusive"; also line 18, by inserting after the word "borough" the word "incorporated"; also line 19, by inserting after the word "paid" the following: "and shall be subject to the existing laws governing and regulating the expenditure of tax revenues for street and road purposes of the said cities boroughs incorporated towns and townships including the approval of the Department of Highways where required by existing law The proper officials shall at the time of fixing the tax rate for the years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five reduce said tax rates for road and street purposes by an amount equal to the amount received under the provisions of this act as compared with the amount levied for road and street purposes for the year one thousand nine hundred and thirty-two provided that a sufficient millage shall be levied to meet requirements of interst sinking fund and repayment of debts of the municipality and necessary expenditures for other than road purposes"; also page 6, line 6, by striking out after the word "upon" the following: "its passage and approval by the Governor" and inserting in lieu thereof the following "final enactment"

Ont the question,

Will the Senate concur in the amendments?

The yeas and nays weretaken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 802 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 802, entitled:

An Act to amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of

fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds"; by adding thereto section eight hundred twenty-four requiring certain vehicles to carry danger or caution signals and to display the same when the vehicle becomes disabled.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 3, line 21, by striking out after the word "highway" the following: "other than in a lighted district"; also line 23, by inserting after the word "and", the following: "its lighting is so disabled that it"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 206 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 206, entitled:

An Act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds and certain State departments, commissions and officers; authorizing certain local public offices and State departments to collect fees for services required to be rendered by this act, imposing penalties; and repealing certain acts and parts of acts relating to corporations.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line 3, by striking out after the word "consolidation" the word "division"; also Table of Contents, Article 5, page 4, line 18, by striking out after the word "of" the word "directors" and inserting in lieu thereof the word "Directors"; also line 27, by striking out after the word "Women" the words "may be" and inserting in lieu thereof the words "May Be"; also page 5, line 23, by striking out after the word "to" and before the word "Monthly" the word "make" and inserting in lieu thereof the word "Make"; also page 6, line 11, by striking out after the word "to" and before the word "Monthly" the word "make" and inserting in lieu thereof the word "Make"; also Article 1, of the General Provisions, page 10, line 9, by striking out after the word "Commonwealth" the following: "and such corporations shall not hereafter operate in any manner resulting in pecuniary profit or gain to its members"; also page 11, line 12, by striking out before the letter "D" the heavy faced bracket; also line 17, by striking out after the word "members" the heavy faced bracket; also page 12, line 14, by striking out after the word "force" the following: "so shall be considered as remaining continuously in force"; also line 19, by striking out after the word "be" the word "enjoyed"; also page 15, line 1, by striking out after the article "the" the word "metting" and inserting in lieu thereof the word "meeting"; also Article 2, page 16, by striking out the first word of the line "or"; also page 23, line 6, by striking out after the word "transmit" the article "the"; also line 24, by striking out after the word "of" and before the word "If" the word "deed" and inserting in lieu thereof the word "Deeds"; also page 25, line 18, by striking out after the article "the" the word "instruction" and inserting in lieu thereof the word "institution"; also page 26, line 4, by striking out after the word 'of" the word "Educaion" and inserting in lieu thereof the word "Education"; also page 27, line 9, by striking out after the word "of" the word "certain" and inserting in lieu thereof the word "Certain"; also page 32, line 21, by striking out out the heavy faced bracket before the figure "(6)"; also by inserting a heavy faced bracket after the figure "(6)" and before the word "Whenever"; also page 55, line 7, by striking out after the word "or" the word "colleytively" and inserting in lieu thereof the word "collectively"; also line 10, by inserting after the word "directors" the section following; "(g) The board of directors may by resolution adopted by a majority of the whole board delegate two or more of its number to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority of the board of directors in the management of the business of the corporation"; also line 13, by inserting after the word "office" the following: "without assigning any cause"; also line 15, by striking out after the word "at" the word "any" and inserting in lieu thereof the article "an"; also page 57, line 1, by striking out after the word "more' the word "officers" and inserting in lieu thereof the word "offices"; also line 15, by striking out after the word "of" the word "officers" and inserting in lieu thereof the word "Officers"; also page 59, line 3, by striking out after the word "Women" the words "may be" and inserting in lieu thereof the words "May Be"; also page 64, line 7, by inserting after the word "proxy" the following: "of a majority"; also page 67, line 6, by striking out the word "terms" at the beginning of the line and inserting in lieu thereof the word "term"; also page 71, line 3, by inserting after the word "corporation" the following: "or its representative"; also line 13, by inserting after the word "articles" the words "of amendment"; also page 72, line 20, by striking out after the article "the" the word "corporation" and inserting in lieu thereof the word "corporate"; also page 74, line 2, by striking out after the word "State" the following: "Amend section seven hundred two page fifty-six line twenty-five by striking"; also line 3 by striking out after the word "this" the word "section" and inserting in lieu thereof the word "article"; also line 17 by striking out after the word "this"

the word "section" and inserting in lieu thereof the word "article"; also line 28 by striking out after the word "which" the word "is" and inserting in lieu thereof the word "are"; also line 29 by striking out after the word "which" the word "does" and inserting in lieu thereof the word "do"; also page 75, line 3, by inserting after the word "purpose" the words "or purposes" line 5, by striking out after the word "new" the words "object to"; also by inserting after the word "purpose" the words "or purposes"; also line 6, by striking out after the word "corporation" the following: "and shall be as valid and binding as if it had been the original object or purpose for which the corporation had been incorporated"; also Article 8, page 77, line 18, by striking out after the word "joint" the word "agreement" and inserting in lieu thereof the word "plan"; also page 79, by striking out after the word "constituent" the word "corporation" and inserting in lieu thereof the word "corporations"; also line 25, by striking out after the article "the"; the word "constituent" and inserting in lieu thereof the word "surviving"; also line 28, by striking out after the article "the" and before the article "a" the word "corporation" and inserting in lieu thereof the following: "corporations or their representatives"; also page 80, line 3, by inserting after the word "corporations" the following: "or their representative"; also line 17, by inserting after the article "the" at the end of the line the following: "surviving or new"; also line 18, by inserting after the word "is" the words "to be"; also line 29, by striking out after the word "corporation' the word "Advertisement" and inserting in lieu thereof the word "Advertisements"; also page 81, line 14, by striking out after the article "the" and before the word "and" the word "prothnotary" and inserting in lieu thereof the word "prothonotary"; also page 83, line 14, by striking out after the word "or" and before the word "corporation" the word "that"; also line 19, by striking out after the word "consolidation" the following: "Amend section seven hundred three page sixty-one line two by striking"; also line 13, by inserting before the syllables "corpora" the following: "liabilities of the merging or consolidating"; also by striking out after the syllable "tions" in line 14 the following: "liabilities of the merging or consolidating"; also page 85, line 11, by striking out after the word "to" the word "make" and inserting in lieu thereof the word "Make"; also line 26, by striking out the word "section" at the beginning of the line and inserting in lieu thereof the word "article"; also by striking out the word "section" after the word "this" at the end of the line and inserting in lieu thereof the word "article"; also page 91, line 8, by striking out after the word ARTICLE the numeral "XI"; and inserting in lieu thereof the numeral "IX"; also Article 9, page 92, line 23, by inserting after the word "article" the following: "Provided that nothing herein contained shall be construed to refer or apply to any assumed or fictitious name required by law to be filed with the Department of State"; also page 95, line 2, by striking out after the letter "A" in heavy faced brackets the following: "On or before the day specified in the advertisement the"; also line 4, by striking out after the word "shall" the words "file with" and inserting in lieu thereof the word "deliver"; also page 96, line 16, by inserting after the word "shall" the following: "forthwith but not prior to the day specified in the advertisement heretofore required in this article"; also page 99, line 7, by striking out at the beginning of the line the following: "approve and file"; also line 8, by inserting after the word "shall" the following: "file the application and"; also page 100, line 5, by striking out after the word "nor" the word "authorized" and inserting in lieu thereof the word "authorize"; also line 23, by striking out after the word "such" the word "corporations" and inserting in lieu thereof the word "corporation"; also page 104, line 29, by striking out after the word "estate" the following: "but any real estate so purchased shall be sold and conveyed within ten years from the date of such purchase"; also Article 10, page 109, line 21, by inserting after the word "decree" the following: "or as soon thereafter as the matter may be heard"; also Article 11, page 113, line 15 by striking out after the article "the" the word "first" and inserting in lieu thereof the word "third"; also line 16 by striking out after the word "of" the word "January" and inserting in lieu thereof the word "July"; also by striking out after the word "hnudred" the word "thirty-four" and inserting in lieu thereof the word "thirty-three"; also by striking out all of lines 20 and 21; also page 121, line 26 by striking out after the word "under" the word "executions" and inserting in lieu thereof the word "execution"; also page 122, line 22 by inserting after the word "absolutely" the following: "The act approved the thirteenth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred ninety-four) entitled 'An act to authorize the chartering of associations of employees and to provide punishments for the fraudulent appropriation or use of their property' absolutely"; also page 137, line 29 by striking out after the word "of" the article "the" and inserting in lieu thereof the word "this"; also page 139, line 19 by striking out after the word "it" the word "relate" and inserting in lieu thereof the word "relates"; also page 141, line 11 by striking out after the word "alterations" the word "therto" and inserting in lieu thereof the word "thereto"; also page 145, line 19 by striking out after the word "certain" the word "corporations" and inserting in lieu thereof the word "corporations'"; also page 146, line 3 by striking out after the syllable "dred" the word "thirty-one)" and inserting in lieu thereof the word "thirty-nine)"; also page 148, by striking out all of lines 5 and 6.

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affrimative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 262 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 262, entitled:

An Act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the

conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaires of such courts, recorders of deeds, and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties and repealing certain acts and parts of acts relating to corporations.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title page 1, line 17, by striking out at the beginning of the line the following: "local public officers and"; also by inserting after the word "departments" the following: "boards commissions or officers"; also Table of Contents, Page 3, line 22, by striking out after the word "Reorganization" the word "Upon" and inserting in lieu thereof the word "upon"; also page 4, line 14, by striking out after the word "May" the word "be" and inserting in lieu thereof the word "Be"; also line 22, by striking out after the figure "505" the word "Election" and inserting in lieu thereof the word "Elections"; also page 5, line 6, by striking out after the word "Consideration" the word "or"; also line 10, by striking out after the word "Share" the word "Certificate" and inserting in lieu thereof the word "Certificates"; also line 24 by striking out after the word "Payable" the word "out" and inserting in lieu thereof the word "Out"; also page 7, line 7, by striking out after the word "Process" the word "Upon" and inserting in lieu thereof the word "upon"; also page 8, line 8, by striking out after the syllables "pealed" the following: "in so far as they relate to Business Corporations"; also Artcile 1, page 9, line 9 by striking out after the article "a" the word "croporation" and inserting in lieu thereof the word "corporation"; also Article 2, page 26, line -9, by striking out after the word "majority" the word "of"; also line 24, by striking out after the word "ten" the word "days" and inserting in lieu thereof the word "days'"; also Article 3, page 35, line 18, by striking out after the word "holders" the following: "enttled to vote thereon"; also page 37, line 16, by striking out after the word "board" the word "or" and inserting in lieu thereof the word "of"; also page 38, line 27, by striking out after the word "all" the word "other"; also page 45, line 21, by striking out after the word "be" the word "certified" and inserting in lieu thereof the word "verified"; also by striking out after the word "by" the words "an auditor" and inserting in lieu thereof the following: "a certified public accountant who is not a director or full-time employe of the corporation or by a firm of practicing public accountants at least one member of which is a certified public accountant The accountant or firm shall be"; also Article 4, page 47, line 6, by striking out ofter the word "board" the word "through" and inserting in lieu thereof the word "though"; also page 51, line 20, by striking out after the word "Women" the words "may be" and inserting in lieu thereof the words "May Be"; also Article 5, page 56, line 18, by striking out after the word "question" the word "of"; also page 71, line 17, by striking out after the word "legal" the word "newspapers" and inserting in lieu thereof the word "newspaper"; also page 72, line 14, by striking out after the word "Share" the word "Certificate" and inserting in lieu thereof the word "Certificates"; also Article 7, page 81, line 8, by inserting after the word "value" and before the word "or" a heavy faced bracket; also by striking out after the word "or" the heavy faced bracket; also Article 8, line 5, by striking out after the word "Amendment" the letter "A"; also page 100, line 9, by striking out after the word "on" in strike out brackets the following: "On or before the day specified in the advertisement the" and inserting in lieu thereof the article "The"; also line 12, by striking out after the word "advertisement" the following: "heretofore required in this article"; also Article 10, page 106, line 25, by striking out after the figure "1002" the word "Restoration" and inserting in lieu thereof the word "Restrictions"; also page 107, line 20, by inserting after the word "body" the word "voluntarily"; also page 108, line 2, by inserting after the word "act" the following: "Provided that nothing herein contained shall be construed to refer or apply to any asumed or fictitious name required by law to be filed with the Department of State"; also page 113, line 27, by striking out after the word "b" the words "the preceding" and inserting in lieu thereof the word "this"; also Article 11, page 124, line 13, by striking out after the word "all" the word "other"; also page 130, line 26, by striking out after the article "the" the word "legal" and inserting in lieu thereof the word "regular"; also page 132, line 8, by striking out after the word "state" the word "their" and inserting in lieu thereof the word "his"; also page 135, line 11, by striking out after the word "Remedies" the word "after" and inserting in lieu thereof the word "After"; also Article 12, page 136, line 8, by striking out after the article "the" the word "first" and inserting in lieu thereof the word "third"; also by striking out after the word "of" the word "January" and inserting in lieu thereof the word "July"; also line 9, by striking out after the word "and" the word "thirty-four" and inserting in lieu thereof the word "thirty-three"; also line 27, by striking out after the article "the" the word "Commonwealth" and inserting in lieu thereof the word "commonwealth"; also page 137, line 24, by striking out after the word "this" the word "Commonwealth" " and inserting in lieu thereof the word "commonwealth' "; also page 139, line 20, by striking out after the word "An" the word "act" and inserting in lieu thereof the word "Act"; also line 27, by striking out after the word "An" the word "act" and inserting in lieu thereof the word "Act"; also page 140, line 19, by striking out after word "this" the word "Commonwealth" and inserting in lieu thereof the word "commonwealth"; also page 141, line 20, by striking out after the word "mechanics" the word "license" and inserting in lieu thereof the word "liens"; also page 144, line 20, by striking out after the article "A" the word "Supplement" and inserting in lieu thereof the word "supplement"; also page 146, line 9, by striking out after the word "hundred" the word "eight-nine" and inserting in lieu thereo fthe word "eighty-nine"; alsa page 149, line 11, by striking out after the word "or" the word "ecmetery" and inserting in lieu thereof the word "cemetery"; also page 150, line 26, by striking out after word "Anno" the word "Dimini" and iserting in leiu thereof the word "Domini"; also page 154, line 11, by striking out after the word "hundred" the word "nienty-five)" and inserting in lieu thereof the word "nienty-nine)"; also page 161, line 9, by striking out after the word "estate" the word "mortgages" and inserting in lieu thereof the word "mortgagees"; also line 17, by striking out after the word "of" the word "burialgrounds" and inserting in lieu thereof the word "burial-grounds"; also line 24, by striking out after the word "Laws" the word "flive" and inserting in lieu thereof the word "five"; also page 163, line 22, by striking out after the word "and" the article "the"; also page 164, line 1, by striking out after the word "act" the following: "to extend the time during which tion"; and inserting in lieu thereof the following: "authorizing the merger and consolidation"; also page 168, line 16, by striking out after the word "inspection"

the word "examination" and inserting in lieu thereof the word "examination"; also page 171, line 19, by striking out after the word "day" the word "or" and inserting in lieu thereof the word "of"; also page 172, line 5, by striking out after the word "to" the word "provile" and inserting in lieu thereof the word "provide"; also page 174, line 10, by striking out after the article "the" the word "countersignatures" and inserting in lieu thereof the word "counter-signatures"; also page 176, line 10, by striking out after the word "eight)" the word "entitle" and inserting in lieu thereaf the word "entitled"; also page 177 line 11, by striking out at the beginning of the line the syllables "solidations" and inserting in lieu thereof the syllables "solidation"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 131 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives as follows: House Bill No. 131, entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens, in the several boroughs of this Commonwealth, and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessment and claims.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line 3, by striking out after the article "the" syllable "col"; also line 9, by striking out after the word "liens" the following: "providing for the filing of the claims"; also page 3, line 13, by inserting after the article "the" and before the word "borough" the words "said city"; also by inserting after the word "borough" and before the article "the" words "or township"; also line 14, by inserting after the article "the" and before the word "borough" the words "said city"; also by inserting after the word "borough" and before the word "to" the words "or township"; also section 2, page 7, line 23, by inserting after the word "therefor" the following: "if not heretofore filed"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitutions, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 647 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows: House Bill No. 647, entitled:

An Act to amend section three of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "Register of Wills Act of 1917," by requiring registers of wills to notify charitable institutions of devises and bequests to them.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line 9, by striking out after the word "notify" the words "charitable institutions" and inserting in lieu thereof the following: "bodies politic for religious or charitable uses"; also section 1, page 2, line 14, by inserting after the word "bequest" the following: "direct or in trust"; also line 14, by striking out after the word "politic" the following: "or to any person in trust"; also line 16, by striking out after the word "politic"; the words "or person"; also by inserting after the word "bequest" the following: "by mailing a notice thereof addressed to the last known address of such body politic"; also by striking out all of lines 18 and 19.

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 876 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows: House Bill No. 876, entitled:

An Act to amend sections one hundred ten, six hundred twelve, six hundred twenty-one, six hundred twenty-two, eight hundred eight, clause two of section one thousand five hundred and two, and sections one thousand seven hundred and fifteen, two thousand and sixty-three, and two thousand three hundred and two of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "First Class Township Law," regulating advertising, fixing the voting powers at county conventions of township officers; correcting certain section headings; providing the security to be given by depositories; prescribing penalties for the enforcement of ordinances, and for the delinquent taxes; permitting certain municipal claims to be embraced in one claim; and providing that the width of sidewalks may be fixed by resolution.

Said bill having been recalled from the Governor for amendment the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendment having been printed as required by the Constitution, were twice read as follows:

Amend title, page 2, line 6, by striking out after the word "three" the word "to"; and inserting in lieu thereof the word "of"; also page 12, line 21, by striking out after the word "void" the following: "the Commonwealth being" and inserting in lieu thereof "township which is a"; also page 20, by inserting after the word "thereon" the following: "Section 4 This act shall become effective immediately upon its final enactment"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

He also presented for concurrence bill of the House of Representatives, as follows: House Bill No. 1035, entitled:

An Act to amend section three hundred and two of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "Game Law" providing for the identification of persons applying for licenses.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 2, line 6, by striking out after the word "Commonwealth" the word "and"; also line 9, by striking out after the word "and" the word "establish" and inserting in lieu thereof the words "the establishment"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 1220 RECALED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1220, entitled:

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "Sproul State Highway Law," as amended, relieving boroughs and incorporated towns from the responsibility for maintenance of highways and bridges under the control of the Department of Highways of the Commonwealth of Pennsylvania.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 5, line 21, by striking out the light faced bracked before the word "boroughs"; also by striking out the light faced bracket after the word "towns"; also page 7, line 8, by inserting after the word "maintenance" the following: "of the base and surface course"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,

Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 1648 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1648, entitled:

An Act to amend Section 4 of the act approved the twelfth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, five hundred ten) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties by increasing the license fee to be collected by the Department of Welfare

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 2, line 15, by inserting after the word "Revenue" the following paragraph:

"All licenses issued by the department under this act shall expire one year next following the day on which issued shall be on a form prescribed by the department shall not be transferable shall be issued only for the premises named in the application shall be posted in a conspicuous place on the applicant's premises and may be renewed from year to year upon application investigation and payment of license fee as in the procurement of an original license"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Williamson,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 1786 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1786, entitled:

An Act to further amend section eleven of the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 772), entitled "State Workmen's Insurance Fund Law," by making the moneys in the State Workmen's Insurance Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Said bill having been recaled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line 11, by inserting after the syllable "men's" and before the word "Fund" the word "Insurance"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 1789 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1789, entitled:

An Act to further amend paragraph (a) section nine of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (P. L. 809), entitled "Banking Act of 1923," by making the moneys in the Banking Department Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 2, line 15, by striking out after the word "of" the word "Departments" and inserting in lieu thereof the word "Department"; also line 21, by striking out after the word "be" the word "avaliable" and inserting in lieu

thereof the word "available"; also page 3, line 10, by inserting after the article "the" the words "officers and"; also line 15, by striking out after the article "the' 'and before the word "affairs' 'the word "aforesaid"; also line 21, by striking out after the word "Banking" the following: "in the performance of the duties above mentioned"; also line 27, by striking out after the word "Banking" the following: "in the performance of the above mentioned duties"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 760, entitled:

An Act to provide for the leasing and releasing of land owned by the Commonwealth within the beds of streams, lakes and other bodies of water, wholly or partly within, or forming part fo the boundary of, this Commonwealth, except such land under the navigable waters of the Delaware River and its navigable tributaries conferring powers and imposing duties upon the Water and Power Resources Board; requiring lessees to establish an amortization fund for improvements place or erected upon such land; granting certain preference and exemption rights to municipalities of the Commonwealth; and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 807 (House Bill No. 197), entitled:

An Act to amend sections eight hundred and eight hundred and one of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" defining legal settlement and the liability of poor districts for support.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 808 (House Bill No. 198), entitled:

An Act to amend sections one, two and three of the act, approved the sixth day of April, one thousand nine hundred and five (P. L. 112), entitled, "An act providing for the relief of poor persons; regulating their settlements in poor districts; providing a means of enforcing the removal of a poor person to the district of his settlement, the payment for relief furnished to him and the payment of costs thereto, and authorizing courts of quarter session to compel certain relations to contribute to the relief of poor persons," defining legal settlement and the liability of poor districts for support.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 857 (House Bill No. 74), entitled:

An Act to amend section one thousand two hundred and seven of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen jusitces of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admisible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended providing for the reimbursement from fines penalties and forfeited bail collected of counties for costs imposed on them as results of prosecutions under this act and for the adjustment of the accounts of counties by the Auditor General.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 940 (House Bill No. 902), enitled:

An Act to amend the title and sections one and three of the act approved the fourteenth day of April, one thousand nine hundred and thirty-one (P. L. 38), entitled "An act regulating the removal or dismissal of policemen and firemen in cities of the second class A"; extending the provisions of said act to cities of the second class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1237 (House Bill No. 1076), entitled:

An Act requiring the Secretary of the Commonwealth to inquire into the purposes of the incorporators of labor groups and to approve or disapprove their incorporation or right to do business within the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1261 (House Bill No. 504), entitled:

An Act to amend paragraph (b) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain department boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes in certain department boards and commissions shall be determined "as amended by providing for the place where Veterans' Commission records shall be filed and the place where its office shall be established providing for the employment of veterans by said commission

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1264 (House Bill No. 1248), entitled:

An Act authorizing the publication of legal and official advertising and notices in Sunday newspapers of general circulation in cities of the first class and counties of the third class only.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1322 (House Bill No. 1984), entitled:

An Act to amend section two thousand five hundred and sixty-three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the reductions and penalties provided by said act on city and poor taxes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1341, entitled:

An Act to amend section seven of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 465), entitled "An act to provide for the safety of persons employed, housed or assembled in certain buildings and structures not in cities of the first class, second class and second-class A, by requiring certain construction and ways of egress, equipment and maintenance; providing for the licensing of projectionists, requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act and repealing certain acts," by providing for fees for licensing of projectionists.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1393, entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January, one thousand eight hundred and seventy-four (P. L. 31), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended, providing that when the authorities of any county shall have provided a place for the safe keeping of ballot boxes, they shall after each election be delivered at such place to the sheriff.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1401, entitled:

An Act establishing a State Emergency Public Works Commission; prescribing and defining its powers and duties, including the power to prepare an emergency program of construction projects for the immediate creation of employment, with the assistance of the various State agencies having charge of the construction of public works and the various duly constituted official planning agencies; or citizen-constituted planning bodies which have developed general plan studies to devise and recommend for adoption by local and State governments, draft of legislation establishing properly staffed and empowered official planning bodies; to study and recommend, in general terms, such types of legislation as will encourage or effect such needed reforms of financial and taxing procedure as are particularly related to the execution of public works and which will also result in the establishment of long term programs of public works construction and expenditure.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1406 (House Bill No. 1319), entitled:

A supplecent to the act approved the sixth day of April, one thousand eight hundred thirty (P. L. 272) entitled "An act for the levy and collection of taxes upon proceedings in courts and in the office sof register and recorder and for other purposes" requiring prothonotaries and recorders of deeds to file with the Department of State a bond covering certain moneys received by them for use of the Commonwealth and repealing section nine of said act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1421 (House Bill No. 1188), entitled:

An Act exempting shoe repairing machinery and tools and the appurtenances thereto leased loaned hired or conditionally sold from levy or sale on execution or distress for rent.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1427 (House Bill No. 541), entitled:

An Act establishing certain public roads and streets in the County of Allegheny as a State highway and providing for their construction and maintenance by the Department of Highways subject to certain terms and conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1428, entitled:

An Act to establish as a State highway a certain section of public road in the County of Lackawanna and providing for its construction and maintenance at the expense of the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1430 (House Bill No. 966), entitled:

An Act to amend sections four hundred twenty-two and four hundred thirty-two of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by extending the provisions of the act to The Pennsylvania Soldiers' and Sailors' Home at Erie, Pennsylvania; and authorizing flags to be placed on graves of members of the enlisted nurse corps, female field clerks and yoemanettes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1463, entitled:

An Act declaring it to be a misdemeanor for accountants or auditors to issue or permit to be issued false financial statements.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1464, entitled:

An Act to amend the act approved the twenty-ninth day of March, one thousand eight hundred and ninety-nine (P. L. 21), entitled "An act to establish a board for the examination of accountants, to provide for the granting of certificates to accountants, and to provide a punishment for the violation of this act," by adding thereto a section providing penalties for issuing or permitting to be issued a false financial statement.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1465, entitled:

An Act to amend section one of the act ,approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting interest bearing accounts in any bank or banking institution, savings institution or trust company from taxation under the provisions of said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1469, entitled:

An Act adjourning treasurers' sales of lands in cities of the third class to be held in the year one thousand nine hundred and thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four, or any later date to which such sales may be adjourned, and suspending existing laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1470, entitled:

An Act adjourning country treasurers sales of seated and unseated lands to be held in the year one thousand nine hundred thirty-three until the time fixed by law for such sales in the year, one thousand nine hundred and thirty-four or any later date to which such sales may be adjourned and suspending existing laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1472, entitled:

An Act to amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting interest bearing accounts in any bank or banking institution savings institutio nor trust company from taxation under the provisions of said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1476, entitled:

An Act to amend section seventeen of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (Pamphlet Laws, five hundred seven), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting interest-bearing accounts in banks, banking institutions, savings institutions, and trust companies after June first, one thousand nine hundred thirty-five.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1477, entitled:

An Act to amend section four hundred forty-three of the act approved the ninth day of April, one thousand nine hun-

dred and twenty-nine (P. L. 177), entitled "An act providing for and re-organizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," changing the personnel of the State Workmen's Insurance Board, prescribing their length of term, the method of filling a vacancy on the board, the election by the board of a manager and prescribing certain of his powers and duties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 671

Mr. ARMSTRONG. Mr. President, I move that the Senate do now proceed to the consideration of the report of the Committee of Conference on Senate Bill No. 671, entitled:

An Act to amend sections three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen, three hundred sixteen, three hundred seventeen, three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred twenty-one, three hundred twenty-two, three hundred twenty-three, three hundred twenty-four, three hundred twenty-five and three hundred twenty-six, and to repeal section three hundred twenty-seven as added of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating hereto," by changing the amount of contributions to the retirement fund the retirement age, the length of service necessary to entitle members to retirement allowance, upon being totally disabled, and increasing the number of members of the retirement board, and authorizing counties of the second class and the county poor district to make appropriations to an employes retirement fund.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 671

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 671, entitled: "An Act to amend sections three hundred eleven three hundred twelve three hundred thirteen three hundred fourteen three hundred fifteen three hundred sixteen three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three three hundred twenty-four three hundred twenty-five and three hundred twenty-six and to repeal section three hundred twenty-seven as added of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by changing the amount of contributions to the retirement fund the retirement age the length of service necessary to entitle members to retirement allowance upon being totally disabled and increasing the number of members of the retirement board and authorizing counties of the second class and the county poor district to make appropriations to 'an employes retirement fund," respectfully submit the following bill as our report:

JOS. G. ARMSTRONG, JR.,
THADDEUS S. KRAUSE,
WARREN R. ROBERTS,
Committee on the part of the Senate.

JOSEPH A. RECTENWALD,
LEONARD P. KANE,
WM. J. McBRIDE,
Committee on the part of the House of Representatives.

An Act to amend sections three hundred eleven three hundred twelve three hundred thirteen three hundred fourteen three hundred fifteen three hundred sixteen three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three three hundred twenty-four three hundred twenty-five and three hundred twenty-six and to repeal section three hundred twenty-seven as added of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the amount of contributions to the retirement fund the retirement age the length of service necessary to entitle members to retirement allowance upon being totally disabled and increasing the number of members of the retirement board and authorizing counties of the second class and the county poor district to make appropriations to an employes retirement fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three hundred eleven three hundred twelve three hundred thirteen three hundred fourteen three hundred fifteen three hundred sixteen three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three three hundred twenty-four three hundred twenty-five and three hundred twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classees and revising amending and consolidating the laws relating thereto" are hereby amended to read as follows

Section 311 "County Employe" Defined A county employe for the purpose of this subdivision of this act is any person employed by the county or by the county poor district at a wage or salary payable at stated intervals that is to say semi-monthly monthly quarterly or annually The term [does not] may at their option include any person elected by the vote of the people

Section 312 [Pension] Retirement System and Fund to Be Established Each county of the second class shall provide a [pension system for such] county employes retirement system for such county for employes of the county and the county poor district and shall establish and regulate a [pension] retirement fund in connection therewith

Section 313 [Pension] Retirement Board The [pension] retirement system shall be under the sole direction of a [pension] retirement board hereinafter designated the board which shall consist of the county commissioners the treasurer [and] the controller of the county and two persons elected from among the members of the retirement system one to serve for two years and one for four years Following the completion of the initial terms the stated terms of such members shall be four years A vacancy occurring during the term of any member of the retirement board shall be filled for the unexpered term by the appointment or election of a successor in the same manner as his predecessor A majority of the members of the retirement board shall constitute a quorum for the transaction of any business

Section 314 Treasurer and Secretary of Board The county treasurer shall be the treasurer of the board and shall give such bond for the proper performance of his duties as is required by the board The premium on said bond shall be paid

from the [pension] retirement fund on warrants of the board The treasurer shall receive for his services the sum of one hundred dollars ($100.00) per annum from the [pension] retirement fund payable on warrants of the board The county controller shall be the secretary of the board

Section 315 Register of Employes Regulations of Board The board shall keep a register of employes containing the names ages residence nature of employment time of entering the employ of the county or of the county poor district and such other information as the board deems necessary in the performance of its duties The board may adopt amend revise and abolish in its discretion such regulations not inconsistent with law as it deems necessary

Section 316 List of Employes The head of each department or office of the county or of the county poor district shall file with the board a list of all employes of such department or office with the amount of the salary or wage received by each the age of the employe time of entering the county or county poor district employ and such other information relative to such employes as is required by the board From time to time and whenever requested by the board all dismissals appointments resignations transfers changes in salaries or in employment and other information relative to employes shall be furnished to the board by the head of each such department or office

Section 317 Appropriations to [Pension] Retirement Fund The county commissioners and the directors of the poor district shall [annually January appropriate and pay into the pension fund not less than one-half of one per centum and not more than two per centum of all available moneys received by the county as taxes during the preceding calendar year] prior to February fifteenth of each year appropriate out of county taxes and poor taxes of said county and county poor district a certain sum of money which shall be equal to the amount paid in by employes of said county and county poor district The county and county poor district shall pay into the fund the full amount of their appropriation on or before August fifteenth of each year The portion of such sum to be paid by the county and the county poor district into such fund shall be such part thereof as the amount paid by the employes of such county or county poor district bears to the total amount paid into the retirement fund by the respective employes

Section 318 Payment by Employes Each county employe shall each month pay into the [pension] retirement fund [one] three per centum of the amount received by him or her as salary or wages from the county or the county poor district during the preceding calendar month In no event however paying at a rate greater than eight dollars ($8.00) a month Such amount shall be collected by the county treasurer and by him paid into the [pension] retirement fund No employe shall be entitled to a [pension] retirement allowance who does not make the monthly payment herein required

Section 319 Investment or Deposit of Fund The Board may in its discretion invest the money of the [pension] retirement fund or any part thereof in obligations of the United States or of this State or of any political division of this State or it may deposit such moneys or any part thereof in one or more banks or trust companies of the county selected by the board The banks or trust companies offering to pay the highest rate of interest and that have a paid-in capital and surplus of not less than three hundred thousand dollars shall be selected A contract with a depositary shall be for a period covering the term of the county treasurer No moneys shall be paid to a depositary until it shall have executed to the board a bond for the proper safeguarding of the funds so deposited The bonds shall have such surety as is approved by the court of common pleas No moneys exceeding in the aggregate the amount of the bond shall be paid to any depository

Section 320 Persons Entitled to [Pensions] Retirement Allowances Every person now or hereafter in the employ of the county or the county poor district who has reached the age of sixty years or upwards and who shall have been in the employ of the county or the county poor district during a period of not less than twenty years shall upon application to the board be retired from service and shall thereafter receive during life a [pension] retirement allowance as herein provided for the time spent in the employ of the county or the county poor district need not necessarily have been continuous Provided That when any employe has had twenty or more years of service and has reached the age of fifty years shall have been separated from the service by reason of no cause or act of his own he shall thereafter receive during life a retirement allowance as herein provided for the time spent in the employ of the county or the county poor district need not necessarily have been continuous

Section 321 Exception in Favor of Persons Totally and Permanently Disabled Any employe who has been in the county or county poor district employ for a period of not less than [ten] fifteen years shall be entitled to a [pension] retirement allowance if he or she becomes totally and permanently disabeled even though such employe has not reached the age of sixty years Proof of total and permanent disability shall be by the sworn statement of three practicing physicians of the county designated by the board to the effect that such employe is totally and permanently disabled from performing the duties of his or her position or office

Section 322 Amount of [Pensions] Retirement Payment The [pension] retirement allowance paid under the provisions of this act shall equal annually fifty per centum of the average annual amount received by the employe as salary or wages during the two years immediately preceding the date of retirement of the employe receiving the [pension] retirement allowance except that ten per centum of such amount shall be deducted in equal monthly installments and be paid into the retirement fund as the contribution of the person receiving such retirement allowance to the said fund for such length of time as may be required by the retirement board No [pension] retirement allowance shall exceed the sum of one hundred dollars per month [Pensions] Retirement allowances shall be paid in monthly instalments on warrant on the board

Section 323 [Pension] Retirement Allowance After Leaving County or County Poor District Service If any employe after twenty years in the county or county poor district employ is dismissed or retires voluntarily or is in any other manner deprived of his or her employment before attaining the age of fifty or sixty years as the case may be such employe if he continues to contribute to the [pension] retirement fund monthly a sum equal to the last monthly contribution paid while in the county or county poor district employ shall when he or she reaches the age of fifty or sixty years as the case may be entitled to a [pension] retirement allowance

Section 324 Refund of Contributions If any county or county poor district employe contributing monthly to the [pension] retirement fund shall for any cause cease to be an employe of the county or county poor district before [the expiration of the twenty-year period] he shall receive the benefits of the retirement allowances the total amount of the contributions paid into the [pension] retirement fund desire to be reinstated and again in writing be repaid to him or her or to his or her personal representatives or to such person or persons as are legally entitled thereto out of the fund

Section 325 Reinstatement should any county or county poor district employe who has withdrawn his contribution paid into the [pension] retirement fund by such employe shall upon demand become a beneficiary he or she may do so by the payment in full of the amount withdrawn and by paying the assessments provided for in section three hundred and eighteen of this act

Section 326 [Pension] Retirement Allowance Not Subject to Attachment or Assignment Suspension of Retirement Allowance No [pensions] retirement allowance herein provided for shall be subject to execution or to attachment It shall be payable only to the beneficiary herein provided for and shall not be subject to assignment or transfer If any member of the retirement system is receiving a retirement allowance and he or she shall or may hereafter be employed by the government of the United States or the Commonwealth of Pennsylvania or any political subdivision thereof then the retirement board shall and is hereby given the authority to suspend the retirement allowance to such member of the retirement system during such employment

Section 2 That section three hundred twenty-seven of said act as added by section ten of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred one) is hereby repealed

Section 3 This act shall become effective on the first day of the month next following its final enactment

On the question,

Will the Senate adopt the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

ERRATUM

Page 469, column 1, after line 25, insert the following:

PHILADELPHIA COUNTY

Miss Florence Ellender, Philadelphia, March 7, 1933.
George S. Hogeland, Philadelphia, March 7, 1933.
John E. Thomas, Philadelphia, March 7, 1933.

WESTMORELAND COUNTY

Russell Schade, Irwin, March 7, 1933.

PHILADELPHIA COUNTY

Miss Mae Hofmann, Philadelphia, March 11, 1933.
W. R. Hummel, Philadelphia March 11, 1933.
Walter S. Pytko, Philadelphia, March 11, 1933.

DAUPHIN COUNTY

William J. Kennard, Middleton, March 17, 1933.

PHILADELPHIA COUNTY

F. X. Greipp, Philadelphia, March 18, 1933.
Albert C. Ehmann, Philadelphia, March 21, 1933.

ALLEGHENY COUNTY

John C. McCloskey, E. Pittsburgh, March 25, 1933.

PHILADELPHIA COUNTY

Miss Ada C. Nesper, Philadelphia, March 25, 1933.

ALLEGHENY COUNTY

Delmont A. Barbor, E. Pittsburgh, April 1, 1933.

LANCASTER COUNTY

C. S. Reese, Lancaster, April 3, 1933.

LACKAWANNA COUNTY

Cornelius B. Comegys, Scranton, April 7, 1933.

DELAWARE COUNTY

Miss Martha H. Melick, Chester, April 8, 1933.

MONROE

G. B. Metzgar, E. Stroudsburg, April 8, 1933.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11 o'clock.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10.40 p. m. until Thursday morning, April 27, 1933, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 26, 1933

The House met at 11.00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Dear Lord, we would commune with Thee. Yestereven, we saw the unspeakable splendors of the sunset; we saw Thee draw the deep blue curtain across the windows of heaven, and the stars, ancient sentinels of the skies took up their picket duty, and our work was done for awhile. Now Thou hast flooded us again with the golden glory of a new day. We would go forward. Be Thou our guide and stay today.

The people are asking, which way shall I take, and there seems to be no way. Help these Thy servants to be road builders. Give them vision and high courage to build a road across the mud flats of depression, and bridge the chasm of gloom and despair, and span the miasmal swamps of bewilderment, perplexity, helplessness, lawlessness and anarchy, and may the road stretch with easy grade up the hill to normalcy where the gate swings open to peace and plenty.

And may there be shout of joy again in our land, because the leaders have made a way for the people. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. James E. Lovett, the further reading was dispensed with and the Journal approved.

RESOLUTION

FIXING ORDER OF BUSINESS

Mr. HUTTON offered a resolution from the Committee on Rules, fixing the order of business for the day, which was twice read, as follows:

Resolved, That the order of business of the House for the Session Wednesday, April 26, 1933, shall be as follows:

1. Communications from the Governor and the Senate, reference of bills or petitions to committees; signing of bills or papers; and clearing the table privileged at any time.
2. The asking of leave of absence.
3. The receiving reports of committees. Reports from committes may also be received immediately before or after a recess or before adjournment. (All bills reported from committee, shall be read for the first time).
4. Resolutions:
   A. House and concurrent resolutions originating in the House other than those to discharge committees form consideration of bills and fixing special orders of business.
   B. Resolution recalling bills form the Governor or resolutions returning bills to the Governor are privileged.
5. Motions to recommit (this motion is also made when a bill is reached in its regular order).
6. Motions to reconsider privileged at any time.
7. Bills on first reading.
8. Bills on second reading.
9. Bills on final passage recalled from the Governor.
10. Bills on final passage (bills on the final passage postponed calendar may be called up under this order of business).
11. Bills on third reading (bills on the third reading or final passage postponed calendars may be called up under this order of business).

12. Conference reports may be received or called up for consideration at any time.

RULES COMMITTEE:

JOSEPH G. STEEDLE,
A. J. WHITE HUTTON,
GROVER C. TALBOT,
T. B. WILSON.

On the question,

Will the House adopt the resolution?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

That the orders of the day submitted by the Rules Committee be amended by adding thereto the following: "That a resolution to discharge the Committee on Elections from further consideration of House Bill No. 900, entitled 'An Act Imposing an Annual State Tax Upon Each Resident of the Commonwealth Over the Age of Twenty-one Years for the Purpose of Qualifying Such Persons to Vote at Elections,' which was referred to the Committee on Elections on February 14, 1933, and has been in the hands of the said committee for more than ten days, be made a special order of business for 12.30 o'clock P. M."

On the question,

Will the House agree to the amendment?

Mr. HOOPES. Mr. Speaker and members of the House, this amendment, as it clearly states, is proposed for the purpose of getting before the House Bill No. 900, entitled "An Act imposing an annual State tax upon each resident of the Commonwealth over the age of twenty-one years for the purpose of qualifying such persons to vote at elections."

It is ordinarily known as the one cent poll tax bill, to make it possible for the unemployed to be qualified to vote, so that they will not have to pay the fifteen or twenty-five or seventy-five cents, as it varies in the different counties.

If you are interested in seeing the unemployed get a chance to vote, I appeal to you to vote for this amendment to the rules. All that the amendment does at this time is to make this resolution a special order of business for twelve-thirty today.

Under the system of adopting the orders of the day that we have been following for the last couple of weeks, this is the only opportunity that I have of making this motion or of getting a motion to discharge a committee before the House.

I, therefore, ask you to vote "aye," and Mr. Speaker, I ask for a roll call.

The yeas and nays were required by Mr. Hoopes and Mrs. Wilson.

Mr. GALLAGHER. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—50

Andrews,	Fitzgerald,	Lynch, M.,	Ruth,
Beech,	Flanagan,	Male,	Schrope,
Bernhard,	Gallagher,	Marcks,	Shugarts,
Boyd,	Harmuth,	McGinnis,	Sterling, R. B.,
Brown, J. E.,	Hermansen,	McGrail,	Stevens,
Brownfield,	Hester,	McKinney,	Surface,
Cannon,	Holmes, J. B.,	Melchiorre,	Terry,
Caputo,	Hoopes,	O'Connor,	Wagner,
Carson,	Howard,	O'Keefe,	Welsh,
Chervenak,	Kane, J. J.,	Quinn,	Westrick,
Downey, G. E.,	Lane,	Raub,	Wilson, L. M.,
Dunmire,	Lovett, J. E.,	Rhodes,	Yourishin.
Emhardt,			

NAYS—120

Baker,	Haines,	Mohn,	Shellenberger,
Baldi,	Hamilton,	Moore,	Shenkel,
Bennett,	Heffernan,	Mumford,	Shortz,
Blumberg,	Heffner,	Myers,	Shreiner,
Brennan,	Hewitt,	Negley,	Simon,
Brown, W. L.,	Himes, H. E.,	Nothnagle,	Sowers,
Carey,	Himes, L. R.,	O'Rourke,	Steedle,
Conner,	Holmes, J. L.,	Patterson,	Stevenson,
Cooke,	Horst,	Peelor,	Stiteler,
Cordier,	Hough,	Pennock,	Storb,
Craig,	Hutton,	Perry, D. R.,	Stott,
Cramer,	Jaffe,	Perry, J. J.,	Tahl,
Dane,	Kane, L. P.,	Peters,	Turner,
Davies,	King,	Powell,	Wade,
DeFrehn,	Laubach,	Powers,	Walker, W. A.,
Denning,	Lewis,	Price,	Wall,
Downey, J.,	Long,	Rectenwald,	Way,
Duffy,	Lose,	Reed,	Weidemann,
Evans,	Lovett, W. S.,	Rice,	White,
Fleisher,	Maloney,	Roan,	Williams, G. W.,
Flynn,	Mason,	Root,	Williams, J. J.,
Forrest,	McBride,	Roth,	Wilson, T. B.,
Furman,	McCandless,	Royle,	Wood,
Gartner,	McElwee,	Ruby,	Woodside,
Gillette,	McGregor,	Sarig,	Wright,
Gorman,	McKay,	Sautter,	Yeakel,
Green,	Meredith,	Schrock,	Zimmerman,
Greenstein,	Merrell,	Schwartz,	Talbot,
Griffith,	Metzler,	Scott,	Speaker.
Habbyshaw,			

So the question was determined in the negative and the amendment was not agreed to.

Mr. HUTTON. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Yeakel, Metzler, Rectenwald, McElwee, McKay, Stevenson, Griffith, Schrock, Wall, John J. Perry, Powell, Gillette, Wright, King, Duffy, Cooke, Bennett, Baldi, John J. Williams, Hart and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

COMMUNICATION

PROTESTING AGAINST OPERATION OF STATE RELIEF

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

The Honorable Samuel Stevens, Representative of Westmoreland County, Harrisburg, Penna.

Honorable Sir:

Enclosed is a petition signed by the citizens and taxpayers of New Derry and its vicinity against the further continuance of the present system of giving relief in our State. A copy of this petition has been sent to Senator Benjamin H. Thompson and letters regarding the petition sent to the other five members of the House from Westmoreland County.

This entire section of coal mine operations were denied relief by the paid welfare workers of the State and the local Red Cross Agency of Derry until we, the committee on petition, brought investigators into the district from the Federal government at Washington. We are now handling our own relief and protest in this way against the principle and personnel of the present system of State relief as a fraud and a fake in this part of Westmoreland County.

This petition has followed the fourth monthly meeting to educate the people to the deceit and dishonesty of a paid personnel of the State in the handling of relief denied to them until February of this year.

We ask the support of your influence and vote to bring this matter to the attention of the House. Thanking you for this kindness and wishing you everything that is good, we remain

Respectfully,
Committee on Petition,
R. EMERSON HUNTER,
REV. RAY V. CONWAY,
DAVE NICHOLS.

April 22, 1933.

Representative Stevens:

The signatures to the enclosed petition have been sent to Senator Thompson. He will kindly give them to you for the members of the House from Westmoreland County.

RAY V. CONWAY.

The SPEAKER. The communication will be noted in the Journal and printed in the Legislative Journal.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement regarding House Bill No. 456.

The vote by which this bill passed finally and the vote by which this bill passed third reading were reconsidered on April 19th. Amendments were offered at that time. This was in error, because the bill had not been returned from the Governor. The amendments offered were to another bill and did not apply to House Bill No. 456. A resolution has been passed by this House ordering the return of House Bill No. 456 to the Governor without amendment. Therefore, the proceedings are declared null and void by the Chair.

RECONSIDERATION OF SENATE BILL No. 987

Mr. STEEDLE. Mr. Speaker, I move that the vote by which House Bill No. 2300 (Senate Bill No. 987), Printer's No. 612, entitled

An Act relating to unemployment relief; making an appropriation to the State Emergency Relief Board for direct relief and work relief; prescribing the powers and duties of the board with reference thereto; and conferring powers and imposing duties upon certain State departments.

passed finally on Tuesday, April 25, 1933, be reconsidered.

Mr. SPANN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Steedle, vote on the final passage of the bill?

Mr. STEEDLE. I voted aye, Mr. Speaker.

The SPEAKER. How did the gentleman from Allegheny, Mr. Spann, vote on the final passage of this bill?

Mr. SPANN. I voted aye, Mr. Speaker.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. STEEDLE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. STEEDLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 8 by striking out after the word "of" and before the word "million" the word "[thirteen]" and inserting in lieu thereof the word "eighteen"

Amend section 1, page 1, line 8 by striking out after the word "dollars" and before the word "is" the figure "[($13,000,000)]" and inserting in lieu thereof the figure "($18,000,000)"

Amend section 1, page 2, line 3 by inserting after the word "board" the following: "but the moneys hereby appropriated may be used for the payment of bills contracted by or with the authority of the State Emergency Relief Board for work relief or direct relief prior to June first one thousand nine hundred thirty-three"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

LEAVES OF ABSENCE

Mr. GEORGE W. WILLIAMS asked and obtained leave of absence for Mr. Wheeler for the balance of the week on account of illness.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 989. (HOUSE BILL No. 2364).

A Joint Resolution continuing the joint legislative committee created to study the production and marketing of milk

Referred to the Committee on Agriculture.

SENATE BILL No. 1203. (HOUSE BILL No. 2365).

An Act requiring certain persons associations copartnerships and corporations to keep full accounts and records with respect to the sales and transactions relating to dairy products and to submit the same to inspection by the Secretary of Agriculture and prescribing the effect of failure to comply with the orders of the Secretary of Agriculture.

Referred to the Committee on Agriculture.

RESOLUTION

RECALLING SENATE BILL No. 538 FROM THE SENATE

Mr. STEEDLE asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 25, 1933.

Resolved (if the Senate concur), That Senate Bill No. 538, Printer's No. 544, entitled

An Act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies, associations, exchanges or persons not authorized to do business in this Commonwealth; requiring certificates from the Insurance Department before accepting insurance advertisements or broadcasting the same by radio: and fixing penalties,

be recalled from the Senate for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION No. 79

Mr. WILSON. Mr. Speaker, I desire to call up at this time Resolution No. 79, Printer's No. 1059.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 25, 1933.

Whereas The legislation introduced and pending during this session of the Legislature on school matters has brought to those who have been devoting their time to school affairs a knowledge of the increasing load of taxation for school purposes that is being forced upon the taxpayer and

Whereas It has become evident that the property owner can no longer endure the payment of the excessive tax rate that is imposd upon him by reason of the requirements of the school law and that school districts will become bankrupt and their schools closed if no relief is afforded therefore be it

Resolved (if the Senate concur) That a committee of three Senators to be appointed by the President pro tempore of the Senate and four members of the House of Representatives to be appointed by the Speaker of the House is hereby constituted

a Legislative Committee to investigate the cause of the increasing cost of education to the school districts and methods whereby such cost can be reduced

Such committee shall make a report of their investigation to the next session of the Legislature and shall accompany their report with recommendations of any changes it feels would result in lowering the cost to local communities of conducting their schools and with copies of drafts bills intended to carry out its recommendations

The members of said committee shall receive no compensation for their services but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION No. 74

Mr. SHUGARTS. Mr. Speaker, I desire to call up at this time Resolution No. 74, Printer's No. 1032.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 24, 1933.

Resolved That this House expresses itself as opposed to the sale of 3.2 alcoholic beverages in grocery stores

On the question,

Will the House adopt the resolution?

RESOLUTION REFERRED

Mr. HUTTON. Mr. Speaker, I move that this resolution be referred to the Committee on Law and Order.

The motion was agreed to.

RESOLUTION No. 76

Mr. HERMANSEN. Mr. Speaker, I desire to call up at this time Resolution No. 76, Printer's No. 1056.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 25, 1933.

Whereas The Federal Government has recognized the advisability of a shorter working day as the best means of restoring stability in industry therefore be it

Resolved That this House now indorse the principal of an eight hour day and forty-four hour week for women and children in the Commonwealth of Pennsylvania

On the question,

Will the House adopt the resolution?

MOTION TO COMMIT RESOLUTION

Mr. HUTTON. Mr. Speaker, I move that this resolution be committed to the Committee on Federal Relations.

On the question,

Will the House agree to the motion?

Mr. HOOPES. Mr. Speaker, this resolution is very brief and its purpose is very obvious. I can see no good purpose to be served by referring it to a committee.

The resolution merely says "Resolved, That this House now indorse the principle of an eight hour day and forty-four hour week for women and children in the Commonwealth of Pennsylvania." I do not see why any member of this House should wish to dodge a direct vote on that question.

Today the Federal Government is proposing to enact a thirty hour week for men and I do not see why we should object to going on record as indorsing the principle of reduced hours for women and children from the present legal standard of fifty-four to forty-four.

I, therefore, ask you to vote "no" on this motion and to adopt the resolution.

Mr. Speaker, I ask for a roll call.

The ayes and nays were required by Mrs. Wilson and Mr. Hoopes.

Mrs. WILSON. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—18

Flinchbaugh,	Hutton,	Rice,	Wall,
Flynn,	King,	Royle,	White,
Forrest,	Meredith,	Stiteler,	Yeakel,
Griffith,	Peelor,	Wade,	Zimmerman,
Haines,	Peters,		

NAYS—127

Andrews,	Furman,	Lynch, M.,	Sarig,
Baldi,	Gallagher,	Male,	Sautter,
Barnhardt,	Gartner,	Maloney,	Schrock,
Bechtel,	Gorman,	Marcks,	Schrope,
Beech,	Greenstein,	Mason,	Schwab,
Bennett,	Habbyshaw,	McClure,	Scott,
Bernhard,	Hamilton,	McGinnis,	Shenkel,
Blumberg,	Harmuth,	McGrail,	Shettel,
Boyd,	Harris,	McGregor,	Shortz,
Brancato,	Hart,	McKay,	Shreiner,
Brown, J. E.,	Hefferon,	McKinney,	Shugarts,
Brown, W. L.,	Hermansen,	Melchiorre,	Simon,
Brownfield,	Hester,	Merrell,	Sinwell,
Cannon,	Himes, H. E.,	Metzler,	Sowers,
Caputo,	Himes, L. R.,	Moore,	Spann,
Carey,	Holmes, J. B.,	Munley,	Stank,
Carson,	Hoopes,	Myers,	Steedle,
Chervenak,	Hough,	Negley,	Sterling, P.,
Cohen,	Howard,	O'Connor,	Sterling, R. B.,
Cooke,	Jaffe,	O'Keefe,	Stevenson,
Cordier,	Jones,	O'Rourke,	Stone,
Cramer,	Kane, J. J.,	Perry, D. R.,	Tahl,
Dane,	Kane, L. P.,	Perry, J. J.,	Terry,
Davies,	Kinney,	Powell,	Walker, W. A.,
Downey, G. E.,	Labar,	Powers,	Way,
Duffy,	Lane,	Quinn,	Welsh,
Dunmire,	Laubach,	Raub,	Westrick,
Ederer,	Lenahan,	Rectenwald,	Williams, G. W.,
Emhardt,	Lewis,	Reed,	Williams, J. J.,
Eroe,	Lose,	Rhodes,	Wilson, L. M.,
Evans,	Lovett, J. E.,	Roth,	Wood,
Fitzgerald,	Lovett, W. S.,	Ruby,	Yourishin,
Flanagan,	Lynch, J. R.,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 26, 1933.

Whereas, The Commonwealth of Pennsylvania now taxes gasoline three cents per gallon, and exacts special registration fees on all motor vehicles; while the Federal Government also taxes gasoline, motor vehicles and accessories; and

Whereas, There is demand from certain special interests for legislation to compel blending of alcohol with gasoline; and

Whereas, Such blending would increase the prices of gasoline about three cents per gallon, amounting to a special tax on the already overburdened motorist; and

Whereas, The only beneficiaries would be the manufacturers of alcohol; therefore be it

Resolved (if the House of Representatives concur), That Congress of the United States is requested to reject any legislation to compel blending alcohol with gasoline;

Resolved, That certified copies of this resolution be forwarded by the Chief Clerk of the House of Representatives to each branch of the Congress and to each Senator and Representative from Pennsylvania in Congress of the United States.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 26, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, May 1, at nine o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, May 1, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOULTION CONCURRED IN BY THE SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 25, 1933.

Resolved (if the Senate concur), That House Bill No. 445, entitled "An act to amend sections 703 1015 1406 1902 2103 2403 Cl 53 2559 2562 2563 2564 2566 2567 2601 2620 2621 2706 2955 2978 3206 3211 3212 3501 3601 and 3803 of and to add sections 1913 and 2990 to the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' providing for vacancies in office and the filling thereof where persons elected fail to qualify for the publication of ordinances for the deposit of funds by the city treasurer for exemption from advertisement of contracts with the Commonwealth for a platoon system for paid men of volunteer fire departments for group insurance for the exoneration of tax collectors and the settlement of their duplicates for penalties and interest on taxes for the collection of delinquent taxes for the licensing of transient merchants and business for the acquisition of unobstructed views for the construction of seweage treatment works and the frontage tax for water and certain license taxes that the powers of the Shade Tree Commission may be exercised by council for the advertisement of contracts in trade journals and for the improvement of boundary streets," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 246

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 246, entitled:

An Act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto.

And has appointed Messrs. Ealy, Staudenmeier and Rice a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 246

Mr. BLUMBERG. Mr. Speaker, I move that a Committee of Conference be appointed on the part of the House on Senate Bill No. 246.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on Senate Bill No. 246, Messrs. Blumberg, Philip Sterling and Spann.

Ordered, That the Clerk inform the Senate accordingly.

BILL INTRODUCED

Mr. BLUMBERG asked and obtained unanimous consent to introduce a bill.

The SPEAKER. The bill will be filed with the Bill Clerk.

BILL TAKEN FROM TABLE

Mr. McELWEE. Mr. Speaker, I move that House Bill No. 566, Printer's No. 51, entitled

A Supplement to an act approved May sixth one thousand nine hundred and thirty-one (Pamphlet Laws ninety-nine) entitled "An act to amend section seven of the act approved the fifth day of March one thousand seven hundred and ninety-one (three Smith's Laws six) entitled 'An act to enable the Governor to appoint Notaries Public and for other purposes therein mentioned' prescribing the form of notary seal" by providing that the presence of the arms of this Commonwealth on the seal of the notary public commissioned after the approval of the effective date of the act to which this is a supplement shall not invalidate said seal or the notarial acts instruments or attestations authenticated by such seal

which was recalled from the Governor and laid on the table on March 20, 1933, be taken from the table.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 566

Mr. McELWEE. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. McELWEE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McELWEE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 10 of the title by striking out after the word "of" and before the word "notary" the word "[the]" and inserting in lieu thereof the article "a"

Amend page 1, line 11 of the title by striking out at the beginning of the line before the word "after" the word "[commissioned]" and inserting in lieu thereof the word "reappointed"

Amend page 1, line 12 of the title by inserting after the word "supplement" and before the word "shall" the following: "and prior to the effective date of this act"

Amend section 1, page 1, line 4 by striking out after the word "public" and before the word "after" the word "[commissioned]" and inserting in lieu thereof the word "reappointed"

Amend section 1, page 2, line 1 by inserting after the word "this" and before the word "is" the word "act"

Amend section 1, page 2, line 1 by inserting at the end of the line after the word "supplement" the following: "and prior to the effective date of this act"

Amend section 1, page 2, line 5 by inserting after the word "seal" and before the word "notwithstanding" the following: "during the term for which he or she was reappointed"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

(MR. HUTTON IN THE CHAIR)

QUESTION OF PERSONAL PRIVILEGE

Mr. WALTER S. LOVETT. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman from Montour will state his question of personal privilege.

Mr. WALTER S. LOVETT. Mr. Speaker, on page 287 of the Legislative Journal there is a typographical error. I am not recorded as having voted on House Bill No. 65. I voted "aye" on this bill and ask that the error be corrected.

The SPEAKER. The remarks of the gentleman from Montour will be spread upon the Legislative Journal under his question of personal privilege.

QUESTION OF PERSONAL PRIVILEGE

Mr. STEVENS. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman from Westmoreland will state his question of personal privilege.

Mr. STEVENS. Mr. Speaker, I wish to make the same statement, as the same error was made in regard to my vote. I voted "aye."

The SPEAKER. The remarks of the gentleman from Westmoreland will be spread upon the Legislative Journal under his question of personal privilege.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2318 (Senate Bill No. 893), entitled:

An Act to amend section one of the act approved the twenty-sixth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred thirty-six) entitled "An act providing for a separate ballot when constitutional amendments or other questions are submitted to the vote of the people" by providing that such constitutional amendments or other questions may be printed upon a separate ballot

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 782 (Senate Bill No. 13), as follows:

An Act to amend section two of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended eliminating one of the days required of registry assessors sitting at the polling places

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" which was last amended by section one of the act approved the sixteenth day of May one thousand eight hundred and ninety-five (Pamphlet Laws seventy-five) entitled "An act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May one thousand eight hundred and ninety-one changing the time and manner of making the registry of voters and the duties of registry assessors" is hereby further amended to read as follows

Section 2 It shall be the duty of the said assessor to forthwith make a copy of the said original list with the observations and explanations required to be noted as aforesaid to be made out as soon as practicable It shall be his duty on or prior to the fourth Monday of May and on or prior to the second Monday of December in each year to place a copy on the door of or on the house where the election of the respective district is required to be held and retain the original list in his possession for the inspection free of charge of any person resident in the said election district who shall desire to see the same and it shall be the duty of the said assessor to assess from time to time on the personal application of any one claiming the right to vote the name of such claimant and mark opposite the name 'C V' and immediately assess him noting as in all other cases his occupation residence the date of his assessment whether a boarder or housekeeper if a boarder with whom he boards and whether naturalized or designing to be marking in all cases opposite the name the letter 'N' 'D' or 'I N' as the case may be if the person claiming to be assessed be naturalized he shall exhibit to the assessor his certificate of naturalization and if he claims that he designs to be naturalized before the next ensuing election he shall exhibit the certificate of naturalization before the next ensuing election he shall exhibit the certificate of his declaration of intention if such previous declaration is required by the laws of the United States It shall be the duty of the said assessor to be present at the election house of the said election district during the [two secular days] day next preceding the day fixed by the third section of this act for returning the lists to the county commissioners from ten ante meridian to three post meridian and from six post meridian to nine post meridian [of each of said days] for the purpose of hearing and acting upon applications to be made under the provisions of this section or relating to names upon said list or that are sought to be placed thereon or struck therefrom and it shall be his duty to correct said original list by adding thereto upon personal application the names of persons entitled to vote not already thereon and by striking therefrom fictitious names or names of persons who may have died or removed from said district and in all cases it shall be the duty of the said assessor to enter in his book opposite the name of each voter the name or names of the person or persons together with the residence of the same who shall furnish information as to the residence and qualifications of each voter who has been assessed or as to the persons whose names shall be stricken from said original list and the said original list shall be open for inspection by any qualified elector of the county or ward in which the election district is situated as well as by the person claiming

to be registered and the court of common pleas of the proper county or any law judge thereof at chambers on the application of any qualified elector of the ward or county under oath which oath may be made at any time before the day of election shall call the assessor and the complainant before it or him by citation or rule to show cause and shall hear the parties and dispose of the subject in a summary manner as to law and justice shall belong and shall if need be order the asesssor to correct the registry accordingly and the said court or judge may enforce such order by attachment as in proceedings for contempt Provided That nothing contained in this amendment shall be construed as applying to cities of the first and second class but in such cities the said assessor shall be present at the election house of said election district during the two secular days next preceding the day fixed by the third section of this act and perform the duties herein specified

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2321 (Senate Bill No. 1033), entitled:

An Act to amend section two of the act approved the twenty-eighth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred two) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or nontidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties' by requiring such board to be equipped with effective mufflers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2297 (Senate Bill No. 518), entitled:

An Act to amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws three hundred five) entitled "An act fixing the pay of election officers and clerks in counties of the second class" as amended by fixing the compensation of judges of elections for services mileages and expenses of delivering the primary and election returns and ballot boxes into proper custody providing compensation to minority inspectors in certain cases for services mileage and expenses of delivering the minority inspectors primary and election returns if any and the ballot boxes into proper custody and repealing inconsistent general local and special legislation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2295 (Senate Bill No. 103), as follows:

An Act to abolish the December assessment and registration of voters and repealing inconsistent legislation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That annual assessment and registration of voters in the election districts of this Commonwealth commencing on the first Monday in December and ending on the sixty-first day before the third Tuesday in February be and the same is hereby abolished and superseded and that all the duties with respect to such December assessment and registration or in any way appertaining or applicable thereto heretofore required of any from the assessors in the various election districts be and the same are hereby abrogated and annulled

Section 2 So much of section one of the act approved the twenty-ninth day of May one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirty-four) entitled "An act to amend sections one two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four changing the time and manner of making the registry of voters and the duties of registry assessors" and of the act approved the sixteenth day of May one thousand eight hundred and ninety-five (Pamphlet Laws seventy-five) entitled "An act to amend sections two and three of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the twenty-ninth day of May one thousand eight hundred and ninety-one changing the time and manner of making the registry of voters and the duties of registry assessors" and of all other acts or parts of acts which may be inconsistent herewith to the extent of such inconsistency be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2340 (Senate Bill No. 1331), entitled:

An Act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance and navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2319 (Senate Bill No. 894), entitled:

An Act to repeal an act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws six hundred twenty-seven) entitled "An act providing a method for preventing any elector from depositing in the ballot box, at primary, municipal, general or other elections, any ballot other than that received from the election officer; and imposing penalties."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2309 (Senate Bill No. 426), as follows:

An Act prescribing the filing fees for the filing of nomination petitions and nomination papers for candidates at any primary general special or municipal election by the Secretary of the Commonwealth and by the county commissioners in the several counties of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of the Commonwealth shall charge the following fees for filing nomination petitions and nomination papers for candidates at any primary general special or municipal election

For any office voted for in the state-at-large one hundred dollars

For the office of representative in Congress seventy-five dollars

For the office of judges of the courts of common pleas the orphans' court municipal court of Philadelphia and county court of Allegheny seventy-five dollars

For the office of associate judge twenty-five dollars

For the office of senator in the General Assembly fifty dollars

For the office of representative in the General Assembly thirty dollars

For delegates and alternates to National Convention twenty-five dollars

For members of State Committee twenty-five dollars

Section 2 The county commissioners in the several counties of the Commonwealth shall charge the following fees for filing nomination petitions and nomination papers for candidates at any primary general special or municipal election

For any office voted for in the entire county an amount equal to five per cent. of the first month's salary as fixed by law

For any office voted for in any entire city an amount equal to five per cent. of the first month's salary as fixed by law

For any other county or city office except election officers an amount equal to five per cent. of the first month's salary as fixed by law

For election officers twenty-five cents

Section 3 The Secretary of the Commonwealth and the county commissioners in the various counties shall not receive or file any nomination petition or nomination papers for candidates at any primary general special or municipal election unless the same shall be in accordance with law and shall be accompanied by the proper filing fee

Section 4 This act shall become effective upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1088, as follows:

An Act requiring a candidate for State and local offices who has received the nomination of more than one party for the same office to certify for which party he desires to be a candidate providing the effect of so certifying or failure to certify

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the returns from a primary election shall disclose that any individual by virtue of such election shall be the nominee of two or more parties for the same State county or municipal office the officer whose duty it shall be to certify the results of such primary election shall within five days by registered letter, notify the individual so nominated of the fact of such plural nominations and of the provisions of this act

Section 2 The individual holding such plural nominations shall within five days after the receipt of such notice certify to such officer the party of the several so nominating him for which he desires to appear on the ballot as candidate

Section 3 The election ballot as prepared by the proper authorities shall contain the name of such individual as candidate for the party which he shall stipulate in such certificate and no other

Section 4 If any individual having been chosen as candidate by more than one party as aforesaid shall refuse or neglect to so stipulate his choice within the time herein prescribed the authorities preparing the ballots for election shall not list the name of such individual as the nominee for any party

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1154, as follows:

An Act making an appropriation to the Department of Military Affairs for payment of property damages occasioned by a motor truck the property of the Federal Government issued to and in possession of the National Guard of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and thirty dollars ($130.00) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs for the purpose of paying any claim with interest thereon for repairs to a motor vehicle damaged by a motor truck the property of the United States of America which motor truck was issued to the Commonwealth of Pennsylvania for the training of the National Guard and was in the possession of and under the control of the One Hundred and Seventh Field Artillery of the National Guard when such damage occurred Payment from said appropriation shall be made by requisition of the Department of Military Affairs upon proof of such claim to the satisfaction of the Department of Military Affairs and the Department of the Auditor General

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1813, as follows:

An Act establishing as State highways all existing township roads in townships of the second class which have not heretofore been established as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions authorizing the Secretary of Highways under certain conditions to petition the Court of Quarter Sessions to vacate certain of said roads and making an appropriation out of the Motor License Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all existing township roads in townships of the second class which have not heretofore been established as State highways are hereby established by the Commonwealth as State highways to be taken over upon the terms and conditions and subject to the limitations hereinafter contained and thereafter to be maintained and constructed at the expense of the Commonwealth upon the terms and conditions and subject to the limitations hereinafter provided

Section 2 All township roads in townships of the second class not heretofore established as State highways shall be taken over by the Commonwealth through the Department

of Highways not later than the first day of December one thousand nine hundred thirty-three subject however to the following exceptions

(a) No township road or part thereof shall be taken over by the Commonwealth if an order or decree for the improvement thereof has been issued until there has been full compliance with the terms of such order or decree

(b) No township road or part thereof shall be taken over by the Commonwealth if a contract for the improvement thereof has been entered into between a contractor and the Commonwealth or the local authorities or both until the contract has been completed

(c) No township road or part thereof shall be taken over if an agreement has been entered into between the local authorities and the Commonwealth or any other party for the maintenance or construction of such road even though no formal contract has been executed pursuant to such agreement and no work has been done until the terms of the agreement have been fulfilled or the agreement has been cancelled by the local authorities

Section 3 The Commonwealth shall take over through the Department of Highways the obligation for maintaining constructing or reconstructing all drainage structures and bridges on any highway taken over under the provisions of this act which are the responsibility of the township except storm or sanitary sewers Responsibility for the construction reconstruction and maintenance of any other structures shall remain with the county township person association or corporation responsible therefor at the date of the approval of this act

Section 4 After the highways hereinbefore designated shall have been taken over by the Commonwealth they shall be built rebuilt constructed reconstructed repaired and maintained by the Department of Highways at the expense of the Commonwealth but it shall nevertheless be lawful for the Department of Highways to enter into agreements in the discretion of the Secretary of Highways with counties or townships or with persons associations or corporations for sharing with the Commonwealth the cost of construction reconstruction or maintenance of highways or parts thereof taken over by the Commonwealth under this act The construction or improvement of any such highways shall be of such width type and location as may be determined by the Secretary of Highways with the approval of the Governor and repairs and maintenance shall be of such type as shall be determined by the Secretary of Highways

The county commissioners of any county may by resolution and after approval of a grand jury of the county take over with the consent of the Secretary of Highways any State highway included in this act or any section thereof as a county road to be maintained and improved in the manner provided by law for county roads A description of any road or section so taken over with the resolution of the county commissioners and the approval of the Secretary of Highways shall be filed by the county commissioners in the office of the clerk of the Court of Quarter Sessions of the proper county

Section 5 Whenever it shall appear to the Secretary of Highways that any part or section of any township road taken over under the provisions of this act is unnecessary for public travel burdensome or dangerous he may petition the Court of Quarter Sessions of the proper county to vacate such part or section of township road and the proceedings upon said petition shall be governed by existing laws relating to the vacating of public highways provided that nothing herein contained shall be construed to limit the authority of the Secretary of Highways to vacate certain sections of roads which have been relocated as now provided by law

Section 6 This act is not intended and shall not be construed to include or in any manner affect any private road county road or any road street or highway in any city borough or incorporated town of the Commonwealth

Section 7 All moneys received by the Commonwealth under any contract or agreement for sharing the cost of the construction reconstruction or maintenance of any section of a highway under the provisions of this act shall be deposited in the Motor License Fund and as much of the money in the Motor License Fund as may be necessary to carry out the provisions of this act is hereby specifically appropriated to the Department of Highways for the purposes of this act

Section 8 It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as though the part or parts held unconstitutional had not been included herein

Section 9 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

Section 10 This act shall become effective upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1823, as follows:

An Act to amend section eight hundred and three of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act confering powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by adding thereto paragraph (f) providing that fire department and fire patrol apparatus may have a red head lamp on the left side

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight hundred and three of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding thereto paragraph (f) to read as follows

(f) Any fire department or fire patrol apparatus may have a head lamp on the left side which exhibits a red light instead of the usual left hand lamp as required by this act for other motor vehicles

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2328 (Senate Bill No. 955), entitled:

An Act authorizing the Department of Highways to enter into an agreement or agreements with the Highway Commission of the State of New Jersey for the construction under certain terms and conditions of a free bridge across the Delaware River at or near Yardley granting certain powers to the Department of Highways in connection with said construction and making an appropriation.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2329 (Senate Bill No. 994), entitled:

An Act to prevent fraud and deception in the sale and offering for sale of rebuilt electric storage batteries and prescribing penalties for violation thereof.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2337 (Senate Bill No. 367), entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (Pamphlet Laws two hundred thirteen) entitled "An act to accept the grant of public lands by the United States to the several states for the endowment of Agricultural Colleges" and making an appropriation for carrying the same into effect.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. JOHN L. HOLMES. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2341 (Senate Bill No. 1334), entitled:

An Act making an appropriation for aid to free public nonsectarian county libraries, and for the purchase and transportation of books.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2343 (Senate Bill No. 1337), entitled:

A Supplement to the act approved the eleventh day of June one thousand nine hundred and thirty-one (Appropriations Acts page sixteen) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one" providing for deficiencies in certain appropriations for the fiscal biennium ending May thirty-first one thousand nine hundred and thirty-three.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2344 (Senate Bill No. 1351), entitled:

An Act making an appropriation for unemployment relief contingently upon the approval by the voters of a constitutional amendment authorizing the borrowing of twenty-five million dollars to defray the expenses of State Government for the biennium beginning June first one thousand nine hundred thirty-three.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2345 (Senate Bill No. 1352), entitled:

An Act to amend sections one two and three of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws eighty-eight) entitled "An act creating the State Emergency Relief Board consisting of the Governor the Lieutenant Governor the Auditor General State Treasurer and the Speaker of the House of Representatives prescribing its powers and duties empowering the Governor to disburse moneys received from the Federal Government for the relief of the unemployed in accordance with plans adopted by the board and making an appropriation."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2335 (Senate Bill No. 104), entitled:

An Act requiring the Department of Revenue to prepare and distribute lists of certain stocks and securities which in its opinion are exempt from the city and county tax on intangible personal property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 25, 1933.

Resolved (if the Senate concur), That House Bill No. 1106, Printer's No. 437, entitled "An act to provide for the incorporation and regulation of cooperative agricultural [cerdit] [credit] associations having capital stock and defining the limitations powers and duties of such associations," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

AMENDED SENATE BILLS NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 489.

An Act establishing as State highways certain condemned or abandoned turnpikes, and turnpikes the companies or associations owning which have been dissolved, and requiring their construction, repair and maintenance as such.

Mr. PETERS. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RETURNING HOUSE BILL No. 1

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 25, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate returning to the Governor House Bill No. 1, Printer's No. 473, without amendment.

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 25, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1, Printer's No. 473, entitled "An act relating to baseball and football on Sunday prohibiting baseball and football on Sunday during certain hours and also during certain other hours unless the electors of a municipality are in favor of the same and in certain cases a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1374

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 25, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1374, Printer's No. 977, entitled "An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the Superintendent of Public Instruction to permit as to certain school districts temporary reductions in the salary schedules authorizing Superintendent of Public Instruction to suspend mandatory provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and of its amendments and supplements prohibiting school districts from demanding requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules granting certain options to the members of the School Employes' Retirement System and temporarily superseding any inconsistent acts and parts of acts."

GIFFORD PINCHOT.

SENATE MESSAGE

RESCOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That Senate Bill No. 538, Printer's No. 544, entitled "An act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies associations exchanges or persons not authorized to do business in this Commonwealth requiring certificates from the Insurance Department before accepting insurance advertisements or broadcasting the same by radio and fixing penalties," be recalled from the Senate for the purpose of amendment.

RECONSIDERATION OF SENATE BILL No. 538

Mr. STEEDLE. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. SPANN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Steedle, vote on the final passage of this bill?

Mr. STEEDLE. Mr. Speaker, I voted in the majority, "aye."

The SPEAKER. How did the gentleman from Allegheny, Mr. Spann, vote on the final passage of this bill?

Mr. SPANN. Mr. Speaker, I voted "aye."

On the question,

Will the House agree to the motion?

It was agreed to.

RECONSIDERATION OF VOTE

Mr. STEEDLE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. STEEDLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 2, page 2, line 11, by striking out the word "busines" and inserting in lieu thereof the following: "business."

Amend section 3, page 2, line 28, by inserting after the word "thousand" the following: "dollars ($1,000)."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 876, as follows:

An Act to amend sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight one thousand seven hundred and fifteen one thousand eight hundred and six two thousand sixty-three two thousand seventy two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one to repeal sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred and two three thousand two hundred and three three thousand two hundred and four three thousand two hundred and five and three thousand two hundred and six and to add sections two hundred nine two hundred nine a three thousand two hundred and two and three thousand two hundred and three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" regulating advertising fixing the voting powers at county conventions of township officers correcting certain section headings providing the security to be given by depositories prescribing penalties for delinquent taxes permitting certain municipal claims to be embraced in one claim and providing that the width of sidewalks may be fixed by resolution regulating the carrying of Workmen's Compensation Insurance providing for the laying out and ordaining of sidewalks for the removal of shrubbery and obstructions within highways for the filling of vacancies in office for the reestablishment of a first class township as a second class township and defining the powers and duties of the planning commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight sections one thousand seven hundred and fifteen two thousand and sixty-three two thousand and seventy two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" are hereby amended to read as follows

Section 110 Legal Advertising Whenever under the provisions of this act notice is required to be published in one newspaper such publication shall be made in a newspaper of general circulation as defined by the Newspaper Advertising Act approved May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eight-four) printed [in the township if there is such a newspaper and if not then in a newspaper] or circulating generally in such township If such notice is required to be published in more than one newspaper it shall be pubished in at least one newspaper of general circulation defined as aforesaid printed [if there be such a newspaper] or circulating generally as above provided in the township When such notice relates to any proceeding or matter in any court or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation such notices shall also in counties of the second third fourth and fifth classes be published in the legal newspaper if any designated by the rules of court of the proper county for the publication of legal notices and advertisements unless such publication be dispensed with by special order of court Provided however That ordinances auditors' statements summaries of auditors' statements advertisements inviting proposals for public contracts and for bid for material and supplies or lists of delinquent taxpayers shall be published only in newspapers of general circulation defined as aforesaid

Section 407 Schedule for Election of Commissioners in Townships First Divided Into Wards When a township is first divided into wards the township commissioners then in office shall continue in office until the expiration of their respective terms

At the first municipal election occurring at least ninety days after such division into wards there shall be elected by the qualified electors of each ward of the township one township commissioner who [need not] shall reside in the ward for which he is elected At such election the township commissioners elected in even-numbered wards shall be elected for terms of two years each and those in odd-numbered wards for terms of four years each or vice versa as the case may be in order that the expiration of such terms will harmonize with the expiration of term of township commissioners elected for such numbered wards under the provisions of this act Thereafter successors to such commissioners elected by ward shall be elected for term of four years each at the municipal election immediately preceeding the expiration of the terms of ward commissioners

If the number of wards into which the township has been divided is less than five then at the municipal election preceding the expiration of the terms of any commissioner or commissioners theretofore elected at large if such expiration of terms will leave the township with less than five township commissioners there shall be elected at large a sufficient number of township commissioners so that the total number of commissioners elected by wards and at large in the township shall thereafter be five If one township commissioner is elected at large at such election he shall be elected for a term of four years If two township commissioners are elected at large at such election one shall be elected for a term of two years and one for a term of four years If three township commissioners are elected at large at such election two shall be elected for terms of four years each and one for a term of two years Successors to such township commissioners elected at large at such election shall be elected for terms of four years each

All terms of office of township commissioners elected at large or by wards shall commence on the first Monday of January next following their election

Section 408 Schedule of Election of Commissioners in Newly Created Wards Whenever in a township previously divided into wards a new ward is created and the number

of wards thereafter in such township including the new ward is less than five then at the municipal election next following the expiration of the term of the commissioner or commissioners elected at large whose terms shall first expire after such creation there shall be elected by the qualified electors of such new ward one township commissioner who [need not] shall reside in the ward for which he is elected for a term of two or fours years so that the expiration of his term will harmonize with the expiration of terms of commissioners for such numbered wards under the provisions of this act Successors to such township commissioners shall be elected for term of four years The number of commissioner thereafter elected at large in any such township shall be the difference between the number of wards and five and a sufficient number of commissioners shall be elected at large at each municipal election preceding the expiration of terms of commissioners at large so that the total number of commissioners in the township will at all times be five

Whenever in any township previously divided into wards a new ward is created and the number of wards thereafter in such township is five then at the municipal election preceding the expiration of the term of office of any commissioner or commissioners elected at large a township commissioner shall be elected for such ward who [need not] shall reside in the ward Such election shall be for a two or four year term so that the expiration of his term will harmonize with the expiration of terms of commissioners for such numbered wards under the provisions of this act The successor to such ward commissioner shall be elected for a four-year term No township commissioner shall thereafter be elected at large in such township

If the number of wards in such township including the new ward shall be more than five the court of quarter sessions shall appoint a township commissioner for such new ward who shall hold office until the first Monday in January succeeding the first municipal election at which township commissioners are elected in such numbered wards under the provisions of this act at which election and every four years thereafter a township commissioner who [need not] shall reside in the ward shall be elected by the qualified electors of said ward for a term of four years

All township commissioner selected under this section shall take office on the first Monday of January next succeeding their election

Section 530 Township Commissioners When a vacancy occurs in the office of township commissioners in any township by reason of death resignation removal from the township or ward or otherwise the court of quarter sessions upon the petition of twenty qualified voters of the ward or township as the case may be in which the vacancy occurs may appoint a qualified voter of the township to fill such vacancy If such petition is not presented to the court within thirty days after such vacancy occurs the board of township commissioners of the township may appoint a qualified voter of the township to fill the vacancy In either event the person so appointed shall hold office until the next municipal election at which election a township commissioner shall be elected for the unexpired term of the person whose place he is elected to fill

Section 612 Officers of Association Ex-Officio Membership The officers of the association shall consist of a president two vice presidents a secretary and a treasurer all of who except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen If desirable the secretary may be a person not a regular member of the association and may be paid for his service such compensation not exceeding ten dollars per annum as the other officers may determine Every township [oiffcer attending such convention may vote in the election of officers] shall have one vote in the convention The mayor of any city the burgess of any borough or their duly appointed representative the county commissioners and the judges of the court in the county the township engineer of the State Highway Department the assistant engineers of the division of township highways and the superintendent of State highways in charge of such county shall be eligible to membership but shall not be entitled to vote nor to hold office

Section 621 Delegates from [County Associations] Townships Each township shall send one township officer as a delegate to each annual meeting of said State association who shall be selected by the commissioners of the township of which he is a commissioner or an officer

Section 622 Expenses of Delegates Paid by [County Associations] Townships The expenses of the delegates and other officers attending the annual meeting shall not exceed seven dollars and fifty cents per day for each officer attending for not more than three days together with the actual mileage at the prevailing rate of railroad fare and shall be paid by the respective townships

Section 808 Depositories of Township Funds Selection [of] Bonds The Board of commissioners shall from time to time designate by resolution a depository or depositories for township funds and tax collectors' funds Such depository or depositories shall be banks banking institutions or trust companies located in the Commonwealth.

Depositories so designated shall upon receipt of notice of their selection as a depository of township funds either furnish a bond to secure payment of deposits of township and tax collectors funds and any interest to the township with a proper warrant to confess judgment in favor of the township secured by a surety company or individual sureties to be approved by the board of commissioners or deposit United States municipal or county bonds to be approved by the board of commissioners to secure the payment of township deposits and any interest thereon Such surety bonds shall be in a sum to be fixed by ordinance or resolution at least equal to the probable greatest amount of such deposit at any one time The current market value of deposit bonds shall be at all times at least equal to the amount of township funds then on deposit with such depository Such deposit bonds shall be accompanied by proper assignments or powers of attorney to transfer the same In the event of the failure of the depository to pay to the township the full amount of such deposit and interest thereon such bonds and the proceeds of sale thereof shall belong to the township until it shall receive therefrom the full amount of such deposits and interest thereon and the township shall have a prior standing as respects such bonds and be in all respects preferred to any and all claims except such as have heretofore been preferred by law

The township treasurer shall upon the designation and qualification of such depository or depositories immediately transfer thereto the township funds and shall thereafter keep such deposits solely in such depository or depositories in the name of the township

No township treasurer or tax collector complying with the provisions of this section nor his surety or sureties shall be chargeable with losses in township funds caused by the failure or negligence of such depository or depositories

Section 1715 Penalties All persons who fail to make payment of any tax charged against them in the duplicate within the period of sixty days from the date of notice thereof by the township treasurer shall be charged with a penalty of two per centum additional on the amount of tax and thereafter an additional penalty of [one] one-half per centum for each month or fractional part thereof [during the remainder of the fiscal year for which the tax is levied] until paid which penalties shall be added to the tax by the treasurer and collected by him [or his deputy] for the benefit of the township Provided however That said penalty of one-half of one per centum per month shall cease at any time when and if interest is added to such taxes under laws providing for the return of unpaid taxes or the filing of liens therefor

Section 1806 Workmen's Compensation Insurance All contracts executed by any township which involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept in so far as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and that the said contractor will insure his liability thereunder or file with the township with which the contract is made a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Every officer of any township who shall sign on behalf of the township any contract requiring in its performance the

employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of the said act or that the said contractor has had issued to him a certificate of exemption from insurance by the Bureau of Workmen's Compensation of the Department of Labor and Industry.

[Any] In any contract executed in violation of the provisions of this act [shall be null and void] the township which is a party thereto shall be regarded as the employer and liable to pay compensation to any person entitled to compensation under the laws of the Commonwealth as the result of employment pursuant to such contract

Section 2063 Collection of Assessments If any assessment shall remain unpaid at the expiration of the notice it shall be the duty of the township solicitor to collect the same with interest from the time of completion of the improvement by action of assumpsit or by a lien to be filed and collected in the same manner as municipal claims When an owner has two or more lots against which there is an assessment of the same improvement all of such lots [shall] may be embraced in one claim

(k) Trees [and] Shrubbery and Obstructions within Limits of Highways

Section 2070 [Saving Trees and Shurbbery Where any highway passes through or along forested lands wild lands or uncultivated lands no trees growing within the limits of such highway at a distance beyond fifteen feet on either side of the center line thereof and which measure four inches or over in diamter at a point two feet from the surface of the ground shall be cut down or destroyed by the commissioners or persons employed by them or any other person without first obtaining the consent of the abutting owners

Whenever any highway running through improved or cultivated lands has been opened and there are growing along the roadside and within the road limits shrubs or trees not interfering with public travel no commissioners or other persons in their employ shall remove cut injure or destroy or in any other manner interfering with such shrubs or trees If such removal or cutting is absolutely necessary for the purpose of maintaining the highway at its highest efficiency the commissioners or other persons in their employ may so cut or remove such shrubs or trees after notifying the abutting property owners and entering into an agreement with them relating to the removal cutting or interference with said shrubs or trees]

In order to provide for easy and convenient traveling upon the public highways the township commissioners may cut alter or remove any trees shrubbery underbrush refuse or obstructions within the legal width of any public road street lane or alley or any part thereof All logs cordwood or other forms of wood derived from the destruction or removal of any trees growing along such highways become the property of the abutting owners provided that such abutting owners shall within ten days after notice from the township remove such logs cordwood or other forms of wood from the legal width of the highway In the event of their failure to do so they shall forfeit all interest therein and the same may be disposed of as the township commissioners deem proper

Section 2301 Power to Lay Out Ordain and Establish Grades Townships may lay out ordain and establish sidewalks along any [of the roads streets lanes and alleys of the township] public road street lane or alley including State and State-aid highways and county roads and may establish grades for such sidewalks which grades may be separate and apart from the grade established for the highway and for this purpose any township may acquire land by purchase gift or by the right of eminent domain

Section 2302 Width The width of any sidewalk shall be fixed by the township commissioners either by ordinance or resolution

Section 3201 Power to Create Planning Commission Residence of Commissioners Employes Rules and Regulations The township commissioners may create by ordinance and appoint a Planning Commission consisting of five persons in the first instance one member of said commission shall be appointed for one year one for two years one for three years one for four years and one for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a vacancy shall be for the unexpired portion of the term All members of the commission shall reside within the [zone of jurisdiction of said commission as hereinafter defined] township [The Planning Commission may make and alter rules and regulations for their own organization and procedure consistent with the ordinance of the township and the laws of the Commonwealth] They shall serve without compensation and make annually to the township commissioners a report of their transactions The Planning Commission may with the consent of the township commissioners [employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for through proper appropriation by the township commissioners] retain the services of an engineer or engineers as well as other necessary employes. The township commissioners shall appropriate such sum as they deem necessary for defraying the expenses of the Planning Commission and in no event shall the expenses of the Planning Commission including the salaries of the engineer or other employes exceed the amount of the appropriation

Section 2 That sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred two three thousand two hundred three three thousand two hundred four three thousand two hundred five and three thousand two hundred six of said act are hereby repealed

Section 3 That said act is hereby amended by adding thereto the following sections

(bb) Reestablishment of Townships of the Second Class

Section 209 Ascertainment of Population At any time not less than one year before the time fixed for taking a decennial census of the United State whenever the owners of twenty-five per centum of the assesed valuation of the real estate of any township of the first class shal present their petition to the court of quarter sessions averring that the township no longer has a population of three hundred inhabitants to the square mile and shall give such security as the court may prescribe for the payment of all costs and expenses which may be incurred in any procedure had upon said petition the court shall appoint a commissioner to perform the duties hereafter prescribed

The said commissioner shall make an enrollment of the inhabitants of such township and make report thereof to the court at the next ensuing term Upon the filing of the report the same shall be confirmed nisi which confirmation shall become absolute unless excepted to within thirty days thereafter during which time notice of the said filing and confirmation shall be advertised in a newspaper published in the county once a week for three weeks If exceptions are filed to the report within the said thirty days the court upon consideration thereof shall confirm the report or modify the said finding After final confirmation the clerk of the court shall certify to the county commissioners and to the township supervisors of the township the population of the township as shown by said proceedings The costs and expenses of the proceedings including a reasonable fee for the commissioner and attorney shall be paid by the petitioners or by the township or partly by each as the court shall direct

In addition to the procedure provided in the preceding paragraph the county commisisoners of each county shall following each decennial census of the United States ascertain from such census whether any township of the first class in the county no longer has a population of three hundred inhabitants to the square mile and shall immediately certify the fact that any township no longer has a population of three hundred inhabitants to the square mile to the board of commissioners of the township

Section 209a Submission of Question of Voters Returns of Election and Effect Thereof At the first general or municipal election occuring at least ninety days after the ascertainment by special enrollment or from the United States census including the United States census of one thousand nine hundred and thirty and each subsequent census that any township of the first class no longer has a pouplation of at least three hundred inhabitants to the square mile the question whether such township of the first class shall be reestablished as a township of the second class shall be submitted to the voters of the township and the county commissioners shall cause to be printed on separate ballots to be used in such township at such election a proper question framed in accordance with the election laws of the Commonwealth

The election officers shall compute the votes cast at the election provided for in the preceding paragraph and make return thereof to the clerk of the court of quarter sessions who shall tabulate the same and certify the result thereof to the county commissoiners and the township commissioners of such township If a majority of the votes cast at any such election shall be in favor of becoming reestablished as a township of the second class the government of the township of the second class shall be organized and become operative on the first Monday of January next succeeding such election at which time the terms of the officers of the township of the first class shall cease and terminate If a majority of the votes cast at any such election shall be in favor of remaining a township of the first class no further proceedings shall be had for a period of four years after which period the board of township commissioners by unanimous action may or upon petition of ten per centum of the registered voters of the township shall resubmit the question to the electors of the township in the manner hereinbefore provided

The provisions of this and the preceding section shall apply to all townships of the first class the governments of which as townships of the second class have not been actually organized at the time this act becomes effective and such townships shall continue as townships of the first class until the election hereinbefore provided shall determine otherwise

Section 3202 Maps and Plans Recommendations of Planning Commission In addition to filing an annual report it shall be the duty of the Planning Commission to make or cause to be made and to lay before the township Commissioners maps and plans of the township or any portion thereof showing the strets highways and other natural and artifical features and also any locations recommended by it for any new public buildings civic schemes parkways parks playgrounds or any other public grounds or public improvements and any widening extension or relocation of the same and thereafter from time to time the Planning Commission may lay before the township commisisoners any modification change or supplement to any prior plan or plans The Planning Commission may also from time to time make recommendations to the township commissioners with respect to any and all matters and things referred to in this section and in so doing shall have regard for the present conditions and future needs and growth of the township

Any maps or plans so submitted shall not be affective unless regularly approved and adopted by ordinance or resolution of the township commissioners and after such approval and adoption shall be subject to revision and change from time to time as the township commissioners may deem expedient

Section 3203 Reference of Proposals to Planning Commission The township commisisoners may at their discretion from time to time submit to the Planning Commission any question or proposal relating to any of the matters or things refered to in the preceding section hereof or any other matter or thing relating to the growth or development of the township including any plans for the development of any particular sections of the township and it shall be the duty of the Planning Commission in due course to make a report with respect to any such question or proposal with its recommendation thereon

Section 4 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189

Andrews,	Gorman,	McGrail,	Shellenberger,
Baker,	Green,	McGregor,	Shettel,
Baldi,	Greenstein,	McHenry,	Shortz,
Barnhardt,	Griffith,	McKay,	Shreiner,
Bechtel,	Habbyshaw,	McKinney,	Shugarts,
Beech,	Haines,	Melchiorre,	Simon,
Bennett,	Hamilton,	Meredith,	Sinwell,
Bernhard,	Harmuth,	Merrell,	Snyder,
Blumberg,	Hart,	Metzler,	Sowers,
Boyd,	Heffernan,	Mohn,	Spann,
Brancato,	Hermansen,	Moore,	Stank,
Brennan,	Hewitt,	Mumford,	Steedle,
Brown, J. E.,	Himes, H. E.,	Munley,	Sterling, P.,
Brown, W. L.,	Himes, L. R.,	Myers,	Sterling, R. B.,
Brownfield,	Holmes, J. B.,	Negley,	Stevens,
Cannon,	Holmes, J. L.,	Nothnagle,	Stevens, J.,
Caputo,	Hoopes,	O'Connor,	Stiteler,
Carey,	Horst,	O'Keefe,	Stone,
Carson,	Hough,	O'Neill,	Storb,
Chervenak,	Hutton,	O'Rourke,	Stott,
Cohen,	Jaffe,	Patterson,	Surface,
Conner,	Jones,	Peelor,	Tahl,
Cooke,	Kane, L. P.,	Pennock,	Terry,
Cordier,	King,	Perry, D. R.,	Turner,
Craig,	Kinney,	Perry, J. J.,	Wade,
Cramer,	Labar,	Peters,	Wagner,
Dane,	Lane,	Powers,	Walker, G. E.,
Davies,	Laubach,	Price,	Walker, W. A.,
DeFrehn,	Lenahan,	Raub,	Wall,
Denning,	Lewis,	Rectenwald,	Wasserman,
Downey, G. E.,	Long,	Reed,	Way,
Downey, J.,	Lord,	Reilly,	Weidemann,
Duffy,	Lose,	Rhodes,	Welsh,
Dunmire,	Lovett, J. E.,	Rice,	Westrick,
Ederer,	Lovett, W. S.,	Roan,	White,
Emhardt,	Lynch, M.,	Root,	Wike,
Eroe,	Male,	Roth,	Williams, G. W.,
Evans,	Malina,	Royle,	Wilson, L. M.,
Fitzgerald,	Maloney,	Ruby,	Wilson, T. B.,
Flanagan,	Marcks,	Ruth,	Witkin,
Fleisher,	Mason,	Sarig,	Wood,
Flinchbaugh,	McBride,	Sautter,	Wright,
Flynn,	McCandless,	Schrock,	Yeakel,
Forrest,	McClure,	Schrope,	Yourishin,
Furman,	McCreary,	Schwab,	Zimmerman,
Gallagher,	McElwee,	Scott,	Talbot,
Gartner,	McGinnis,	Sheffer,	Speaker.
Gillette,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1035, as follows:

An Act to further amend section three hundred and two of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" providing for the identification of persons applying for licenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred and two of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws four hundred forty-four) is hereby further amended to read as follows

Section 302 Resident License Fee Each such resident as provided in the preceding section upon application made verbally or in writing to any county treasurer within the Commonwealth the presentation of proof that he is a citizen of the United States and a bona fide resident of this Commonwealth under the requirments of this article and the establishment of his identity to the satisfaction of the authority issuing the license by producing a bank book letters lodge cards poclie cards or a motor vehicle driver's license or some other positive means o fidentification and in the case of naturalized foreign-born applicants the production of such applicant's naturalization papers and the payment to said county treasurer or to the Department of Revenue of two dollars shall be entitled to the license herein designated as a Resident Hunter's License and a tag with the number of the license thereon

It is unlawful for any county treasurer or any of his representatives or for the Department of Revenue to knowingly issue a resident hunter's license to any person physically or mentally unfitted to carry or use firearms

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189

Andrews,	Habbyshaw,	McGregor,	Sheffer,
Baker,	Haines,	McHenry,	Shellenberger,
Baldi,	Harmuth,	McKay,	Shettel,
Barnhardt,	Harris,	McKinney,	Shortz,
Bechtel,	Hart,	Meredith,	Shreiner,
Bennett,	Hartman,	Merrell,	Shugarts,
Bernhard,	Heffernan,	Metzler,	Simon,
Boyd,	Hefferon,	Mohn,	Sinwell,
Brancato,	Heffner,	Moore,	Snyder,
Brennan,	Hermansen,	Mumford,	Sowers,
Brown, J. E.,	Hester,	Munley,	Spann,
Brown, W. L.,	Hewitt,	Myers,	Stank,
Brownfield,	Himes, H. E.,	Negley,	Steedle,
Cannon,	Himes, L. R.,	Nothnagle,	Sterling, P.,
Caputo,	Hoffman,	O'Connor,	Sterling, R. B.,
Carey,	Holmes, J. B.,	O'Keefe,	Stevens,
Carson,	Holmes, J. L.,	O'Neill,	Stevenson,
Chervenak,	Hoopes,	O'Rourke,	Stiteler,
Cohen,	Horst,	Patterson,	Stone,
Conner,	Hough,	Peelor,	Storb,
Cooke,	Howard,	Pennock,	Stott,
Cordier,	Hutton,	Perry, D. R.,	Surface,
Craig,	Kane, J. J.,	Perry, J. J.,	Tahl,
Cramer,	King,	Peters,	Terry,
Dane,	Kinney,	Powell,	Wade,
Davies,	Labar,	Powers,	Wagner,
DeFrehn,	Lane,	Price,	Walker, G. E.,
Denning,	Lenahan,	Quinn,	Walker, W. A.,
Downey, G. E.,	Lewis,	Raub,	Wall,
Downey, J.,	Long,	Rectenwald,	Wasserman,
Duffy,	Lord,	Reed,	Way,
Dunmire,	Lose,	Reilly,	Weidemann,
Ederer,	Lovett, J. E.,	Rhodes,	Welsh,
Emhardt,	Lovett, W. S.,	Rice,	Westrick,
Eroe,	Lynch, J. R.,	Roan,	White,
Evans,	Lynch, M.,	Root,	Wike,
Fitzgerald,	Male,	Roth,	Williams, G. W.,
Flanagan,	Malina,	Royle,	Williams, J. J.,
Fleisher,	Maloney,	Ruby,	Wilson, L. M.,
Flinchbaugh	Marcks,	Ruth,	Wilson, T. B.,
Flynn,	Mason,	Sarig,	Witkin,
Forrest,	McBride,	Sautter,	Wood,
Furman,	McCandless,	Schrock,	Woodside,
Gallagher,	McClure,	Schrope,	Wright,
Gartner,	McCreary,	Schwab,	Yourishin,
Gillette,	McElwee,	Schwartz,	Talbot,
Green,	McGinnis,	Scott,	Speaker.
Griffith,	McGrail,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1253, as follows:

An Act to amend article twenty of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by prescribing the powers and duties of the boards of trustees of State teachers colleges and the Cheyney Training School for Teachers repealing inconsistent legislation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article twenty of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred twelve) is hereby further amended by inserting therein after section two thousand and one a new section to read as follows

Section 2001.1. The boards of trustees of the several teachers colleges and the Board of Trustees of the Cheyney Training School for Teachers shall have general direction and control of the property and management pecuniary and otherwise of their respective institutions Each of the said boards of trustees shall have the power and its duty shall be

(a) Subject to the approval of the Superintendent of Public Instruction to elect a president principal or superintendent of the institution who shall be subject to the authority of the board administer the institution and if deemed advisable a business manager

(b) On nomination by the president principal or superintendent from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board of this Commonwealth except as otherwise provided by law

(d) Subject to the approval of the Superintendent of Public Instruction to make such by-laws rules and regulations for the management of the institution as it may deem advisable

(e) To contract for directly and purchase and pay for from appropriations made by the Commonwealth for services supplies equipment and all other expenses of maintenance and operation necessary for the proper conduct of their several institutions and the purposes for which they are intended No department of the State Government shall act as purchasing agent for any of said colleges or institutions Provided that all requisitions for service and purchases shall be approved by the Department of Public Instruction

Section 2 That section one thousand three hundred and eleven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of ing reorganizing or authorizing the reorganization of certain State Normal Schools or Teachers Colleges abolishing creat-administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined is hereby repealed in so far as it relates to State teachers colleges and the Cheyney Training School for Teachers

All other parts of said act and its amendments inconsistent herewith are hereby repealed

Section 3 This act shall become effective on the first day of June 1933

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Andrews,	Harmuth,	McGrail,	Shortz,
Baker,	Harris,	McGregor,	Shreiner,
Baldi,	Hart,	McHenry,	Shugarts,
Barnhardt,	Hartman,	McKay,	Simon,

Bechtel,	Heffernan,	McKinney,	Sinwell,
Beech,	Hefferon,	Melchiorre,	Snyder,
Bennett,	Hefner,	Meredith,	Sowers,
Bernhard,	Hermansen,	Merrell,	Spann,
Blumberg,	Hester,	Metzler,	Stank,
Boyd,	Hewitt,	Mohn,	Steedle,
Brancato,	Himes, H. E.,	Moore,	Sterling, P.,
Brennan,	Himes, L. R.,	Mumford,	Sterling, R. B.,
Brown, J. E.,	Hoffman,	Munley,	Stevens,
Brownfield,	Holmes, J. B.,	Myers,	Stevenson,
Cannon,	Holmes, J. L.,	Negley,	Stiteler,
Caputo,	Hoopes,	Nothnagle,	Stone,
Carson,	Horst,	O'Connor,	Storb,
Chervenak,	Hough,	O'Keefe,	Stott,
Conner,	Howard,	O'Neill,	Surface,
Cooke,	Hutton,	O'Rourke,	Tahl,
Cordier,	Jaffe,	Patterson,	Terry,
Craig,	Jones,	Peelor,	Turner,
Cramer,	Kane, J. J.,	Pennock,	Wade,
Dane,	Kane, L. P.,	Perry, D. R.,	Wagner,
Davies,	King,	Perry, J. J.,	Walker, G. E.,
DeFrehn,	Kinney,	Peters,	Walker, W. A.,
Denning,	Labar,	Powers,	Wall,
Downey, J.,	Lane,	Price,	Wasserman,
Duffy,	Laubach,	Rectenwald,	Way,
Dunmire,	Lenahan,	Reed,	Weidemann,
Dwyer,	Lewis,	Rhodes,	Welsh,
Ederer,	Long,	Rice,	Westrick,
Emhardt,	Lose,	Root,	White,
Eroe,	Lovett, J. E.,	Royle,	Wike,
Evans,	Lovett, W. S.,	Ruth,	Williams, G. W.,
Fitzgerald,	Lynch, J. R.,	Sarig,	Williams, J. J.,
Flanagan,	Lynch, M.,	Sautter,	Wilson, L. M.,
Fleisher,	Male,	Schrock,	Wilson, T. B.,
Flinchbaugh,	Malina,	Schrope,	Witkin,
Flynn,	Malone,	Schwab,	Wood,
Forrest,	Marcks,	Schwartz,	Woodside,
Furman,	Mason,	Scorza,	Wright,
Gallagher,	McBride,	Scott,	Yeakel,
Gartner,	McCandless,	Sheffer,	Yourishin,
Griffith,	McClure,	Shellenberger,	Zimmerman,
Habbyshaw,	McCreary,	Shenkel,	Talbot,
Haines,	McGinnis,	Shettel,	Speaker.
Hamilton,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 647, as follows:

An Act to amend section three of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred fifteen) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" by requiring registers of wills to notify bodies politic for religious or charitable uses of devises and bequests to them

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred fifteen) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" is hereby amended to read as follows

Section 3 Every register qualified to act as aforesaid shall have jurisdiction within the county for which he shall have been elected or appointed of the probate of wills and testamentary papers of the granting of letters testamentary and of administration of the passing and filing of the accounts of executors and administrators and of any other matter whereof the jurisdiction may be at any time expressly annexed to his said office and the act of any register in any matter whereof another register has the exclusive jurisdiction shall be void and of no effect

Whenever any will or testamentary paper offered for probate contains a devise or bequest direct or in trust to any body politic for religious or charitable uses the register of wills shall forthwith notify such body politic of such devise or bequest by mailing a notice thereof addressed to the last known address of such body politic

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190

Andrews,	Green,	McGrail,	Shenkel,
Baker,	Greenstein,	McGregor,	Shettel,
Baldi,	Griffith,	McHenry,	Shortz,
Bechtel,	Habbyshaw,	McKay,	Shreiner,
Beech,	Haines,	McKinney,	Shugarts,
Bennett,	Hamilton,	Melchiorre,	Simon,
Bernhard,	Harmuth,	Meredith,	Sinwell,
Blumberg,	Harris,	Merrell,	Snyder,
Boyd,	Hart,	Metzler,	Sowers,
Brennan,	Hartman,	Mohn,	Spann,
Brown, J. E.,	Hefferon,	Moore,	Stank,
Brown, W. L.,	Heffner,	Mumford,	Steedle,
Brownfield,	Hermansen,	Munley,	Sterling, P.,
Cannon,	Hester,	Myers,	Sterling, R. B.,
Caputo,	Hewitt,	Negley,	Stevens,
Carey,	Himes, H. E.,	Nothnagle,	Stevenson,
Carson,	Himes, L. R.,	O'Connor,	Stiteler,
Chervenak,	Holmes, J. B.,	O'Keefe,	Stone,
Cohen,	Holmes, J. L.,	O'Neill,	Storb,
Conner,	Horst,	O'Rourke,	Stott,
Cooke,	Hough,	Patterson,	Surface,
Cordier,	Hutton,	Peelor,	Tahl,
Craig,	Jaffe,	Pennock,	Terry,
Cramer,	Jones,	Perry, D. R.,	Turner,
Dane,	Kane, L. P.,	Perry, J. J.,	Wade,
Davies,	King,	Peters,	Wagner,
DeFrehn,	Kinney,	Powell,	Walker, G. E.,
Denning,	Labar,	Powers,	Walker, W. A.,
Downey, G. E.,	Lane,	Price,	Wall,
Downey, J.,	Laubach,	Quinn,	Wasserman,
Duffy,	Lenahan,	Raub,	Way,
Dunmire,	Lewis,	Rectenwald,	Weidemann,
Dwyer,	Long,	Reed,	Welsh,
Ederer,	Lord,	Reilly,	Westrick,
Emhardt,	Lose,	Rhodes,	White,
Eroe,	Lovett, J. E.,	Rice,	Wike,
Evans,	Lovett, W. S.,	Roan,	Williams, G. W.,
Fitzgerald,	Lynch, J. R.,	Root,	Williams, J. J.,
Flanagan,	Lynch, M.,	Roth,	Wilson, L. M.,
Fleisher,	Male,	Royle,	Wilson, T. B.,
Flinchbaugh,	Malina,	Ruby,	Witkin,
Flynn,	Marcks,	Ruth,	Wood,
Forrest,	Mason,	Sarig,	Woodside,
Furman,	McBride,	Sautter,	Wright,
Gallagher,	McCandless,	Schrope,	Yeakel,
Gartner,	McCreary,	Schwartz,	Yourishin,
Gillette,	McElwee,	Scott,	Talbot,
Gorman,	McGinnis,	Shellenberger,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1220, as follows:

An Act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships

of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended relieving boroughs and incorporated towns from the responsibility for maintenance of highways and bridges under the control of the Department of Highways of the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which was last amended by the act approved the twenty-sixth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand three hundred eighty-eight) is hereby further amended to read as follows

Section 10 Anything herein contained or any apportionment of the State into highway districts shall not be construed as including or in any manner interfering with the roads streets and highways in any of the cities boroughs or incorporated towns of the Commonwealth Provided That where any road street or highway shall form a continuation of any of the State highways as herein described within the limits of any borough or incorporated towns the Department of Highways shall improve or reconstruct any section or sections of such road street or highway which have heretofore been maintained by the Department of Highways to such width as it may deem advisable at the expense of the Commonwealth And provided further That nothing herein contained shall authorize the Department of Highways to construct reconstruct or maintain any bridge over a stream on any State highway or any continuation thereof within the limits of any borough or incorporated town which have heretofore been maintained in whole or in part by the borough or incorporated town nor shall anything herein contained authorize any assessment to be made against the Commonwealth by reason of or to assist in the elimination of any grade crossing on any highway within the limits of a borough or incorporated town as herein designated and no such assessment shall hereafter be made under any act of Assembly heretofore enacted

The maintenance of any road street or highway which forms a continuation of any highway herein designated in any borough or incorporated town shall be done by the Department of Highways at the expense of the Commonwealth Provided That all improvements reconstruction and maintenance of any road street or highway in boroughs or incorporated towns shall be of such width and type as may be determined by the Secretary of Highways

No opening shall be made in the surface of any improved highway which is maintained by the Department of Highways under the authority of this act within the limits of any borough or incorporated town until and unless a permit has been obtained for such opening either from the municipal authorities or from the Department of Highways pursuant to an ordinance passed subsequent to the approval of this act authorizing the Department of Highways to act for the municipality Provided however That when any borough or incorporated town shall so designate by ordinance the Department of Highways to act as the agent for the borough or incorporated town in the control of a highway or bridge heretofore maintained by the Department of the base and surface course of Highways no responsibility shall thereafter attach to such borough or incorporated town for the proper maintenance of such highway or bridge Where a permit is not obtained from the Department of Highways as above provided the borough or incorporated town shall require a cash deposit or bond conditioned upon the proper restoration of the surface and shall be responsible to the Department of Highways for the cost of the restoration of such surface in accordance with the adopted standards of the Department of Highways for the particular type of construction Any person firm or corporation opening the improved surface of any street or highway without having first obtained a permit as hereinbefore provided shall upon summary conviction before a magistrate be sentenced to pay a fine of not more than twenty-five ($25) dollars and in addition thereto the cost of prosecution and surface restoration costs and in default of the payment thereof shall undergo imprisonment for not more than five days

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Andrews,	Habbyshaw,	McGinnis,	Shellenberger,
Baker,	Haines,	McGrail,	Shettel,
Barnhardt,	Hamilton,	McGregor,	Shortz,
Beech,	Harmuth,	McHenry,	Shreiner,
Bennett,	Harris,	McKay,	Shugarts,
Bernhard,	Hart,	McKinney,	Simon,
Blumberg,	Hartman,	Melchiorre,	Sinwell,
Brancato,	Heffernan,	Meredith,	Snyder,
Brennan,	Hefferon,	Merrell,	Sowers,
Brown, W. L.	Heffner,	Metzler,	Spann,
Brownfield,	Hermansen,	Mohn,	Stank,
Cannon,	Hester,	Moore,	Steedle,
Caputo,	Hewitt,	Mumford,	Sterling, P.,
Carey,	Himes, H. E.,	Myers,	Sterling, R. B.,
Carson,	Himes, L. R.,	Negley,	Stevens,
Chervenak,	Hoffman,	Nothnagle,	Stevenson,
Cohen,	Holmes, J. B.,	O'Connor,	Stiteler,
Conner,	Holmes, J. L.,	O'Keefe,	Stone,
Cooke,	Hoopes,	O'Neill,	Storb,
Cordier,	Horst,	O'Rourke,	Stott,
Craig,	Howard,	Patterson,	Surface,
Cramer,	Hutton,	Peelor,	Tahl,
Dane,	Jaffe,	Pennock,	Terry,
Davies,	King,	Perry, D. R.,	Turner,
DeFrehn,	Kinney,	Perry, J. J.,	Wade,
Denning,	Labar,	Peters,	Wagner,
Downey, G. E.,	Lane,	Powell,	Walker, G. E.,
Downey, J. J.,	Laubach,	Powers,	Walker, W. A.,
Duffy,	Lenahan,	Price,	Wall,
Dunmire,	Lewis,	Quinn,	Wasserman,
Dwyer,	Long,	Raub,	Way,
Ederer,	Lord,	Rectenwald,	Weidemann,
Emhardt,	Lose,	Reed,	Welsh,
Evans,	Lovett, J. E.,	Reilly,	Westrick,
Fitzgerald,	Lovett, W. S.,	Rhodes,	White,
Flanagan,	Lynch, J. R.,	Rice,	Wike,
Fleisher,	Lynch, M.,	Roan,	Williams, G. W.,
Flinchbaugh,	Male,	Roth,	Williams, J. J.,
Forrest,	Malina,	Ruby,	Wilson, L. M.,
Furman,	Maloney,	Sarig,	Wilson, T. B.,
Gallagher,	Marcks,	Sautter,	Wood,
Gartner,	Mason,	Schrock,	Woodside,
Gillette,	McBride,	Schrope,	Wright,
Gorman,	McCandless,	Schwab,	Yourishin,
Green,	McClure,	Scorza,	Zimmerman,
Greenstein,	McCreary,	Scott,	Talbot,
Griffith,	McElwee,	Sheffer,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1786, as follows:

An Act to further amend section eleven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled "An act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof" by making the moneys in the State Workmen's Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled "An act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred nineteen) is hereby further amended to read as follows

Section 11 The money paid in premiums by subscribers is hereby made available for the expenses of administering the Fund including the purchase through the Department of Property and Supplies of surety bonds for such officers or employes of the board as may be required to furnish them supplies materials motor vehicles workmen's compensation insurance covering the officers and employes of the board and liability insurance covering vehicles purchased out of moneys of said fund and operated by the officers and employes of the board In the event that the use of motor vehicles is required only temporarily then such moneys in the fund are available for the payment to the Department of Property and Supplies for the use of such motor vehicles on a mileage basis at such amount per mile as the Department of Property and Supplies with the approval of the Governor shall determine

The moneys in the fund shall also be available for payment to the Insurance Department of the cost incurred by that department in examining and auditing the State Workmen's Insurance Fund at such amounts as the Insurance Department shall determine for payment to the Treasury Department of the cost of making disbursements out of the State Workmen's Insurance Fund on behalf of the State Workmen's Insurance Board at such amounts as the Treasury Department with the approval of the Executive Board shall determine for payment to the Department of Property and Supplies for space occupied in the Capitol buildings and for water light heat power telephone and other services utilized and consumed by the State Workmen's Insurance Board at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine

The board shall keep an accurate account of the money paid in premiums by the subscribers and the disbursements on account of injuries to the employes thereof and on account of injuries to the employes thereof and on account of administering the fund and if at the expiration of any year there shall be a balance remaining after deducting such disbursements the unearned premiums on undetermined risks and the percentage of premiums paid or payable to create or maintain the surplus provided in section nine of this act and after setting aside an adequate reserve so much of the balance as the board may determine to be safely distributable shall be distributed among the subscribers in proportion to the premiums paid by them and the proportionate share of such subscribers as shall remain subscribers to the fund shall be credited to the instalment of premiums next due by them and the proportionate share of such subscribers as shall have ceased to be subscribers in the fund shall be refunded to them out of the fund in the manner hereinafter provided

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Andrews,	Griffith,	McCandless,	Scott,
Baker,	Habbyshaw,	McClure,	Sheffer,
Baldi,	Haines,	McCreary,	Shellenberger,
Barnhardt,	Hamilton,	McElwee,	Shenkel,
Bechtel,	Harris,	McGinnis,	Shortz,
Beech,	Hart,	McGrail,	Shreiner,
Bennett,	Hartman,	McGregor,	Shugarts,
Bernhard,	Heffernan,	McHenry,	Simon,
Blumberg,	Hefferon,	McKay,	Sinwell,
Boyd,	Heffner,	McKinney,	Snyder,
Brancato,	Hermansen,	Meredith,	Sowers,
Brennan,	Hester,	Merrell,	Spann,
Brown, J. E.,	Hewitt,	Metzler,	Stank,
Brown, W. L.,	Himes, H. E.,	Mohn,	Steedle,
Brownfield,	Himes, L. R.,	Moore,	Sterling, P.,
Cannon,	Hoffman,	Mumford,	Stevens,
Caputo,	Holmes, J. B.,	Munley,	Stiteler,

Carey,	Holmes, J. L.,	Myers,	Stone,
Carson,	Hoopes,	Nothnagle,	Storb,
Chervenak,	Horst,	O'Keefe,	Stott,
Cohen,	Hough,	O'Neill,	Surface,
Conner,	Howard,	O'Rourke,	Tahl,
Cooke,	Hutton,	Patterson,	Terry,
Craig,	Jaffe,	Peelor,	Turner,
Cramer,	Jones,	Pennock,	Wade,
Dane,	Kane, J. J.,	Perry, J. J.,	Wagner,
DeFrehn,	Kane, L. P.,	Peters,	Walker, G. E.,
Denning,	King,	Powers,	Wasserman,
Downey, J.,	Kinney,	Price,	Way,
Dunmire,	Labar,	Quinn,	Weidemann,
Ederer,	Lane,	Raub,	Welsh,
Emhardt,	Laubach,	Rectenwald,	Westrick,
Eroe,	Lenahan,	Reed,	White,
Evans,	Lewis,	Reilly,	Wike,
Fitzgerald,	Long,	Rhodes,	Williams, G. W.
Flanagan,	Lord,	Rice,	Williams, J. J.,
Fleisher,	Lose,	Roan,	Wilson, L. M.,
Flinchbaugh,	Lovett, J. E.,	Root,	Wilson, T. B.,
Flynn,	Lovett, W. S.,	Roth,	Witkin,
Forrest,	Lynch, J. R.,	Ruby,	Wood,
Furman,	Lynch, M.,	Ruth,	Woodside,
Gallagher,	Male,	Sarig,	Wright,
Gartner,	Malina,	Sautter,	Yeakel,
Gillette,	Maloney,	Schrock,	Yourishin,
Gorman,	Marcks,	Schrope,	Zimmerman
Green,	Mason,	Schwab,	Talbot,
Greenstein,	McBride,	Schwartz,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1789, as follows:

An Act to further amend paragraph (a) of section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents" by making the moneys in the Banking Department Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph (a) of section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred ninety-six) is hereby further amended to read as follows

Section 9 Maintenance of Department

(a) Expenses All moneys derived by the department from fees assessments charges penalties and otherwise shall be paid by the secretary through the Department of Revenue into the State Treasury for safe keeping and shall by the State Treasurer be placed in a separate fund to be available for the use of the department upon requisition of the secretary All such moneys so paid into the State Treasury are hereby specifically appropriated to the department for the purpose of paying the salaries of the secretary the deputies the examiners the other employes of the department and such special deputy attorneys general assistant deputy attorneys general and attorneys as may be assigned by the Attorney General to the department or for handling any legal business pertaining to its work [and] the expenses of the department including the rental and furniture of such rooms or quarters as the secretary may deem necessary outside of the Capitol and for the purchase through the Department of Property and Supplies of surety bonds for such officers or employes of the department as may be required to furnish them supplies materials motor vehicles workmen's compensation insurance covering the officers and employes of the department and liability insurance covering vehicles purchased out of moneys of said fund and the officers and employes of the department operating said vehicles for payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the Banking Department Fund and in auditing annually periodically or specially the affairs of the Department of Banking at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine for payment to the Treasury Department of the cost of making disbursements out of the Banking Department Fund on behalf of the Department of Banking at such amounts as the Treasury Department with the approval of the Executive Board shall determine for payment to the Department of Property and Supplies for space occupied in the Capitol buildings and for water light heat power telephone and other services utilized and consumed by the Department of Banking at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine In the event that the use of motor vehicles is required only temporarily then such moneys in the fund are available for the payment to the Department of Property and Supplies for the use of such motor vehicles on a mileage basis at such amount per mile as the Department of Property and Supplies with the approval of the Governor shall determine

Estimates of the amounts to be expended under this act from time to time by the Department of Banking shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Banking in excess of the estimates approved by the Governor Subject to the foregoing provision the Auditor General shall upon requisition of the secretary from time to time draw warrants upon the State Treasurer for the amounts specified in such requisitions not exceeding however the amount in such fund at the time of the making of any such requisition

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Andrews,	Griffith,	McCreary,	Schwartz,
Baker,	Habbyshaw,	McElwee,	Scott,
Baldi,	Haines,	McGinnis,	Sheffer,
Barnhardt,	Hamilton,	McGrail,	Shellenberger,
Beech,	Harmuth,	McGregor,	Shettel,
Bennett,	Hart,	McHenry,	Shortz,
Bernhard,	Heffernan,	McKay,	Shreiner,
Boyd,	Hefferon,	McKinney,	Shugarts,
Brennan,	Heffner,	Meredith,	Simon,
Brown, J. E.,	Hermansen,	Merrell,	Sinwell,
Brown, W. L.,	Hester,	Metzler,	Snyder,
Brownfield,	Hewitt,	Mohn,	Sowers,
Cannon,	Himes, H. E.,	Moore,	Stank,
Caputo,	Himes, L. R.,	Mumford,	Steedle,
Carey,	Hoffman,	Munley,	Sterling, P.,
Carson,	Holmes, J. B.,	Myers,	Sterling, R. B.,
Chervenak,	Holmes, J. L.,	Negley,	Stevens,
Cohen,	Hoopes,	Nothnagle,	Stevenson,
Conner,	Horst,	O'Connor,	Stiteler,
Cooke,	Hough,	O'Keefe,	Stone,
Cordier,	Horst,	O'Neill,	Storb,
Craig,	Hutton,	Patterson,	Stott,
Cramer,	Jaffe,	Peelor,	Surface,

Dane,	Jones,	Pennock,	Tahl,
Davies,	Kane, J. J.,	Perry, D. R.,	Terry,
DeFrehn,	Kane, L. P.,	Perry, J. J.,	Wade,
Denning,	King,	Peters,	Wagner,
Downey, G. E.,	Kinney,	Powell,	Walker, G. E.,
Downey, J.,	Labar,	Powers,	Walker, W. A.,
Duffy,	Lane,	Price,	Wall,
Dunmire,	Laubach,	Raub,	Wasserman,
Dwyer,	Lenahan,	Rectenwald,	Way,
Ederer,	Lewis,	Reed,	Weidemann,
Emhardt,	Long,	Reilly,	Welsh,
Eroe,	Lord,	Rhodes,	Westrick,
Evans,	Lose,	Rice,	White,
Flanagan,	Lovett, J. E.,	Roan,	Wike,
Fleisher,	Lovett, W. S.,	Root,	Williams, G. W.,
Flinchbaugh,	Lynch, J. R.,	Roth,	Williams, J. J.,
Flynn,	Lynch, M.,	Royle,	Wilson, L. M.,
Forrest,	Male,	Ruby,	Woodside,
Furman,	Malina,	Ruth,	Wright,
Gallagher,	Maloney,	Sarig,	Yeakel,
Gartner,	Marcks,	Sautter,	Yourishin,
Gillette,	Mason,	Schrock,	Zimmerman,
Gorman,	McBride,	Schrope,	Talbot,
Green,	McClure,	Schwab,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1648, as follows:

An Act to amend section four of the act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ten) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by increasing the license fee to be collected by the Department of Welfare

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ten) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" is hereby amended to read as follows

Section 4 The Department of Welfare shall when satisfied that the applicant or applicants for such license are proper and responsible persons that the place sought to be used as a private nursing home or hospital is a suitable place for such purpose and is properly equipped therefor and when all the requirements of this act and the rules and regulations of the department have been complied with issue a license to the applicant upon the payment of a license fee of [ten dollars ($10.00)] fifteen dollars ($15.00) which shall be paid into the State Treasury through the Department of Revenue

All licenses issued by the department under this act shall expire one year next following the day on which issued shall be on a form prescribed by the department shall not be transferable shall be issued only for the premises named in the application shall be posted in a conspicuous place on the applicant's premises and may be renewed from year to year upon application investigation and payment of license fee as in the procurement of an original license

Section 2 This act shall become effective upon the date of its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Griffith,	McGinnis,	Shortz,
Baker,	Habbyshaw,	McGrail,	Shreiner,
Baldi,	Haines,	McGregor,	Shugarts,
Barnhardt,	Hamilton,	McHenry,	Simon,
Bechtel,	Harmuth,	McKay,	Sinwell,
Beech,	Harris,	McKinney,	Snyder,
Bennett,	Hart,	Melchiorre,	Sowers,
Bernhard,	Hartman,	Meredith,	Spann,
Blumberg,	Heffernan,	Merrell,	Stank,
Boyd,	Hefferon,	Metzler,	Steedle,
Brancato,	Hermansen,	Mohn,	Sterling, P.,
Brennan,	Hester,	Moore,	Sterling, R. B.,
Brown, J. E.,	Hewitt,	Mumford,	Stevens,
Brown, W. L.,	Himes, H. E.,	Munley,	Stevenson,
Brownfield,	Himes, L. R.,	Myers,	Stiteler,
Cannon,	Hoffman,	Negley,	Stone,
Caputo,	Holmes, J. B.,	Nothnagle,	Storb,
Carey,	Holmes, J. L.,	O'Conner,	Stott,
Carson,	Hoopes,	O'Keefe,	Surface,
Chervenak,	Horst,	O'Neill,	Tahl,
Cohen,	Hough,	O'Rourke,	Terry,
Conner,	Howard,	Patterson,	Turner,
Cooke,	Hutton,	Peelor,	Wade,
Cordier,	Jaffe,	Pennock,	Wagner,
Craig,	Jones,	Perry, D. R.,	Walker, G. E.,
Cramer,	Kane, J. J.,	Perry, J. J.,	Walker, W. A.,
Davies,	Kane, L. P.,	Peters,	Wall,
DeFrehn,	King,	Powell,	Wasserman,
Denning,	Kinney,	Powers,	Way,
Downey, G. E.,	Labar,	Price,	Weidemann,
Downey, J.,	Lane,	Quinn,	Welsh,
Duffy,	Laubach,	Raub,	Westrick,
Dunmire,	Lenahan,	Reed,	White,
Dwyer,	Lewis,	Reilly,	Wike,
Ederer,	Long,	Rhodes,	Williams, G. W.,
Emhardt,	Lord,	Rice,	Williams, J. J.,
Eroe,	Lose,	Roan,	Wilson, L. M.,
Evans,	Lovett, W. S.,	Roth,	Wilson, T. B.,
Fitzgerald,	Lynch, M.,	Ruby,	Witkin,
Flanagan,	Male,	Sarig,	Wood,
Fleisher,	Malina,	Schrope,	Woodside,
Flinchbaugh,	Maloney,	Schwartz,	Wright,
Flynn,	Marcks,	Scott,	Yeakel,
Gallagher,	Mason,	Sheffer,	Yourishin,
Gartner,	McClure,	Shellenberger,	Talbot,
Gillette,	McCreary,	Shenkel,	Speaker.
Green,	McElwee,	Shettel,	

NAYS—1

Dane,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 131, as follows:

An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class boroughs and townships of the first class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments and claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore the council of any city of the third class or of any borough or the board of commissioners of any township of the first class of this Commonwealth has authorized by ordinance the grading curbing guttering paving or macadamizing with concrete brick stone or other suitable material of any public street or thoroughfare or portion thereof either cartway footwalk or gutter and has caused such improvement to be made and in such ordinance has authorized the advertising for bids therefor and the assessment of benefits upon the property benefitted thereby and subsequent thereto pursuant to an ordinance

passed after the passage and approval of the original ordinance providing for the improvement has authorized the entering into a contract for the said improvement with the Secretary of Highways of the Commonwealth of Pennsylvania and with the general contractor who was the successful bidder with the Commonwealth for the construction of any portion of such streets or highways without any advertising for bids on the part of the city borough or township as provided for in the original ordinance authorizing such improvement and has subsequent thereto brought proceedings for the appointment of viewers to assess benefits for the said improvement against the property abutting along the line of improvement in accordance with the provisions of the original ordinance authorizing the said improvement or has by ordinance provided for the assessment against abutting property owners of benefits for such improvement or whenever heretofore the council of any city of the third class or of any borough or the board of commissioners of any township of the first class of this Commonwealth has required by ordinance and caused to be made graded paved curbed or macadamized with brick stone or other suitable material or otherwise improved any public street or thoroughfare or part thereof either cartway footwalk or gutter or has covered or enclosed any watercourse or waterway in any street or thoroughfare so as to improve or extend and increase the driveway in any street or thoroughfare or has caused any sewers whatsoever to be constructed within or without any such city borough or township or has caused ornamental lights to be erected pursuant to any ordinance or has heretofore in accordance with existing law assessed a portion of the cost of such sewer as a sewage tax against property abutting on the side of said street alley or highway which is located outside the limits of the borough the owners of such property being given permission by the borough to use such sewer and such property not being then provided with sewer facilities and has by ordinance provided for the assessment against abutting property owners of benefits for such improvement but owing to some defect in the petition action of council or of the board of commissioners notice of publication failure to make said improvement in accordance with the strict terms of any ordinance or any other proceeding or action necessary under existing laws and ordinances to give jurisdiction to such council or board of commissioners or because of noncompliance with existing laws as to publication of copies of ordinance and posting of handbills prior to or after the final passage of such ordinance or because of non compliance with existing laws as to the purchasing of materials and supplies or the awarding of contracts without advertising or because the ordinance itself or the official record book containing the same has been lost mislaid or destroyed or such ordinance has not been transcribed in the official record book or because of irregularity or error in the appointment of viewers to assess benefits against property abutting along the line of improvement or because of the neglect of viewers appointed to assess damages and benefits caused or accruing as a result thereof to file their report within the time required by law for the filing thereof or because of irregularity or error in the method or procedure taken for the ascertainment of the amount of benefits to such property or because of any irregularity or error in the ordinances or passage or approval thereof authorizing the execution of the work the contracting therefor and the assessing of benefits therefor or where the right of the board of viewers to assume jurisdiction and to act in assessing the properties benefitted thereby is questioned or because of any irregularity or error in the failure to bring the proceedings for the assessment of benefits for such improvement before the board of viewers within the time required by law in the manner now provided by law or because of any irregularity or error in arriving at or determining the benefits assessed against any such property or because of the failure to give notice as required by law or ordinance or the time for filing a lien or making claim for such improvement has expired or the claim has not been filed after notice to do so or for any other reason the costs of such improvement or portion thereof were not or cannot be legally assessed upon the property bounding or abutting on the street or part thereof improved or owing to some defect in the statement of claim filed to secure the lien or the failure of the city borough or township solicitor to file the lien in the court of common pleas or to sign the same or to have stamped thereon a facsimile signature of the said solicitor or chief executive of the claimant for the costs of such improvement or any error made in the name of the owner or owners of the abutting property payment thereof cannot be enforced or if the ordinance of the city borough or township authorizing the construction of any improvement was in fact adopted before such city borough or township was legally empowered to make such assessments on property outside the limits of such city borough or township if such improvement was actually constructed and such assessments against property outside the limits of such city borough or township made subsequent to the time when such city borough or township was legally empowered to levy such assessments as was contemplated by the act or acts of General Assembly under which the improvement was attempted to be made and statement of claim filed now by this act such improvements are made valid and binding and also any statement of claim heretofore filed if any to secure the liens therefor are also made valid and binding and the jurisdiction of any board of viewers hereinbefore mentioned to entertain such proceedings and the assessments made pursuant to such proceedings against property within or without the limits of any such city borough or township shall be valid and binding and the council of such city or borough and the commissioners of such township may cause the property bounding or abutting on the street or part thereof upon which the improvement has been made or is now being made to be assessed in the manner now provided by law or by the board of viewers' proceedings in the manner and at the rates now provided by law with such a portion of the costs of such improvement as is contemplated by the law under which the improvement was made or attempted to be made or is now being made and al such benefits and all assessments heretofore made or determined are hereby ratified confirmed and validated and any statement of claims heretofore filed if any to secure the liens therefore are also hereby ratified confirmed and validated Such assessment or other assessment heretofore made or hereafter made in proceedings now pending within the time limitations specified in this act shall be a lien upon the property assessed and any lien heretofore filed for benefits assessed or for the cost of such improvement or any part thereof although the report of the viewers assessing the same was not filed within the time required by law for the filing thereof is hereby made valid and binding with the same force and effect as though such report was filed within the time required by law for filing the same The lien shall date from the completion of the improvement for which the assessment is made whether the work was completed through one or several operations or contracts or from the date of filing the same and shall remain a lien until fully paid and satisfied Provided That a writ of scire facias is issued to revive the same during every period of five (5) years after the lien is filed as hereinafter provided And provided further That this act shall not validate any lien against any property which has been conveyed to a bona fide purchaser thereof subsequent to the expiration of the period prescribed by law for the filing of such liens and prior to the date of the filing thereof or give the lien thus filed priority under any bona fide lien or liens filed entered or recorded or which shall have otherwise attached subsequently to the time prescribed by law for the filing of such municipal lien and prior to the time of the filing thereof

Section 2 The council of any city of the third class or of any borough or the board of commissioners of any township of the first class of this Commonwealth entitled to a lien under this act shall file a lien therefor in the office of the prothonotary of the county within which the property lies within six (6) months after the completion of the work where the improvement is now in progress or within twelve (12) months after the confirmation absolute of the report of the viewers assessing the benefits for such improvement whether now or hereafter pending or within twelve (12) months after the approval of this act where the improvement is now completed if no lien has been heretofore filed for the same or within twelve (12) months after the passage of any councilmanic ordinance assessing benefits under the provisions of this act where the improvement is already completed and the same shall be entered upon record as other municipal claims Such liens shall state the name of the party claimant which shall be the corporate name of the city borough or township making the improvement name of the owner or reputed owner of the property assessed a reasonable description of the property assessed the amount or sum claimed to be due which shall include interest on the assessment from the completion

of the improvement for what improvement the claim is made the date of its completion the date of the assessment for which the lien is filed Such lien when so filed shall be prima facie evidence of all matters therein set forth and of the right of the city borough or township to recover the amount therein claimed to be due together with interest from the date of the lien or completion of the improvement costs and an attorney's commission of five per centum for collecting

Section 3 The claim when so filed shall be proceeded upon for collection by writ of scire facias Provided That this act shall not apply to any proceeding suit or lien wherein a final order or judgment of any court of record has already been made or entered

Section 4 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Andrews,	Greenstein,	McCandless,	Shellenberger,
Baker,	Griffith,	McCreary,	Shenkel,
Baldi,	Habbyshaw,	McElwee,	Shettel,
Barnhardt,	Haines,	McGrail,	Shortz,
Bechtel,	Hamilton,	McGregor,	Shreiner,
Beech,	Harmuth,	McHenry,	Shugarts,
Bennett,	Harris,	McKay,	Simon,
Bernhard,	Hart,	McKinney,	Sinwell,
Blumberg,	Hartman,	Melchiorre,	Snyder,
Boyd,	Heffernan,	Meredith,	Sowers,
Brancato,	Hefferon,	Merrell,	Spann,
Brennan,	Heffner,	Metzler,	Stank,
Brown, J. E.,	Hester,	Mohn,	Steedle,
Brown, W. L.,	Hewitt,	Moore,	Sterling, P.,
Brownfield,	Himes, H. E.,	Mumford,	Sterling, R. B.,
Cannon,	Himes, L. R.,	Munley,	Stiteler,
Caputo,	Holmes, J. B.,	Myers,	Stone,
Carey,	Holmes, J. L.,	Negley,	Storb,
Carson,	Hoopes,	Nothnagle,	Stott,
Chervenak,	Horst,	O'Connor,	Surface,
Cohen,	Hough,	O'Keefe,	Tahl,
Conner,	Howard,	O'Neill,	Terry,
Cooke,	Hutton,	Peelor,	Turner,
Cordier,	Jaffe,	Pennock,	Wade,
Craig,	Jones,	Perry, D. E.,	Wagner,
Cramer,	Kane, J. J.,	Peters,	Walker, G. E.,
Dane,	Kane, L. F.,	Powell,	Walker, W. A.,
Davies,	King,	Powers,	Wall,
DeFrehn,	Kinney,	Price,	Wasserman,
Denning,	Labar,	Quinn,	Way,
Downey, G. E.,	Lane,	Raub,	Weidemann,
Downey, J.,	Laubach,	Rectenwald,	Welsh,
Duffy,	Lenahan,	Reed,	Westrick,
Dunmire,	Lewis,	Rhodes,	White,
Dwyer,	Long,	Rice,	Wike,
Ederer,	Lord,	Root,	Williams, G. W.,
Emhardt,	Lose,	Roth,	Williams, J. J.,
Eroe,	Lovett, J. E.,	Royle,	Wilson, L. M.,
Evans,	Lovett, W. S.,	Ruby,	Wilson, T. B.,
Flanagan,	Lynch, J. R.,	Ruth,	Witkin,
Fleisher,	Lynch, M.,	Sarig,	Wood,
Flinchbaugh,	Male,	Sautter,	Woodside,
Forrest,	Malina,	Schrock,	Wright,
Gallagher,	Maloney,	Schrope,	Yourishin,
Gartner,	Marcks,	Schwab,	Zimmerman,
Gorman,	Mason,	Scott,	Talbot,
Green,	McBride,	Sheffer,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 780 (Senate Bill No. 7), entitled:

An Act to amend sections ten and thirteen of the act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorzing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended, requiring the county commissioners to deliver to the election officers in boroughs, towns and townships before each primary, the assessor's "original Registry List," and providing that such lists be used to determine electors right to vote in certain cases.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. WILSON. Mr. Speaker, by consent of the sponsor, Senator Scott, I move that this bill be recommitted to the Committee on Elections for the purpose of further study and amendment.

The motion was agreed to.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2279, as follows:

A Supplement appropriating the moneys in the Motor License Fund for two years beginning June first one thousand nine hundred and thirty-three and repealing the act of May first one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" except as to certain provisions relative to unpaid obligations and moneys received by the Department of Highways from the Federal government

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and cited as the "Motor License Fund Appropriation Act of one thousand nine hundred and thirty-three"

Section 2 The moneys in the Motor License Fund are hereby specifically appropriated to the several hereinafter named administrative agencies of the Commonwealth in the following sums or as much thereof as may be necessary and for the purposes hereinafter set forth for the two fiscal years beginning June first one thousand nine hundred and thirty-three

To the Board of Finance and Revenue

For the payment of approved claims for refund made to the board for moneys paid into the Motor License Fund to which the Commonwealth is not rightfully entitled the sum of one hundred thirty-two thousand five hundred dollars ($132,500)

To the Pennsylvania State Police

For the payment of salaries wages and other compensation board lodging uniforms arms and equipment and the maintenance traveling and other necessary expenses of the State Highway Patrol for the construction through the Department of Property and Supplies or the purchase and repair or maintenance of buildings for the use of the State Highway Patrol for the purchase or leasing of lands for the use of the State Highway Patrol for the payment of fees charges by physicians for examining a person suspected of operating a motor vehicle when intoxicated whenever such persons are found as a result of the examination not to be intoxicated except that no sum in excess of five dollars shall be paid to any physician for such an examination for the payment of expenses in connec-

tion with traffic safety educational work exhibits photography models and other exhibitions or educational accessories and other expenses of every kind and description necessary effectively to carry on this work for the payment of postage telegraph telephone rentals and toll charges for the payment of traveling expenses and witness fees in the amount of two dollars per capita per diem to witnesses testifying for the Commonwealth at hearings for the purchasing maintenance and repair of furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding and for the payment of any expenses necessary for the proper conduct of the work of the State Highway Patrol in enforcing the laws regulating the registration titling and operation of vehicles upon the highways for the payment of transportation medical attendance and hospital charges of State highway patrolmen injured or killed in line of duty and the payment of workmen's compensation to injured patrolmen or dependents of the deceased patrolmen or the payments of premiums upon policies insuring the Commonwealth against workmen's compensation liability to patrolmen or dependents of patrolmen the sum of three million dollars ($3,000,000)

To the Department of Highways

For the payment of the salaries wages or other compensation and the traveling and other necessary expenses of the Secretary of Highways and such deputies directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers laborers and other assistants and employes as may be required for the proper conduct of the work of the department and such special deputy attorney generals assistant deputy attorney generals and attorneys as may be assigned by the Attorney General to the department for handling any legal business pertaining to its work for the purchasing maintenance and repair of furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding and for the payment of premiums on policies of insurance covering motor vehicles operated by employes of the department and surety bonds for officers and employes of the department required to furnish such bonds but all such purchases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as purchasing agent except that the Department of Highways may purchase directly equipment materials and supplies necessary for the construction of highways if such equipment materials or supplies are not on the schedule of the Department of Property and Supplies for the payment of rentals for branch buildings and repairs thereto for the payment of postage telegraph telephone rentals and toll charges and rentals for or royalty on leased office equipment or other devices or machines for maintaining reconstructing replacing and repairing or assisting in maintaining reconstructing replacing and repairing State highways State-aid highways and any other highways which the department may be authorized to maintain reconstruct replace and repair or assist in maintaining reconstructing replacing and repairing and of such bridges as the department may be authorized by law to maintain reconstruct replace and repair or to assist in maintaining reconstructing replacing and repairing for constructing and improving or assisting in constructing and improving State highways State-aid highways and any other highways or streets and any bridges which the department may be authorized by law to construct or improve or assist in constructing or improving but the moneys expended by the department under this clause for construction and improvement of highways without expense to the political subdivisions of the State shall be allocated among the several counties in such manner and to such an extent as shall from time to time be provided by law and in the absence of or beyond any such statutory direction shall be expended as the department shall determine and the moneys expended for State-aid and upon city streets shall be expended to the extent to which such expenditures shall from time to time be authorized by law for the maintenance and repair of all interstate bridges over the Delaware River between the Commonwealth and the State of New Jersey now owned or to be acquired or constructed from Morrisville Bucks County to Milford Pike County and of interstate bridges between this Commonwealth and the State of New York now owned or which may hereafter be acquired or constructed for the payment of workmen's compensation to injured employes or the dependents of deceased employes or the payment of premiums upon policies insuring the Commonwealth against workmen's liability to employes or dependents of employes of the department Provided That such insurance shall be carried only with the approval of the Governor for purchasing acquiring and leasing lands in the name of the Commonwealth containing stone suitable for use in the construction improvement reconstruction replacement or maintenance of highways and to quarry and prepare the stone therein for use in the construction improvement reconstruction replacement and maintenance of highways to manufacture any other material used in the construction improvement reconstruction replacement or maintenance thereof whether for use by the department in the construction improvement reconstruction replacement or maintenance of highways or for selling the same to contractors engaged in such work or to political subdivisions of the State for the construction improvement reconstruction replacement and maintenance of roads as may now or hereafter be provided by law for the erection of such buildings and the purchase of such machinery as may be necessary or essential for the proper prosecution of the work of quarrying or manufacturing stone or materials for the construction improvement reconstruction replacement or maintenance of highways subject to the approval of the Governor and of the Department of Property and Supplies for the purchase or acquisition of land in the name of the Commonwealth for the purpose of erecting thereon garages storage sheds laboratories or other buildings necessary in connection with the construction improvement reconstruction replacement or maintenance of highways and for the erection on land thus acquired of such garages storage sheds laboratories or other buildings for the purchase of trees shrubs vines or grasses for planting on or along the State highways and the maintenance of the same for the purchase installation and maintenance of signs and traffic signals on State highways for the payment of traveling expenses and witness fees in amount of two dollars per capita per diem to witnesses testifying for the Commonwealth for the payment of damages to property heretofore or hereafter caused or occasioned in connection with the work of the department in the construction improvement maintenance and repair or in the preparation of materials for such purpose of roads highways or bridges under the jurisdiction of the department and for which the Commonwealth is responsible for maintenance and attributed to negligence or carelessness on the part of the employes of the department not exceeding however the sum of twenty-five thousand dollars ($25,000) but all claims for damages to property payable hereunder shall be submitted to the Secretary of Highways in writing verified by affidavit and the secretary shall investigate the same and determine the amount to be paid if any subject to the approval of the Attorney General for all other expenses of every kind and description necessary effectively to carry on the work of the department as authorized by law for the payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the Motor License Fund and in auditing annually periodically or specially the aforesaid affairs of the Department of Highways at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine for payment to the Treasury Department of the cost of making disbursements out of the Motor License Fund on behalf of the Department of Highways in the performance of the duties above mentioned at such amounts as the Treasury Department with the approval of the Executive Board shall determine for payment to the Department of Property and Supplies for the cost of making purchases for the Department of Highways as purchasing agent and for space occupied in the Capitol building and for water light heat power telephone and other services utilized and consumed by the Department of Highways in the performance of the above mentioned duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine the sum of one hundred four million dollars ($104,000,000) Provided however That the total costs of any of the following allocations shall not exceed the amounts hereby allocated For all costs in connection with the construction and reconstruction of State and State-aid highways usually referred to as the old State Highway System the sum of twenty-seven million three hundred and fifty thousand dollars ($27,350,000) for all costs in connection with the construction and reconstruction of State highways usually known as rural highways the sum of nineteen million five hundred and forty thousand dollars

($19,540,000) for all costs in connection with the construction reconstruction maintenance and upkeep of State highways in cities of the first class the sum of three million five hundred thousand dollars ($3,500,000) for all costs in connection with the construction reconstruction maintenance and upkeep of State highways in cities other than first class the sum of four million dollars ($4,000,000) for all costs in connection with the maintenance and upkeep of State and State-aid highways usually known as the old State Highway System the sum of nineteen million eight hundred and fifty thousand dollars ($19,850,000) for all costs in connection with the maintenance and upkeep of State highways usually known as rural highways the sum of sixteen million one hundred and thirty thousand dollars ($16,130,000) for all costs in connection with detours the maintenance of interstate bridges welfare institution roads State park roads forestry roads health institutions roads educational institution roads property damages workmen's compensation insurance restoration of pavements in connection with the permit work cooperative work for other departments and miscellaneous work performed under agreement the sum of two million ninety-two thousand dollars ($2,092,000) for all costs in connection with general administration engineering and research the sum of nine million three hundred and four thousand dollars ($9,304,000) for all costs in connection with the purchase of equipment and tools and the construction of buildings and purchase of land the sum of three million seven hundred and thirty-four thousand dollars ($3,734,000) Provided however That in the event of a grave emergency the Department of Highways may with the approval of the Governor and the Auditor General exceed any one of the cost allocations as above set forth by not more than ten per centum of such allocation but in such event a corresponding reduction shall immediately be effected in such other allocations as the department with the approval of the Governor and the Auditor General may determine

The department is hereby authorized to make expenditures for materials and supplies generally known as stores and for equipment to operate quarries labor camps and to maintain and operate and store tools equipment and buildings and as soon as practicable to transfer the costs of these items including depreciation on tools equipment and buildings owned by the department to the items for which specific allocations have been provided for above

The Department of Highways shall keep all records of costs entering into each of the aforesaid specific allocations and furnish to the Governor and the Auditor General a monthly statement showing the status of each and every allocation in such form as the Department of the Auditor General may require

The Department of the Auditor General may from time to time make an audit of the Department of Highways records in order to ascertain whether all charges against the aforesaid allocations are proper The Department of the Auditor General shall file a copy of every audit with the Governor not later than sixty days after the completion of the audit

Except as provided hereinbefore and in section three of this act it shall be unlawful for the Department of Highways to exceed any cost allocations hereinbefore set forth If any distribution of costs as shown by the monthly statement of the Department of Highways shall exceed the statutory cost allocations prescribed by this act the Department of the Auditor General shall refuse to approve any further requisitions which would be chargeable to such cost allocations

To the Department of Revenue

For the payment of salaries wages or other compensation and traveling and other necessary expenses of the Commissioner of Motor Vehicles and such deputies directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chief engineers expert draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers laborers and other assistants and employes as may be required for the proper conduct of the work of the department in titling and registering motor vehicles trailers and tractors licensing the operators of vehicles and such special deputy attorney generals assistant deputy attorney generals and attorneys as may be assigned by the Attorney General to the department for handling any legal business pertaining to its work and for the collection of liquid fuels taxes for the purchase maintenance and repair of furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding and for the payment of premiums on policies of insurance covering motor vehicles operated by employes of the department and surety bonds for officers or employes of the department required to furnish such bonds and required for the above activities of the department for the payment of postage telegraph telephone rentals and toll charges and rentals for or royalty upon leased office equipment or other devices or machines required for the above activities of the department for the purchasing or leasing of lands through the Department of Property and Supplies and the construction thereon of highways and buildings suitable for the examination of applicants for operator's licenses for the payment of rentals for branch buildings and repairs thereto for the payment of workmen's compensation to the injured employes or the dependents of deceased employes or the payment of premiums upon policies insuring the Commonwealth against workmen's compensation to employes or dependents of employes of the department engaged in the above work of the department Provided That such insurance shall be carried only with the approval of the Governor for the purchase of registrations plates and any other expenses incidental thereto for the payment of rewards for detection of fraud for all other expenses of every kind and description necessary for the promotion by the department of the aforesaid work for payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the Motor License Fund and in auditing annually periodically or specially the aforesaid affairs to the Department of Revenue at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine for payment to the Treasury Department of the cost of making disbursements out of the Motor License Fund on behalf of the Department of Revenue in the performance of the duties above mentioned at such amounts as the Treasury Department with the approval of the Executive Board shall determine for payment to the Department of Property and Supplies for space occupied in the Capitol buildings and for water light heat power telephone and other services utilized and consumed by the Department of Revenue in the performance of the above mentioned duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine the sum of three million seven hundred nineteen thousand dollars ($3,719,000)

Section 3 The act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" and its amendment is hereby repealed except that such act shall remain in full force and effect (a) by the Department of Highways for the payment of obligations incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three the amount of which unpaid obligations incurred by the Department of Highways may with the approval of the Governor and the Auditor General be added by the Department of Highways to the amount of the statutory cost allocation under the proper headings in this act and (b) for the expenditure of any moneys allocated to the Commonwealth by the Federal government for highway purposes during the fiscal biennium ending May thirty-first one thousand nine hundred and thirty-five in excess of nine million two hundred eighty-one thousand three hundred ninety-four dollars ($9,281,394) In the event such additional moneys are allocated to the Commonwealth the Department of Highways with the approval of the Governor and the Auditor General may increase any cost allocation prescribed in this act to an amount which will enable the Commonwealth to receive such Federal moneys .

Section 4 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—114

Andrews,	Flinchbaugh,	Marcks,	Ruby,
Baldi,	Flynn,	McBride,	Ruth,
Barnhardt,	Gallagher,	McClure,	Sautter,
Beech,	Gorman,	McCreary,	Schwab,
Bennett,	Green,	McElwee,	Schwartz,
Bernhard,	Greenstein,	McGinnis,	Scorza,

Boyd,	Haines,	McGregor,	Scott,
Brancato,	Hamilton,	Melchiorre,	Sheffer,
Brown, J. E.,	Harmuth,	Metzler,	Shenkel,
Brown, W. L.,	Hartman,	Moore,	Shettel,
Caputo,	Heffernan,	Munley,	Shugarts,
Carey,	Hefferon,	Myers,	Simon,
Carson,	Heffner,	O'Connor,	Sinwell,
Cohen,	Hester,	O'Keefe,	Snyder,
Cooke,	Hewitt,	O'Rourke,	Sowers,
Dane,	Hough,	Patterson,	Spann,
Davies,	Jaffe,	Peters,	Stank,
DeFrehn,	Jones,	Powers,	Steedle,
Denning,	Kane, J. J.,	Price,	Sterling, P.,
Downey, G. E.,	Kane, L. P.,	Quinn,	Stevenson,
Downey, J.,	Kinney,	Raub,	Walker, G. E.,
Dunmire,	Labar,	Rectenwald	Walker, W. A.,
Dwyer,	Lane,	Reed,	Weidemann,
Fderer,	Lenahan,	Reilly,	Williams, J. J.,
Emhardt,	Lovett, J. E.,	Rhodes,	Yeakel,
Eroe,	Lynch, M.,	Roan,	Yourishin,
Fitzgerald,	Male,	Root,	Talbot,
Flanagan,	Malina,	Roth,	Speaker.
Fleisher.	Maloney,	Royle,	

NAYS—49

Baker,	Holmes, J. L.,	Perry, D. R.,	Wade,
Conner,	Horst,	Perry, J. J.,	Wall,
Cordier,	Howard,	Rice,	Way,
Craig,	Hutton,	Schrock,	Welsh,
Cramer,	King,	Schrope.	White,
Duffy,	Lord,	Shellenberger,	Williams, G. W.,
Evans,	Lovett, W. S.,	Shreiner,	Wilson, L. M.,
Gillette,	McCandless,	Stiteler,	Wilson, T. B.,
Griffith,	McKay,	Stone,	Wood,
Habbyshaw,	Meredith,	Stott,	Woodside,
Hermansen,	Negley,	Surface,	Wright,
Himes, H. E.,	Peelor,	Terry,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2168 (Senate Bill No. 793), as follows:

An Act to amend Section Two of the Act approved the twenty-second day of June A D one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the costs of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" by changing certain routes and adding certain new routes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following routes established by Section Two of the Act approved the twenty-second day of June One thousand nine hundred thirty-one (Pamphlet Laws Seven hundred twenty) entitled "An Act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" are hereby amended to read as follows

Beginning at a point on the Butler Township-Butler City line thence northeasterly and easterly on Roosevelt Boulevard to South Main Street and continuing northerly on South Main Street to an intersection at East Jefferson Street until such time as a new street shall be opened by relocation from the Butler Township-Butler City line to an intersection with the Roosevelt Boulevard west of South Main Street when this route shall follow the relocated street in the city of Butler a distance of about 1.16 miles

Beginning at a point on the intersection of Ninth Street and Tenth Street and running south over the Quentin Road to the intersection with the Colebrook Road thence west and southwest over the Colebrook Road [Tenth Street] to the North Cornwall Township-Lebanon City line in the city of Lebanon a distance of about .169 of a mile

Beginning at a point on the intersection of Ninth Street and Cumberland Street and running south over Ninth Street to the intersection of Ninth Street and Tenth Street thence over the Cornwall Pike to the North Cornwall Township-Lebanon City line in the city of Lebanon a distance of about .622 of a mile

Beginning at a point on the Hickory Township-New Castle City line and running in a generally southwesterly direction on Croton Avenue to an intersection on East Washington Street also from the intersection of Croton Avenue and Eastbrook Road in a northeasterly direction along Eastbrook Road to the Hickory Township-New Castle City line in the city of New Castle a distance of about [1.5] 1.96 miles

Beginning at a point on Frankstown Road at the easterly city line of Pittsburgh thence along Frankstown Road to Frankstown Avenue thence along Frankstown Avenue to [Hale Street] the east end of Bennett Street [thence along Hale Street to Kelly Street] thence along [Kelly] Bennett Street to North Dallas Street thence along North Dallas Street to an intersection at Penn Avenue thence along Penn Avenue to South Beatty Street thence along South Beatty Street to Baum Boulevard thence along Baum Boulevard to Bigelow Boulevard thence along Bigelow Boulevard to Seventh Avenue thence along Seventh Avenue to Liberty Avenue thence along Liberty Avenue to the Boulevard of the Allies in the City of Pittsburgh a distance of about [2.15] 8.32 miles

[Beginning at a point on West Carson Street at the south end of the Point Bridge thence along West Carson Street to Smithfield Street thence along East Carson Street to Arlington Avenue thence along Arlington Avenue to the [Liberty Tunnel approach thence by way of the Liberty Tunnels and West Liberty Avenue to the Saw Mill Run Boulevard] Beginning at a point at the intersection of South Main Street and West Carson Street thence along South Main Street to its intersection with Alexander Street along Alexander Street to its intersection with Neptune Street thence along Neptune Street to Wabash Street thence along Wabash Street to its intersection with Independence Street thence along Independence Street to its intersection with Woodville Street thence along Woodville Street to its intersection with the Saw Mill Run Boulevard thence along the Saw Mill Run Boulevard to its intersection with Nobles Lane and the Library Road thence along the Library Road to the line dividing the City of Pittsburgh and the Borough of Castle Shannon in the City of Pittsburgh a distance of about [5.56] 6.3 miles

Beginning at a point on Allegheny Avenue at the intersection of Manchester Avenue and Ridge Avenue thence along Allegheny Avenue to Columbus Avenue Bridge thence across the Columbus Avenue Bridge to California Avenue as relocated [the intersection of California Avenue and Island Avenue] thence along California Avenue to its intersection with the Ohio River Boulevard thence along the Ohio River Boulevard to the line dividing the City of Pittsburgh and Bellview Borough in the City of Pittsburgh a distance of about [1.89] 1.14 miles

Beginning at a point on Hazle Avenue on the dividing line between the City of Wilkes-Barre and the township of Hanover thence over Hazle Avenue to the intersection of Hazle Avenue and Park Avenue thence over Park Avenue to the intersection of Park Avenue and South Street thence over South Street to the intersection of South Street and South Washington Street thence over South Washington Street and North Washington Street to the intersection of North Washington and Butler Streets also from the intersection of Washington and East Market Streets over East Market Street through the Public Square and over West Market Street to the Wilkes-Barre city line in the city of Wilkes-Barre a distance of about [2.9] 3.19 miles

Beginning at a point on Lehigh Street on the dividing line between the City of Allentown and Salisburg Township thence over Lehigh Street to the intersection of [Wyoming Street and Lehigh Street thence over Wyoming Street to the intersection of Wyoming Street and South Eighth Street thence over South Eighth Street to the intersection of South Eighth Street and continuance of Lehigh Street thence over Lehigh Street to the intersection of] Lehigh Street and Auburn Street in the City of Allentown a distance of about [1.09] 2.96 miles

Beginning at a point on the Concord Township-Corry line thence northerly on Union Street to West Church Street thence northeasterly on West Church Street to [Lemon] Northwest Street thence northerly on [Lemon] Northwest Street to West Pleasant Street thence easterly on West Pleasant Street to Center Street thence northerly on Center Street to East Main Street in a general easterly direction on East Main Street to the Corry City-Warren County line in the City of Corry a distance of about 2.76 miles

Beginning at a point on the Farrell City-Hickory Township line and running in a southwesterly direction on Mercer Avenue to a point on the Farrell City-Hickory Township line in the City of Farrell a distance of about .84 of a mile

Beginning at a point on the Farrell City-Hickory Township line and running in a northwesterly direction on Division Street to a point on the Farrell City-Sharon City line in the City of Farrell a distance of about 1.24 miles

Beginning at a point on the intersection of Haywood Street and Broadway Street and running in an easterly direction on Haywood Street to the intersection of Haywood Street and Division Street in the City of Farrell a distance of about 1.37 miles

Beginning at a point on the Farrell City-Wheatland Borough line and running in a northwesterly and northerly direction on Broadway Street to a point on the Farrell City-Sharon City line in the City of Farrell a distance of about 1.48 miles

Beginning at a point on the Farrell City-Sharon City line and running in a northerly direction on South Dock Street to the intersection of State Street and South Dock Street in the City of Sharon a distance of about .87 of a mile

Beginning at a point on South Twenty-fourth Street on the dividing line between the City of Allentown and Salisbury Township thence north on Twenty-fourth Street to Elm Street thence east on Elm Street to Twenty-third Street thence north on Twenty-third street to Hamilton Street in the City of Allentown a distance of about .7 of a mile

Beginning at a point on Third Avenue on the dividing line between the City of Allentown and Salisbury Township thence south on Third Avenue to Lehigh Avenue in the City of Allentown a distance of about 1.27 miles

Beginning at a point on West Emaus Avenue on the dividing line between the City of Allentown and Salisbury Township thence over West Emaus Avenue to East Emaus Avenue thence over East Emaus Avenue to a point on the dividing line between the City of Allentown and Salisbury Township a distance of about 2.60 miles

Beginning at a point on Fullerton Avenue on the dividing line between the City of Allentown and Whitehall Township thence over Fullerton Avenue and Front Street to the intersection of Front Street and Tilghman Street in the City of Allentown a distance of about 0.50 of a mile

Beginning at a point on Schoenersville Road on the dividing line between the City of Allentown and Hanover Township thence over Schoenersville Road to the intersection of Schoenersville Road and Union Boulevard in the City of Allentown a distance of about 0.55 of a mile

Beginning at a point on Irving Street on the dividing line between the City of Allentown and Hanover Township thence over Irving Street to the intersection of Irving Street and Union Boulevard in the City of Allentown a distance of about 0.50 of a mile

Beginning at a point on Frankstown Road on the dividing line between the City of Altoona and Logan Township thence northwesterly over Frankstown Road to the intersection of Frankstown Road and Plank Road in the City of Altoona a distance of about 0.28 of a mile

Beginning at a point on California Avenue on the dividing line between the City of Altoona and Allegheny Township thence easterly over California Avenue to the intersection of California Avenue and Fifty-eighth Street thence northerly over Fifty-eighth Street to the intersection of Fifty-eight Street and Sixth Avenue in the City of Altoona a distance of about 0.54 of a mile

Beginning at a point on Fortieth Street on the dividing line between the City of Altoona and Logan Township thence southeasterly over Fortieth Street to the intersection of Fortieth Street and Broad Avenue thence northeasterly over Broad Avenue to the intersection of Broad Avenue and Twenty-fourth Street in the City of Altoona a distance of about 1.65 miles

Beginning at a point on Thirty-first Street on the dividing line between the City of Altoona and Logan Township thence southeasterly over Thirty-first Street to the intersection of Thirty-first Street and Walnut Avenue thence northeasterly over Walnut Avenue to the intersection of Walnut Avenue and Twenty-ninth Street thence southeasterly over Twenty-ninth Street to the intersection of Twenty-ninth Street and Broad Avenue in the City of Altoona a distance of about 0.61 of a mile

Beginning at a point on Wopsononock Avenue on the dividing line between the City of Altoona and Logan Township thence southwesterly over Wopsononock Avenue to the intersection of Wopsononock Avenue and Ivyside Drive thence southeasterly over Ivyside Drive to the intersection of Ivyside Drive and Twenty-fifth Avenue thence southwesterly over Twenty-fifth Avenue to the intersection of Twenty-fifth Avenue and Wopsononock Avenue thence southerly over Wopsononock Avenue to the intersection of Wopsononock Avenue and Fourth Street thence southeasterly over Fourth Street to the intersection of Fourth Street and Howard Avenue thence westerly over Howard Avenue to the intersection of Howard Avenue and Eleventh Street thence southerly over Eleventh Street to the intersection of Eleventh Street and Thirtenth Avenue thence westerly over Thirteenth Avenue to the intersection of Thirteenth Avenue and Sixteenth Street thence southerly over Sixteenth Street to the intersection of Sixteenth Street and Twelfth Avenue thence westerly over Twelfth Avenue to the intersection of Twelfth Avenue and Eighteenth Street in the City of Altoona a distance of about 2.74 miles

Beginning at a point on Sixth Avenue on the dividing line between the City of Altoona and Logan Township thence southwesterly over Sixth Avenue to the intersection of Sixth Avenue and Lloyd Street in the City of Altoona a distance of about 0.26 of a mile

Beginning at a point on Sixth Avenue on the dividing line between the City of Altoona and Allegheny Township thence over Sixth Avenue to the intersection of Sixth Avenue and Union Avenue in the City of Altoona a distance of about 2.25 miles

Beginning at a point on Plank Road on the dividing line between the City of Altoona and Logan Township thence northeasterly over Plank Road to the intersection of Plank Road and Logan Avenue in the City of Altoona a distance of about 0.16 of a mile

Beginning on Thirty-seventh Street at the dividing line between the Borough of West Mayfield and the City of Beaver Falls thence over Thirty-seventh Street to an intersection with Fourth Avenue in the City of Beaver Falls a distance of about 0.34 of a mile

Beginning at a point on Steffin Hill Road on the dividing line bewteen the City of Beaver Falls and White Township thence over Steffin Hill Road to the intersection of Twenty-fourth Street extension and Steffin Hill Road thence along Twenty-fourth Street extension to the intersection of Twenty-fourth Street extension and Twenty-fourth Street thence along Twenty-fourth Street to the intersection of Twenty-fourth Street and Seventh Avenue in the City of Beaver Falls a distance of about 0.37 of a mile

Beginning at a point on Cedar Street on the dividing line between the City of Bethlehem and Hanover Township thence over Center Street to the intersection of Center Street

and East Elizabeth Avenue in the City of Bethlehem a distance of about 2.10 miles

Beginning at a point on City Line Road on the dividing line between the city of Bethlehem and Bethlehem Township thence over City Line Road to the intersection of City Line Road and Nazareth Pike in the City of Bethlehem a distance of about 0.40 of a mile

Beginning at a point on Applebutter Road on the dividing line between the City of Bethlehem and Lower Saucon Township thence over Applebutter Road to the intersection of Applebutter Road and Shimersville Road thence over Shimersville Road to the intersection of Shimersville Road and Hellertown Road in the City of Bethlehem a distance of about 1.25 miles

Beginning at a point on Schoenersville Road on the dividing line between the City of Bethlehem and Hanover Township thence over Schoenersville Road to the intersection of Schoenersville Road and Mauch Chunk Road thence over Mauch Road to the intersection of Mauch Chunk Road and West Elizabeth Avenue thence over West Elizabeth Avenue to the intersection of Main Street in the City of Bethlehem a distance of about 2.60 miles

Beginning at a point on Friedensville Road on the dividing line between the City of Bethlehem and Lower Saucon Township thence over Friedensville Road to a point on the dividing line of Bethlehem City and Hellertown Borough in the City of Bethlehem and Lower Saucon Township a distance of about 1.00 mile

Beginning at a point on Easton Road on the dividing line between the City of Bethlehem and Lower Saucon Township thence over Easton Road to Cherry Lane thence over Cherry Lane to Hellertown Road in the City of Bethlehem a distance of about 1.30 miles

Beginning at a point on West Corydon Street on the dividing line between the City of Bradford and Bradford Township thence over West Corydon street to the intersection of West Corydon Street and South Avenue in the City of Bradford a distance of about 0.32 of a mile

Beginning at a point on Seward Avenue on the dividing line between the City of Bradford and Foster Township thence over Seward Avenue and North Kendall Avenue to the intersection of North Kendall Avenue and Main Street in the City of Bradford a distance of about 0.68 of a mile

Beginning at a point on Washington Street on the dividing line btween the City of Bradford and Bradford Township thence over Washington Street to the intersection of Washington Street and Inter-State Parkway in the City of Bradford a distance of about 0.26 of a mile

Beginning at a point on the dividing line between the City of Butler and Butler Township at the intersection of Lewis and Hansen Avenues thence over Hansen Avenue to the intersection of Hansen Avenue and Pillow Street thence over Pillow Street to the intersection of Pillow Street and Fifth Avenue thence over Fifth Avenue to the intersection of Fifth Avenue and New Castle Street in the City of Butler a distance of about 0.91 of a mile

Beginning at a point on Center Avenue on the dividing line between the City of Butler and Butler Township thence over Center Avenue to an intersection with Fairview Avenue thence over Fairview Avenue and the viaduct crossing the Baltimore and Ohio Railroad Bessemer and Lake Erie Railroad and Connoquenessing Creek to Wayne Street thence over Wayne Street to an intersection of Wayne and Main Streets in the City of Butler Butler County a distance of about 1.07 miles

Beginning at a point on Zeigler Avenue the dividing line between the City of Butler and Butler Township thence over Zeigler Avenue to an intersection with the continuation of State-aid Application 405 at the intersection of Zeigler and Center Avenues in the City of Butler Butler County a distance of about 0.55 of a mile

Beginning at a point on Wayne Street on the dividing line between the City of Carbondale and Jefferson Township thence northerly over Wayne Street thence northwesterly over Salem Avenue to the intersection of Salem Avenue and Main Street in the City of Carbondale a distance of about 1.1 miles

Beginning at a point on the Upland Borough-Chester Township-Chester City line thence southerly along the Chester City-Chester Township line to an intersection with Concord Avenue on the Chester City-Chester Township line a distance of about 0.20 of a mile

Beginning at a point in Chester City at the bridge over Ridley Creek on the Nether Providence-Chester City line thence southerly on Chestnut Street to the intersection of Chestnut Street and Providence Road in the City of Chester a distance of about 0.35 of a mile

Beginning at a point the intersection of the Upper Chichester Township Chester Township and Chester City lines thence in an easterly direction on Chichester Road and on the Chester Township-Chester City line to a point in Chichester Road about 900 feet west of its intersection with Concord Road beginning again at a point on Chester Township-Chester City line thence in a southerly direction on Engle Street to an intersection at Ninth and Engle Streets in the City of Chester Delaware County a distance of about .68 of a mile

Beginning at a point on Route 02182 on the dividing line between the City of Clairton and Jefferson Township thence easterly to an intersection with State Street thence over State Street to the intersection of State Street and Walnut Street in the City of Clairton a distance of about 0.91 of a mile

Beginning at a point on Route 02081 on the dividing line between the City of Clairton and Jefferson Township thence in a northeasterly direction to an intersection with State Street in the City of Clairton a distance of about 0.13 of a mile

Beginning at a point on the Coatesville City-Valley Township line thence in a southwesterly direction on Black Horse Road in a westerly direction on Elm Street and in a southerly direction on Fifth Avenue to the intersection of Fifth Avenue and Lincoln Highway in the City of Coatesville Chester County a distance of about .58 of a mile

Beginning at a point on West Chester Road on the South Coatesville Borough-Coatesville City line thence over West Chester Road to Oak Street thence over Oak Street to Eighth Avenue thence over Eighth Avenue to the intersection of Eighth Avenue and Lincoln Highway in the City of Coatesville a distance of about 0.59 of a mile

Beginning at a point on First Avenue on the South Coatesville Borough-Cotesville City line thence over First Avenue to the intersection of First Avenue and Lincoln Highway in the City of Coatesville a distance of about 1.31 miles

Beginning at a point on Olive Street on the Cain Township-Coatesville City line thence over Olive Street to 13th Avenue and Lincoln Highway in the City of Coatesville a distance of about 0.19 of a mile

Beginnin at a point on Valley Road on the dividing line between the City of Coatesville and Valley Townships thence along the aforesaid dividing line and continuing over Valley Road to the intersection of Valley Road and Strode Avenue in the City of Coatesville a distance of about 0.64 of a mile

Beginning at a point on Crawford Avenue on the dividing line between the City of Connellsville and Dunbar Township thence over Crawford Avenue to the intersection of West Crawford Avenue and Ninth Street in the City of Connellsville a distance of 0.34 of a mile

Beginning at a point on the dividing line between the City of Connellsville and Connellsville Township at the end of State-aid Application 563 thence along the City line to an intersection with Pittsburgh Street thence southerly over Pittsburgh Street to the intersection of Pittsburgh Street and Crawford Avenue in the City of Connellsville a distance of about 0.76 of a mile

Beginning at a point on West Main Street on the dividing line between the City of Corry and Concord Township thence over West Main Street to the intersection of West Main and Centre Streets in the City of Corry Erie County a distance of about 1.02 miles

Beginning at a point on West Columbus Avenue on the dividing line between the City of Corry and Wayne Township thence over West Columbus Avenue to the intersection of West Columbus Avenue and North Centre Street in the City of Corry Erie County a distance of about 0.89 of a mile

Beginning at a point on North Centre Street on the dividing line between the City of Corry and Wayne Township thence over North Centre Street to the intersection of North Centre Street and Columbus Avenue in the City of Corry Erie County a distance of about 0.37 of a mile

Beginning at a point on South Centre Street on the dividing line between the City of Corry and Concord Township thence over South Centre Street to the intersection of South Centre and Pleasant Streets in the City of Corry Erie County a distance of about 0.90 of a mile

Beginning at a point on East Du Bois Avenue on the dividing line between the City of Du Bois and Sandy Township thence over East Du Bois Avenue to the intersection

of East Du Bois Avenue and First Street in the City of Du Bois a distance of about 0.93 of a mile

Beginning at a point on First Street on the dividing line between the City of Du Bois and Sandy Township thence over First Street to the intersection of First Street and East and West Du Bois Avenue in the City of Du Bois a distance of about 0.53 of a mile

Beginning at a point on Kennedy Avenue on the dividing line between the City of Duquesne and Mifflin Township thence over Kennedy Avenue to an intersection with Duquesne Avenue in the City of Duquesne a distance of about 0.85 of a mile

Beginning at a point on Rural Route 02082 on the dividing line between Mifflin Township and the City of Duquesne thence in a southeasterly direction to a point on Commonwealth Avenue thence over Commonwealth Avenue to an intersection of Commonwealth Avenue and Duquesne Boulemile

Beginning at a point on Old Philadelphia Road on the dividing line between Williams Township and the city of Easton thence over the Old Philadelphia Road to the intersection of Smith Avenue and the Old Philadelphia Road (also known as Folk Street) thence over Smith Avenue to the intersection of Third Street and Smith Avenue in the City of Easton a distance of about 1.03 miles.

Beginning at a point on the Bushkill Drive on the dividing line between the City of Easton and Forks Township thence over Bushkill Drive to the intersection of Thirteenth Street and Bushkill Drive thence over Thirteenth Street to the intersection of Thirtieth Street and Northampton Street in the City of Easton a distance of about 1.04 miles

Beginning at a point on Hackett Avenue on the dividing line between Palmer Township and the City of Easton (Hackett's Park) thence over Hackett Avenue to the dividing line between the City of Easton and Wilson Borough thence beginning again on Wood Avenue on the dividing line between the Borough of Wilson and the City of Easton thence over Wood Avenue to the intersection of Wood Avenue and Thirteenth Street the extension of Route 48021 in the City of Easton a distance of about 0.70 of a mile

Beginning at a point on Thirty-eighth Street on the dividing line between the City of Erie and Mill Creek Township thence over Thirty-eighth Street to an intersection with Pittsburgh Avenue thence over Pittsburgh Avenue to the intersection of Pittsburgh Avenue and Twenty-sixth Street in the City of Erie Erie County a distance of about 0.77 of a mile

Beginning at a point on Lake Pleasant Road on the divard in the City of Duquesne a distance of about 0.61 of a viding line between the City of Erie and Mill Creek Township thence over Lake Pleasant Road to the intersection of Lake Pleasant and Wattsburgs in the City of Erie Erie County a distance of about 0.30 of a mile

Beginning at a point on Twelfth Street on the dividing line between the City of Erie and Mill Creek Township thence over Twelfth Street to an intersection with Liberty Street thence over Liberty Street to Park Avenue South thence over Park Avenue South to Poplar Street thence over Poplar Street to an intersection with Sixth Street beginning again on Liberty Street at the intersection of Liberty Street and Twelfth Street thence over Liberty Street to an intersection with West Twenty-sixth Street in the city of Erie Erie County a distance of about 3.20 miles

Beginning at a point on Third Street on the dividing line between the City of Franklin and Sandy Creek Township thence over Third Street to Liberty Street thence over Liberty Street to the intersection of Liberty and Eighth Streets in the City of Franklin a distance of about 0.80 of a mile

Beginning at a point on the Humphrey Road on the dividing line between the City of Greensburg and Hampfield Township thence over the Humphrey Road to the intersection of the Humphrey Road and East Pittsburgh Street in the City of Greensburg a distance of about 0.03 of a mile

Beginning at a point on Stanton Avenue on the Greensburg City-Southwest Greensburg Borough-Hempfield Township lines thence over Stanton Avenue along the Greensburg City-Southwest Greensburg Borough lines to Hamilton Avenue thence over Hamilton Avenue to the intersection of Hamilton Avenue and West Newton Street in the City of Greensburg a distance of about 0.28 of a mile

Beginning at a point on Cameron Street on the dividing line between the City of Harrisburg and Susquehanna Township thence over Cameron Street to the intersection of Cameron Street and the approach to Thirteenth Street on the north side of the Soldiers and Sailors Memorial Bridge thence over the approach to the intersection of Thirteenth Street and State Streets in the City of Harrisburg a distance of about 1.33 miles

Beginning at a point on Herr Street on the boundary line between the City of Harrisburg and Susquehanna Township thence over Herr Street along the dividing line between the City of Harrisburg and Susquehanna Township to another point on the dividing line between the City of Harrisburg and Susquehanna Township thence over Herr Street in the City of Harrisburg a distance of about 0.94 of a mile

Beginning at a point on Diamond Avenue on the dividing line between the City of Hazleton and Hazle Township thence westerly over Diamond Avenue to the intersection of Diamond Avenue and Church Street in the City of Hazleton a distance of about 1.1 miles

Beginning at a point on the Jeansville Road on the dividing line between the City of Hazleton and Hazle Township thence northerly over Jeansville Road thence northerly over Poplar Street to the intersection of Popular Street and Board Street in the City of Hazleton a distance of about 1.2 miles

Beginning at a point on Solomon Street on the dividing line between the City of Johnstown and Stony Creek Township thence westerly over Solomon Street to the intersection of Solomon Street and Buck Avenue thence southerly over Buck Avenue to the intersection of Buck Avenue and Bedford Street in the City of Johnstown a distance of about 0.76 of a mile

Beginning at a point on Polecat Road on the dividing line between the City of Johnstown and Middle Taylor Township thence southerly over Polecat Road to the intersection of Polecat Road and Iron Street thence southeasterly over Iron Street to the intersection of Iron Street and Fourth Avenue thence southwesterly over Fourth Avenue to the intersection of Fourth Avenue and Broad Street in the City of Johnstown a distance of 0.49 of a mile

Beginning at a point on Fairfield Avenue on the dividing line between the City of Johnstown and Lower Yoder Township thence easterly over Fairfield Avenue to the intersection of Fairfield Avenue and Strayer Street in the City of Johnstown a distance of about 0.28 of a mile

Beginning at a point on Marietta Avenue on the dividing line between the City of Lancaster and Lancaster Township thence over Marietta Avenue to the intersection of Marietta Avenue and Columbia Avenue in the City of Lancaster a distance of about 0.55 of a mile

Beginning at a point on South Duke Street on the dividing line between the City of Lancaster and Lancaster Township thence over South Duke Street to the intersection of South Duke Street and East King Street in the City of Lancaster a distance of about 1.30 miles

Beginning at a point on Wabank Street on the dividing line between the City of Lancaster and Lancaster Township thence over Wabank Street to the intersection of Wabank Street and West Hazel Street thence over West Hazel Street to the intersection of West Hazel Street and South Prince Street in the City of Lancaster a distance of about 0.79 of a mile

Beginning at a point on East Orange Street on the dividing line between the City of Lancaster and Lancaster Township thence over East Orange Street to the intersection of East Orange Street and North Franklin Street thence over North Franklin Street to the intersection of North Franklin Street and East King Street in the City of Lancaster a distance of about 0.31 of a mile

Beginning at a point on a public street on the dividing line between the City of Lebanon and South Lebanon Township thence to the intersection with Pershing Avenue thence over Pershing Avenue to the intersection of Pershing Avenue and Lincoln Avenue thence over Lincoln Avenue to the intersection of Lincoln Avenue and Cumberland Street in the City of Lebanon a distance of about 0.55 of a mile

Beginning at a point at the itersection of Lehman Street and Sixteenth Street on the dividing line between the City of Lebanon and West Lebanon Township thence over Sixteenth Street along the dividing line between the City of Lebanon and West Lebanon Township to the intersection of Sixteenth Street and Cumberland Street in the City of Lebanon a distance of about 0.45 of a mile

Beginning at a point at the intersection of Chestnut Street and Sixteenth Street in the dividing line between the City of

Lebanon and North Cornwell Township thence over Sixteenth Street along the dividing line between the City of Lebanon and North Cornwall Township to the intersection of Sixteenth Street and Cumberland Street in the City of Lebanon a distance of about 0.07 of a mile

Beginning at a point on Oak Street of the dividing line bebetween the City of Lebanon and North Cornwall Township thence over Oak Street along the dividing line between the City of Lebanon and North Cornwall Township thence over Oak Street to the intersection of Oak Street and Twelfth Street and Cumberland Street in the City of Lebanon a distance of about 0.91 of a mile

Beginning at a point on Quentin Road on the dividing line between the Citl of Lebanon and North Cornwall Township thence over Quentin Road to the intersection of Quentin Road and Colebrook Road in the City of Lebanon a distance of about 0.26 of a mile

Beginning at a point on Hanna Street on the dividing line between the City of Lock Haven and Castaena Township thence over Hanna Street to the intersection of Hanna Street and Water Street in the City of Lock Haven a distance of about 0.40 of a mile

Beginning at a point on Hill Street (Saint Marys Street) on the dividing line between the City of Lock Haven and Allison Township thence over Hill Street to the intersection of Hill Street and Susquehanna Avenue in the City of Lock Haven a distance of about 0.07 of a mile

Beginning at a point on Sugar Run Road on the dividing line between the City of Lock Haven and Allison Township thence over Sugar Run Road to the intersection of Sugar Run Road and Susquehanna Avenue in the City of Lock Haven a distance of about 0.08 of a mile

Beginning at a point on Rogers Ferry Road on the dividing line between the City of Meadville and Vernon Township thence over Rogers Ferry Road to an intersection with Lincoln Avenue thence over Lincoln Avenue to an intersection with Race Street over Race Street to an intersection with Terrace Street thence over Terrace Street to an intersection with Spring Street thence over Spring Street to an intersection of Spring and Baldwin Streets in the City of Meadville Crawford County a distance of about 1.07 miles

Beginning at a point on North Main Street on the dividing line between the City of Meadville and West Mead Township thence over North Main Street to the intersection of North Main and North Streets in the City of Meadville Crawford County a distance of about 1.22 miles

Beginning at a point on Alden Street on the dividing line between the City of Meadville and West Mead Township thence over Alden Street to an intersection with Chestnut Street thence over Chestnut Street to an intersection at Chestnut Street and Park Avenue in the City of Meadville Crawford County a distance of about 0.97 of a mile

Beginning at a point on Williamson Road on the dividing line between the City of Meadville and West Mead Township thence over Williamson Road to Poplar Street thence over Poplar Street to an intersection at Poplar and Liberty Streets in the City of Meadville Crawford County a distance of about 0.36 of a mile

Beginning at a point on Schoonmaker Avenue on the dividing line between the City of Monessen and Rostraver Township thence westerly over Schoonmaker Avenue to Clarendon Avenue thence over Clarendon Avenue or the Monessen-Bellevernon Road to a point on the dividing line between the City of Monessen and Rostraver Township a distance of about 2.34 miles

Beginning at a point on East Main Street on the dividing line between Carroll Township and the City of Monongahela thence in a northwesterly direction over East Main Street to the intersection of East Main Street and Cemetery Street in the City of Monongahela a distance of about one mile

Beginning at a point on West Main Street on the dividing line between the City of Nanticoke and Newport Township thence northeasterly over West Main Street thence easterly over East Main Stret to the intersection of East Main Street and Rural Route 40033 at the City of Nanticoke-Hanover Township line a distance of about 1.60 miles

Beginning at a point on Front Street on the dividing line between the City of Nanticoke and Hanover Township thence westerly over Front Street thence northerly over Espy Street to the intersection of Espy Street and Middle Road in the City of Nanticoke a distance of about 1.0 miles

Beginning at a point on the Middle Road on the dividing line between the City of Nanticoke and Newport Township thence easterly over the Middle Road to the intersection of the Middle Road and Espy Street in the City of Nanticoke a distance of about 1.0 mile

Beginning at a point on Pennsylvania Avenue on the dividing line between the City of New Castle and Shenango Township thence over Pennsylvania Avenue and Long Avenue thence over Long Avenue to the intersection of Long Avenue and Moravia Street in the City of New Castle a distance of about 0.81 of a mile

Beginning at a point on Moravia Street on the dividing line between the City of New Castle and Shenango Township thence over Moravia Street to the intersection of Moravia Street and Jefferson Street thence over Jefferson Street to the intersection of Jefferson Street and Washington Street in the City of New Castle a distance of about 1.54 miles

Beginning at a point on Highland Avenue on the dividing line between the City of New Castle and Neshannock Township thence over Highland Avenue to the intersection of Highland Avenue and North Mill Street thence over North Mill Street to the intersection of North Mill Street and Washington Street in the City of New Castle a distance of about 2.01 miles

Beginning at a point on the Frew Mill Road on the dividing line between the City of New Castle and Shenango Township thence over the Frew Mill Road to the intersection of Frew Mill Road and Cascade Street thence over Cascade Street to the intersection of Cascade Street and Butler Avenue in the City of New Castle a distance of about 0.40 of a mile

Beginning at a point on Washington Street on the dividing line between the City of New Castle and Union Township thence over Washington Street to the intersection of Washington Street and Atlantic Avenue in the City of New Castle a distance of about 0.70 of a mile

Beginning at a point on West First Street on the dividing line between the City of Oil City and Cranberry Township thence over West First Street to the intersection of West First and Petroleum Streets in the City of Oil City Venango County a distance of about 1.96 miles.

Beginning at a point on Innis Street on the dividing line between the City of Oil City and Cranberry Township thence over Innis Street to an intersection with a continuation of Rural Route 60024 at Innis and West First Streets in the City of Oil City Venango County a distance of about 0.72 of a mile

Beginning at a point on Halyday Street on the dividing line between the City of Oil City and Cornplanter Township thence over Halyday Street to the intersection of Halyday and Main Streets in the City of Oil City Venango County a distance of about 0.49 of a mile

Beginning at a point on East Bissel Avenue Extension (not yet opened) on the dividing line between the City of Oil City and Cornplanter Township thence over East Bissel Avenue Extension (not yet opened) to East Bissel Avenue thence over East Bissel Avenue to the intersection of East Bissel Avenue and Harriot Avenue in the City of Oil City a distance of about 1.7 miles

Beginning at a point on Allegheny Avenue on the dividing line between the City of Oil City and Cranberry Township thence over Allegheny Avenue to East Fourth Street thence over East Fourth Street to Wilson Avenue thence over Wilson Avenue to an intersection at Wilson Avenue and East Second Street in the City of Oil City Venango County a distance of about 0.65 of a mile

Beginning at a point on Plumer Street on the dividing line between the City of Oil City and Cornplanter Township thence over Plumer Street to Bissel Avenue thence over Bissel Avenue to Harriot Avenue thence over Harriot Avenue to Spring Street thence over Spring Street to Center Street thence over Center Street to the intersection of Center and Seneca Streets in the City of Oil City a distance of about 1.4 miles

Beginning at a point on Brierly Street on the dividing line between the City of Pittsburgh Munhall Borough and Mifflin Township thence over Brierly Street to the intersection of Brierly Street and interboro Street in the City of Pittsburgh a distance of about 0.07 of a mile

Beginning at a point on Route 02114 on the dividing line between the City of Pittsburgh and Reserve Township thence to an intersection with Mount Pleasant Road thence over Mount Pleasant Road to the intersection of Mount Pleasant Road and East Street in the City of Pittsburgh a distance of about 0.40 of a mile

Beginning at a point at the intersection of Troy Hill Road and Wicklines Lane on the dividing line between the City of Pittsburgh and Reserve Township thence along Wicklines Lane to the intersection of Wicklines Lane and the Spring Garden Road in the City of Pittsburgh a distance of about 0.40 of a mile

Beginning at a point on Blackadore Street on the dividing line between the City of Pittsburgh and Penn Township thence over Blackadore Street to the intersection of Blackadore Street and Frankstown Avenue in the City of Pittsburgh a distance of about 0.32 of a mile

Beginning at a point on Cready Street on the dividing line between the City of Pittsburgh and Baldwin Township thence over Cready Street to the intersection of Cready Street and Baldwin Road thence over Baldwin Road to an intersection with Irvin Street in the City of Pittsburgh a distance of about 0.44 of a mile

Beginning at a point on Agnew Road on the dividing line between the City of Pittsburgh and Baldwin Township thence over Agnew Road to the intersection of Agnew Road and Becks Run Road in the City of Pittsburgh a distance of about 0.04 of a mile

Beginning at a point on South Main Street on the dividing line between the City of Pittston and Jenkins Township thence northeasterly over South Main Street to the intersection of South Main Street and Plank Street in the City of Pittston a distance of about 0.16 of a mile

Beginning at a point on Railroad Street on the dividing line between the City of Pittston and Pittston Township thence northwesterly over Railroad Street to the intersection of Railroad and South Main Streets in the City of Pittston a distance of about 0.33 of a mile

Beginning at a point on North Main Street on the dividing line between the borough of Duryea and the City of Pittston thence over North Main Street to the intersection of North Main and Exeter Streets in the City of Pittston a distance of about 1.25 miles

Beginning at a point on Cressona Road on the dividing line between the City of Pottsville and North Manheim Township thence over Cressona Road to the intersection of Cressona Road and Hotel Street thence over Hotel Street to the intersection of Hotel Street and Morris Street thence over Morris Street to the intersection of Morris Street and South Centre Street in the City of Pottsville a distance of about 0.90 of a mile

Beginning at a point on North Centre Street on the dividing line between the City of Pottsville and Norwegian Township thence over North Centre Street to the intersection of North Centre Street and Nichols Street in the City of Pottsville a distance of about 0.50 of a mile

Beginning at a point on Eagan Street on the dividing line between the City of Pottsville and Norwegian Township thence over Eagan Street to the intersection of Eagan Street and Peacock Street thence over Peacock Street to the intersection of Peacock Street and North Centre Street in the City of Pottsville a distance of about 1.10 miles

Beginning at a point on Mill Creek Avenue on the dividing line between the City of Pottsville and Norwegian Township thence over Mill Creek Avenue to the intersection of Mill Creek Avenue and Nichols Street in the City of Pottsville a distance of about 0.20 of a mile

Beginning at a point on West Wood Road on the dividing line between the City of Pottsville and North Manheim Township thence over West Wood Road to the intersection of West Wood Road and West Market Street in the City of Pottsville a distance of about 0.80 of a mile

Beginning at a point on Pricetown Road on the dividing line between the City of Reading and Muhlenberg Township thence over Pricetown Road to the intersection of Pricetown Road and Marion Street thence over Marion Street to the intersection of Marion Street and Ninth Street in the City of Reading a distance of about 1.50 miles

Beginning at a point on Kutztown Road on the dividing line between the City of Reading and Muhlenberg Township thence over Kutztown Road to the intersection of Kutztown Road and Ninth Street thence over Ninth Street to the intersection of Ninth Street and Eighth Street thence over Eighth Street to the intersection of Eighth Street and Spring Street thence over Spring Street to the intersection of Spring Street and Fifth Street in the City of Reading a distance of about 1.50 miles

Begining at a point on the dividing line between Dunmore Borough and the city of Scranton at or near Lake Scranton thence in a general northerly and northwesterly direction over a new street to be opened by the city to Moosic Street thence over Moosic Street to the intersection of Moosic Street and Crown Avenue in the city of Scranton a distance of about 2.0 miles

Beginning at a point on Keyser Avenue on the Taylor Borough-City of Scranton line thence over Keyser Avenue to the intersection of Keyser Avenue and George Street in the City of Scranton a distance of about 3.26 miles

Beginning at a point on [Electric] Green Ridge Street on the dividing line between the city of Scranton and the borough of Dunmore at the end of Route 676 [thence over Electric Street to the intersection of Electric Street and Wyoming Avenue thence over Wyoming Avenue to the intersection of Wyoming Avenue and Green Ridge Street] thence over Green Ridge Street to the intersection of Green Ridge Street and North Main Avenue thence over North Main Avenue to the intersection of North Main Avenue and West Market Street in the City of Scranton a distance of about 1.67 miles

Beginning at a point on North Water Avenue on the dividing line between the City of Sharon and Hickory Township thence on North Water avenue to an intersection at North Water Avenue and State Street in the City of Sharon Mercer County a distance of about 0.66 of a mile

Beginning at a point on the Farrell City-Hickory Township line and running in a southwesterly direction on Mercer Avenue to a point on the Farrell City-Hickory Township line in the City of Farrell a distance of about .84 of a mile

Beginning at a point on the Farrell City-Hickory Township line and running in a northwesterly direction on Division Street to a point on the Farrell City-Sharon City line in the City of Farrell a distance of about 1.24 miles

Beginning at a point on the intersection of Haywood Street and Broadway Street and running in an easterly direction on Haywood Street to the intersection of Haywood Street and Division Street in the City of Farrell a distance of about 1.37 miles

Beginning at a point on the Farrell City-Wheatland Borough line and running in a northwesterly and northerly direction on Broadway Street to a point on the Farrell City-Sharon City line in the City of Farrell a distance of about 1.48 miles

Beginning at a point on the Farrell City-Sharon City line and running in a northerly direction on South Dock Street to the intersection of State Street and South Dock Street in the City of Sharon a distance of about .87 of a mile

Beginning at a point on Catawissa Avenue on the dividing line between the City of Sunbury and Upper Augusta Township thence over Catawissa Avenue to the intersection of Catawissa Avenue and Market Street in the City of Sunbury a distance of about 0.72 of a mile

Beginning at a point on North Fourth Street on the dividing line between the City of Sunbury and Upper Augusta Township thence over North Fourth Street to the intersection of North Fourth Street and Market Street in the City of Sunbury a distance of about 1.05 miles

Beginning at a point on Brook Street on the dividing line between the City of Titusville and Oil Creek Township thence over Brook Street to the intersection with an extension of Route 20104 at Brook and Franklin Streets in the City of Titusville Crawford County a distance of about 0.64 of a mile

Beginning at a point on Church Run Street on the dividing line between the City of Titusville and Oil Creek Township thence over Church Run Street to Union Street thence over Union Street to Franklin Street thence over Franklin Street to the intersection of Franklin Street and Central Avenue in the City of Titusville Crawford County a distance of about 0.73 of a mile

Beginning at a point on Allen Street on the dividing line between the City of Titusville and Cherrytree Township Venango County thence over Allen Street to Bloss Street thence over Bloss Street to Dairy Street thence over Dairy Street to Bank Street thence over Bank Street to Drake Street to Bloss Street thence over Bloss Street to the intersection of Bloss and Franklin Strees in the City of Titusville Crawford County a distance of about 1.11 miles

Beginning at a point on Derrick Avenue on the dividing line between the City of Uniontown and South Union Township thence over Derrick Avenue to the intersection with Berkeley

Street thence over Berkeley Street to the intersection of Berkeley and Morgantown Streets in the City of Uniontown a distance of about 0.39 of a mile

Beginning at a point on Edgewood Avenue on the dividing line between Washington City and South Strabane and North Franklin Townships thence over Edgewood Avenue to the intersection with South Main Street thence over South Main Street to the intersection of South Main Street and Park Avenue in the City of Washington a distance of about 0.39 of a mile

Beginning at a point on North Main Street on the dividing line betwene the City of Washington and South Strabine Township thence over North Main Street to an intersection at North Main and Chestnut Streets a distance of about 0.8 of a mile

Beginning at a point on North Main Street on the dividing line between the City of Wilkes-Barre and Plains Township thence southwesterly over North Main Street to the intersection of North Main Street and Courtright Street in the City of Wilkes-Barre a distance of about 0.6 of a mile

Beginning at a point on Mock Street on the dividing line between the City of Wilkes-Barre and Plains Township thence northwesterly over Mock Street thence southwesterly over South Columbia Street thence southwesterly over Main Street thence southwesterly over Scott Street (Parsons Road) to the intersection of Scott Street and Kidder Street in the City of Wilkes-Barre a distance of about 1.9 miles

Beginning at a point on Northampton Street on the dividing line between the City of Wilkes-Barre and Wilkes-Barre Township thence northwesterly over Northampton Street thence northwesterly over Northampton Street thence southwesterly over Park Avenue to the intersection of Park Avenue and South Street in the City of Wilkes-Barre a distance of about 0.65 of a mile

Beginning at a point on the Blooming Grove Road on the dividing line between the City of Williamsport and Loyalsock Township thence over Blooming Grove Road and Market Street to the intersection of Market Street and Washington Boulevard in the City of Williamsport a distance of about 0.97 of a mile

Beginning at a point on the Dougherty's Run Road on the dividing line between the City of Williamsport and Woodward and Old Lycoming Townships thence over the Dougherty's Run Road to the intersection of the Dougherty's Run Road and Jersey Shore Road in the City of Williamsport a distance of about 0.59 of a mile

Beginning at a point on Ridge Avenue on the dividing line between the City of Williamsport and Old Lycoming Township thence over Ridge Avenue to the intersection of Ridge Avenue and West Fourth Street in the City ofWilliamsport a distance of about 0.55 of a mile

Beginning at a point on Grampian Boulevard on the dividing line between the City of Williamsport and Loyalsock Township thence over Grampian Boulevard to the intersection of Grampian Boulevard and Market Street in the City of Williamsport a distance of about 1.45 miles

Beginning at a point on East Third Street on the dividing line between the City of Williamsport and Loyalsock Township thence over East Third Street to the intersection of East Third Street and Market Street in the City of Williamsport a distance of about 1.11 miles

Beginning at a point on Bull Road on the boundary line between the City of York and West Manchester Township thence along said boundary line on Bull Road Fahs Street and Roosevelt Avenue to a point about eighty-five feet northwest of Elm Terrace thence over Roosevelt Avenue and North Penn Street to the intersection of North Penn and West Market Streets in the City of York a distance of about 1.54 miles

Beginning at a point on North Sherman Street on the dividing line between the City of York and Spring Garden Township thence over North Sherman Street to the intersection of North Sherman and East Market Streets in the City of York a distance of about 0.44 of a mile

Beginning at a point on Grantley Avenue on the dividing line between the City of York and Spring Garden Township thence over Grantley Avenue to Salem Road thence over Salem Road to West King Street thence over West King Street to South Penn Street thence over South Penn Street to the intersection of South Penn Street and West Market Street in the City of York a distance of about 0.68 of a mile.

Beginning at a point on Arch Street on the dividing line between the City of York and Spring Garden Township thence over Arch North Court and Washington Streets to the intersection of Washington and North George Streets in the City of York a distance of about 0.37 of a mile

Beginning at a point on South Richland Avenue on the dividing line between the City of York and West Manchester Township thence over South Richland Avenue to the intersection of South Richland Avenue and West Market Street in the City of York a distance of about 0.35 of a mile

Section 2 The streets established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the approval of this act but shall be taken over not later than the fifteenth day of August one thousand nine hundred thirty-three

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Habbyshaw,	McGregor,	Shellenberger,
Baker,	Haines,	McHenry,	Shettel,
Baldi,	Hamilton,	McKay,	Shortz,
Barnhardt,	Harmuth,	McKinney,	Shreiner,
Bechtel,	Harris,	Melchiorre,	Shugarts,
Beech,	Hart,	Meredith,	Simon,
Bennett,	Hartman,	Merrell,	Sinwell,
Bernhard,	Heffernan,	Metzler,	Snyder,
Blumberg,	Hefferon,	Mohn,	Sowers,
Boyd,	Heffner,	Moore,	Spann,
Brennan,	Hermansen,	Mumford,	Stank,
Brown, J. E.,	Hester,	Munley,	Steedle,
Brown, W. L.,	Hewitt,	Negley,	Sterling, P.,
Brownfield,	Himes, H. E.,	Nothnagle,	Sterling, R. B.,
Cannon,	Himes, L. R.,	O'Connor,	Stevens,
Caputo,	Holmes, J. B.,	O'Keefe,	Stevenson,
Carey,	Holmes, J. L.,	O'Neill,	Stiteler,
Carson,	Hoopes,	O'Rourke,	Stone,
Chervenak,	Horst,	Patterson,	Storb,
Cohen,	Hough,	Peelor,	Stott,
Conner,	Howard,	Pennock,	Surface,
Cooke,	Hutton,	Perry, D. R.,	Tahl,
Cordier,	Jaffe,	Perry, J. J.,	Terry,
Craig,	Jones,	Peters,	Wade,
Cramer,	Kane, J. J.,	Powell,	Wagner,
Dane,	Kane, L. P.,	Powers,	Walker, G. E.,
Davies,	King,	Price,	Walker, W. A.,
Denning,	Kinney,	Quinn,	Wall,
Downey, G. E.,	Labar,	Raub,	Wasserman,
Downey, J. J.,	Lane,	Rectenwald,	Way,
Dunmire,	Laubach,	Reed,	Weidemann,
Ederer,	Lewis,	Reilly,	Welsh,
Emhardt,	Long,	Rhodes,	Westrick,
Eroe,	Lord,	Rice,	White,
Evans,	Lose,	Roan,	Wike,
Fitzgerald,	Lovett, W. S.,	Root,	Williams, G. W.,
Flanagan,	Lynch, M.,	Roth,	Williams, J. J.,
Fleisher,	Male,	Royle,	Wilson, L. M.,
Flinchbaugh,	Maloney,	Ruby,	Wilson, T. B.,
Flynn,	Marcks,	Ruth,	Wood,
Forrest,	Mason,	Sarig,	Woodside,
Furman,	McBride,	Sautter,	Wright,
Gallagher,	McCandless,	Schrock,	Yeakel,
Gartner,	McCreary,	Schrope,	Zimmerman,
Gillette,	McElwee,	Schwab,	Talbot,
Gorman,	McGinnis,	Scott,	Speaker.
Griffith,	McGrail,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 327 (Senate Bill No. 58), entitled:

An Act to amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for

the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," as amended, by changing the compensation of members of the General Assembly.

On the question,

Shall the bill pass finally?

MOTION TO POSTPONE

Mr. TURNER. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—121

Andrews,	Heffernan,	O'Rourke,	Stank,
Baker,	Hefferon,	Patterson,	Steedle,
Baldi,	Heffner,	Peelor,	Sterling, P.,
Barnhardt,	Hester,	Pennock,	Stevens,
Bennett,	Hewitt,	Perry, D. R.,	Stevenson,
Boyd,	Himes, H. E.,	Perry, J. J.,	Stiteler,
Brennan,	Himes, L. R.,	Peters,	Stone,
Brown, J. E.,	Hoffman,	Powell,	Terry,
Brown, W. L.,	Holmes, J. L.,	Price,	Wade,
Caputo,	Hoopes,	Quinn,	Wagner,
Carey,	Horst,	Raub,	Walker, G. E.,
Carson,	Hough,	Reed,	Walker, W. A.,
Conner,	Howard,	Rhodes,	Wall,
Cooke,	Hutton,	Rice,	Wasserman,
Cordier,	Jaffe,	Roan,	Way,
Craig,	Jones,	Ruby,	Welsh,
Cramer,	King,	Ruth,	Westrick,
Dane,	Labar,	Sarig,	White,
Davies,	Lewis,	Sautter,	Wike,
DeFrehn,	Long,	Schrock,	Williams, G. W.,
Downey, G. E.,	Lord,	Schwab,	Williams, J. J.,
Eroe,	Lose,	Scorza,	Wilson, T. B.,
Evans,	Mule,	Scott,	Wilson, L. M.,
Fitzgerald,	Malina,	Sheffer,	Witkin,
Flynn,	Mason,	Shellenberger,	Wood,
Green,	McBride,	Shettel,	Woodside,
Greenstein,	McClure,	Shreiner,	Wright,
Griffith,	McCreary,	Simon,	Zimmerman,
Habbyshaw,	McElwee,	Sinwell,	Talbot,
Haines,	McGrail,	Sowers,	Speaker.
Hamilton,	O'Neill,	Spann,	

NAYS—6

Kinney,	Surface,	Turner,	Yourishin,
Lane,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 30.

An Act to amend section two thousand five hundred and fifty-six of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law" providing for the fixing of the salary of the city treasurer as collector of city, school and poor taxes and for the number and salaries of assistants jointly by the city council and board of school directors, and for payment of such salaries and other expenses in connection with his office equally by the city and school district; and requiring the city and school district to pay the premiums on the bonds required to be given to the city and school district.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

SENATE INSISTS UPON AMENDMENTS NONCONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 571, entitled:

An Act to amend section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by decreasing and limiting the compensation of the members of the board of viewers in counties of the fourth fifth and sixth classes

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 571

Mr. McCREARY. Mr. Speaker, I move that the House insist upon its nonconcurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 571, Messrs. McCreary, Shreiner and King.

Ordered, That the Clerk inform the Senate accordingly.

RECONSIDERATION OF HOUSE BILL No. 1253

Mr. SIMON. Mr. Speaker, I move that the vote by which House Bill No. 1253, Printer's No. 1039, entitled:

An Act to amend article twenty of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties fo rthe violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof tnat are or may be inconsistent therewith" as amended by prescribing the powers and duties of the boards of trustees of State teachers colleges and the Cheyney Training School for Teachers repealing inconsistent legislation

on page 7 of today's calendar, bills on final passage recalled from the Governor, passed finally, be reconsidered.

Mr. FITZGERALD. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Clinton, Mr. Simon, vote on the final passage of this bill?

Mr. SIMON. Mr. Speaker, I voted in the majority, "aye."

The SPEAKER. How did the gentleman from Erie, Mr. Fitzgerald, vote on the final passage of this bill?

Mr. FITZGERALD. Mr. Speaker, I voted "aye."

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. SIMON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SIMON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend section 2, page 4, line 4, by placing a bracket after the following: "($3,000,000)."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

REPORTS FROM COMMITTEES

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 731, entitled:

An Act making an appropriation to Mrs. Anna Kinsley of Philadelphia for moneys erroneously and inadvertently paid into the State Treasury.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2347 (Senate Bill No. 5), entitled:

An Act making an appropriation for the preparation of the Eightieth Division History; and creating a commission for such purposes.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2351 (Senate Bill No. 644), entitled:

An Act making an appropriation to the Department of Forests and Waters for the maintenance and improvement of Fort Washington Park.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2353 (Senate Bill No. 880), entitled:

An Act authorizing repayment to the Federal Unemployment Relief Fund and the State Emergency Relief Board of relief funds paid into the Motor License Fund in certain cases, and appropriating moneys in the Motor License Fund for that purpose.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2356 (Senate Bill No. 1364), entitled:

An Act creating a commission to make a study of local government and report thereon and making an appropriation.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2359 (Senate Bill No. 1425), entitled:

An Act to further amend part of section one of the act, approved the thirteenth day of June, one thousand nine hundred thirty-one (Act number eighteen-A, Appropriation Acts of one thousand nine hundred thirty-one), entitled "An act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings for the Commonwealth, and the erection and construction of new buildings and additions, alterations or improvements to and replacement of new or existing buildings of the Commonwealth, including fixtures and heating or sewerage systems and service lines for the accommodation of buildings", by extending the scope of the appropriation made to the Department of Property and Supplies for the erection and construction of buildings at the State Industrial Home for Women at Muncy.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2361 (Senate Bill No. 1388), entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments. boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by adding a new section providing for the reimbursement of the General Fund by the special operating funds for services rendered by the Department of Property and Supplies, and for space occupied in the Capitol buildings by departments, boards and commissions supported from the operating funds.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2363 (Senate Bill No. 1343), entitled:

An Act creating and appropriating a special fund in the State Treasury to be utilized by the Department of Property and Supplies in purchasing fuel equipment supplies and services for departments boards and commissions providing for the reimbursement of the fund from appropriations to departments boards and commissions upon bills rendered by the Department of Property and Supplies and making an appropriation

BILLS ON FIRST READING

The following bills were read the first time pursuant to resolution presented by the Rules Committee fixing the order of the day.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 731, entitled:

An Act making an appropriation to Mrs. Anna Kinsley of Philadelphia, for moneys erroneously and inadvertently paid into the State Treasury.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of ouse Bill No. 2347 (Senate Bill No. 5), entitled:

An Act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2351 (Senate Bill No. 644), entitled:

An Act making an appropriation to the Department of Forests and Waters for the maintenance and improvement of Fort Washington Park.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2352 (Senate Bill No. 880), entitled:

An Act authorizing repayment to the Federal Unemployment Relief Fund and the State Emergency Relief Board of relief funds paid in to the Motor License Fund in certain cases, and appropriating moneys in the Motor License Fund for that purpose.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2356 (Senate Bill No. 1364), entitled:

An Act creating a commission to make a study of local government and report thereon and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2359 (Senate Bill No. 1425), entitled:

An Act to further amend part of section one of the act, approved the thirteenth day of June, one thousand nine hundred thirty-one (Act number eighteen-A Appropriation Acts of one thousand nine hundred thirty-one), entitled "An act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings for the Commonwealth, and the erection and construction of new buildings and additions, alterations or improvements to and replacement of new or existing buildings of the Commonwealth, including fixtures and heating or sewerage systems and services lines for the accommodation of buildings," by extending the scope of the appropriation made to the Department of Property and Supplies for the erection and construction of buildings at the State Industrial Home for Women at Muncy.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2361 (Senate Bill No. 1388), entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws, one hundred seventy-seven), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" by adding a new section providing for the reimbursement of the General Fund by the special operating funds for services rendered by the Department of Property and Supplies, and for space occupied in the Capitol buildings by departments, boards and commissions supported from the operating funds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2363 (Senate Bill No. 1343), entitled:

An Act creating and appropriating a special fund in the State Treasury to be utilized by the Department of Property and Supplies in purchasing fuel, equipment, supplies, and services, for departments, boards, and commissions; providing for the reimbursement of the fund from appropriations to departments, boards, and commissions upon bills rendered by the Department of Property and Supplies and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RESOLUTION

JOINT COMMITTEE TO DEVISE MEANS OF KEEPING SCHOOLS OPEN

Mr. WILSON asked and obtained unanimous consent to offer the following resolution which was twice read, considered and adopted.

In the House of Representatives, April 26, 1933.

Whereas, It appears that school tax collections during the school year ending July 1, 1933, will be only about 65% of the normal collections, and it is estimated that the collections for the school year ending July 1, 1934, will be only about 50% of the normal collections; and

Whereas, State appropriations to school districts in the general appropriation bill now before the Legislature have been cut approximately 10%; and

Whereas, It appears that by reason of this tremendous loss in the revenues of school districts due to the decrease in the State appropriation and the decline in school tax collections, many school districts will be unable to open their schools in September, 1933, and probably as many as 500 school districts will find it necessary to close their schools before the end of the next regular school term; and

Whereas, Such closing of the schools of the Commonwealth will not only do permanent injury to the preparation for citizenship of the girls and boys now in our public schools, but also stop school expenditures for salaries, wages, supplies and plant maintenance, and thus add to the serious relief problems in many areas; therefore be it

Resolved (if the Senate concur), That a special committee of the General Assembly be appointed, three by the Speaker of the House of Representatives, and three by the President Pro Tempore of the Senate, to confer with the Governor of the Commonwealth and the Superintendent of Public Instruction, relative to measures that should be taken to make it possible to keep the schools of Pennsylvania open during the next fiscal biennium on a reasonable basis of efficiency and to report back to the General Assembly not later than Monday, May 1st, their findsings and recommendations.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 3 P. M. Are there objections? The Chair hears none and (at 1.25 P. M.) declares a recess until 3 P. M.

AFTER RECESS

The House reconvened at 3 P. M.
The SPEAKER (Grover C. Talbot) in the Chair.

BILL INTRODUCED AND REFERRED

By Mr. BLUMBERG. HOUSE BILL No. 2366.

An Act making an appropriation out of the Motor License Fund for highway purposes in counties of the first class.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 315 (HOUSE BILL No. 2367).

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons and appropriating the Banking Department Fund; authorizing the department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions, with supervised corporations, associations or persons; prescribing and limiting the powers and duties of certain courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts.

Referred to the Committee on Banking.

SENATE BILL No. 146 (HOUSE BILL No. 2368).

An Act to amend section one thousand one hundred and twenty-six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" as amended, vesting discretion in the school directors of certain counties with respect to the appointment of an assistant county superintendent and providing for the payment of salaries of such assistant superintendents.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 25, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 625, Printer's No. 617, entitled:

An Act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representativets for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1277.

An Act relating to writs of execution on goods and chattels and regulating the period within which such property must be sold to preserve the lien of a levy thereon and providing that sheriffs or coroners may return any such writ if no sale shall be made thereon within said period unless the sale be stayed by law or any order of court and relieving them from liability for abandonment of the levy in such cases

HOUSE BILL No. 987.

An Act to amend section one of the act, approved the tenth day of April, one thousand nine hundred and twenty-nine (P. L. 479), entitled "An act to regulate procedure where a defendant desires to have joined, as additional defendants, persons who he alleges are alone liable or liable over to him or jointly or severally liable with him for the cause of action declared on" and providing for entry of judgments against such additional defendants as amended by providing for service of process on an added defendant in counties other than that within which the action was instituted

HOUSE BILL No. 1543.

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties"; extending the period for payment of part of the tax.

HOUSE BILL No. 1200.

An Act making it unlawful to unnecessarily crop or cut off the ear or ears of dogs to show or exhibit such dogs and providing for the registration of dogs so cut or cropped before this act becomes effective with the county treasurer

HOUSE BILL No. 1054.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth, by adding thereto section sixteen.

HOUSE BILL No. 1104.

An Act to amend sections one and two as amended and section seventy of the act, approved the seventh day of June one thousand nine hundred and eleven (P. L. 680), entitled, "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules and regulations and requirements for the construction of plumbing, house drainage, and cesspools in cities of the first class, and imposing fines, penalties, and forfeitures for violation thereof," by including water piping additions, alterations and repairs to plumbing, house drainage, waterpiping cesspools wastes traps or vents changing the terms of the certificate of master plumbers changing the fee for examinations requirements for registration and re-registration of master plumbers and journeymen and providing for the penalty for the violation of the provisions herein.

HOUSE BILL No. 1519.

An Act to regulate insurance companies chartered under general or special laws of this Commonwealth by providing that no director need be a resident of any particular city or county that the directors shall elect the president or appoint the secretaries that the residence of the president and secretaries need not be in the county wherein the principal office o the company is located and that the annual meeting shall be held and reports shall be published as provided in the by-laws

HOUSE BILL No. 1351.

An Act to amend section two hundred and thirteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended by adding thereto provisions granting hearings before reports of examinations of insurance companies by the Insurance Department are filed and providing for authority to the Insurance Commissioner to publish such reports and authorizing the Insurance Commissioner accept the report of examination of insurance companies made by or upon the authority of the supervising official of any other state

HOUSE BILL No. 1353.

An Act to amend section six hundred fifty-two of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporations of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing that all premiums and interest charges on account of policies insuring employers against workmen's compensation liability and all judgments recovered for same shall be preferred claims in all insolvency or bankruptcy proceedings and trustees proceedings for administration of estates and receiverships

HOUSE BILL No. 1517.

An Act to amend section two hundred and five of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by fixing the minimum par value of the shares of capital stock of all stock insurance companies

HOUSE BILL No. 1518.

An Act to amend section six hundred and twenty-nine of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureau, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," as amended. exempting aditional corporations from the provision of subdivision (b) of Article Six of the act.

HOUSE BILL No. 1704.

An Act to further amend the first paragraph of section two hundred twelve of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

With the information that the Senate has passed the same without amendment.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1807, entitled:

An Act to amend section one of the act, approved the twenty-seventh day of February, one thousand eight hundred and sixty-five (Pamphlet Laws, four) entitled "An act to increase the fees of mercantile appraisers in certain counties of this Commonwealth.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. KINNEY. Mr. Speaker, will the sponsor of this bill explain its purpose?

The SPEAKER. Will the gentleman from Center explain to the gentleman from Venango the purpose of this bill?

Mr. JOHN L. HOLMES. Mr. Speaker and members of the House, many members of this House have come to me, after looking at the title of this bill, and criticized it on the ground of its being a salary raiser, while in reality it is just the opposite.

First of all, this bill does not apply to Philadelphia County nor to Allegheny County. The purpose of this bill is to try and correct an abuse which has sprung up in many of the thinly populated counties of the State. All this bill does is to reduce the mileage from six cents a mile to five cents per mile, bringing it in line with the general economy program of this House and putting the mercantile appraisers on the same mileage as is allowed to many of the other employes of this State.

Mr. KINNEY. Mr. Speaker, may I interrogate the gentleman from Center?

The SPEAKER. Will the gentleman from Center permit himself to be interrogated?

Mr. JOHN L. HOLMES. I will, Mr. Speaker.

Mr. KINNEY. Mr. Speaker, doesn't this bill change it from six cents circular to five cents straight on the mileage?

Mr. JOHN L. HOLMES. Mr. Speaker, it changes the mileage allowance from six cents to five cents.

Mr. KINNEY. Six cents circular to five cents straight, may I ask, Mr. Speaker?

Mr. JOHN L. HOLMES. Yes, Mr. Speaker.

Mr. KINNEY. Mr. Speaker, will that not raise the rate?

Mr. JOHN L. HOLMES. No, Mr. Speaker; it is six cents circular at the present time.

Mr. KINNEY. And the bill makes it five cents straight?

Mr. JOHN L. HOLMES. That is correct, Mr. Speaker.

MOTION TO RECOMMIT

Mr. KINNEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special for further study.

On the question,

Will the House agree to the motion?

Mr. JOHN L. HOLMES. Mr. Speaker, I misunderstood the question which the gentleman asked me. This bill does not change it from six cents circular to five cents straight. It reduces it from six cents circular to five cents circular.

I ask that the motion to recommit be voted down.

On the question,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—116

Baker,	Habbyshaw,	Metzler,	Schwab,
Baldi,	Heffner,	Moore,	Shellenberger,
Barnhardt,	Hermansen,	Munley,	Shettel,
Bechtel,	Himes, L. R.,	Myers,	Shreiner,
Beech,	Holmes, J. B.,	Negley,	Shugarts,
Bennett,	Holmes, J. L.,	Nothnagle,	Simon,
Blumberg,	Hough,	O'Connor,	Sinwell,
Boyd,	Jaffe,	O'Keefe,	Snyder,
Brancato,	Jones,	O'Neill,	Stank,
Brennan,	Kane, J. J.,	O'Rourke,	Sterling, R. B.,
Brown, J. E.,	Kane, L. P.,	Patterson,	Stevens,
Brown, W. L.,	King,	Peelor,	Stevenson,
Caputo,	Kinney,	Pennock,	Stiteler,
Carson,	Labar,	Perry, D. R.,	Stone,
Cooke,	Lane,	Perry, J. J.,	Storb,
Cordier,	Laubach,	Peters,	Tahl,
Cramer,	Lenahan,	Powell,	Wade,
Davies,	Lovett, J. E.,	Price,	Wall,
DeFrehn,	Lovett, W. S.,	Quinn,	Way,
Downey, G. E.,	Lynch, M.,	Raub,	Westrick,
Duffy,	Male,	Rectenwald,	Williams, G. W.
Dwyer,	Maloney,	Reilly,	Wilson, L. M.,
Ederer,	Marcks,	Rhodes,	Wilson, T. B.,
Eroe,	McClure,	Rice,	Witkin,
Evans,	McCreary,	Ruby,	Wood,
Fitzgerald,	McElwee,	Ruth,	Woodside,
Flynn,	McGregor,	Sautter,	Wright,
Forrest,	Meredith,	Schrock,	Talbot,
Furman,	Merrell,	Schrope,	Speaker.
Griffith,			

NAYS—11

Andrews,	Hamilton,	Mason,	Roth,
Bernhard,	Howard,	McKay,	Terry,
Carey,	Lewis,	Roan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. HUTTON IN THE CHAIR

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1121, entitled:

An Act providing for the discharge or parole of persons serving imprisonment for failure to make restitution under sentence of any court.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—126

Andrews,	Gallagher,	Lane,	O'Rourke,
Baker,	Gartner,	Laubach,	Peelor,
Beech,	Gillette,	Lenahan,	Pennock,
Bennett,	Green,	Lewis,	Perry, D. R.,
Bernhard,	Greenstein,	Long,	Perry, J. J.,
Blumberg,	Griffith,	Lose,	Peters,
Boyd,	Habbyshaw,	Lovett, J. E.,	Powell,
Brancato,	Hamilton,	Lovett, W. S.,	Powers,
Brennan,	Harmuth,	Lynch, J. R.,	Price,
Brown, W. L.,	Harris,	Lynch, M.,	Quinn,
Cannon,	Hart,	Male,	Raub,
Caputo,	Hartman,	Malina,	Reed,
Carey,	Heffernan,	Marcks,	Roan,
Carson,	Hefferon,	Mason,	Roth,
Chervenak,	Hermansen,	McBride,	Royle,
Cohen,	Hester,	McCandless,	Ruby,
Conner,	Hewitt,	McClure,	Sautter,
Cooke,	Himes, H. E.,	McCreary,	Schwartz,
Cordier,	Himes, L. R.,	McElwee,	Scorza,
Cramer,	Hoffman,	McGrail,	Shenkel,
Davies,	Holmes, J. L.,	McKinney,	Shreiner,
DeFrehn,	Hoopes,	Melchiorre,	Sowers,
Downey, G. E.,	Horst,	Meredith,	Spann,
Downey, J. J.,	Hough,	Merrell,	Steedle,
Duffy,	Howard,	Mohn,	Surface,
Ederer,	Hutton,	Moore,	Terry,
Emhardt,	Jaffe,	Munley,	Weidemann,
Evans,	Jones,	Myers,	Williams, G. W.,
Fitzgerald,	Kane, L. P.,	Negley,	Witkin,
Flanagan,	King,	Nothnagle,	Woodside,
Flinchbaugh,	Kinney,	O'Connor,	Talbot,
Flynn,	Labar,	O'Neill,	Speaker.
Furman,			

NAYS—4

McHenry,	McKay,	Stevenson,	Wall,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1299, entitled:

An Act to supplement the act, approved the twenty-sixth day of June, one thousand nine hundred and thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the ofifce of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities." by validating assessments made otherwise than as provided therein and authorizing county commissioners to pay for services of assessors making such assessments.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148

Andrews,	Harmuth,	McElwee,	Schwartz,
Baker,	Harris,	McGrail,	Scott,
Baldi,	Hartman,	McGregor,	Sheffer,
Barnhardt,	Heffernan,	McKay,	Shellenberger,
Bechtel,	Hefferon,	McKinney,	Shortz,
Bennett,	Heffner,	Meredith,	Shreiner,
Bernhard,	Hermansen,	Metzler,	Simon,
Blumberg,	Hester,	Moore,	Snyder,
Brennan,	Hewitt,	Munley,	Sowers,
Brown, W. L.,	Himes, H. E.,	Negley,	Spann,
Cannon,	Himes, L. R.,	Nothnagle,	Steedle,
Carey,	Holmes, J. B.,	O'Connor,	Stevens,
Carson,	Holmes, J. L.,	O'Rourke,	Stevenson,

Cohen,	Hoopes,	Peelor,	Storb,
Conner,	Horst,	Pennock,	Stott,
Cooke,	Hough,	Perry, D. R.,	Surface,
Cordier,	Howard,	Perry, J. J.,	Tahl,
Craig,	Hutton,	Peters,	Terry,
Cramer,	Jones,	Powell,	Wade,
DeFrehn,	Kane, L. P.,	Powers,	Walker, G. E.,
Denning,	King,	Price,	Walker, W. A.,
Downey, J.,	Kinney,	Raub,	Wasserman,
Duffy,	Lane,	Rectenwald	Way,
Dunmire,	Lenahan,	Reed,	Welsh,
Ederer,	Lewis,	Reilly,	Williams, G. W.,
Emhardt,	Lord,	Rhodes,	Williams, J. J.,
Eroe,	Lose,	Rice,	Wilson, L. M.,
Fitzgerald,	Lovett, J. E.,	Roan,	Wilson, T. B.,
Fleisher,	Lovett, W. S.,	Root,	Witkin,
Flinchbaugh	Lynch, J. R.,	Roth,	Wood,
Forrest,	Lynch, M.,	Royle,	Woodside,
Gallagher,	Malina,	Ruby,	Wright,
Gillette,	Maloney,	Ruth,	Yeakel,
Gorman,	Mason,	Sarig,	Yourishin,
Greenstein,	McBride,	Schrock,	Zimmerman
Griffith,	McCandless,	Schrope,	Talbot,
Habbyshaw,	McCreary,	Schwab,	Speaker.
Hamilton,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF SENATE BILL No. 155

Mr. SCHROPE. Mr. Speaker, I move that the vote by which House Bill No. 1684, Senate Bill No. 155, Printer's No. 492, entitled:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, custard ice cream, french ice cream, french custard, frozen custard sherbet ice and fruit ice, including coated ice cream and the coating thereof; fixing standards for ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet, ice and fruit ice, and to prevent the sale of imitation ice cream and defining said imitation ice cream; providing penalties for the violation thereof, and providing for the enforcement thereof.

was defeated on final passage on Wednesday, April 19, 1933, be reconsidered.

Mr. SAUTTER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Schuylkill, Mr. Schrope, vote on the final passage of this bill?

Mr. SCHROPE. Mr. Speaker, I voted in the majority, "no."

The SPEAKER. How did the gentleman from Philadelphia, Mr. Sautter vote on the final passage of this bill?

On the question,

Will the House agree to the motion?

The SPEAKER declared the "ayes" appeared to have it.

Whereupon, a division was called for and one hundred and twelve members, or more than a majority, having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. BLUMBERG. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1395, entitled:

An Act to stay writs of eviction, distress or other writs of possession under certain circumstances, and providing procedure therefor.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Harmuth,	McGregor,	Shettel,
Baldi,	Harris,	McHenry,	Shortz,
Barnhardt,	Hart,	McKay,	Shreiner,
Bechtel,	Hartman,	McKinney,	Shugarts,
Beech,	Heffernan,	Melchiorre,	Simon,
Bennett,	Hefferon,	Meredith,	Sinwell,
Bernhard,	Heffner,	Merrell,	Sowers,
Blumberg,	Hermansen,	Mohn,	Spann,
Boyd,	Hewitt,	Moore,	Stank,
Brancato,	Himes, H. E.,	Mumford,	Steedle,
Brennan,	Himes, L. R.,	Munley,	Sterling, P.,
Brown, J. E.,	Hoffman,	Myers,	Sterling, R. B.,
Brown, W. L.,	Holmes, J. B.,	Nothnagle,	Stevens,
Brownfield,	Holmes, J. L.,	O'Connor,	Stiteler,
Caputo,	Hoopes,	O'Keefe,	Stone,
Carey,	Horst,	O'Neill,	Storb,
Carson,	Hough,	O'Rourke,	Stott,
Cohen,	Howard,	Patterson,	Surface,
Conner,	Hutton,	Peelor,	Tahl,
Cooke,	Jaffe,	Pennock,	Terry,
Cordier,	Jones,	Perry, D. R.,	Turner,
Craig,	Kane, J. J.,	Perry, J. J.,	Wade,
Cramer,	Kane, L. P.,	Peters,	Wagner,
Davies,	King,	Powell,	Walker G. E.,
DeFrehn,	Kinney,	Powers,	Walker, W. A.,
Denning,	Labar,	Price,	Wall,
Downey, G. E.,	Lane,	Quinn,	Wasserman,
Duffy,	Laubach,	Rectenwald,	Way,
Dunmire,	Lenahan,	Reed,	Weidemann,
Dwyer,	Long,	Reilly,	Welsh,
Emhardt,	Lord,	Rhodes,	Westrick,
Eroe,	Lose,	Rice,	White,
Evans,	Lovett, J. E.,	Roan,	Wike,
Flanagan,	Lovett, W. S.,	Root,	Williams, G. W.,
Flinchbaugh,	Lynch, J. R.,	Royle,	Williams, J. J.,
Flynn,	Lynch, M.,	Ruby,	Wilson, L. M.,
Forrest,	Male,	Ruth,	Wilson, T. B.,
Furman,	Malina,	Sarig,	Witkin,
Gallagher,	Maloney,	Sautter,	Wood,
Gartner,	Marcks,	Schrock,	Woodside,
Gillette,	McBride,	Schwab	Wright,
Gorman,	McCandless,	Schwartz,	Yeakel,
Green,	McClure,	Scorza,	Yourishin,
Greenstein,	McCreary,	Scott,	Zimmerman,
Griffith,	McElwee,	Sheffer,	Talbot,
Habbyshaw,	McGinnis,	Shellenberger,	Speaker.
Hamilton,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1903, entitled:

An Act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real estate property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Green,	McHenry,	Shettel,
Baker,	Greenstein,	McKinney,	Shortz,
Baldi,	Griffith,	Meredith,	Shreiner,
Barnhardt,	Habbyshaw,	Metzler,	Shugarts,
Bechtel,	Haines,	Mohn,	Simon,
Beech	Hamilton,	Moore,	Sinwell,
Bennett,	Harris,	Mumford,	Snyder,
Bernhard,	Hart,	Munley,	Sowers,
Blumberg,	Hartman,	Myers,	Spann,
Boyd,	Heffernan,	Negley,	Stank,
Brennan,	Heffner,	Nothnagle,	Steedle,
Brown, J. E.,	Hermansen,	O'Connor,	Sterling, P.,
Brown, W. L.,	Hewitt,	O'Keefe,	Sterling, R. B.,
Brownfield,	Holmes, J. B.,	O'Neill,	Stevens,
Cannon,	Holmes, J. L.,	O'Rourke,	Stevenson,
Caputo,	Hoopes,	Patterson,	Stiteler,
Carey,	Horst,	Peelor,	Stone,
Carson,	Hough,	Pennock,	Storb,
Chervenak,	Howard,	Perry, D. R.,	Stott,
Cohen,	Hutton,	Perry, J. J.,	Surface,
Conner,	Jaffe,	Peters,	Terry,
Cooke,	Jones,	Powell,	Turner,
Cordier,	Kane, J. J.,	Powers,	Wade,
Craig,	Kane, L. P.,	Price,	Wagner,
Cramer,	King,	Quinn,	Walker, W. A.,
Dane,	Kinney,	Raub,	Wall,
Davies,	Labar,	Rectenwald,	Wasserman,
DeFrehn,	Laubach,	Reed,	Way,
Denning,	Lenahan,	Reilly,	Weidemann,
Downey, G. E.,	Lewis,	Rhodes,	Welsh,
Downey, J.,	Long,	Rice,	Westrick,
Duffy,	Lord,	Roan,	White,
Dunmire,	Lose,	Root,	Wike,
Ederer,	Lovett, W. S.,	Roth,	Williams, J. J.,
Emhardt,	Lynch, M.,	Royle,	Williams, G. W.
Eroe,	Malina,	Ruby,	Wilson, L. M.,
Evans,	Maloney,	Ruth,	Wilson, T. B.,
Fitzgerald,	Marcks,	Sarig,	Witkin,
Flanagan,	Mason,	Sautter,	Wood,
Fleisher,	McBride,	Schrock,	Woodside,
Flinchbaugh	McCandless,	Schrope,	Wright,
Flynn,	McClure,	Schwab,	Yeakel,
Forrest,	McCreary,	Schwartz,	Yourishin,
Furman,	McElwee,	Scott,	Zimmerman,
Gartner,	McGinnis,	Sheffer,	Talbot,
Gillette,	McGregor,	Shellenberger,	Speaker.
Gorman,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 800, entitled:

An Act providing for assistance by the Commonwealth to the cities of the second class, second class A, and third class, for street and highway purposes; and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. PETERS. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2333, entitled:

An Act authorizing the Secretary of the Commonwealth, with the approval of the Attorney General and Director of the Legislative Reference Bureau, to correct certain errors in the original copies of laws.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Harmuth,	McGregor,	Scott,
Baker,	Harris,	McHenry,	Sheffer,
Baldi,	Hart,	McKinney,	Shellenberger,
Barnhardt,	Hartman,	Melchiorre,	Shettel,
Bechtel,	Heffernan,	Meredith,	Shortz,
Bennett,	Hefferon,	Merrell,	Shreiner,
Bernhard,	Heffner,	Metzler,	Shugarts,
Blumberg,	Hermansen,	Mohn,	Simon,
Boyd,	Hester,	Moore,	Sinwell,
Brennan,	Hewitt,	Mumford,	Snyder,
Brown, J. E.,	Himes, H. E.,	Munley,	Sowers,
Brown, W. L.,	Himes, L. R.,	Myers,	Spann,
Cannon,	Hoffman,	Negley,	Stank,
Caputo,	Holmes, J. B.,	Nothnagle,	Steedle,
Carey,	Holmes, J. L.,	O'Connor,	Sterling, P.,
Chervenak,	Hoopes,	O'Keefe,	Stevens,
Cohen,	Horst,	O'Neill,	Stevenson,
Cooke,	Hough,	O'Rourke,	Stiteler,
Craig,	Howard,	Patterson,	Stott,
Cramer,	Hutton,	Peelor,	Surface,
Dane,	Jaffe,	Pennock,	Terry,
Davies,	Jones,	Perry, D. R.,	Wade,
DeFrehn,	Kane, J. J.,	Perry, J. J.,	Wagner,
Denning,	Kane, L. P.,	Peters,	Walker, G. E.,
Downey, G. E.,	King,	Powell,	Walker, W. A.,
Downey, J.,	Kinney,	Powers,	Wall,
Duffy,	Labar,	Price,	Wasserman,
Dunmire,	Lane,	Quinn,	Way,
Ederer,	Laubach,	Raub,	Weidemann,
Emhardt,	Lewis,	Rectenwald,	Welsh,
Eroe,	Long,	Reed,	Westrick,
Evans,	Lord,	Reilly,	White,
Fitzgerald,	Lose,	Rhodes,	Wike,
Fleisher,	Lovett, J. E.,	Rice,	Williams, G. W.,
Flinchbaugh	Lovett, W. S.,	Roan,	Williams, J. J.,
Furman,	Lynch, J R.,	Root,	Wilson, T. B.,
Gallagher,	Lynch, M.,	Roth,	Wilson, L. M.,
Gartner,	Male,	Royle,	Witkin,
Gillette,	Malina,	Ruby,	Wood,
Gorman,	Maloney,	Ruth,	Woodside,
Green,	Mason,	Sarig,	Wright,
Greenstein,	McBride,	Sautter,	Yeakel,
Griffith,	McCandless,	Schrock,	Yourishin,
Habbyshaw,	McCreary,	Schrope,	Zimmerman,
Haines,	McElwee,	Schwab,	Talbot,
Hamilton,	McGinnis,	Schwartz,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1300, entitled:

An Act imposing an additional excise license tax on each store or mercantile establishment in excess of one operated or maintained within this Commonwealth under the same general management, supervision or ownership.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LONG. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Maloney.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. MALONEY. I will, Mr. Speaker.

Mr. LONG. Mr. Speaker, I would like to ask the gentleman from Allegheny if he would be willing to agree that an amendment be inserted in this bill exempting domestic corporations therefrom and placing this additional tax upon foreign corporations.

Mr. MALONEY. It would defeat the purpose of the bill in my opinion, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—105

Boyd,	Hester,	Merrell,	Scorza,
Brancato,	Hewitt,	Metzler,	Shellenberger,
Brennan,	Himes, H. E.,	Mohn,	Shenkel,
Brown, W. L.,	Himes, L. R.,	Munley,	Shreiner,
Carey,	Hoffman,	Myers,	Shugarts,
Chervenak,	Holmes, J. L.,	Negley,	Simon,
Cordier,	Hutton,	O'Connor,	Snyder,
Craig,	Kane, J. J.,	O'Keefe,	Sowers,
Dane,	Kane, L. P.,	O'Neill,	Spann,
Downey, G. E.,	Kinney,	O'Rourke,	Stank,
Dunmire,	Labar,	Peelor,	Steedle,
Dwyer,	Lane,	Perry, J. J.,	Sterling, P.,
Ederer,	Laubach,	Peters,	Sterling, R. B.,
Embardt,	Lewis,	Powell,	Stevens,
Eroe,	Lynch, J. R.,	Powers,	Stiteler,
Evans,	Lynch, M.,	Raub,	Stone,
Fitzgerald,	Male,	Rectenwald,	Stott,
Flanagan,	Maloney,	Reed,	Terry,
Forrest,	Marcks,	Reilly,	Wade,
Furman,	McBride,	Rhodes,	Walker, W. A.,
Gallagher,	McClure,	Roan,	Wall,
Gorman,	McCreary,	Root,	Way,
Griffith,	McElwee,	Ruth,	Westrick,
Harmuth,	McGregor,	Sautter,	White,
Hartman,	McHenry,	Schrock,	Wilson, T. B.,
Heffner,	McKinney,	Schrope,	Woodside,
Hermansen,	Meredith,		

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Brown, J. E.,	Gartner,	Jaffe,	Weidemann,
Conner,	Green,	Long,	Wilson, L. M.,
Cooke,	Heffernan,	Pennock,	Witkin,
Denning,	Hoopes,	Quinn,	Yourishin,
Duffy,	Howard,	Schwab,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE ON EDUCATION TO MEET DURING SESSION OF THE HOUSE

Mr. WILSON asked and obtained permission of the House for the Committee on Education to sit during the session of the House.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2305 (Senate Bill No. 206), as follows:

An Act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations

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ARTICLE I

GENERAL PROVISIONS

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Nonprofit Corporation Law"

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Articles" includes both the original articles of incorporation and any and all amendments thereto

"Business" in the case of a domestic nonprofit corporation includes any or all of the activities for which it has been organized and in the case of a foreign nonprofit corporation any or all of the activities in which its certificate of authority authorizes it to engage within this Commonwealth

"Court" means the court of common pleas of the county where the registered office of the corporation is or is to be located

"Directors" includes persons designated in the articles as such and persons designated elected or appointed by any other name or title to act as directors and their successors The term when used in relation to any power or duty requiring collective action shall be construed to mean "Board of Directors"

"Domestic Nonprofit Corporation" means a corporation formed under this act or a corporation heretofore organized or created in this Commonwealth which becomes subject to this act

"Foreign Nonprofit Corporation" means a corporation not for pecuniary profit formed under any laws other than those of this Commonwealth

"Incorporator" is one of the signers of the original articles of incorporation

"Member" includes each person signing the articles of incorporation and each person admitted to membership in the corporation The term "member" shall be construed to include "shareholder" if the corporation issues shares of stock

"Nonprofit Corporation" means a corporation organized for a purpose or purposes not involving pecuniary profit incidental or otherwise to its members

"Registered Office" means in the case of a domestic nonprofit corporation that office in this Commonwealth at which its books and records are kept and the address of which is filed in the office of the recorder of deeds as required by this act and in the case of a foreign nonprofit corporation authorized to do business within this Commonwealth that office in this Commonwealth the address of which is filed with the Secretary of the Commonwealth as required by this act

"Trust Instrument" includes any lawful deed of gift grant last will and testament or other document by which the donor grantor or testator shall give grant devise or bequeath any real or personal property or the income therefrom in trust for any charitable religious benevolent educational scientific or literary purpose or public benefaction of whatever name or nature

"Written" includes printed typewritten engraved lithographed telegraphed cabled radiogramed photographed photostated telephotographed or other form of recordation

Section headings shall not be taken to govern or limit the scope of the sections of this act

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Applicability and Acceptance of Act A Every corporation of the first class heretofore organized and incorporated under the Corporation Act of 1874 its amendments and supplements and every corporation heretofore created by any special act or formed under any general act which has accepted in any manner whatsoever the Constitution of Pennsylvania and which if not existing would be required to incorporate under this act shall hereafter be subject to the provisions of this act without formal reorganization hereunder and shall be deemed to exist under this act the provisions of this act shall govern all such corporations heretofore incorporated in this Commonwealth

B Any corporation incorporated prior to one thousand eight hundred and seventy-four by any general or special act which has not accepted the Constitution of Pennsylvania in any manner whatsoever and which if not existing would be required to incorporate under this act shall be deemed to exist under and shall be governed by the provisions of this

act upon filing with the Department of State a certificate accepting the provisions of the Constitution of Pennsylvania and of this act The certificate shall be executed under the seal of the corporation shall be signed by two duly authorized officers of the corporation and shall set forth

(1) The name of the corporation

(2) The Act of Assembly by or under which it was created

(3) A statement that the corporation accepts the Constitution of Pennsylvania and the provisions of this act and

(4) A statement that the acceptance of the Constitution of Pennsylvania and of the provisions of this act was duly authorized by a meeting of the members called for that purpose

C Every foreign nonprofit corporation heretofore admitted to do business in this Commonwealth which if now seeking admission would be required to comply with the provisions of this act shall within ninety days after the effective date of this act secure a certificate of authority from the Department of State and shall thereafter be subject to the provisions of this act

D This act shall not be construed as attempting to deprive any existing corporation of any corporate power right privilege or franchise which such corporation now enjoys except that such corporation shall not hereafter operate in any manner resulting in pecuniary profit or gain to its members

Section 4 Scope of the Act This act does not relate to does not affect and does not apply to

(1) Cooperative associations whether for profit or not for profit

(2) Beneficial benevolent fraternal and fraternal benefit societies having a lodge system and a representative form of government or transacting any type of insurance whatsoever

(3) Any corporation whatsoever organized for any purpose or purposes involving pecuniary profit to its members or shareholders

(4) Any corporation which by the laws of this Commonwealth is subject to the supervision of the Department of Banking the Insurance Department The Public Service Commission or the Water and Power Resources Board

Section 5 Saving Clause A This act shall not impair or affect any act done offense committed or right accruing accrued or acquired or liability duty obligation penalty judgment or punishment incurred prior to the time this act takes effect but the same may be enjoyed asserted enforced prosecuted or inflicted as fully and to the same extent as if this act had not been passed

B The provisions of all acts or parts of acts which are repealed by this act or are reenacted in this act shall be considered as remaining continuously in force so far as concerns all rights vested and accrued and liabilities duties and obligations incurred under such provisions before the effective date of this act shall be preserved or may be enforced as if this act had not been passed

C The provisions of this act as far as they are the same as those of existing laws shall be contrued as a continuation of such laws and not as new enactments The repeal of any acts by this act shall not affect the corporate existence of any corporation heretofore created Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

Section 6 Fees Any prothonotary or recorder of deeds and any State department board commission or officer shall be entitled to receive for services performed as required by this act such fees as are or may be lawfully charged for those or similar services

Section 7 Jurisdiction of Courts Not Limited This act shall not be deemed to curtail in any manner whatsoever the law or equity jurisdiction of the courts of this Commonwealth

Section 8 Severable Clause The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 9 Construction of References Whenever in this act reference is made to any act by title or otherwise such reference shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

Section 10 Notice of Meetings A Whenever written notice is required to be given to any person under the provisions of this act or by the articles or by-laws of any nonprofit corporation it may be given to such person either by sending a copy thereof through the mail or by telegram charges prepaid to his address appearing on the books of the corporation or supplied by him to the corporation for the purpose of notice If the notice is sent by mail or by telegraph it shall be deemed to have been given to the person entitled thereto when deposited in the United States mail or with a telegraph office for transmission to such person Such notice shall specify the place day and hour of the meeting and in the case of a special meeting the general nature of the business to be transacted

B Whenever any written notice is required to be given under the provisions of this act or the articles or by-laws of any corporation a waiver thereof in writing signed by the person or persons entitled to such notice whether before or after the time stated therein shall be deemed equivalent to the giving of such notice Except in the case of a special meeting neither the business to be transacted at nor the purpose of the meeting need be specified in the waiver of notice of such meeting

C Attendance of a person either in person or by proxy if the by-laws permit voting by proxy at any meeting shall constitute a waiver of notice of such meeting except where a person attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened

Section 11 Effect of Filing or Recording Papers Required to be Filed The filing or recording of the articles or of any other papers or documents pursuant to the provisions of this act is required for the purpose of affording all persons the opportunity of acquiring knowledge of the contents thereof but no person dealing with the corporation shall be charged with constructive notice of the contents of any such articles papers or documents by reason of such filing or recording

ARTICLE II

FORMATION OF NONPROFIT CORPORATIONS

Section 201 Purpose of Incorporation and Qualification of Incorporators Five or more natural persons of full age and of either sex married or single at least three of whom are residents of the Commonwealth and citizens of the United States its territories or possessions may form a nonprofit corporation under the provisions of this act for any purpose or purposes which are lawful and not injurious to the community

Section 202 The Corporate Name A The corporate name may be in any language but must be expressed in English letters or characters The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking or of the Insurance Department and shall not contain the word "bank" "banking" "banker" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "benevolent" "public service" "building and loan" "surety" "security" "guaranty" "guarantee" "co-operative" "State" "Commonwealth" "National" "Federal" or "United States"

B The corporate name shall not be the same as or deceptively similar to

(1) The name of any other domestic corporation or of any foreign corporation authorized to do business in this Commonwealth or the name of any unincorporated body whatsoever voluntarily registered with the Department of State under any Act of Assembly unless such other domestic or foreign corporation or unincorporated body is about to change its name or to cease to do business or is being wound up or such foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other domestic or foreign corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the application to the Department of State for the registration of the name Provided that nothing herein contained shall be construed to refer or apply to any assumed or fictitious name required by law to be filed with the Department of State

(2) The name of any administrative department board or commission or other agency of the Commonwealth

(3) A name the exclusive right to which is at the time reserved by any other corporation whatsoever in the manner provided in this act or any Act of Assembly

C Nothing in this act shall abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principals of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

D The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the Court of Common Pleas of Dauphin County may upon the application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth and the court of common pleas of any county having jurisdiction over the corporation may upon the application of any persons unincorporated association or corporation adversely affected enjoin the corporation from using or continuing to use a name assumed in violation of this section

Section 203 Articles of Incorporation Articles of incorporation shall be signed by each of the incorporators and acknowledged by at least three of them before any officer within or without this Commonwealth authorized to take acknowledgments and shall set forth in the English language

(1) The name of the proposed corporation unless the name is in a foreign language in which case it shall be set forth in English letters or characters

(2) The location and post office address of its initial registered office in this Commonwealth

(3) A precise and accurate statement of the purpose or purposes for which it is to be formed and that it is a corporation which does not contemplate precuniary gain or profit incidental or otherwise to its members

(4) The term for which it is to exist which may be perpetual

(5) The name place of residence and post office address of each of the incorporators

(6) The name and addresses of three or more persons who are to act as directors until the election of their successors and who may be given such titles as may be deemed appropriate but who shall be subject to all of the provisions of this act relating to directors The number of persons so named shall constitute the number of directors of the corporation until changed by the by-laws

(7) A statement whether the corporation is to be organized upon a non-stock basis or a stock share basis and the aggregate number of shares if any which the corporation shall have authority to issue and the par value of each of the shares

(8) The amount of assets classified as to real and personal property which the corporation will have to start its corporate functions If the corporation is authorized to issue shares the amount which has been paid in cash therefor to the treasurer of the intended corporation and the name and residence of the treasurer

(9) Any lawful provisions desired for the regulation of the affairs of the corporation including restrictions upon the power to amend all or part of the articles

The authorized number and qualifications of its members the different classes of membership if any the property voting and other rights and privileges of each class of membership and the liability of each class or all classes to dues or assessments and the method of collection thereof may be set forth either in the articles or in the by-laws

Section 204 Registration of Corporate Name The incorporators shall make application to the Department of State for the registration of the proposed corporate name The application shall set forth the name which the incorporators desire to use and the address of the proposed registered office of the corporation If the Department of State finds that the proposed name is available for corporate use the department shall register the name and shall issue to the incorporators a certificate that the proposed name has been duly registered If the proposed name is not available for corporate use the department shall refuse to register such name and shall forthwith notify the incorporators of this fact Upon application of any party interested either for or against the granting of the proposed charter the department shall include in any certificate issued by it under this section any information desired as to the names registered with the department The Department of State shall keep a properly indexed record of the registrations and cancellations of registrations provided for in this act

Section 205 Articles and Certificate to be Filed with the Prothonotary The articles together with the certificate from the Department of State relating to the registration of the proposed corporate name shall be filed by the incorporators in the office of the prothonotary of the court of commn pleas of the county wherein the registered office of the proposed corporation is to be located The articles and the certificate shall remain on file in the office of the prothonotary at least three days prior to the day the application for a charter will be made to the court as hereinafter provided and shall be open to the inspection of the public during the business hours of such office

Section 206 Advertisement The incorporators shall advertise their intention to apply to the courts for a charter one time in two newspapers published in the English language one of which shall be a newspaper of general circulation and the other the legal newspaper if any designated by the rules of court for the publication of legal notices otherwise in two newspapers of general circulation printed in the county in which the initial registered office of the corporation is to be located Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient Advertisements shall appear at least three days prior to the day fixed for the presentation of the application to the court and shall set forth briefly

(1) The name of the proposed corporation

(2) A statement that the proposed corporation is to be organized under the provisions of this act

(3) The purpose or purposes of the proposed corporation

(4) A statement that the articles of incorporation have been filed in the office of the prothonotary and the time when the application will be made to the court

Section 207 Court to Decree or Refuse Incorporation On the day specified in the advertisement or as soon thereafter as the matter may be heard the incorporators shall present an application for a charter to the court and shall present to the court the articles of incorporation proof of the advertisement required by the preceding section and the certificate of the Department of State pertaining to the registration of the corporate name. The court shall consider the application It may hear evidence if any there be on behalf of the applicants and against the application or it may refer the application to a master to make report as to the propriety of granting application In such case upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them If the court shall find the articles to be in proper form and within the provisions of this act and the purpose or purposes given in the articles to be lawful and not injurious to the community the court shall so certify on the articles and shall order and decree thereon that the articles are approved and that upon the recording of the articles and the order the corporation shall come into existence for the purpose or purposes and upon the terms stated therein otherwise the court shall refuse the application for a charter

Section 208 Recording of Articles a Condition Precedent to Corporate Existence After the court shall have approved the articles of incorporation as required by the preceding section the prothonotary shall transmit the articles approved by the court to the office of the recorder of deeds of the county where they shall be recorded Upon the recording of the articles the corporate existence shall begin and thenceforth the incorporators their associates and successors shall be a corporation The articles upon being recorded shall constitute the charter of the corporation and shall be returned to the prothonotary who shall retain and file them as part of the records of the court and who shall issue a certified copy thereof to the incorporators or their representative Certified copies of the articles so recorded shall be competent evidence for all purposes in the courts of this Commonwealth No corporation formed under this act shall incur any debts or begin the transaction of any business except such as is incidental to its organization or to the obtaining of subscriptions to membership until its articles have been recorded in the office of the recorder of deeds If the corporation has transacted any business in violation of this section the officers who participated therein and the directors except those who dissented therefrom and caused their dissent to be filed at the time in th proposed registered office of the corporation or who being absent so filed their dissent upon learning of the action shall be severally liable for the debts or liabilities of the corporation arising therefrom

Section 209 Validity and Effectiveness of the Articles The articles of incorporation approved by a judge and recorded by

the recorder of deeds shall be conclusive evidence of the fact that the corporation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate a corporation which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed in this act as precedent to incorporation

Section 210 Prothonotary to Make Monthly Report to Department of State The prothonotary of each court of common pleas shall on or before the tenth day of each month report to the Department of State the name the address of the registered office and the date of incorporation of each nonprofit corporation incorporated by the court during the preceding month and for so doing shall receive a fee of one dollar ($1.00) from each corporation which shall be taxed as part of the prothonotary's filing fee The Department of State shall note after the registered name of each corporation the date of its incorporation If any incorporators shall have registered a name with the department and the corporation is not formed within six months from the date of such registration the department shall cancel the registration of such name

Section 211 Special Procedure for Incorporation of Educational Institutions Desiring to Confer Degrees A In the case of the incorporation of a college university or theological seminary as a nonprofit corporation with power to confer degrees in art pure and applied science philosophy literature law medicine and theology or any of them the articles of incorporation shall in addition to the information heretofore required by this article and in conformity with the requirements and limitations contained in the following article set forth

(1) The amount of assets in the possession of the incorporators which are to be devoted to the purpose of establishing and conducting the college university or theological seminary

(2) The minimum number of persons whom it is intended to employ regularly as members of the faculty of the corporation

(3) A brief statement of the requirements for admission to and of the course or courses of study to be pursued in the institution

(4) The information hereinafter required by this article in the case of corporations formed to carry out the directions or purposes of a trust instrument if the corporation is being formed under such circumstances

B When the articles and other papers are presented to the court for approval the court shall examine them If they are found to be in proper form and in conformity with the provisions of this act and shall appear lawful and not injurious to the community the court shall so certify thereon The court shall then direct the prothonotary or clerk of the court to transmit to the Superintendent of Public Instruction the articles The superintendent of Public Instruction shall within sixty days after the receipt of the articles cause the State Council of Education to be convened at such time and place as he may designate Thereupon the council shall consider the articles and shall make such investigations and hold such hearings as it may deem necessary in the premises If the courses of instruction the standards of admission to the institution and the composition of the faculty shall appear to be sufficient and to conform to the requirements hereinafter prescribed in this act for such institutions and if the educational needs of the particular locality in which the institution is to be situated and of the Commonwealth at large are likely to be furthered by the granting of the charter the council shall endorse upon the articles its findings and its approval of the same together with a recommendation to the court before which the articles were originally presented that the application for a charter be granted If in the judgment of the council the application for a charter should not be granted the council shall endorse upon the articles its findings and its disapproval together with a recommendation to the court that the application be refused Thereupon the Superintendent of Public Instruction shall return the articles to the court which in passing finally upon the application shall be guided in its decree by the findings of the council If the court after giving consideration to the approval of the council shall be satisfied with the propriety of the application for a charter in view of all the facts it shall approve the application but if the council has disapproved the application the court shall refuse to approve the application The court in no case shall have power to grant a charter to a college university or theological seminary with power to confer degrees until the application has been approved by the State Council of Education

Section 212 Special Procedure for Incorporation of certain Charitable and Eleemosynary Institutions Whenever articles of incorporation for the incorporation of a nonsectarian hospital or other nonsectarian charitable or eleemosynary institution or society in which indigent persons are treated or are to be treated or maintained are filed with the prothonotary he shall forthwith transmit the articles to the Department of Welfare of the Commonwealth Thereupon the department shall make a thorough investigation as to the need for such a corporation in the community wherein the work if the corporation is to be carried on and within sixty days shall certify upon the articles whether or not the needs of the community wherein the work of the corporation is to be carried on require the incorporation of such hospital institution or society and the reasons for its conclusion The court shall not approve such application unless and until the articles are returned by the department and unless the department shall certify that the incorporation of such hospital charitable or eleemosynary institution or society is required by the needs of the community in which its work is to be carried on The certification of the department as to such necessity shall be conclusive upon the court

Section 213 Corporations for the Execution of Trust Instruments Whenever the terms of a trust instrument shall direct designated trustees to form a nonprofit corporation for the purpose of carrying out the intents and purposes of the trust instrument or whenever the trustees of a trust instrument shall deem it advisable to incorporate to carry out the intents and purposes of the trust instrument the articles of incorporation filed for this purpose shall in addition to the information heretofore required by this article set forth

(1) The general terms and provisions of the trust instrument as the purpose or purposes of the corporation

(2) The nature and value of the trust property

(3) The number of persons who shall constitute the permanent board of directors the qualifications of the directors the length of time for which the directors are authorized to act after election and appointment the mode in which their successors shall be elected or appointed and the manner in which vacancies shall be filled as prescribed by the trust instrument

(4) Such other provisions of an organic nature as may be necessary to carry out the intent of the donor or testator

When the articles are presented to the court they shall have attached thereto a verified copy of each trust instrument relating to the trust for the carrying out of which the nonprofit corporation is being formed

Section 214 Religious Corporations In the case of the incorporation of any church or religious congregation the articles of incorporation may in addition to the information heretofore required by this article contain all or any one of the following

(1) A provision that the church or congregation acknowledges itself to be a member of and to belong to a specific church or religious denomination and that as such it accedes to recognizes and adopts the constitution canons or eccelesiastical laws doctrines discipline and worship of such specified church or religious denomination in the United States and the constitution and canons or eccelsiastical laws of the diocese or district of such church or religious denomination embracing the whole or a part of the Commonwealth with which the particular church or congregation is or expects to be connected

(2) A provision that the rector or minister chosen by such corporation to take charge of the religious services by it maintained shall during his continuance in the office of rector or minister be exofficio president of the board of directors

(3) A provision that the church or religious denomination is chartered for the further collateral purpose of conducting a public burial ground or cemetery not for profit other than is necessary for the proper maintenance of the burial ground or cemetery

Section 215 Young Men's Christian Associations In the case of the incorporation of a Young Men's Christian Association the articles of incorporation shall in addition to the information heretofore required by this article set forth

(1) The names and addresses of at least six trustees (in addition to the names of the directors) who together with the president of the association shall form a board of trustees

having the powers and duties hereinafter expressly prescribed by this act

(2) A statement that the proposed corporation is for the improvement of the spiritual mental social and physical condition of young men by the support and maintenance of lecture rooms libraries reading rooms religious and social meetings gymnasiums and such other means and services as may conduce to the accomplishment of that object according to the general rules and regulations of the State Young Men's Christian Association of Pennsylvania

Section 216 Cemetery and Burial Companies In the case of the incorporation of a cemetery or burial company as a nonprofit corporation the articles of incorporation shall in addition to the information heretofore required by this article contain a provision that a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in the burial ground or cemetery of the company shall be set apart for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property of such company and that such sum shall be invested by the board of directors in investments similar to those constituted as legal investments for trustees under the laws of this Commonwealth and that the income arisng therefrom shall be applied by the board of directors to the above purposes

Section 217 Unincorporated Associations In the case of the incorporation of an unincorporated association society league or club as a nonprofit corporation the articles of incorporation when presented to the court shall in addition to the other papers heretofore required in this article have attached thereto a copy of the constitution and by-laws of the association and an affidavit of at least three of the incorporators stating

(1) That the purpose or purposes set forth in the articles are the same as those of the unincorporated association

(2) That the incorporators constitute a majority of the members of a committee authorized to incorporate such association society league or club by the requisite vote required by the organic law of the association society league or club for the amendment of such organic law

ARTICLE III

CORPORATE POWERS DUTIES AND SAFEGUARDS

Section 301 Corporate Capacity and Authority A nonprofit corporation shall have the capacity to act possessed by natural persons but shall have authority to perform only such acts as are necessary to accomplish the purpose or purposes for which it is organized and which are not repugnant to law

Section 302 General Powers Subject to the limitations and restrictions contained in this act or in its articles every nonprofit corporation shall have power

(1) To continue as a corporation for the time specified in its articles subject to the power of the General Assembly under the Constitution of this Commonwealth

(2) To sue and be sued complain and defend its corporate name

(3) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile thereof to be impressed or affixed or in any manner reproduced

(4) To purchase take receive lease as lessee take by gift devise or bequest or otherwise acquire and to own hold use and otherwise deal with any real or personal property or any interest therein situated in or out of this Commonwealth which may be appropriate to enable it to accomplish fully and properly its corporate purpose or purposes

(5) To sell and convey lease as lessor and otherwise dispose of all or any part of its property and assets

(6) To borrow money for any or all of the purposes for which it is organized to issue its promissory notes bonds or other forms of certificates of indebtedness for the repayment thereof with interest and to secure any of its obligations by mortgage pledge of deed of trust of or on any of its property franchises and income

(7) To elect or appoint and remove officers and agents of the corporation and to define their duties and fix their compensation

(8) To make alter amend and repeal by-laws not inconsistent with its articles or with law for the administration and regulation of its affairs

(9) To enter into any obligation necessary for the transaction of its ordinary affairs

(10) To purchase take by gift devise or bequest or otherwise acquire and to hold shares of stock or bonds securities or evidences of indebtedness issued or created by any other corporation or corporations of this or any other state and while the owner thereof to exercise all the rights powers and privileges of ownership including the right to vote thereon provided however that such ownership of such shares securities or evidences of indebtedness does not result in pecuniary profit or gain to the members of the nonprofit corporation

(11) To have and exercise all of the powers and means necessary or essential to effect the purpose or purposes for which the corporation is organized

(12) To dissolve and wind up

The powers herein enumerated shall not be construed as limiting or enlarging the grant of authority hereinbefore made by this article or as a limitation on the purposes for which a corporation may be organized It shall not be necessary to set forth any of such enumerated powers in the articles of the corporation Except as otherwise provided in this act or in the articles or in the by-laws the powers herein enumerated shall be exercised by the board of directors

Section 303 Defense of Ultra Vires (A) No limitation upon the business purpose or purposes or powers of a nonprofit corporation expressed or implied in its articles or implied by law shall be asserted in order to defend any action at law or in equity between the corporation and a third person or between a member and a third person involving any contract to which the corporation is a party or any right of property or any alleged liability of whatsoever nature but such limitation may be asserted

(1) In an action by a member against the corporation to enjoin the doing of unauthorized acts or the transaction or continuation of unauthorized business If the unauthorized acts or the business sought to be enjoined are being transacted pursuant to any contract to which the corporation is a party the court may if all of the parties to the contract are parties to the suit and if it deems the same to be equitable set aside and enjoin the performance of such contract and in so doing shall allow to the corporation or the other parties as the case may be compensation for the loss or damage sustained by either of them which may result from the action of the court in setting aside and enjoining the performance of such contract but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained

(2) In an action at law or in equity by the corporation whether acting through a receiver trustee or other legal representative or through members in a representative suit against the officers or directors of the corporation for exceeding their authority

(3) In a proceeding by the Commonwealth as authorized by law to dissolve the corporation or in a proceeding by the Commonwealth to enjoin the corporation from the transaction of unauthorized or unlawful business

(B) No conveyance or transfer by or to a corporation of property real or personal of any kind or description shall be invalid or fail because in making such conveyance or transfer or in acquiring the property real and personal the board of directors or any of the officers of the corporation acting within the scope of the actual or apparent authority given to them by the board of directors have in so doing exceeded any of the corporation's purposes or powers

(C) The provisions of this section shall extend to contracts and conveyances made by foreign corporations in this Commonwealth and to all conveyances by foreign corporations of real property situated in this Commonwealth

Section 304 Membership Certificates and Capital Stock A nonprofit corporation may be organized upon either a non-stock basis or upon a stock share basis as set forth in its articles A nonprofit corporation organized upon a non-stock basis shall not issue shares of stock but membership in such cororation may be evidenced by certificates of membership Upon the face of each such certificate there shall be printed in clear type a statement that the corporation is a nonprofit corporation The shares of nonprofit corporations organized upon a stock share plan shall be of such denominations not exceeding One Hundred Dollars ($100.00) as the articles shall provide and shall be represented by share certificates Upon the face of each share certificate there shall be printed in clear type a statement that the corporation is a nonprofit corporation Unless the articles or by-laws otherwise provide each share shall entitle the holder thereof to one vote No dividends shall be directly paid on any such shares nor shall the shareholders be entitled to any portion of

the earnings of such corporation derived through increment of value upon its property or otherwise incidentally made but upon dissolution of any such corporation the shareholders shall be entitled to a proa rata distribution of the assets thereof after the payment of all debts and the liquidation of all liabilities based upon their several holdings therein as represented by the shares standing in the names of such shareholders at the time of dissolution except that no property held subject to any trust shall be diverted from the purpose or object of the trust Such shares shall not be transferable by assignment or sale nor be transferred through legal heirs or devisees upon the death of the owner thereof unless the by-laws of such corporation make express provision therefor Such nonprofit corporation shall have power to exclude from further membership any shareholder who fails to comply with the reasonable and lawful requirements of the laws rules and regulations duly made by such corporation for the government of its members and may cancel the shares of any such offending member without liability for an accounting excepting as may be provided for in the articles or by-laws The provisions of the Uniform Stock Transfer Act of this Comomnwealth approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) shall not be held to apply to the shares of nonprofit corporations in any manner or to be to any extent inconsistent with the provisions of this act

Section 305 Members of Nonprofit Corporations Grouped in Local Units The articles or by-laws of a nonprofit corporation may provide that the members of the corporation and those who thereafter become members shall be grouped in local units formed upon the basis of territorial area or such other basis as may be determined in the articles or by-laws for the purpose of election of delegates or representatives to represent the members of such local units at any annual or special meeting of such corporation The articles or by-laws may provide the territorial limits or other basis from or upon which each local unit is drawn or formed to do all things necessary to insure the representation of the local unit at meetings of the corporation and to provide the basis of representation and number of delegates to which the local unit is entitled but each local unit shall be entitled to at least one delegate and a delegate or delegates representing a local unit shall not have a greater number of votes than the total membership of the local unit The local units designated by the articles or by-laws of any such corporation may be incorporated under the laws of this Commonwealth by the members thereof and shall have power to do all things necessary to give effect to this section

Sction 306 Authority to Take and Hold Trust Property Investments Subject to any limitations or restrictions contained in its articles every nonprofit corporation formed for religious educational scientific or charitable purposes may without limittations as to value take receive and hold such real and personal property including the principal or interest of any money or other fund as may be given granted conveyed bequeathed devised to or otherwise vested in such corporation in trust for the purpose or purposes set forth in its articles Such real and personal property shall be faithfully and specifically used for or applied to the purpose or purposes for which it was given in trust to the corporation. The directors of the corporation shall as trustees of such property be held to the same degree of responsibility and accountability as if not incorporated unless a less degree or a particular degree of responsibility and accountability is prescribed in the trust instrument or unless the directors remain under the control of the members of the corporation who retain the right to direct and to direct the actions of the directors as to the use of the trust property from time to time If the trust instrument by which the donor grantor or testator gave such property to the corporation in trust shall direct that only the income of the property shall be used for the accomplishment of the particular religious educational scientific or charitable purpose the directors of the corporation may unless otherwise specifically directed in the trust instrument invest the property in investments which are designated as legal investments for trust funds under the laws of this Commonwealth and such investments are hereby declared to be legal investments of such trust funds by the directors The directors of the corporation shall keep accurate accounts of all trust funds separate and apart from the other funds of the corporation and shall unless the terms of the particular trust instrument provide otherwise make an annual report signed by the treasurer to the members of the corporation concerning the trust funds held under this section and the use made of such funds and of the income thereof

Section 307 Authority to Acquire Property at a Judicial Sale A nonprofit corporation may at any judicial sale of any property upon which the corporation holds a mortgage or has a lien of any nature whatsoever bid in such property if necessary for the protection of its interests The corporation shall acquire a good and indefeasible title to any and all property so purchased irrespective of any limitation as to the acquisition of property that may exist in its articles or in this act All property so purchased may be held by the corporation until such time as it shall believe it advisable to dispose of the same except that such property shall be sold within twenty years from the time it was purchased at the judicial sale It shall be lawful for the corporation to sell the property upon such terms and for such consideration as it deems desirable The corporation may sell such property and convey a marketable title thereto without the authorization or confirmation of any court

Section 308 Procedure to Borrow Money and to Acquire or Dispose of Real Estate Unless its articles or by-laws provide for the approval of another body a nonprofit corporation shall not borrow money or purchase sell lease away or otherwise dispose of any real estate unless and until a resolution authorizing the same shall have been approved by a majority of the members of the corporation at a regular or special meeting duly convened upon proper notice of this purpose A resolution of the members authorizing the borrowing of money need not specify the particular sums rates of interest or times of maturity of the loans but such itmes may be agreed upon and authorized by the directors of the corporation Every nonprofit corporation may mortgage sell lease away or otherwise dispose of any of its real estate without application to and the authorization or confirmation of any court except in those cases where the Revised Price Act of one thousand nine hundred and seventeen approved the seventh day of June one thousand nine hundred seventeen (Pamphlet Laws three hundred eighty-eight) and its amendments and supplements confers jurisdiction upon the orphans' court or the court of common pleas of a particular county to authorize or confirm the selling leasing conveying upon ground rent or mortgaging of real estate by a corporation All proceeds derived by a nonprofit corporation from any loan sale lease ground rent or mortgage shall be faithfully and specifically used for or applied to the lawful activites of the corporation and in case such proceeds are derived from any real estate subject to a trust the trust shall be impinged upon such proceeds

Section 309 Transaction of Business Any nonprofit corporation the lawful activities of which require the receipt and payment of money including among other things the charging of admission fees tuition or other school fees and fees for the handiwork of members of the corporation shall have the right and power to receive and collect such moneys to the extent necessary for the accomplishment of the purpose or purposes for which it is organized and in so doing may make an incidental profit All moneys so received or collected by any nonprofit corporation shall be applied to the maintenance and operation or the furtherance of the lawful activities of the corporation and in no case shall such moneys be divided or distributed in any manner whatsoever among the members of the corporation

Section 310 Appointment and Powers of Policemen Any non-profit corporation maintaining any buildings or grounds open to the public or organized for the prevention of cruelty to children and aged persons may apply to any judge of the court of common pleas of the county within which the property of such corporation is situated for the appointment of such persons as the corporation may designate to act as policemen for the corporation The court upon such application may order and decree such persons or as many of them as it may deem proper and necessary to be such policemen Every policeman so appointed shall before entering upon the duties of his office take and subscribe the oath required by the seventh article of the Constitution before the recorder of deeds of the county in which it is intended that such policeman shall act Such oath together with the decree and order of the court shall be recorded by the recorder of deeds of such county Such policemen so appointed shall severally possess and exercise all the powers of constables in this Commonwealth in and upon and in the immediate and adjacent

vicinity of the property of the corporation Policemen so appointed for a corporation organized for the prevention of cruelty to aged persons and children shall severally possess and exercise all the powers of constbles in any county in which they may be directed by the corporation to act and are hereby authorized to arrest persons for the commission of any offense of cruelty to children or aged persons The keepers of jails lockups station houses or houses of detention in any county of this Commonwealth shall receive all persons arrested by such policemen for purposes of detention until they are dealt with according to law Every policeman when on duty shall wear a metallic shield with the words "special officer" and the name of the corporation for which appointed inscribed thereon The Compensation of such policemen shall be paid by the corporation for which the policemen are respectively appointed as may be agreed upon between the corporation and such policemen When any corporation shall no longer require the services of any policeman it shall file to that effect under its corporate seal in the office of the recorder of deeds where the court decree and order of appointment of such policeman is recorded The recorder of deeds shall note this information upon the margin of the record where the court decree and order is recorded and thereupon the power of such policeman shall cease and be determined It shall be the duty of the recorder of deeds to notify the clerk of the court by which such policeman was appointed of the termination of such appointment

Section 311 Adoption and Enforcement of Rules and Regulations by Certain Corporations Any nonprofit corporation maintaining buildings or grounds open to the public shall have the power to adopt promulgate and enforce such lawful rules and regulations as shall be needful to maintain peace and order on or in such grounds and buildings and to secure the safety and protection of the property of the corporation Any person violating any of the rules or regulations so adopted or promulgated shall upon conviction thereof in a summary proceeding before a justice of the peace alderman or magistrate be sentenced to pay a fine of not more than Ten Dollars ($10.00) together with the costs of prosecution and in default of the payment of the fine and costs to undergo imprisonment for not more than ten days

Section 312 Requirements of Educational Institutions Desiring to Confer Degrees A No college university or theological seminary shall be incorporated under this act with power to confer degrees in art pure and applied science philosophy literature law medicine and theology or any of them unless it has

(1) A minimum protective endowment of at least Five Hundred Thousand Dollars ($500,000) beyond all indebtedness and assets invested in buildings and apparatus for the exclusive purpose of promoting instruction except that in the case of tax-supported institutions or those maintained by religious or other organizations financial support or contributed services equivalent in value to the endowment herein specified may be substituted for such endowment

(2) A faculty consisting of at least eight regular professors who devote all their time to the instruction of its college or university classes unless the college is devoted to a specific subject in art archaeology literature or science (medical and law schools excepted) in which case the faculty shall consist of at least three regular professors who devote all their time to the instruction in the special branch for which the college is established and two or more instructors or fellows in the particular branch who shall be provided to assist in the instruction to be given the students for the promotion of original investigation and in the development and growth of the special branch of science to which such college may be devoted

B A college university or theological seminary incorporated under this act with the power to confer degrees shall have power to confer baccalaureate degrees in art science philosophy or literature only upon students who have completed a college or university course covering four years The standard of admission to these four-year courses or to advanced classes in these courses shall be not less than four years of academic or high school preparation or its equivalent and shall be subject to the approval of the State Council of Education

C Any educational corporation formed under this act with the power to confer degrees as aforesaid shall be subject to visitation and inspection by representatives of the State Council of Education If any such corporation shall fail to keep up the standards required by this act the court shall upon the recommendation of the State Council of Education revoke the power to confer degrees

Section 313 Vesting of Corporate Property in Trustees to Escape Liability for Debts Any corporation for charitable uses owning any property dedicated to religious or charitable purposes such as churches school houses parsonages hospitals almshouses and the like may for the purpose of protecting such property from liability to debt thereafter contracted on the part of the corporation vest its property in trustees upon trust for the use of congregation or members of the corporation for the time being as places of worship or for the use as school houses or residences for ministers or pastors or for the maintenance of any charity When the trustees shall be so vested by deeds duly recorded the property so conveyed as long as it is used for the purposes above mentioned and is not used for any secular purpose or for a purpose from which profits are derived shall not be liable to any debts contracts or engagements of the corporation thereafter made or entered into but shall be deemed and taken to be freed therefrom in the same manner and with like effect as if the same had been conveyed or devised to the trustees by a stranger in trust for the uses of the corporation but so that the same shall not be liable for their debts contracts or engagements or to their control for any purposes other than for the uses of the same as places of worship or as free schools or schools from which no pecuniary profits are derived or as residences for ministers or pastors or for the maintenance of the charitable purpose for which it was dedicated or intended by the donors or contributors All trustees and officers of corporations having the management of property for charitable uses which is held in trust as aforesaid contracting debts or causing them to be contracted in the improvement of the property by building thereon shall be personally liable for the debts thus contracted unless they shall have notified the persons with whom the contract is made that the property is not liable for the debts contracted in building thereon but there shall be no liability to anyone other than persons with whom such contracts are made by the corporation

Section 314 Exhibition Corporations Granted Power of Eminent Domain A nonprofit corporation formed for the purpose of educating the general public by exhibiting artistic mechanical agricultural and horticultural product sand providing public instruction in the arts and sciences shall in addition to the general powers conferred on nonprofit corporations by this act have the right to enter upon take and occupy such public lands property and easements as may be required from time to time for its corporate purpose The taking of such public lands for the erection and maintenance thereon of buildings or other structures for the public exposition of manufactured articles agricultural products minerals and all articles pertaining to the arts and sciences and providing public instruction in the arts and sciences by the exercise of eminent domain is hereby declared to be a taking of land for public use Such corporations shall not exercise the right of eminent domain as to any burying ground passenger railroad station-house nor as to any street alley highway wharf landing or other property of any incorporated city town or borough without the consent of its councils first had to such appropriation by ordinance duly passed and approved nor shall such right in any event be exercised as to any tide-water wharf nor as to any part of any other public wharf or river landing which has been heretofore graded and paved by the municipality and if not so graded and paved such wharf or river landing may be appropriated as herein provided any limitation of use thereof by the municipality by donation dedication appropriation statute or otherwise to the contrary notwithstanding In the exercise of the power of eminent domain the corporation shall follow the procedure prescribed by law for the exercise of such power by corporations

Section 315 Burial and Cemetery Companies Churches with Burial Grounds A Every nonprofit corporation formed for the purpose of conducting or maintaining a public or private cemetery and every religious corporation authorized by its articles to maintain a burial ground shall set aside annually a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in such burial ground or cemetery for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property connected with and forming a part of the burial ground or cemetery

B Every such corporation may take receive hold and administer any grant donation or bequest of property in trust

for the embellishment of the burial ground or cemetery or for the erection repair preservation or renewal of any tomb monument gravestone fence railing or other like structure or for the planting and cultivation of threes shrubs flowers or plants in or around any cemetery lot or for improving such premises in any manner or form consistent with the design and purpose of the corporation according to the terms of such grant donation or bequest

C The directors of any such corporation are hereby made trustees of any such funds so received or set aside and neither such funds nor the income derived therefrom shall be used by such trustees for any purpose other than the purpose for which the same were set aside donated bequeathed or otherwise acquired It shall be the duty of the directors of such corporation to investigate such funds in investments which are designated as legal investments for trustees under the laws of this Commonwealth and to use the income derived from such investments for the purpose of caring for preserving and maintaining such burial ground or cemetery or any other purpose which may be specified by the grantor or donor The directors of any such corporation shall cause accurate accounts to be kept of such trust funds separate and apart from the other funds of the corporation and shall make an annual report signed by the treasurer to the members of the corporation and other interested parties concerning the investment of the trust funds and the use made of the income derived from such investments The amount of such funds shown by such report to be in the hands of the directors shall be final and conclusive in favor of and against all parties in interest unless appropriate action is brought in the proper courts of this Commonwealth against the trustees within fifteen days after the regular meeting of the corporation at which such report is submitted The directors of any such corporation shall file annually in the court of quarter sessions of the county where the charter of the corporation was granted a bond with surety or sureties to be approved by such court in the full amount of any funds set aside or held in trust by such directors under authority of Subsections A and B of this section but the first bond filed by the directors covering funds set aside under Subsection A of this section shall be filed one year after the date when the corporation came into existence The court of quarter sessions of such county shall upon petition of any person related by blood or marriage to any person who has donated or bequeathed funds to any such corporation for the care preservation or maintenance of the burial ground or cemetery or to one who has purchased a lot therein for the burial of the dead or of the donors or purchasers themselves shall have the right to compel the directors of the corporation to file any bond herein provided for in the event of the failure of the directors to file the same on or before the first Monday of July of any year

D Any such corporation may permit the burial of the dead within a burial ground or cemetery free of charge or may sell lots in such burial ground or cemetery for the purpose of the burial of the dead at such prices as shall not produce a profit other than is necessary for the proper maintenance of such burial ground or cemetery and convey the same to the purchasers by conveyance duly executed under the seal of the corporation Every nonprofit corporation organized for the purpose of conducting a cemetery or burial ground may transfer the title to lots in such cemetery or burial ground upon the books of the corporation and such transfer shall be as good and valid in law as if a deed was duly acknowledged and recorded in the office for recording deeds in the proper county

Section 316 Registered Office Records A Every nonprofit corporation shall maintain an office in this Commonwealth to be known as its registered office The location and post office address of the registered office shall be stated in the articles as heretofore provided in this act After incorporation the location of the registered office may be changed

(1) From one location to another in the same county by resolution adopted by a majority of all the members including members not entitled by the articles or by-laws to vote On or before the day that such change is made notice of such change and of the post office address of the new registered office shall be filed with and recorded by the recorder of deeds of the county

(2) From one county to another county by amendment of the articles of the corporation in the manner hereinafter prescribed in this act

B Every nonprofit corporation shall keep at its registered office records of the proceedings of the members and of the directors a membership register giving the names of the members in alphabetical order and appropriate and complete records of its finances Every member shall have the right to examine in person or by agent or attorney at any reasonable time or times for any reasonable purpose the books of account the membership register and the records of the proceedings of the members and directors

ARTICLE IV
BY-LAWS

Section 401 Power to Make By-laws Except as hereinafter provided the members of a nonprofit corporation shall have the power to make alter and repeal the by-laws of a non-profit corporation The authority to make such by-laws may be expressly vested by the articles in the board of directors subject to the power of the members to change or repeal the by-laws Unless the articles or by-laws otherwise provide the by-laws shall be adopted altered or repealed by a majority vote of the members of the board of directors or of the members of the corporation entitled to vote thereon as the case may be

Section 402 Persons Bound by By-laws The by-laws of a nonprofit corporation shall operate merely as regulations among the members of the corporation and shall not affect contracts or other dealings with other persons unless such persons have actual knowledge of such by-laws Any form of execution provided in the by-laws to the contrary notwithstanding any note mortgage evidence of indebtedness contract or other instrument of writing or any assignment or endorsement thereof executed or entered into between any corporation and any other person copartnership association or corporation when signed by the president or vice president and secretary or treasurer of such corporation shall be held to have been properly executed for and in behalf of such corporation

Section 403 Contents of By-laws Subject to the provisions of this act the by-laws may contain any provisions for the regulation and management of the affairs of the corporation and may provide penalties for the breach thereof not exceeding Twenty Dollars ($20.00)

ARTICLE V
OFFICERS AND DIRECTORS

Section 501 Board of Directors The business of every nonprofit corporation shall be managed by a board of at least three directors who need not be residents of this Commonwealth or members in the corporation unless the articles or by-laws so require A director shall hold office for the term for which he was named or elected and until his successor is elected and qualified The names and terms of office of the first directors shall be stated in the articles Except as hereinafter provided in the case of vacancies directors other than those constituting the first board shall be elected by the members A nonprofit corporation may allow compensation to its directors for their services and a director may also be a salaried officer of the corporation

Section 502 Number Qualifications and Election of Directors Subject to the provisions of this act the number qualifications terms of office manner of election the compensation and the powers and duties of the directors the time place and manner of calling giving notice of and conducting directors' meetings and the number of directors which shall constitute a quorum may be prescribed by the articles or by-laws If the by-laws so provide meetings of directors may be held outside of the Commonwealth Except as otherwise provided in the articles or by-laws

(a) A director shall be elected for a term of at least one year

(b) Vacancies in the board of directors shall be filled by a majority of the remaining members of the board though les than a quorum and each person so elected shall be a director until his successor is elected by the members who may make such election at the next annual meeting of the members or at any special meeting duly called for that purpose and held prior thereto

(c) The meetings of the board of directors may be held at such place as a majority of the directors may from time to time appoint or as may be designated in the notice calling the meeting

(d) Written notice of every meeting of the board of directors shall be given to each director at least five days prior to the day named for the meting

(e) When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken

(f) A majority of the directors in office shall be necessary to constitute a quorum for the transaction of business and the acts of a majority of the directors present at a meeting at which a quorum is present shall be the acts of the board of directors Provided That if all the directors shall severally or collectively consent in writing to any action to be taken by the corporation such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors

(g) The board of directors may by resolution adopted by a majority of the whole board delegate two or more of its number to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority o fthe board of directors in the management of the business of the corporation

Section 503 Removal of Directors A Unless the articles or by-laws otherwise provide the entire board of directors or any individual director may be removed from office by a majority vote of the members of a nonprofit corporation entitled to vote at any election of directors In case the board or any one or more directors be so removed new directors may be elected at the same meeting Unless the entire board be removed no individual director shall be removed in case the votes of a sufficient number of members are cast against the resolution for his removal which if cumulatively voted at an election of the full board would be sufficient to elect one or more directors

B Unless the articles or by-laws otherwise provide the board of directors may declare vacant the office of a director if he be declared of unsound mind by an order of court or convicted of felony or if within sixty days or such other time as the by-laws specify after notice of his election he does not accept such office either in writing or by attending a meeting of the board of directors and fulfill such other requirements of qualification as the by-laws may specify

C Unless the articles or by-laws otherwise provide the court of common pleas of the county where the registered office of the corporation is located may at the suit of five or more members remove from office any director or directors in case of fraudulent or dishonest acts or gross abuse of authority or discretion with reference to the corporation and may bar from reelection any director so removed for a period prescribed by the court The corporation shall be made a party to such actions

Section 504 Officers and Agents Every nonprofit corporation shall have a president a secretary and a treasurer and may have such other officers and assistant officers and agents as the needs of the corporation may require The articles or by-laws may prescribe special qualifications for such officers The officers and assistant officers and agents shall be elected or appointed either by the board of directors or by the members at such time in such manner and for such terms and compensation as the by-laws may prescribe It shall not be necessary for the officers to be directors If the by-laws so provide any two or more offices may be held by the same person except the offices of president and secretary The board of directors may secure the fidelity of any or all of such officers by bond or otherwise Unless otherwise provided in the by-laws the board of directors shall have power to fill any vacancies in any office occurring from whatever reason All officers and agents of the corporation as between themselves and the corporation shall have such authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the by-laws or in the absence of controlling provisions in the by-laws as may be determined by resolution of the board of directors

Section 505 Removal of officers and Agents Any officer or agent may be removed by the board of directors whenever in its judgment the best interests of the corporation will be served thereby but such removal shall be without prejudice to the contract rights of any person so removed

Section 506 Relation of Directors and Officers to Corporation Officers and directors shall be deemed to stand in a fiduciary relation to the corporation and shall discharge the duties of their respective positions in good faith and with that diligence care and skill which ordinary prudent men would exercise under similar circumstances in their personal business affairs

Section 507 Boards of Trustees of Young Men's Christian Associations Every Young Men's Christian Association incorporated under this act shall have in addition to a board of directors six or more trustees who together with the president of the association shall form a board of trustees Each member of the board of trustees shall be a member of one of the protestant evangelical denominations but a majority of such members exclusive of the president of the association shall not be members of any one denomination The number terms of office manner of election time and place of meeting and the powers and duties of the trustees may subject to the provisions of this act be prescribed by the articles or the by-laws Vacancies in the board of trustees shall be filled by a majority vote of the remaining trustees from nominations to be made by the board of directors All real property which shall be given to or acquired by a Young Men's Christian Association and all gifts and bequests of money to be held in trust shall be held by the board of trustees but the real property of the association shall be managed by the board of directors and real property belonging to such associations shall not be conveyed disposed of or mortgaged by the board of trustees except with the consent of the board of directors The property of the association and all income received therefrom by the board of trustees shall be devoted to the purpose or purposes of the corporation and to no other purpose The income received from such property shall be paid over by the board of trustees to the treasurer of the board of directors so long as the directors expend the income for the purpose or purposes of the association

Section 508 Women May Be Directors or Officers Women married or single may serve as directors and officers of nonprofit corporations

Section 509 Liability of Directors and Officers Neither the directors nor officers of a nonprofit corporation shall be personally liable for the debts liabilities or obligations of the corporation

ARTICLE VI

MEMBERS AND MEMBERS' MEETINGS

Section 601 Classes and Qualifications of Membership Membership in all nonprofit corporations shall be of such classes and shall be governed by such rules of admission retention suspension and expulsion as the articles or by-laws shall prescribe except that all such rules shall be reasonable germane to the purpose or purposes of the corporation and equally enforced as to all members of the same class Unless otherwise provided by the articles or by-laws there shall be one class of members whose voting and other rights and interests shall be equal Where neither the articles nor by-laws provide for members as such or where a nonprofit corporation has in fact no members other than the persons constituting its board of directors the persons for the time being constituting the board shall for all intents and purposes be taken to be the members of the corporation and exercise all the rights and powers of members

Section 602 Membership Fees Assessments Nonprofit corporations may levy dues or assessments or both upon their members if authority to do so is conferred either by the articles or the by-laws and subject to any limitations therein contained Such dues or assessments or both may be imposed upon all classes of members alike or in different amounts or proportions or upon a different basis upon different classes of members Members of one or more classes may be made exempt from either dues or assessments or both in the manner or to the extent provided either in the articles or by-laws The amount of the levy and method of collection of such dues or assessments or both may be fixed in the articles or by-laws or the articles or by-laws may authorize the board of directors to fix the amount thereof from time to time and make them payable at such time and by such methods of collection as the directors may prescribe Such corporations may make by-laws necessary to enforce the collection of such dues or assessments including provisions for the cancellation of membership for nonpayment of such dues or assessments and reinstatement in such corporation upon reasonable notice

Section 603 Meetings of Members A Meetings of members may be held at such place within or without this Commonwealth as may be provided in the by-laws Unless the by-laws provide otherwise all meetings of the members shall be held in this Commonwealth at the registered office of the corporation

B The by-laws may provide for the number and the time of meetings of members but at least one meeting of the members shall be held in each calendar year for the election of directors at such time as shall be provided in the by-laws Failure to hold the annual meeting at the designated time shall not work any forfeiture or dissolution of the corporation If the annual meeting shall not be called and held within six months after the designated time any member may call such meeting

C Special meetings of the members may be called at any time by the president or the board of directors or by such other officers or persons as may be provided in the articles or by-laws At any time upon written request of any person entitled to call a special meeting it shall be the duty of the secretary to call a special meeting of the members to be held at such time as the secretary may fix not less than ten nor more than sixty days after the receipt of the request If the secretary shall neglect or refuse to issue such call the person or persons making the request may do so

D Adjournment or adjournments of any annual or special meeting may be taken but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected

Section 604 Notice of Meetings of Members Written notice of every meeting of the members shall be given by or at the direction of the person authorized to call the meeting to each member of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act in a particular case When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

Section 605 Quorum of Members A members' meeting duly called shall not be organized for the transaction of business unless a quorum is present Unless otherwise provided in the articles or by-laws

(1) The presence in person or by proxy if the by-laws permit voting by proxy of the members entitled to vote shall constitute a quorum

(2) The members present at a duly organized meeting can continue to do business until adjournment notwithstanding the withdrawal of enough members to leave less than a quorum

(3) If a meeting cannot be organized because a quorum has not attended those present may except as otherwise provided in this act adjourn the meeting to such time and place as they may determine but in the case of any meeting called for the election of directors those who attend the second of such adjourned meetings although less than a quorum as fixed in this section or in the articles or by-laws shall nevertheless constitute a quorum for the purpose of electing directors

Section 606 Members' Voting Rights Unless otherwise provided in the articles or by-laws every member of a non-profit corporation shall be entitled to one vote Voting by members shall be only in person unless the by-laws specifically provide for voting by proxy The manner of voting may be by ballot mail or any reasonable means provided in the articles or by-laws In all elections for directors or other officers each member having a right to vote may cast the whole number of his votes for one candidate or distribute them upon two or more candidates as he may prefer No member shall sell his vote or issue a proxy for money or anything of value Upon request of a member the books or records of membership shall be produced at any general or special meeting of the corporation If at any meeting the right of a person to vote is challenged the presiding officer shall require such books or records to be produced as evidence of the right of the person challenged to vote and all persons who appear by such books or records to be members may vote

Section 607 Reduction of Membership Below Stated Number Whenever the membership of a non-profit corporation having a stated number of members shall be reduced below such number by death withdrawal or otherwise the corporation shall not on that account be dissolved but it shall be lawful for the surviving or continuing members to continue the corporate existence unless it is otherwise provided in the articles or by-laws

Section 608 Termination and Transfer of Membership Membership in a nonprofit corporation shall be terminated in the manner provided in the articles or by-laws If the membership in any such corporation is limited to persons who are members in good standing in another corporation or in any lodge church club or society the articles shall in each case define such limitations and may provide that failure on the part of any such member to keep himself in good standing in such other corporation or association shall be sufficient cause for expelling the member from the corporation requiring such eligibility No member shall be expelled from any nonprofit corporation without notice trial and conviction the form of which shall be prescribed by the articles or by-laws Unless the articles or by-laws provide otherwise

(1) The right of a member of a nonprofit corporation to vote and his right title and interest in or to the corporation or its property shall cease on the termination of his membership

(2) No member may transfer his membership or any right arising therefrom

Section 609 Membership Book Every nonprofit corporation shall keep at its registered office a membership book containing the name and address of each member and in any case where membrship has been terminated such fact shall be recorded in the book together with the date on which the membership ceased

Section 610 Liability of Members The members of a nonprofit corporation shall not be personally liable for the debts liabilities or obligations of the corporation

ARTICLE VII
AMENDMENT OF ARTICLES

Section 701 Amendment of Articles Authorized A nonprofit corporation upon application to the court in the manner hereinafter provided in this article may amend its articles for any or all of the following purposes

(1) To adopt a new name subject to the restrictions heretofore provided in this act

(2) To modify any provision thereof limiting its terms of existence by increasing such term or to remove such provision and provide for perpetual existence

(3) To change the location of its registered office to any other county within the Commonwealth

(4) To change add to or diminish its powers or purposes or to set forth different or additional powers or purposes

(5) To add to remove or otherwise change any other provisions contained in the articles

Section 702 Approval of Amendments by Members Before the application is made to the court a resolution authorizing the proposed amendments shall be adopted by the affirmative vote of at least a majority of the members entitled to vote thereon at a regular or special meeting duly convened after at least ten days written notice to all the members of this purpose If a proposed amendment would make any change in the rights of the members of any class then the members of such class shall be entitled to vote as a class upon such amendment whether by the terms of the articles such class is or is not entitled to vote and in addition to the vote herein required the affirmative vote of at least a majority of the members of each class so affected by the amendment shall be necessary for the adoption thereof Any amendment which might be adopted at a meeting of the members may be adopted without a meeting if written consent to the amendment has been given by all members entitled to vote thereon The resolution shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

Section 703 Articles of Amendment Articles of amendment shall be executed under the seal of the corporation signed and verified by at least two duly authorized officers thereof and shall set forth

(1) The name and location of the registered office of the corporation

(2) The Act of Assembly under which the corporation was formed the date when the court entered the decree of incorporation and the date when and place where the original articles were recorded

(3) The time and place of the meeting of the members of the corporation the kind and period of notice of the meeting given to the members and the total vote by which the resolution authorizing the application to the court was adopted

(4) Every proposed amendment or alteration of or addition to the existing articles Amendments alterations or additions shall be set forth in full

Section 704 Registration of Corporate Name If a proposed amendment to the articles is for the purpose of changing the corporate name the corporation shall make application to the Department of State for the registration of the proposed new corporate name The application shall set forth the name and location of the registered office of the corporation the new name which the corporation desires to use and the address of the registered office of the corporation If the Department of State finds that the proposed name is available for corporate use the department shall register the name and shall issue to the corporation a certificate that the proposed name has been duly registered If the proposed name is not available for corporate use the department shall refuse to register such name and shall forthwith notify the corporation of this fact Upon application of any party interested either for or against the proposed amendment of the articles the department shall include in any certificate issued by it under this section any information desired as to the names registered with the department

Section 705 Articles of Amendment to be Filed with the Prothonotary A copy of the articles and in the case of a proposed change of the corporate name the certificate from the Department of State relating to the registration of the proposed corporate name shall be filed by the corporation in the office of the prothonotary of the court of common pleas of the county wherein the registered office of the corporation is located The articles and the certificate if any shall remain on file in the office of the prothonotary at least three days prior to the day the application for the amendment of the articles will be made to the court as hereinafter provided and shall be open to the inspection of the public during the business hours of such office

Section 706 Advertisement The corporation shall advertise its intention to apply to the court for an amendment of its charter in a manner similar to that heretofore prescribed in this act in the case of the formation of a nonprofit corporation Advertisements shall appear at least three days prior to the day fixed for the presentation of the application to the court and shall set forth briefly

(1) The name and location of the registered office of the corporation

(2) A statement that the application is to be made under the provisions of this act

(3) The nature and character of the proposed amendment

(4) A statement that the articles of amendment have been filed in the office of the prothonotary and the time when the application will be made to the court

Section 707 Court to Approve or Refuse Amendments On the day specified in the advertisement or as soon thereafter as the matter may be heard the corporation or its representative shall present an application for the amendment of its charter to the court and shall present to the court the articles of amendment a certified copy of the resolution authorizing the proposed amendments proof of the advertisement required by the preceding section and in the case of a proposed change of the corporation name a certificate of registration from the Department of State The court shall consider the application It may hear the evidence on behalf of the applicants and against the application if any there be or it may refer the application of a master to make report as to the propriety of granting the application In such case upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them If the court shall be of the opinion that the amendments are lawful will be beneficial and not injurious to the community and do not conflict with the requirements of this act the court shall so certify on the articles and shall order and decree thereon that the articles are approved and that upon the recording of the articles and the order the amendments specified in the petition shall be a part of the charter However the court shall not approve articles of amendment presented by or on behalf of an educational or nonsectarian charitable corporation unless and until the court shall receive the approval or recommendation of the State Council of Education or the Department of Welfare as the case may be in a manner similar to that prescribed by this act in the case of the formation of such corporations

Section 708 Recording of Articles of Amendment After the court shall have approved the articles of amendment as required by the preceding section the prothonotary shall transmit the articles approved by the court to the office of the recorder of deeds of the county where they shall be recorded Upon the recording of the articles the amendment shall become effective The articles upon being recorded shall be returned to the prothonotary who shall retain and file them as part of the records of the court and who shall issue a certified copy thereof to the corporation or its representative Certified copies of the articles so recorded shall be competent evidence for all purposes in the courts of this Commonwealth

Section 709 Prothonotary to Make Monthly Report to Department of State The prothonotary in making the report to the Department of State heretofore required by this act shall include in such report the old and new name and the address of the registered office of every corporation which during the preceding month had its name changed by proceedings under this article For this service the prothonotary shall receive a fee of One Dollar ($1.00) from each corporation The Department of State shall cancel the registration of the discarded corporate names and shall note after each newly acquired name the date it was acquired by proceedings under this article If any corporation shall have registered a new name with the department and the corporation does not adopt such name by proceedings under this article within six months from the date of such registration the department shall cancel the registration of such name

Section 710 Volunteer Fire Companies Et Cetera Change of Purpose Upon the establishment of a paid fire department by a municipality any incorporated volunteer fire company of any type or designation whatsoever or any incorporated firemen's relief association having its domicil in such municipality and desiring to continue its corporate existence may amend its charter in the manner heretofore provided in this article to substitute for the purpose for which it was incorporated any literary charitable benevolent or social purpose or purposes which are lawful and not injurious to the community and which do not involve pecuniary gain or profit incidental or otherwise for its members At least one month's notice shall be given of the meeting called for the purpose of adopting the new purpose or purposes After the petition and decree of the court shall have been recorded the new purpose or purposes shall supersede the original object or purpose of the corporation

ARTICLE VIII
MERGER OR CONSOLIDATION

Section 801 Merger or Consolidation Authorized A Two or more domestic nonprofit corporations formed for kindred purposes may upon application to the court in the manner hereinafter provided either be merged into one of such corporations hereinafter designated as the surviving corporation or be consolidated into a new nonprofit corporation Such application shall be made to the court of common pleas of the county in which the registered office of the surviving or new corporation is to be located

Section 802 Approval of Joint Plan of Merger or Consolidation Before the application is made to the court a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and such other details and provisions as are deemed necessary shall be approved by the affirmative vote of at least a majority of the members of each of the merging or consolidating corporations entitled to vote thereon at a regular or special meeting of each corporation convened after at least ten days written notice to all the members of this purpose If the proposed plan of merger or consolidation would make any change in the rights of the members of any class of a corporation then the members of such class shall be entitled to vote as a class upon such plan whether by the terms of the articles of the corporation such class is or is not entitled to vote and in addition to the vote herein required the affirmative vote of at least a majority of the members of each class so affected by the plan shall be necessary for the adoption thereof The fact of such approval shall be certified on the joint plan by the secretary of each corporation and the plan so adopted and certified shall be signed and acknowledged by two duly authorized officers of each corporation

Section 803 Articles of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the members of the corporations desiring to merge or consolidate articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corpora-

tion shall be signed and verified by at least two duly authorized officers of each corporation and shall among other things set forth

(1) The name and location of the registered office of the surviving or new corporation

(2) The time and place of the meeting of the members of each corporation at which the joint plan was adopted the kind and period of notice given to the members and the total vote by which the joint plan was adopted

(3) Any changes desired to be made in the articles of the surviving corporation in the case of a merger or in the case of a consolidation all of the statements required by this act to be set forth in articles of incorporation in the case of formation of a corporation

(4) The names and addresses of the persons to be directors of the surviving or new corporation until the first regular meeting of its members

(5) The plan of the merger or consolidation

Section 804 Registration of Corporate Name If the name of the surviving corporation in the case of a merger or of the new corporation in the case of a consolidation is to be different from the name of either of the constituent corporasions the constitutent corporations shall make a joint application to the Department of State for the registration of the proposed name The application shall set forth the names and location of the registered offices of the constituent corporations the name which the surviving or new corporation desires to use and the address of the registered office of the surviving or new corporation If the Department of State finds that the proposed name is available for corporate use the Department shall register the name and shall issue to the corporations or their representatives a certificate that the proposed name has been duly registered If the proposed name is not available for corporate use the Department shall refuse to register such name and shall forthwith notify the corporations or their representative of this fact Upon application of any party interested either for or against the proposed merger or consolidation the Department shall include in any certificate issued by it under this section any information desired as to the names registered with the Department

Section 805 Articles of Merger or Consolidation to be Filed with the Prothonotary A copy of the articles of merger or articles of consolidation as the case may be and in the case of a proposed change of the corporate name the certificate from the Department of State relating to the registration of the proposed corporate name shall be filed jointly by the constituent corporations in the office of the prothonotary of the court of common pleas of the county wherein the registered office of the surviving or new corporation is to be located The articles and the certificate is any shall remain on file in the office of the prothonotary at least three days prior to the day the application for merger or consolidation will be made to the court as hereinafter provided and shall be open to the inspection of the public during the business hours of such office

Section 806 Advertisement The constituent corporations shall jointly advertise their intention to apply to the court for permission to merge or consolidate in a manner similar to that heretofore prescribed in this act in the case of the formation of a nonprofit corporation Advertisements shall appear at least three days prior to the day fixed for the presentation of the application to the court and shall set forth briefly

(1) The names and location of the registered offices of the constituent corporations

(2) The name and location of the registered office of the surviving or new corporation

(3) A statement that the merger or consolidation is to be effected under the provisions of this act

(4) A brief summary of the plan of merger or consolidation

(5) A statement that the articles of merger or articles of consolidation as the case may be have been filed in the office of the prothonotary and the time when the application will be made to the court

Section 807 Court to Approve or Refuse Merger or Consolidation On the day specified in the advertisement or as soon thereafter as the matter may be heard the constituent corporations or their representative shall present an application for merger or consolidation of such corporations to the court and shall present to the court the articles of merger or articles of consolidation as the case may be a certified copy of the joint plan of merger or consolidation proof of the advertisement required by the preceding section and in the case of a proposed change of the corporate name a certificate of registration from the Department of State The Court shall consider the application It may hear evidence on behalf of the applicants and against the application if any there be or may refer the application to a master to make report as to the propriety of granting the application In such case upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them If the court shall be of the opinion that the proposed merger or consolidation is lawful will be beneficial and not injurious to the community and does not conflict with the requirements of this act the court shall so certify on the articles and shall order and decree thereon that the articles are approved and that upon the recording of the articles and the order the merger or consolidation shall take effect However the court shall not approve articles of merger or articles of consolidation presented by or on behalf of an educational or nonsectarian charitable corporation unless and until the court shall receive the approval or recommendation of the State Council of Education or the Department of Welfare as the case may be in a manner similar to that prescribed by this act in the case of the formation of such corporations

Section 808 Recording of Articles of Merger or Consolidation After the court shall have approved the articles of merger or articles of consolidation as required by the preceding section the prothonotary shall transmit the articles approved by the court to the office of the recorder of deeds of the county where they shall be recorded Upon the recording of the articles the merger or consolidation shall become effective The articles upon being recorded shall be returned to the prothonotary who shall retain and file them as part of the records of the court and who shall issue a certified copy thereof to the surviving or new corporation as the case may be or its representative Certified copies of articles so recorded shall be competent evidence for all purposes in the Courts of this Commonwealth

Section 809 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single corporation which in the case of merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of consolidation shall be the new corporation provided for in the plan of consolidation The separate existence of the corporations parties to the plan of merger or consolidation shall cease except that of the surviving corporation in the case of a merger The surviving or new corporation as the case may be shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions for membership and other choses in action belonging to any of them shall be transferred to and vested in such surviving or new corporation as the case may be without further act or deed The surviving or new corporation shall be responsible for all the liabilities and obligations of each of the corporations merged or consolidated but the liabilities of the merging or consolidating corporations or of their members directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or again any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place If in the case of a merger the articles of incorporation shall set forth any matters with respect to which the articles of incorporation shall set forth any matters with respect to which the articles of incorporaion of the surviving corporation are to be amended the articles of incorporation shall be deemed to be amended accordingly upon the recording of the articles of merger and the order of the court In the case of a consolidation the articles of consolidation shall be deemed to be the articles of incorporation of the new corporation Any devise bequest gift or grant contained in any will or other instrument in trust or otherwise made before or after such merger or consolidation to or for any of the constituent corporations shall inure to the surviving or new consolidated corporation as the case may be

Section 810 Phothonotary to Make Monthly Report to Department of State The prothonotary of the court in making the re-

port to the Department of State heretofore required by this act shall include in such report the names and registered offices of the constitutent corporations involved in merger or consolidation proceedings consummated during the preceding month and the names of the surviving or new corporations resulting from such proceedings For this service the prothonotary shall receive a fee of One Dollar ($1.00) from the petitioners Where a constituent corporation is merged into a surviving corporation or where the constituent corporations are consolidated into a new corporation the Department of State shall cancel the registration of the names of the non-surviving corporations If any name registered with the department under the provisions of this article is not adopted by proceedings under this article within six months from the date of such registration the department shall cancel the registration of such name

ARTICLE IX

FOREIGN NONPROFIT CORPORATIONS

Section 901 Admission of Foreign Nonprofit Corporations A foreign nonprofit corporation before doing any business in this Commonwealth shall procure a certificate of authority to do so from the Department of State in the manner hereinafter provided in this article unless the entire business operations of the corporation within this Commonwealth are within the protection of the Commerce Clause of the Federal Constitution in which event the corporation may engage in such business operations without procuring a certificate of authority A foreign nonprofit corporation shall not be denied a certificate of authority by reason of the fact that the laws of the state or county governing its organization and internal affairs differ from the laws of this Commonwealth and nothing in this act contained shall be construed to authorize this Commonwealth to regulate the organization or the internal affairs of such corporation

Section 902 Restrictions on Admission of Foreign Nonprofit Corporations The Department of State shall not issue a certificate of authority to any foreign nonprofit corporation

(1) If the application for the certificate of authority hereinafter required by this article to be filed sets forth any kind of business for which a domestic nonprofit corporation could not be formed under the laws of the Commonwealth

(2) If the name of the corporation is the same as or deceptively similar to the name of any domestic corporation or any other foreign corporation authorized to do business in this Commonwealth or the name of any unincorporated body whatsoever voluntarily registered with the Department of State under any Act of Assembly unless such other domestic or foreign corporation or unincorporated body is about to change its name or to cease to do business or is being wound up or such foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other domestic or foreign corporation or foreign corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the application for a certificate of authority hereinafter provided for in this article Provided that nothing herein contained shall be construed to refer or apply to any assumed or fictitious name required by law to be filed with the Department of State

(3) If the name of the corporation contains words not permitted by this act to be part of the name of a domestic nonprofit corporation

(4) If the corporation is a college university theological seminary or other nonprofit corporation which if formed under the provisions of this act would require the approval of the State Council of Education unless the approval of the State Council of Education shall be annexed thereto Whenever the Department of State shall receive an application for a certificate of authority from this type of corporation it shall be the duty of the department to submit the application together with the certified copy of the articles or special law as the case may be to the Superintendent of Public Instruction and thereafter the procedure shall be the same as that heretofore prescribed by this act for th approval or disapproval by the State Council of Education of applications for the incorporation of similar domestic nonprofit corporations except that the documents and the findings of the State Council of Education shall be returned to the Department of State It shall be unlawful for the Department of State to issue a certificate of authority to such a corporation without the approval of the State Council of Education

(5) If the corporation is one which if formed under the provisions of this act would require the approval of the Department of Welfare unless the approval of the Department of Welfare shall be annexed thereto Whenever an application for a certificate of authority is filed with the Department of State by this type of corporation it shall be the duty of the deparment to submit all the documents to the Department of Welfare and thereafter the procedure shall be the same as that heretofore prescribed by this act for th approval or disapproval by the Department of Welfare of applications for the incorporation of similar domestic nonprofit corporations except that the Department of Welfare shall return the documents of State It shall be unlawful for the Department of State to issue a certificate of authority to such a corporation without the favorable recommendation of the Department of Welfare

Section 903 Advertisement A foreign nonprofit corporation before it may procure a certificate of authority shall advertise its intention to apply for a certificate of authority by publication in a manner similar to that heretofore prescribed in this act in the case of the formation of a domestic nonprofit corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly

(a) The name of the corporation and of the state or country under the laws of which it is formed

(b) The address including street and number if any of its principal office in the state or country under the laws of which it is incorporated

(c) The address including street and number if any of its proposed registered office in this Commonwealth

(d) The character and nature of the business it proposes to do within this Commonwealth

(e) The date when its application for a certificate of authority will be presented to the Department of State

Section 904 Application for a Certificate of Authority The foreign nonprofit corporation or its representative shall deliver to the Department of State a copy of its articles and all amendments thereto duly certified by the proper public officer of the state or country of its incorporation or if the corporation is created by a special law and has no articles a duly certified copy of such law a verified translation of any part of such articles amendments or law which is in a foreign language proof of the advertisement heretofore required by this article and an application for a certificate for a certificate of authority executed under the seal of the corporation and signed and verified by at least two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) The name of the state or country under the laws of which it is formed

(3) The address including street and number if any of its principal office in the state or country under the laws of which it is formed

(4) The address including street and number if any of its proposed registered office in this Commonwealth

(5) A designation of the Secretary of Commonwealth and his successor in office as the true and lawful attorney of the corporation upon whom all lawful process in any action or proceeding against it may be served and that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on the corporation and that the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in this Commonwealth

(6) The character and nature of the business it proposes to do within this Commonwealth

(7) Such further and additional information as the Department of State may from time to time require for the purpose of ascertaining whether or not the applicant corporation is entitled to a certificate of authority

Section 905 Issuance and Recording of Certificate of Authority If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth it shall forthwith but not prior to the day specified in the advertisement heretofore required in this article endorse it approval

upon the application for a certificate of authority and when all fees and charges have been paid as required by law shall file the application and the copy of the articles and shall issue to the corportion a certificate of authority to do business in this Commonwealth The certificate of authority shall set forth the name of the corporation the address of its initial registered office in this Commonwealth and the business which the corporation is authorized to transact in this Commonwealth Upon the issuance of the certificate of authority by the Department of State the corporation may do in this Commonwealth any of the business referred to in the certificate of authority and no other subject however to the right of the Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act The certificate of authority shall be returned to the corporation of its representative and such certificate and a verified copy of its articles shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is located The certificate of authority upon being recorded by the recorder of deeds shall be returned to the corporation or its representative

Section 906 Registered Office of Foreign Nonprofit Corporations Every foreign nonprofit corporation required by the provisions of this article to obtain a certificate of authority to do business in this Commonwealth shall have and continuously maintain in this Commonwealth a registered office which may but need not be the same as its place of business in this Commonwealth The address including street and number if any of the initial registered office of each foreign corporation shall be stated in its application for a certificate of authority to do business in this Commonwealth A foreign nonprofit corporation may from time to time change the address of its registered office upon obtaining from the Department of State before such change is made an amended certificate of authority as hereinafter provided in this article

Section 907 Amended Certificate of Authority A After receiving a certificate of authority a foreign nonprofit corporation may subject to the provisions of this act change its name or the address of its registered office in the Commonwealth or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority and proof of the advertisement hereinafter required by this section Such application shall be executed under the seal of the corporation signed and verified by two duly authorizd officers thereof and shall set forth the changes desired by the corporation

B A foreign nonprofit corporation shall before making application to the Department of State advertise its intention to apply for an amended certificate of authority by publication in a manner similar to that prescribed in this act in the case of the formation of a domestic nonprofit corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly

(1) The name of the corporation and of the state or country under the laws of which it is formed

(2) If the application is for permission to do in this Commonwealth other or additional business the character and nature of the business it proposes to do under the amended certificate of authority

(3) If the application is for a change of name the new name under which it proposes to do business

(4) If the application is for change of the registered office of the corporation to another county the address including street and number if any of its then registered office and the address including street and number if any to which the registered office is to be changed

C. If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to an amended certificate of authority it shall forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application and when all fees and charges have been paid as required by law shall file the application and issue to the applicant corporation an amended certificate of authority setting forth the desired changes The amended certificate of authority shall be recorded in the office of the recorder of deeds of the county in which the original certificate of authority was recorded If the address of the registered office of the applicant corporation was changed from one county to another county then the corporation shall have recorded in the office of the recorder of deeds of the county in which its new registered office is situated its original and amended certificates of authority and a verified copy of its articles

Section 908 Amendments to Articles of Foreign Nonprofit Corporations Upon amendment of the articles of any foreign nonprofit corporation authorized by a certificate of authority to transact business in this Commonwealth such corporation shall forthwith file with the Department of State a copy of such amendment duly authenticated by the proper official of the state or country under the laws of which such corporation is organized and shall also file a verified copy thereof in the office of the recorder of deeds of the county in which its registered office is located in this Commonwealth The filing of any such amendment shall not of itself enlarge or alter the nature or kind of business which such corporation is authorized to transact in this Commonwealth nor authorize such corporation to transact business in this Commonwealth under any other name than the name set forth in its certificate of authority unless such corporation shall apply for and receive an amended certificate of authority as hereinbefore provided in this article

Section 909 Merger of Foreign Nonprofit Corporations Whenever a foreign nonprofit corporation authorized by a certificate of authority to transact business in this Commonwealth shall be a party to a statutory merger permitted by the laws of the state or country under which it is organized and such corporation shall be the surviving corporation it shall forthwith file with the Department of State a copy of the articles of merger duly authenticated by the proper officer of the state or country under the laws of which such statutory merger was effected and shall also file a verified copy thereof in the office of the recorder of deeds of the county in which its rgistered office is located in this Commonwealth It shall not be necessary for such corporation to procure either a new or amended certificate of authority to transact business in this Commonwealth unless the name of such corporation be changed thereby or unless the corporation desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth

Section 910 General Powers of Foreign Nonprofit Corporations A foreign nonprofit corporation which shall have received a certificate of authority under this act so long as such certificate of authority shall not be revoked or cancelled shall enjoy the same but no greater rights and privileges as a domestic nonprofit corporation and except as in this act otherwise provided shall be subject to the same liabilities restrictions duties and penalties now in force or hereafter imposed upon domestic corporations of like character to the same extent as if it had been organized under this act to transact the business set forth in its certificate of authority

Section 911 Revocation of Certificate of Authority Whenever the Department of State shall find that a foreign nonprofit corporation is doing in this Commonwealth a business which a domestic nonprofit corporation could not do or is exceeding the authority contained in its original or amended certificate of authority or has changed its name or the location of its registered office without first securing an amended certificate of authority from the Department of State or has failed to file a copy of its articles or a copy of any amendments thereto or its certificate of authority or any amended certificate of authority in the office of the recorder of deeds of the county in which its registered office is situated or is violating any of the laws of this Commonwealth the Department of State shall give notice by registered mail to such corporation that such default exists and that its certificate of authority including any amendments thereto will be revoked and cancelled unless such default shall be cured within thirty days after the mailing of such notice If such default shall not be cured within such period of thirty days the Department of State shall revoke and cancel the certificate of authority of such foreign corporation including any amendments thereto Upon revoking and cancelling any such certificate of authority the Department of State shall mail to such corporation at its registered office in this Commonwealth a certificate of revocation and shall mail a copy of such certificate to the recorder of deeds of the county in which the registered office of the corporation is situated who shall record the same without any fee therefor Upon the issuance of such certificate of revocation the authority of the corporation to transact business in this Commonwealth shall cease and such corporation shall

not thereafter transact any business in this Commonwealth unless it applies for and receives a new certificate of authority

Section 912 Service of Process Service of process against a foreign nonprofit corporation upon the Secretary of the Commonwealth shall be made by the Sheriff of Dauphin County by leaving the fee the plaintiff is required by law to pay for this service and two copies of the process at the office of the Secretary of the Commonwealth The sheriff shall make due return of his service of the process to the court magistrate or justice of the peace issuing the same Such process may be issued by any court magistrate or justice of the peace having jurisdiction of the subject matter of the controversy in any county of the Commonwealth in which the corporation shall have its registered office or in the county in which the right of action arose When legal process against any such corporation has been served upon the Secretary of the Commonwealth he shall immediately send by mail postage prepaid one copy of such process directed to the corporation at its registered address The fee paid by the plaintiff to the Secretary of the Commonwealth at the time of the service shall be taxed in the plaintiff's costs if he prevails in the suit necessitating the service of the process The Secretary of the Commonwealth shall keep a record of the day and hour of the service of such process on him and a certified copy of such record shall be sufficient evidence thereof The service of process on the Secretary of the Commonwealth under this section shall be of the same legal force and validity as if the process had been served on the corporation and the authority for such service of process shall ocntinue in force as long as any liability remains outstanding against the corporation in this Commonwealth Nothing herein contained shall limit or affect the right to serve any process notice or demand required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law

Section 913 Penalty for Doing Business Without Certificate of Authority Any person agent officer or employe of a foreign nonprofit corporation who shall transact any business within this Commonwealth for any such foreign nonprofit corporation without first obtaining a certificate of authority as provided in this article shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment not exceeding thirty days and by a fine not exceeding One Thousand Dollars ($1,000.00 or either in the discretion of the court trying the same but the failure of any such corporation to apply for and secure a certificate of authority from the Department of State shall not impair or affect the validity of any contract with such corporation and actions or proceedings at law or in equity may be instituted and maintained on any such contract No such action however shall be instituted or recovery had by any such corporation on any such contract either expressed or implied in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof until such corporation shall obtain a certificate of authority and shall pay to the Department of State a fine of Two Hundred Fifty Dollars ($250.00)

Section 914 Acquisition of Real Property Every foreign nonprofit corporation authorized to transact business within this Commonwealth may acquire hold mortgage lease and transfer real property in this Commonwealth in the same manner and subject to the same limitations as nonprofit corporations formed under the laws of this Commonwealth Every such corporation may purchase in its corporate name at any sheriff's or other judicial sale any real estate within this Commonwealth upon which such corporation may have or hold a judgment or lien and may at its pleasure sell and convey such real estate All the rights privileges and duties now by law accorded to and imposed upon lien creditors purchasing at judicial sales are hereby extended to such corporations

Section 915 Surrender of Certificate of Authority A Any foreign nonprofit corporation may withdraw from doing business in this Commonwealth and surrender its certificate of authority by filing with the Department of State an application for a certificate of withdrawal executed under the seal of the corporation and signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) The state or country of its incorporation

(3) The date on which it received a certificate of authority to do business in the Commonwealth

(4) A statement that it revokes its designation of the Seretary of the Commonwealth as the person on whom process against it may be served in this Commonwealth

(5) A statement that it surrenders its certificate of authority to do business in this Commonwealth

(6) A statement that it consents that process against it in an action or proceeding upon any liability or obligation incurred within this Commonwealth before the issuance of the certificate of withdrawal may be served upon the Secretary of the Commonwealth after the filing of such certificate

(7) A post office address to which the Secretary of the Commonwealth may mail a copy of any process against it that may be served upon him

B A foreign nonprofit corporation shall before making application for a certificate of withdrawal advertise its intention to withdraw from doing business in this Commonwealth in a manner similar to that hereinafter required by this act in the case of the voluntary dissolution of a domestic nonprofit corporation

C Upon the Filing of such application proof of the advertisement heretofore required by this section and the return for cancellation of the corporation's certificate of authority or the filing of proof that it has been lost or destroyed the Department of State after all fees and charges have been paid as require dby law shall cancel the certificate of authority if any and shall issue in duplicate a certificate of withdrawal The Department of State shall return one of such certificates of withdrawal to the corporation or its representatives and shall send the other to the recorder of deeds of the county in which the registered office of the corporation in the Commonwealth is situated who shall record the same without fee therefor Upon the issuance of the certificate of withdrawal the authority of the corporation to do business within this Commonwealth shall cease and determine and no such corporation doing business in this Commonwealth after the issuance of such certificate shall maintain any action in this Commonwealth upo nany contract made by it in this Commonwealth subsequent to the issuance of such certificate of withdrawal The issuance of such certificate shall not however affect any action pending at the time thereof or affect any right of action upon any contract made by such corporation in the Commonwealth before the issuance of the certificate Process against the corporation in an action upon any liability or obligation incurred within this Commonwealth before the issuance of such certificate may be served thereafter upon the Secretary of the Commonwealth

ARTICLE X
DISSOLUTION AND WINDING UP

Section 1001 Voluntary Dissolution A Any nonprofit corporation may upon application to the equity side of the court of Common pleas of the county in which its registered office is located or in which its principal activities are conducted be dissolved and wind up its affairs Before the application is made to the court a resolution authorizing the institution of voluntary proceedings for the dissolution of the corporation shall be approved by a majority vote or such other vote as the articles may require of each class of members of the corporation at a regular or special meeting convened after proper notice of this purpose to all members

B Application to the court shall be made by a petition of the corporation signed and verified by at least two duly authorized officers thereof The petition shall be under the seal of the corporation and shall among other things set forth

(1) The name and location of the registered office of the corporation

(2) The Act of Assembly under which the corporation was formed the date when the court entered the decree of incorporation and the date when and the place where the original articles were recorded

(3) The time and place of the meeting of the members of the corporation at which the resolution authorizing the dissolution proceeding was adopted the kind and period of notice of the meeting given to the members and the total vote by which the resolution was adopted

(4) An inventory of all the real and personal property of the corporation which shall show separately any real or personal property held in trust by the corporation

(5) A statement of all liens and encumbrances upon the corporate property and all outstanding claims of the corporation

(6) The names and addresses of all the existing members of the corporation to the extent this information is known

and their respective rights if any to share in the corporate assets in excess of the debts and obligations of the corporation

The petition shall in all cases be accompanied by a certified copy of the charter of the corporation the resolution authorizing the institution of the dissolution proceedings and any trust instrument relating to any real or personal property of the corporation Upon the presentation of the petition to the court the proceedings for dissolution shall be deemed to commence and thereafter the corporation shall cease to transact any business whatsoever except insofar as may be necessary for the winding up of the affairs of the corporation

C Upon the presentation of the petition of the court shall enter a preliminary decree appointing a day for the hearing of the petition and directing all persons interested in the corporation at that time to show cause if any they have why the corporation should not be dissolved The petitioners shall advertise the contents of the decree once a week for two consecutive weeks in the county wherein the registered office of the corporation is located and also in the county where the principal activities of the corporation are conducted if the petition for dissolution is filed in such county Advertisements shall appear in a newspaper of general circulation published within the county and in the legal newspaper if any designated by the rules of court for the publication of legal notices otherwise in two newspapers of general circulation published within the county Where there is but one newspaper of general circulation published in any county advertisements in such newspapers shall be sufficient On the day fixed in the decree or as soon thereafter as the matter may be heard proof of the advertisements heretofore required shall be presented to the court whereupon the court shall consider the petition If the court shall be satisfied that the prayer of the petition may be granted without prejudice to the public welfare or the interests of the members of the corporation the court shall decree that the petition is approved and that upon the recording of the petition and decree the corporation shall be dissolved Before entering the final decree of dissolution the court shall cause the assets of the corporation to be marshaled and the property rights to be adjudicated either by proceedinsg before the court or before a master appointed by its provided that property devoted to religious literary educational or charitable uses shall not be diverted from the objects for which it was donated granted bequeathed or devised In entering the final decree the court shall order the distribution of the property and assets of the corporation among the members entitled thereto shall direct what disposition shall be made of any real or personal property devoted to any religious literary educational or charitable use and shall designate the directors of the corporation or having proper cause a liquidating trustee to wind up the affairs of the corporation according to the decree of the court Upon the recording of the petition and decree of the court in a manner similar to that heretofore specified in this act in the case of the formation of a corporation the dissolution of the corporation shall become effective and thereafter the corporation shall become effective and thereafter by the court shall wind up the affairs of the corporation in accordance with the decree

D The prothonotary in making the monthly report to the Department of State heretofore required by this act shall include in such report the name and the location of the registered office of every corporation which during the preceding month was dissolved by proceedings under this section For this service the prothonotary shall receive a fee of One Dollar ($1.00) from each corporation The Department of State shall cancel the registration of the name of the corporation and shall note after the name the date the corporation was dissolved

Section 1002 Dissolution of Certain Religious Corporations Whenever any nonprofit corporation organized for the support of public worship by reason of the shifting of population withdrawal of membership or any other cause whatsoever has ceased to support public worship within the intent and meaning of its articles the diocesan convention presbytery synod conference council or other supervising and controlling organization of which the corporation is a member or with which it is in allegiance and to which it is subordinate may petition the equity side of the court of common pleas of the county in which the registered office of the corporation is located setting forth the facts of the case and praying for a decree of dissolution The petition shall be under the seal of the organization signed and verified by at least two duly authorized officers thereof and shall set forth the information heretofore required to be set forth in a petition for the voluntary dissolution of a corporation to the extent that such information is applicable The court shall after notice and hearing as heretofore provided in this article enter a decree of dissolution if satisfied that the prayer of the petition may be granted without prejudice to the public welfare or the interests of the members of the corporation Upon the recording of the petition and decree of the court as heretofore provided in this article the dissolution of the corporation shall become effective

Section 1003 Disposal of Real Estate of Dissolved Religious Corporations In entering a final decree of dissolution of a corporation organized for the support of public worship the court shall by its decree provide for the disposition of the real estate of the corporation either by

(1) Vesting title thereto in such other corporation as may by its articles be organized for the purpose of holding title to the real estate held for public worship according to the formularies of the church to which the dissolved corporation was in allegiance or

(2) Authorizing the sale thereof by a master or trustee appointed for that purpose and the vesting of the proceeds upon the confirmation of such sale in such body as may be directed by the court to be held in trust for carrying out the intent and purpose of public worship or

(3) Vesting the title thereto in any incorporated or unincorporated body designated by the petitioners to the same uses and trusts as the same was theretofore held by the dissolved corporation

Any sale of real estate decreed by the court under this section shall vest in the purchaser thereof a title in fee simple discharged of any trust under which the property was theretofore held and the trust shall be impinged upon the proceeds of the sale in the hands of the holder thereof

Section 1004 Continuation of Corporation After Dissolution All nonprofit corporations whether they expire by their own limitations or are otherwise dissolved shall nevertheless continue to exist for a period of two years after the date of dissolution for the purpose of winding up their affairs prosecuting and defending actions by or against them collecting and discharging obligations disposing of and conveying their property and collecting and dividing their assets but not for the purpose of continuing business except in so far as necessary for the winding up of the corporation No action or proceeding to which a corporation is a party shall abate by the dissolution of the corporation

ARTICLE XI

EFFECTIVE DATE AND REPEALER

Section 1001 Effective Date This act shall become effective on the third ..... day of July one thousan dnine hundred thirty-three .....

Section 1002 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed as particularly set forth .....

The act approved the sixth day of April one thousand seven hundred ninety-one (Three Smith's Laws twenty) entitled "An act to confer on certain associations of the citizens of this Commonwealth the powers and immunities of corporations or bodies politic in law" absolutely

The act approved the twenty-eighth day of March one thousand eight hundred twenty (Pamphlet Laws one hundred sixty-nine) entitled "An act to regulate proxies" in so far as it relates to nonprofit corporations

The act approved the thirty-first day of March one thousand eight hundred twenty-one (Pamphlet Laws one hundred eighty) entitled "A Supplement to an act entitled 'An act to regulate proxies'" absolutely

The act approved the sixth day of February one thousand eight hundred thirty (Pamphlet Laws forty-two) entitled "A supplement to an act entitled 'An act to incorporate the owners and occupiers of the Wicacoa and Moyamensing meadows in the county of Philadelphia for the sole purpose of keeping the banks dams sluices and flood-gates in repair and to raise a fund to defray the expenses thereof' passed twelfth April eighteen hundred and twenty-eight and for other purposes" in so far as it relates to nonprofit corporations

Section two of the act aproved the thirtieth day of April one thousand eight hundred forty-four (Pamphlet Laws five hundred thirty-two) entitled "A further supplement to the act entitled 'An act erecting a new county out of the northern

part of Luzerne County to be called Wyoming' and for other purposes" in so far as it relates to nonprofit corporations

The act approved the twentieth day of Febraury one thousand eight hundred fifty-four (Pamphlet Laws ninety) (Number fifty-three) entitled "An act authorizing Courts of Common pleas to incorporate Scientific Agricultural and other Associations" absolutely

Sections four five eight nine and twelve of the act approved the twenty-sixth day of April one thousand eight hundred fifty-five (Pamphlet Laws three hundred twenty-eight) entitled "An act relating to Corporations and to Estates held for Corporate Religious and Charitable uses" in so far as it relates to nonprofit corporations

The act approved the third day of May one thousand eight hundred fifty-five (Pamphlet Laws four hundred twenty-three) (Number four hundred forty-eight) entitled "An act relating to Corporations" in so far as it relates to nonprofit corporations

The act approved the ninth day of April one thousand eight hundred fifty-six (Pamphlet Laws two hundred ninety-three) (Number three hundred eight) entitled "Supplement to the acts relating to incorporations by the Courts of Common Pleas" in so far as it relates to nonprofit corporations

The act approved the thirty-first day of March one thousand eight hundred sixty-eight (Pamphlet Laws fifty) entitled "An act to authorize incorporated companies to invest and re-invest surplus funds in mortgages stocks and other securities and fixing the time for holding elections for directors" in so far as it relates to nonprofit corporations

The act approved the fifteenth day of April one thousand eight hundred sixty-nine (Pamphlet Laws twenty-nine) entitled "An act requiring a majority of the directors or managers of corporations to constitute a quorum" in so far as it relates to nonprofit corporations

The act approved the fourth day of April one thousand eight hundred seventy-two (Pamphlet Laws forty) entitled "An act supplemental to an act entitled 'A supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" in so far as it relates to nonprofit corporations

The act approved the ninth day of April one thousand eight hundred seventy-three (Pamphlet Laws sixty-seven) (Number forty-five) entitled "An act for the further protection of cemeteries in the State of Pennsylvania'" in so far as it relates to nonprofit corporations

With the exception of section forty-one the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" and its amendments in so far as it relates to nonprofit corporations

The act approved the fourteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws one hundred sixty-five) entitled "An act to permit cemetery companies not organized for the purpose of corporate profit to take and hold any grant donation or bequest of property for the uses herein mentioned" absolutely

The act approved the twenty-third day of March one thousand eight hundred seventy-six (Pamphlet Laws nine) entitled "An act empowering camp meeting associations to employ a police force" in so far as it relates to nonprofit corporations

The act approved the seventeenth day of April one thousand eight hundred seventy-six (Pamphlet Laws thirty) entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations" in so far as it relates to nonprofit corporations

The act approved the twenty-fifth day of April one thousand eight hundred seventy-six (Pamphlet Laws forty-seven) (Number thirty-six) entitled "An act supplementary to the act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini eighteen hundred and seventy-four extending its provisions to all who may have the right to vote at elections for directors managers or trustees" in so far as it relates to non profit corporations

The act approved the eighth day of May one thousand eight hundred seventy-six (Pamphlet Laws one hundred forty-three) (Number one hundred sixteen) entitled "An act to enable hospitals schools and charitable institutions generally to purchase receive take and hold ground rents for investments" absolutely

The act approved the seventeenth day of April one thousand eight hundred seventy-eight (Pamphlet Laws twenty-one) entitled "An act to extend to park glen and pic-nic asssociations the rights and privileges conferred upon camp meeting associations by an act entitled 'An act empowering camp meeting associations to employ a police force' approved March twenty-third eighteen hundred and seventy-six" in so far as it relates to nonprofit corporations

The act approved the seventeenth day of April one thousand eight hundred seventy-eight (Pamphlet Laws twenty-two) entitled "An act to authorize exhibition companies to mortgage their real and personal property and franchises" absolutely

The act approved the twenty-second day of May one thousand eight hundred seventy-eight (Pamphlet Laws ninety-six) (Number one hundred twenty-nine) entitled "An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold" in so far as it relates to nonprofit corporations

The act approved the twenty-fifth day of May one thousand eight hundred seventy-eight (Pamphlet Laws one hundred fifty-two) (Number one hundred ninety-three entitled "An act to authorize certain corporations for charitable purposes to receive or bind out upon indenture children committed to their charge whose maintenance is unprovided for by their parents or guardians" absolutely

The act approved the ninth day of April one thousand eight hundred seventy-nine (Pamphlet Laws sixteen (Number thirteen) entitled "An act to remove the disability of disqualification of married women for acting as corporators or officers of any association incorporated heretofore or that may be hereafter incorporated for purposes of learning benevolence chairty or religion" absolutely

The act approved the thirteenth day of May one thousand eight hundred seventy-nine (Pamphlet Laws sixty) (Number sixty-one) entitled "An act to enable hospitals schools charitable literary and religious institutions generally to purchase real estate sold by the sheriff" absolutely

The act approved the tenth day of June one thousand eight hundred eighty-one (Pamphlet Laws one hundred one) entitled "An act relative to the appointment of police for corporations organized under the laws of this commonwealth for the preservation and propagation of fish" absolutely

The act approved the twenty-sixth day of April one thousand eight hundred eighty-three (Pamphlet Laws fourteen) (Number thirteen) entitled "An act for the protection of agricultural and horticultural societies in so far as it relates to nonprofit corporations

The act approved the twenty-second day of May one thousand eight hundred eighty-three (Pamphlet Laws forty-one) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-second day of May Anno Domini eighteen hundred and seventy-eight" in so far as it relates to nonprofit corporations

The act approved the twenty-fifth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred sixty-seven) entitled "An act empowering the Governor of this Commonwealth to appoint special officers or policemen for incorporated or unincorporated associations heretofore or hereafter organized for any charitable purposes" in so far as it relates to nonprofit corporations

The act approved the twenty-fifth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred seventy-seven) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four regulating the method of the choice of directors in certain corporations of the first class" absolutely

The act approved the twenty-fifth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred seventy-eight) entitled "An act to amend an act entitled 'An act to enable the officers of dissolved corporations to convey eral estate held by such corporations' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders" in so far as it relates to nonprofit corporations

The act approved the twenty-third day of May one thousand eight hundred eighty-seven (Pamphlet Laws one hundred sixty-five) (Number ninety-three) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements regulating the method of the choice of directors in certain corporations of the first class" absolutely

The act approved the twenty-third day of May one thousand eight hundred eighty-seven (Pamphlet Laws one hundred seventy-six) entitled "An act to authorize certain corporations incorporated and existing under the laws of any other State of the United States to purchase certain real estate at judicial sales and to hold and convey the same under certain conditions" in so far as it relates to nonprofit corporations

The act approved the twenty-fifth day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred sixty-five) (Number one hundred fifty-one) entitled "A further supplement to "the corporation act of one thousand eight hundred and seventy-four' authorizing the formation of associations for the prevention of cruelty to children and aged persons" absolutely

The act approved the twenty-sixth day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred seventy-four) (Number one hundred sixty) entitled "A supplement to an act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-second day of May Anno Domini one thousand eight hundred and eighty-three" in so far as it relates to nonprofit corporations

The act approved the fourteenth day of June one thousand eight hundred eighty-seven (Pamphlet Laws three hundred eighty-three) entitled "An act to provide for the incorporation and regulation of companies not for profit organized for the encouragement of the arts and sciences and of agriculture and horticulture and to confer upon such companies the right to eminent domain" absolutely

The act approved the twenty-second day of April one thousand eight hundred eighty-nine (Pamphlet Laws forty-two) (Number forty) entitled "A supplement to 'An act relating to corporations and to estates held for corporate religious and charitable uses' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and fifty-five increasing the limit of real and personal estates which may be held by such corporations" in so far as it relates to nonprofit corporations

The act approved the ninth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred sixty-three) entitled "An act providing for the incorporation and regulation of Young Men's Christian Associations" absolutely

The act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-seven) entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' amending the thirteenth section thereof" in so far as it relates to nonprofit corporations

The act approved the fifteenth day of April one thousand eight hundred ninety-one (Pamphlet Laws fifteen) entitled "An act to amend an act entitled 'An act to amend an act entitled "An ac to enable the officers of dissolved corporations to convey real estate held by such corporations' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders" approved the twenty-fifth day of June one thousand eight hundred and eighty-five' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders or their legal representatives whenever requested so to do" in so far as it relates to nonprofit corporations

The act approved the fourteenth day of May one thousand eight hundred ninety-one (Pamphlet Laws sixty-one) entitled "An act to amend the fifth section of an act entitled 'An act to provide for the incorporation and regulation of certain officers receiving salaries to be directors and receive compensations"in so far as it relates to nonprofit corporations

The act approved the sixteenth day of May one thousand eight hundred ninety-one (Pamphlet Laws eighty-eight) entitled "An act to authorize burial or cemetery companies to accept trusts in certain cases" in so far as it relates to nonprofit corporations

The act approved the twentieth day of May one thousand eight hundred ninety-one (Pamphlet Laws one hundred one) (Number seventy-seven) entitled "An act authorizing salaried officers of private or business corporations to concurrently serve as directors therein" in so far as it relates to nonprofit corporations

The act approved the eighth day of June one thousand eight hundred ninety-one (Pamphlet Laws two hundred eleven) entitled "An act relating to real estate given or devised to corporations to be used for religious or charitable purposes" in so far as it relates to nonprofit corporations

The act approved the tenth day of April one thousand eight hundred ninety-three (Pamphlet Laws fourteen) entitled "An act to enable eleemosynary corporations to secure their property from liability to be wasted or incumbered by managers or beneficiaries of the estate" absolutely

The act approved the eighteenth day of May one thousand eight hundred ninety-three (Pamphlet Laws eighty-eight) entitled "An act to revive and continue in force provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and eighty seven" absolutely

The act approved the sixth day of June one thousand eight hundred ninty-three (Pamphlet Laws three hundred twenty-four) (Number two hundred sixty) entitled "An act relating to corporations organized for religious educational literary scientific or charitable purposes" asboslutely

The act approved the eighth day of June one thousand eight hundred ninety-three (Pamphlet Laws three hundred fifty-five) entitled "An act to regulate the change of location of the principal office the place of annual and other meetings of stockholders and the time of such annual meetings of corporations of this Commonwealth" in so far as it relates to nonprofit corporations

The act approved the tenth day of June one thousand eight hundred ninety-three (Pamphlet Laws four hundred thirty-five) entitled "An act amending an act entitled 'A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" providing for further regulation of such corporations and for the incorporation and regulation of certain additional corporations' approved April seventeenth one thousand eight hundred and seventy-six authorizing the incorporation of drainage companies" in so far as it relates to nonprofit corporations

The act approved the twenty-fifth day of June one thousand eight hundred ninety-five (Pamphlet Laws three hundred ten) entitled "A further supplement to 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four" absolutely

The act approved the twenty-fifth day of June one thousand eight hundred ninety-five (Pamphlet Laws three hundred thirteen) entitled "An act to amend the second section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four providing for the incorporation and maintenance of societies for the improvement of streets and public places" absolutely

The act approved the twenty-sixth day of June one thousand eight hundred ninety-five (Pamphlet Laws three hundred twenty-seven) entitled "An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which instiutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this

act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources" absolutely

The act approved the twentieth day of April one thousand eight hundred ninety-seven (Pamphlet Laws twenty-eight) (Number twenty-three) entitled "An act to revive and continue in force provisions of an act entitled 'An act to extend the time which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the eighteenth day of May Anno Domini one thousand eight hundred and ninety-three' absolutely

The act approved the fifteenth day of July one thousand eight hundred ninety-seven (Pamphlet Laws two hundred eighty-three) entitled "An act to amend the second section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four providing for the incorporation of associations for receiving and holding property real and personal of and for unincorporated religious benevolent charitable educational and missionary societies and associations and executing trusts thereof" absolutely

The act approved the second day of May one thousand eight hundred ninety-nine (Pamphlet Laws one hundred sixty) entitled "An act to validate changes heretofore made in the names of certain corporations not conducted for profit and to provide a method of making such changes hereafter" in so far as it relates to nonprofit corporations

The act approved the ninth day of February one thousand nine hundred one (Pamphlet Laws three) entitled "An act to provide for increasing the capital stock and indebtedness of corporations" in so far as it relates to nonprofit corporations

The act approved the nineteenth day of April one thousand nine hundred one (Pamphlet Laws eighty) (Number fifty-one) entitled "An act to regulate the number of directors in corporations chartered under the laws of this Commonwealth" in so far as it relates to nonprofit corporations

The act approved the nineteenth day of June one thousand nine hundred one (Pamphlet Laws five hundred seventy-four) (Number two hundred eighty-one) entitled "An act authorizing the transfer upon the books of the corporation of lots in cemeteries owned by the corporations of the first class" absolutely

The act approved the twenty-fifth day of June one thousand nine hundred one (Pamphlet Laws five hundred ninety-nine) entitled "An act amending section three of 'An act to provide for the incorporation and regulation of companies not for profit organized for the encouragement of the arts and sciences and of agriculture and horticulture and to confer on such companies the right of eminent domain' approved the fourteenth day of June one thousand eight hundred and eighty-seven enabling said corporations to increase their bonded indebtedness from two hundred thousand dollars to five hundred thousand dollars" absolutely

The act approved the fifteenth day of April one thousand nine hundred three (Pamphlet Laws two hundred) (Number one hundred forty-five) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twentieth day of April Anno Domini one thousand eight hundred and ninety-seven" in so far as it relates to nonprofit corporations

The act approved the sixteenth day of March one thousand nine hundred five (Pamphlet Laws forty-two) (Number twenty-five) entitled "An act supplementary to an act entitled 'An act to confer upon the several courts of common pleas of this Commonwealth jurisdiction of a court of equity in all cases of dower and partition and prescribing the method of procedure' approved July seventh Anno Domini one thousand eight hundred and eighty-five" in so far as it relates to nonprofit corporations

The act approved the twenty-second day of April one thousand nine hundred five (Pamphlet Laws two hundred eighty) entitled "An act to amend section one of the act entitled 'An act to provide for increasing the capital stock and indebtedness of corporations' approved the ninth day of February Anno Domini one thousand nine hundred and one authorizing corporations to increase their capital stock and indebtedness and secure the payment of principal and interest of their indebtedness" in so far as it relates to nonprofit corporations

The act approved the first day of May one thousand nine hundred seven (Pamphlet Laws one hundred forty) (Number one hundred eleven) entitled "An act to provide for the division of charitable corporations having more than one place where their operations are carried on and of their property and providing for the performance of public duties of such corporations" absolutely

The act approved the twenty-eighth day of May one thousand nine hundred seven (Pamphlet Laws three hundred) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini eighteen hundred and seventy-four providing for the incorporation of trustees appointed or to be appointed under the terms of any will deed grant or gift creating a trust or trust for the benefit of the people of any incorporated city of this Commonwealth for the advancement of learning science music and art or any one or more of said purposes in which representatives of said city may have part in the management" absolutely

The act approved the eighteenth day of March one thousand nine hundred nine (Pamphlet Laws forty-one) entitled "An act to better provide for perpetual care and preservation of burial grounds or cemeteries within this Commonwealth" in so far as it relates to nonprofit corporations

The act approved the twenty-seventh day of April one thousand nine hundred nine (Pamphlet Laws two hundred six) entitled "An act to amend section six of an act entitled 'An act to provide for the incorporation of institutions, of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources' so as to empower colleges devoted to a specific subject in art archaeology literature or science (medical and law schools excepted) to work with a faculty of but three regular professors and two instructors or fellows without prejudice to their right to confer degrees" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred eleven (Pamphlet Laws eighty-two) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anna Domini eighteen hundred and seventy-four providing for the incorporation of trustees appointed or to be appointed under the terms of any will deed grant or gift creating a trust or trusts for the benefit of the people of any incorporated city of this Commonwealth for the advancement of learning science music art or of any one or more of said purposes in which representatives of said city may have part in the management with power to confer degrees in art pure and applied science philosophy literature painting music medicine law and theology and for the supervision and regulation of the same" absolutely

The act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred seventy-two) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four authorizing the insertion of certain provisions in the charters of corporations for the support of public worship and validating similar provisions in charters already granted" absolutely

The act approved the eighth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred ten) entitled "An act to regulate the doing of business in this Commonwealth by foreign corporations the registration thereof and service of process thereon and providing punishment and penalties for the violation of its provisions and repealing previous legislation on the subject" in so far as it relates to nonprofit corporations

The act approved the ninth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred thirty-eight) entitled "An act providing for the report to the Auditor General by the prothonotaries of the courts of common pleas of corporations incorporated by such courts" absolutely

The act approved the fifteenth day of May one thousand nine hundred thirteen (Pamphlet Laws two hundred fourteen) entitled "An act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars" absolutely

The act approved the twenty-second day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred one) entitled "An act to amend the second section of an act entitled 'An act empowering the Governor of this Commonwealth to appoint special officers or policemen for incorporated or unincorporated associations heretofore or hereafter organized for any charitable purpose' approved the twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five" absolutely

The act approved the twenty-second day of April one thousand nine hundred fifteen (Pamphlet Laws one hundred seventy) entitled "An act to amend section four of an act entitled 'An act to regulate the doing of business in this Commonwealth by foreign corporations the registration thereof and service of process thereon and providing punishment and penalties for the violation of its provisions and repealing previous legislation on the subject' approved the eighth day of June one thousand nine hundred and eleven" in so far as it relates to nonprofit corporations

The act approved the first day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred one) (Number three hundred eighteen) entitled "An act relating to the acquisition and holding of property real and personal by any literary scientific educational religious charitable benevolent or beneficial society church congregation association or body incorporated or any trustee or trustees of any trust for charitable or benevolent objects or purposes fixing the amount of such property which may thus be acquired and held and providing for the increase of such amount and a method of procedure for obtaining the right to such increase" absolutely

The act approved the first day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred three) (Number three hundred twenty) entitled "An act to authorize the insertion in the charter of any corporation for the support of public worship or for any like religious purpose either originally or by amendment of a provision that the rector or minister chosen by such corporation to take charge of the religious services by it maintained shall during his continuance in said office of rector or minister be ex officio president of the vestry board of trustees board of directors or governing body by whatever name designated of such corporation and to validate similar provisions in the charters of such corporations heretofore granted" absolutely

The act approved the fifteenth day of June one thousand nine hundred fifteen (Pamphlet Laws nine hundred eighty-five) (Number four hundred twenty-seven) entitled "An act to provide for the incorporation and regulation of companpigeons and game and the protection and preservation of ies not for profit organized to encourage and promote improvements in the breeding and management of poultry forests fish game and wild life" absolutely

The act pproved the seventeenth day of May one thousand nine hundred seventeen (Pamphlet Laws two hundred sixteen) entitled "An act to provide for the change of object of the corporate existence of volunteer fire-companies and firemen's relief associations connected with volunteer fire departments and authorizing and providing a mode for the dissolution and surrender of the charter of said companies and associations" absolutely

The act approved the seventeenth day of May one thousand nine hundred seventeen (Pamphlet Laws two hundred twenty-eight) entitled "An act to authorize the payment by corporations to their directors of compensation for services rendered by them" in so far as it relates to nonprofit corporations

The act approved the eighteen day of May one thousand nine hundred seventeen (Pamphlet Laws two hundred fifty-seven) entitled "An act to prevent the incorporation of societies and associations not for profit with names styles or titles identical with or similar to the names styles or titles of State boards commissions or other activities and the use by such societies and associations already incorporated of such names styles or titles where such identity or similarity is calculated to result or has resulted in a confusion in the public mind between the recommendations and operations of such societies and associations and those of said State boards commissions or other activities" absolutely

The act approved the eleventh day of July one thousand nine hundred seventeen (Pamphlet Laws seven hundred seventy-six) entitled "An act to amend an act approved the fourteenth day of June one thousand eight hundred and eighty-seven entitled 'An act to provide for the incorporation of companies not for profit organized for the encouragement of the arts and sciences and of agriculture and horticulture and to confer upon such companies the right of eminent domain' as amended enabling said corporations to increase their bonded indebtedness from five hundred thousand dollars to one million dollars" absolutely

The act approved the nineteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand one hundred twenty) entitled "An act relative to the incorporation of hospitals and charitable or eleemosynary institutions or societies in which indigent persons are treated or to be treated or maintained in whole or in part at public expense and to the amendment of the charters thereof" absolutely

The act approved the thirtieth day of March one thousand nine hundred twenty-one (Pamphlet Laws fifty-four) (Number twenty-eight) entitled "An act permitting corporations to change the date of their annual meeting as fixed by its charter" in so far as it relates to nonprofit corporations

The act approved the twenty-sixth day of April one thousand nine hundred twenty-one (Pamphlet Laws two hundred ninety-nine) (Number one hundred fifty-one) entitled "An act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to change alter and amend by by-law such provisions of their charters as are purely administrative" absolutely

The act approved the fifth day of May one thousand nine hundred twenty-one (Pamphlet Laws three hundred ninety-five) entitled "A supplement to an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' providing that a charter may be granted to a church for the purpose of the support of public worship and for the collateral purpose of conducting a public burial ground or cemetery imposing certain duties upon the trustees in relation to the sale of burial lots the care and maintenance of the same and the care and disposition of certain funds providing for the audit of such funds by the corporation auditors the filing of a bond by said trustees and limiting the time for taking exceptions to the report of such auditors and validating charters heretofore granted or amended containing similar provisions as this act" absolutely

The act approved the twentieth day of May one thousand nine hundred twenty-one (Pamphlet Laws nine hundred eighty-eight)) entitled "An act to amend sections four and six of a supplement to an act approved the twenty-sixth day of April one thousand nine hundred and eleven (one thousand nine hundred and eleven Pamphlet Laws eighty-two) entitled 'A supplement to an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini eighteen hundred and seventy-four providing for the incorporation of trustees appointed or to be appointed under the terms of any will deed grant or gift creating a trust or trusts for the benefit of the people of any incorporated city of this Commonwealth for the advancement of learning science music art or of any one or more of said purposes in which representatives of said city may have part in the management with power to confer degrees in art pure and applied science philosophy literature painting music medicine law and theology and for the supervision and regulation of the same' conferring upon the State Council of Education powers and duties heretofore vested in the College and University Council" absolutely

The act approved the twentieth day of May one thousand nine hundred twenty-one (Pamphlet Laws one thousand eighteen) entitled "An act to amend sections five and seven and repeal sections eight and ten of an act approved the twenty-sixth day of June one thousand eight hundred ninety-five (Pamphlet Laws three hundred twenty-seven) entitled 'An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature and medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from

the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources' conferring upon the State Council of Education powers and duties heretofore vested in the College and University Council" absolutely

The act approved the twenty-fifth day of May one thousand nine hundred twenty-one (Pamphlet Laws one thousand one hundred forty-one) entitled "An act to amend section three of an act approved the fourteenth day of June one thousand eight hundred eighty-seven (Pamphlet Laws three hundred eighty-three) entitled 'An act to provide for the incorporation and regulation of companies not for profit organized for the encouragement of the arts and sciences and of agriculture and horticulture and to confer upon such companies the right of eminent domain" as amended enabling said corporations to increase their bonded indebtedness" absolutely

The act approved the sixteenth day of May one thousand nine hundred twenty-three (Pamphlet Laws two hundred forty-six) entitled "An act to provide for the registration and protection of names titles or designations of associations societies orders foundations federations organizations and corporations of the first class" in so far as it relate to nonprofit corporations

The act approved the twenty-third day of May one thousand nine hundred twenty-three (Pamphlet Laws four hundred nineteen) entitled "An act to amend section six of an act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred twenty-seven) entitled 'An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer dergees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources' as amended by prescribing additional requirements for institutions conferring degrees making certain exceptions therefrom and imposing certain duties on the State Council of Education" absolutely

The act approved the twenty-fourth day of May one thousand nine hundred twenty-three (Pamphlet Laws four hundred thirty-eight) entitled "An act authorizing corporations incorporated under the laws of any other State of the United States to acquire use encumber and dispose of such real estate and rights and interests in in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired" in so far as it relates to nonprofit corporations

The act approved the thirteenth day of June one thousand nine hundred twenty-three (Pamphlet Laws six hundred ninety-seven) entitled "An act to amend part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' by authorizing certain corporations of the first class to be incorporated by the Governor" absolutely

The act approved the seventh day of April one thousand nine hundred twenty-five (Pamphlet Laws one hundred eighty-three) entitled "An act providing that certificates of association and articles of incorporation or of any improvements amendments or alterations thereto may be acknowledged and sworn or affirmed to before a notary public or justice of the peace validating such acknowledgments made prior to the approval of this act" in so far as it relates to nonprofit corporations

The act approved the seventh day of April one thousand nine hundred twenty-five (Pamphlet Laws one hundred eighty-four) (Number one hundred thirty-three) entitled "An act to amend section one of an act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws four hundred thirty-eight) entitled 'An act authorizing corporations incorporated under the laws of any other State of the United State to acquire use encumber and dispose of such real estate and rights and interests in in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired' by extending its provisions to corporations incorporated under the laws of the Districts of Columbia or by Act of Congress" in so far as it relates to nonprofit corporations

The act approved the thirtieth day of April one thousand nine hundred twenty-five (Pamphlet Laws four hundred three) entitled "An act relating to the dissolution of corporations and imposing certain duties on the Secretary of the Commonwealth and the prothonotaries" in so far as it relates to nonprofit corporations

The act approved the twelfth day of May one thousand nine hundred twenty-five (Pamphlet Laws six hundred fifteen) entitled "An act pertaining to corporations organized or doing business within the Commonwealth limiting the operation of their by-laws and providing for the execution of contracts notes mortgages et cetera by such corporations" in so far as it relates to nonprofit corporations

The act approved the ninth day of March one thousand nine hundred twenty-seven (Pamphlet Laws twenty-one) entitled "An act to amend the first portion of section two of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' as amended providing for the incorporation of first class corporations for the purpose of fostering the laying out adopting and improvement of highwas routes and transcontinental highways and limiting the amount of real estate to be held by first class corporations" absolutely

The act approved the twenty-ninth day of March one thousand nine hundred twenty-seven (Pamphlet Laws seventy) entitled "An act to amend section one of the act approved the twenty-fifth day of April one thousand eight hundred and seventy-six (Pamphlet Laws forty-seven) entitled 'An act supplementary to the act entitled "An act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini eighteen hundred and seventy-four extending its provisions to all who may have the right to vote at elections for directors managers or trustees' regulating the manner of voting in first class corporations" absolutely

The act approved the eighteenth day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred nine) entitled "An act to further amend part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' by eliminating the provisions authorizing certain corporations of the first class to be incorporated by the Governor" absolutely

The act approved the twenty-second day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred fifty-three) (Number two hundred eighteen) entitled "An act to amend subdivisions three of section three of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' by regulating the weekly advertisements for corporate charters" in so far as it relates to nonprofit corporations

The act approved the twenty-eight day of April one thousand nine hundred twenty-seven (Pamphlet Laws four hundred eighty-three) entitled "An act to further amend section two of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) as amended by providing for the incorporation of associations of taxpayers for the encouragement and promotion of good government in any county city borough or township" absolutely

The act approved the fifth day of May one thousand nine hundred twenty-seven (Pamphlet Laws eight hundred thirteen) entitled "An act to amend section one of an act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws four hundred thirty-eight) entitled 'An act authorizing corporations incorporated under the laws of any other State of the United States to acquire use encumber and dispose of such real estate and rights and interests in in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired" as amended by providing that stockholders of such corporations owning real estate in this State and who reside in this State shall have the right to inspect the books documents and records of such corporations the same as in case of domestic corporations and granting to courts of common pleas jurisdiction and power to enforce such right" in so far as it relates to nonprofit corporations

The act approved the sixth day of May one thousand nine hundred twenty-seven (Pamphlet Laws eight hundred twenty-eight) (Number four hundred seventeen) entitled "An act to further amend the second paragraph of the fifth section of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations'" absolutely

The act approved the thirteenth day of March one thousand nine hundred twenty-nine (Pamphlet Laws twenty-one) entitled "An act to amend the act approved the twenty-second day of April one thousand eight hundred and eighty-nine (Pamphlet Laws forty-two) entitled 'A supplement to "An act relating to corporations and to estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini one thousand eight hundred and fifty-five increasing the limit of real and personal estates which may be held by such corporations' by further increasing the limit of such estates which may be held by such corporations societies or congregations" in so far as it relates to nonprofit corporations

The act approved the eighteenth day of April one thousand nine hundred twenty-nine (Pamphlet Laws five hundred thirty-nine) entitled "An act to amend section two of the act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and one) entitled 'An act relating to the acquisition and holding of property real and personal by any literary scientific educational religious charitable benevolent or beneficial society church congregation association or body incorporated or any trustee or trustees of any trust for charitable or benevolent objects or purposes fixing the amount of such property which may thus be acquired and held and providing for the increase of such amount and a method of procedure for obtaining the right to such increase' by increasing limit of such estates which may be held by such corporations societies or congregations" in so far as it relates to nonprofit corporations

The act approved the twenty-sixth day of March one thousand nine hundred thirty-one (Pamphlet Laws ten) (Number eight) entitled "An act to amend subdivision three of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' as amended by regulating the advertising of application of charters for corporations of the first class" in so far as it relates to nonprofit corporations

The act approved the thirtieth day of March one thousand nine hundred thirty-one (Pamphlet Laws twelve) entitled "An act to amend the act approved the eighth day of June one thousand eight hundred and ninety-one (Pamphlet Laws two hundred eleven) entitled 'An act relating to real estate given or devised to corporations to be used for religious or charitable purposes' by eliminating the proviso requiring such corporations to divest themselves of such real estate within five years" in so far as it relates to nonprofit corporations

The act approved the fourth day of May one thousand nine hundred thirty-one (Pamphlet Laws eighty) entitled "An act providing for the dissolution of corporations organized for the support of public worship and for the preservation allocation and distribution of the property and assets of such corporations" absolutely

The act approved the fourth day of May one thousand nine hundred thirty-one (Pamphlet Laws eighty-two) entitled "An act authorizing the merger and consolidation of corporations organized and formed for the support of public worship" absolutely

The act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws eight hundred ninety-seven) entitled "An act to amend section forty-two of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' as amended providing for the giving of notice of amendments to corporate charters" in so far as it relates to nonprofit corporations

All other acts or parts of acts inconsistent herewith are hereby repealed in so far as they relate to nonprofit corporations

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148

Baker,	Harris,	Merrell,	Schwartz,
Barnhardt,	Hart,	Metzler,	Scott,
Bechtel,	Hartman,	Moore,	Sheffer,
Beech,	Heffernan,	Munley,	Shellenberger,
Bernhardt,	Hefferon,	Myers,	Shettel,
Boyd,	Heffner,	Negley,	Shortz,
Brancato,	Hermansen,	Nothnagle,	Shreiner,
Brown, J. E.,	Hester,	O'Connor,	Simon,
Brown, W. L.,	Hewitt,	O'Keefe,	Sinwell,
Brownfield,	Himes, H. E.,	O'Neill,	Snyder,
Caputo,	Himes, L. R.,	O'Rourke,	Sowers,
Carson,	Holmes, J. B.,	Patterson,	Stank,
Cohen,	Holmes, J. L.,	Peelor,	Steedle,
Conner,	Hoopes,	Pennock,	Stevens,
Cooke,	Howard,	Perry, D. R.,	Stevenson,
Craig,	Jaffe,	Perry, J. J.,	Stone,
Dane,	Kane, L. P.,	Peters,	Surface,
Davies,	Kinney,	Powell,	Tahl,
Denning,	Laubach,	Powers,	Terry,
Downey, J.,	Lewis,	Price,	Turner,
Dunmire,	Lord,	Quinn,	Wade,
Ederer,	Lose,	Raub,	Walker, G. E.,
Emhardt,	Lovett, J. E.,	Rectenwald,	Walker, W. A.,
Eroe,	Lovett, W. S.,	Reed,	Wasserman,
Evans,	Lynch, W. S.,	Reilly,	Way,
Fitzgerald,	Lynch, J. R.,	Rhodes,	Weidemann,
Flinchbaugh,	Male,	Roan,	Welsh,
Flynn,	Malina,	Root,	Westrick,
Gartner,	Maloney,	Roth,	Wike,
Gillette,	Marcks,	Royle,	Williams, G. W.,
Gorman,	Mason,	Ruby,	Wilson, L. M.,
Green,	McClure,	Ruth,	Wood,
Greenstein,	McElwee,	Sarig,	Wright,
Griffith,	McGrail,	Sautter,	Yeakel,
Habbyshaw,	McHenry,	Schrock,	Yourishin,
Haines,	McKay,	Schrope,	Talbot,
Hamilton,	Meredith,	Schwab,	Speaker.
Harmuth,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1120, entitled:

An Act providing a method for computing the time of imprisonment to be served by persons sentenced to pay any fine or costs in default of the payment thereof.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136

Baker,	Gorman,	Meredith,	Shugarts,
Barnhardt,	Greenstein,	Metzler,	Simon,
Bechtel,	Habbyshaw,	Mumford,	Sinwell,
Beech,	Hamilton,	Munley,	Snyder,
Bennett,	Harris,	Myers,	Sowers,
Bernhard,	Hartman,	Negley,	Spann,
Brancato,	Heffernan,	Nothnagle,	Steedle,
Brown, J. E.,	Hermansen,	O'Neil,	Sterling, P.,
Brownfield,	Hewitt,	O'Rourke,	Stevenson,
Cannon,	Himes, L. R.,	Patterson,	Stiteler,
Caputo,	Holmes, J. B.,	Peelor,	Stone,
Carson,	Holmes, J. L.,	Pennock,	Storb,
Chervenak,	Hoopes,	Perry, D. R.,	Stott,
Conner,	Horst,	Perry, J. J.,	Surface,
Cooke,	Hough,	Peters,	Tahl,
Cordier,	Hutton,	Powell,	Terry,
Craig,	Jaffe,	Powers,	Wade,
Dane,	Jones,	Price,	Wagner,
Davies,	Kane, J. J.,	Raub,	Walker, G. E.,
DeFrehn,	Kane, L. P.,	Rectenwald,	Walker, W. A.,
Denning,	Kinney,	Reilly,	Wasserman,
Downey, G. E.,	Lenahan,	Rhodes,	Way,
Duffy,	Lewis,	Roan,	Weidemann,
Dunmire,	Long,	Root,	Welsh,
Ederer,	Lose,	Roth,	Westrick,
Emhardt,	Lovett, W. S.,	Ruby,	Wike,
Eroe,	Lynch, M.,	Sarig,	Williams, G. W.,
Fitzgerald,	Male,	Schrope,	Witkin,
Flanagan,	Maloney,	Schwab,	Woodside,
Fleisher,	Mason,	Scott,	Wright,
Flynn,	McBride,	Shellenberger,	Yeakel,
Forrest,	McCandless,	Shettel,	Yourishin,
Furman,	McElwee,	Shortz,	Talbot,
Gallagher,	McGregor	Shreiner,	Speaker.
Gartner,	McKay,		

NAYS—3

McKinney,	Wall,	Schrock,

The majority required by the Constitution having voted in affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

STATEMENT BY MR. PHILIP STERLING

Mr. PHILIP STERLING asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, during the last week the House gave its unanimous consent that I introduce a bill by the provisions of which the business of the House might be facilitated in avoiding the recall from the Governor of bills on his desk where these recalls are made necessary by reason of typographical errors found in the bills after they reach the Governor's desk.

The House this morning passed finally that bill, which appeared on page 12 of today's calendar, bills on third reading, House Bill No. 2333, Printer's No. 1007. It will require three Legislative days in the Senate before the measure goes to the Governor for his approval or disapproval, and it occurred to me that the House, in concurrence with the Senate, might make the provisions of that bill equally as effectual if the House now would permit the introduction of a resolution that would do the same thing as the bill already introduced if it became a law.

RESOLUTION

Mr. PHILIP STERLING asked and obtained unanimous consent to offer the following resolution which was twice read and agreed to.

RESOLUTION

CORRECTING ERRORS IN LAWS

Mr. PHILIP STERLING asked and obtained unanimous consent to offer a resolution which was read by the Clerk as follows:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That where any law shall have been finally enacted and it shall be ascertained that such law is technically defective in form or contains misspelled words or typographical errors, or the plural or signular appears where the opposite should be used, the Secretary of the Commonwealth, in punctuating and editing such law, shall have authority, with the approval of the Attorney General and the Director of the Legislative Reference Bureau, to correct the original copy of such law as filed in the Department of State if such correction will not in any manner affect or change the meaning, intent or substance of such law; and be it further

Resolved, That whenever any correction on any law is made as hereinbefore authorized, a notation thereof shall be made on the original copy by the Secretary of the Commonwealth together with his signature, followed by the approval and signatures of the Attorney General and the Director of the Legislative Reference Bureau.

Mr. PHILIP STERLING. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution.

The SPEAKER. Will the House give its unanimous consent to the immediate consideration of the resolution? Are there objections? The Chair hears none, and consent is granted.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1741 FROM THE GOVERNOR

Mr. WAY asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 1741, Printer's No. 837, entitled "An act to amend Section ten as amended of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid

by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing for method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' by providing for the construction and maintenance of certain bridges in boroughs by the Commonwealth," be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1119 FROM THE GOVERNOR

Mr. HOOPES asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 1119, entitled "An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments and claims," be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1050, as follows:

An Act making it unlawful to give public moneys for the relief of the unemployed or the poor to any alien who entered the United States recently

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person or any officer or employe of the Commonwealth or of any municipal subdivision thereof that supervises or is concerned in the distribution of public moneys for the relief of the distress of the unemployed or the poor to give financial aid from such public moneys to any alien without first requiring such alien to produce proof that he or she entered the United States in a lawful manner

Section 2 It shall be mandatory upon any person or any officers or employee of the Commonwealth or of any municipal subdivision thereof that supervises or is concerned in the distribution of public moneys for the relief of the distress of the unemployed or the poor when giving financial aid from such public moneys to an alien that reliable information indicates has entered the United States of America unlawfully to at once notify the United States Department of Immigration at Washington District of Columbia that their information is that the said alien did enter United States of America unlawfully

Section 3 Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars ($50.00)

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138

Baker,	Habbyshaw,	Meredith,	Shortz,
Barnhardt,	Harmuth,	Metzler,	Shreiner,
Bechtel,	Hart,	Mohn,	Shugarts,
Bennett,	Heffernan,	Mumford,	Simon,
Boyd,	Hefferon,	Myers,	Sinwell,
Brennan,	Hermansen,	Negley,	Snyder,
Brown, W. L.,	Hester,	O'Keefe,	Sowers,
Brownfield,	Hewitt,	O'Neill,	Spann,
Cannon,	Himes, H. E.,	O'Rourke,	Stank,
Caputo,	Himes, L. R.,	Patterson,	Steedle,
Carey,	Holmes, J. B.,	Peelor,	Sterling, R. B.,
Carson,	Holmes, J. L.,	Pennock,	Stevens,
Chervenak,	Horst,	Perry, D. R.,	Stone,
Conner,	Hough,	Perry, J. J.,	Storb,
Cooke,	Howard,	Peters,	Stott,
Cordier,	Kane, L. P.,	Powell,	Surface,
Craig,	King,	Powers,	Walker, G. E.,
Dane,	Kinney,	Price,	Walker, W. A.,
Davies,	Laubach,	Raub,	Wall,
DeFrehn,	Lewis,	Rectenwald,	Wasserman,
Downey, J.,	Long,	Reed,	Way,
Duffy,	Lose,	Rice,	Weidemann,
Dunmire,	Lynch, M.,	Roan,	Welsh,
Ederer,	Male,	Root,	Westrick,
Eroe,	Maloney,	Roth,	White,
Evans,	Mason,	Royle,	Wike,
Fitzgerald,	McBride,	Ruby,	Williams, G. W.,
Fleisher,	McCandless,	Ruth,	Williams, J. J.,
Flinchbaugh,	McClure,	Sarig,	Witkin,
Flynn,	McCreary,	Sautter,	Wood,
Furman,	McElwee,	Schrock,	Woodside,
Gallagher,	McGinnis,	Scott,	Yeakel,
Gillette,	McGrail,	Sheffer,	Yourishin,
Gorman,	McGregor,	Shellenberger,	Talbot,
Griffith,	McKay,	Shettel,	Speaker.

NAYS—8

Hoopes,	Labar,	Lovett, J. E.,	Wagner,
Hutton,	Lenahan,	O'Connor,	Wilson, L. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2116 (Senate Bill No. 678), entitled:

An Act to amend sections four hundred and twenty-two and four hundred and twenty-three of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" removing the expenditure limit within which counties may contribute to the cost of the funerals of deceased service persons

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164

Baker,	Griffith,	McGinnis,	Schwartz,
Baldi,	Habbyshaw,	McGrail,	Scott,
Barnhardt,	Hamilton,	McGregor,	Sheffer,
Bechtel,	Harmuth,	McHenry,	Shellenberger,
Beech,	Harris,	McKay,	Shenkel,
Bernhard,	Hart,	McKinney,	Shettel,
Blumberg,	Hartman,	Melchiorre,	Shortz,
Boyd,	Heffernan,	Meredith,	Shugarts,
Brancato,	Hefferon,	Metzler,	Simon,
Brennan,	Heffner,	Mohn,	Snyder,
Brown, J. E.,	Hewitt,	Moore,	Sowers,
Brown, W. L.,	Himes, H. E.,	Mumford,	Spann,
Cannon,	Hoffman,	Munley,	Steedle,
Caputo,	Holmes, J. B.,	Myers,	Sterling, P.,
Carey,	Holmes, J. L.,	Negley,	Sterling, R. B.,
Carson,	Horst,	Nothnagle,	Stevens,
Chervenak,	Hough,	O'Keefe,	Stevenson,
Conner,	Howard,	O'Neill,	Stiteler,
Cooke,	Hutton,	O'Rourke,	Stone,
Craig,	Jaffe,	Perry, D. R.,	Storb,
Cramer,	Jones,	Pery, J. J.,	Stott,
Davies,	Kane, J. J.,	Peters,	Surface,
DeFrehn,	Kane, L. P.,	Powell,	Tahl,
Denning,	King,	Powers,	Terry,
Downey, G. E.,	Kinney,	Quinn,	Turner,
Downey, J.,	Labar,	Rectenwald,	Wade,
Dunmire,	Lane,	Reed,	Wagner,
Dwyer,	Laubach,	Reilly,	Walker, G. E.,
Ederer,	Lenahan,	Rhodes,	Wall,
Emhardt,	Long,	Rice,	Way,
Eroe,	Lose,	Roan,	Welsh,
Evans,	Lovett, W. S.,	Root,	Westrick,
Fitzgerald,	Lynch, J. R.,	Roth,	Wike,
Flanagan,	Lynch, M.,	Royle,	Williams, G. W.,
Fleisher,	Malina,	Ruby,	Williams, J. J.,
Flynn,	Maloney,	Ruth,	Witkin,
Forrest,	Marcks,	Sarig,	Wood,
Gallagher,	Mason,	Sautter,	Woodside,
Gartner,	McCandless,	Schrock,	Talbot,
Green,	McClure,	Schrope,	Speaker.
Greenstein,	McElwee,	Schwab,	

NAYS—7

Andrews,	Hoopes,	McCreary,	Wilson, L. M.,
Dane,	Male,	Scorza,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

PERMISSION GRANTED COMMITTEE ON GAME TO SIT DURING SESSION OF THE HOUSE

Mr. EDERER asked and obtained permission for the Committee on Game to sit during the session of the House in Room No. 324, at 4.45 o'clock this afternoon.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2306 (Senate Bill No. 262), entitled:

An Act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169

Andrews,	Harmuth,	McGrail,	Sheffer,
Baker,	Harris,	McGregor,	Shellenberger,
Bechtel,	Hart,	McKay,	Shenkel,
Beech,	Hartman,	McKinney,	Shortz,
Bennett,	Heffernan,	Melchiorre,	Shreiner,
Blumberg,	Hefferon,	Meredith,	Shugarts,
Boyd,	Heffner,	Merrell,	Simon,
Brancato,	Hermansen,	Metzler,	Sinwell,
Brennan,	Hewitt,	Mohn,	Sowers,
Brown, J. E.,	Himes, H. E.,	Mumford,	Spann,
Brownfield,	Hoffman,	Munley,	Stank,
Cannon,	Holmes, J. B.,	Myers,	Steedle,
Caputo,	Holmes, J. L.,	Negley,	Sterling, P.,
Carey,	Hoopes,	Nothnagle,	Sterling, R. B.,
Carson,	Horst,	O'Connor,	Stevens,
Chervenak,	Hough,	O'Keefe,	Stevenson,
Cohen,	Howard,	O'Neill,	Stone,
Cooke,	Hutton,	O'Rourke,	Storb,
Cordier,	Jones,	Patterson,	Stott,
Craig,	Kane, J. J.,	Peelor,	Surface,
Dane,	King,	Pennock,	Tahl,
Davies,	Kinney,	Perry, D. R.,	Terry,
DeFrehn,	Labar,	Peters,	Wade,
Denning,	Lane,	Powell,	Wagner,
Downey, J.,	Laubach,	Powers,	Walker, G. E.,
Duffy,	Lewis,	Price,	Wall,
Dunmire,	Long,	Quinn,	Wasserman,
Dwyer,	Lord,	Raub,	Weidemann,
Ederer,	Lose,	Rectenwald,	Welsh,
Emhardt,	Lovett, J. E.,	Reed,	Westrick,
Evans,	Lovett, W. S.,	Reilly,	White,
Flanagan,	Lynch, J. R.,	Rhodes,	Wike,
Flinchbaugh,	Lynch, M.,	Roan,	Williams, G. W.,
Flynn,	Male,	Root,	Williams, J. J.,
Forrest,	Malina,	Royle,	Wilson, L. M.,
Gallagher,	Maloney,	Ruby,	Witkin,
Gillette,	Marcks,	Ruth,	Wood,
Gorman,	Mason,	Sarig,	Wright,
Greenstein,	McBride,	Sautter,	Yeakel,
Griffith,	McClure,	Schrope,	Yourishin,
Habbyshaw,	McCreary,	Schwab,	Zimmerman,
Haines,	McElwee,	Schwartz,	Talbot,
Hamilton,	McGinnis,	Scorza,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2310 (Senate Bill No. 802), entitled:

An Act to amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent

operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds"; by adding thereto section eight hundred twenty-four, requiring certain vehicles to carry danger or caution signals and to display the same when the vehicle becomes disabled.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182

Andrews,	Habbyshaw,	McElwee,	Scott,
Baker,	Haines,	McGinnis,	Sheffer,
Baldi,	Hamilton,	McGrail,	Shellenberger,
Bechtel,	Harmuth,	McGregor,	Shenkel,
Beech,	Harris,	McHenry,	Shortz,
Bennett,	Hart,	McKay,	Shugarts,
Bernhard,	Hartman,	McKinney,	Simon,
Boyd,	Heffernan,	Meredith,	Sinwell,
Brancato,	Hefferon,	Merrell,	Snyder,
Brennan,	Heffner,	Mohn,	Sowers,
Brown, J. E.,	Hermansen,	Moore,	Spann,
Brown, W. L.,	Hester,	Mumford,	Stank,
Brownfield,	Himes, H. E.,	Munley,	Steedle,
Cannon,	Himes, L. R.,	Myers,	Sterling, P.,
Caputo,	Hoffman,	Negley,	Sterling, R. B.,
Carey,	Holmes, J. B.,	Nothnagle,	Stevens,
Carson,	Holmes, J. L.,	O'Connor,	Stevenson,
Chervenak,	Hoopes,	O'Keefe,	Stiteler,
Cohen,	Horst,	O'Neill,	Stone,
Conner,	Hough,	O'Rourke,	Stott,
Cooke,	Howard,	Patterson,	Surface,
Cordier,	Hutton,	Peelor,	Tahl,
Cramer,	Jaffe,	Pennock,	Turner,
Dane,	Jones,	Perry, D. R.,	Wade,
Davies,	Kane, L. P.,	Perry, J. J.,	Wagner,
DeFrehn,	King,	Peters,	Walker, G. E.,
Denning,	Kinney,	Powell,	Wall,
Downey, G. E.,	Labar,	Powers,	Wasserman,
Downey, J.,	Lane,	Quinn,	Way,
Duffy,	Laubach,	Raub,	Weidemann,
Dwyer,	Lewis,	Rectenwald,	Welsh,
Ederer,	Long,	Reed,	Westrick,
Emhardt,	Lord,	Reilly,	White,
Eroe,	Lose,	Rhodes,	Williams, G. W.,
Evans,	Lovett, W. S.,	Roan,	Williams, J. J.,
Fitzgerald,	Lynch, J. R.,	Root,	Wilson, L. M.,
Fleisher,	Lynch, M.,	Roth,	Wilson, T. B.,
Flinchbaugh,	Male,	Royle,	Witkin,
Flynn,	Malina,	Ruth,	Wood,
Forrest,	Maloney,	Sarig,	Wright,
Furman,	Marcks,	Sautter,	Yeakel,
Gallagher,	Mason,	Schrock,	Yourishin,
Gartner,	McBride,	Schrope,	Zimmerman,
Green,	McCandless,	Schwartz,	Talbot,
Greenstein,	McClure,	Scorza,	Speaker.
Griffith,	McCreary,		

NAYS—1

Terry,

The majority required by the Constitution having voted in the affirmtive, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILL ON THIRD READING

Mr. WIKE. Mr. Speaker, I desire to call up at this time House Bill No. 1850, Printer's No. 391, on page 18 of today's calendar, bills on third reading postponed.

BILLS ON THIRD READING

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Wike.

The House resumed the consideration on third reading of House Bill No. 1850, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled "For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garages keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the issuance of certain registration plates unless applied for on a form prescribed and furnished by the department and accompanied by an extra fee.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182

Andrews,	Haines,	McKinney,	Shettel,
Baker,	Hamilton,	Melchiorre,	Shortz,
Barnhardt,	Harmuth,	Meredith,	Shreiner,
Bechtel,	Harris,	Merrell,	Shugarts,
Beech,	Hart,	Metzler,	Simon,
Bennett,	Hartman,	Mohn,	Sinwell,
Bernhard,	Heffernan,	Moore,	Snyder,
Blumberg,	Hefferon,	Mumford,	Sowers,
Boyd,	Heffner,	Munley,	Spann,
Brancato,	Hermansen,	Myers,	Stank,
Brennan,	Hester,	Negley,	Sterling, P.,
Brown, J. E.,	Hewitt,	Nothnagle,	Sterling, R. B.,
Brown, W. L.,	Himes, H. E.,	O'Connor,	Stevens,
Brownfield,	Himes, L. R.,	O'Keefe,	Stevenson,
Cannon,	Holmes, J. B.,	O'Neill,	Stiteler,
Caputo,	Holmes, J. L.,	O'Rourke,	Stone,
Carey,	Hoopes,	Patterson,	Storb,
Carson,	Horst,	Peelor,	Stott,
Chervenak,	Hough,	Pennock,	Surface,
Cohen,	Howard,	Perry, D. R.,	Tahl,
Conner,	Hutton,	Perry, J. J.,	Terry,
Cooke,	Jaffe,	Peters,	Turner,
Cordier,	Kane, J. J.,	Powell,	Wade,
Craig,	Kane, L. P.,	Powers,	Wagner,
Cramer,	Kinney,	Price,	Walker, G. E.,
Dane,	Laubach,	Quinn,	Walker, W. A.,
Davies,	Lewis,	Raub,	Wall,
DeFrehn,	Long,	Rectenwald,	Wasserman,
Denning,	Lord,	Reilly,	Way,
Downey, G. E.,	Lose,	Rhodes,	Weidemann,
Downey, J.,	Lynch, J. R.,	Rice,	Welsh,
Duffy,	Lynch, M.,	Roan,	Westrick,
Dunmire,	Malina,	Root,	White,
Ederer,	Maloney,	Roth,	Wike,
Emhardt,	Marcks,	Royle,	Williams, G. W.,
Evans,	Mason,	Ruby,	Williams, J. J.,
Fitzgerald,	McBride,	Ruth,	Wilson, L. M.,
Fleisher,	McCandless,	Sarig,	Wilson, T. B.,
Flinchbaugh,	McClure,	Sautter,	Witkin,
Flynn,	McCreary,	Schrock,	Woodside,
Furman,	McElwee,	Schrope,	Wright,
Gallagher,	McGinnis,	Schwab,	Yeakel,
Gillette,	McGrail,	Schwartz,	Yourishin,
Gorman,	McGregor,	Scott,	Zimmerman,
Griffith,	McHenry,	Sheffer,	Talbot,
Habbyshaw,	McKay,	Shellenberger,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative,

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. MASON. Mr. Speaker, I desire to call up at this time House Bill No. 1456, Senate Bill No. 375, Printer's No. 124, on page 18 of today's calendar. This bill is erroneously on the third reading postponed calendar. It should be bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Mason,

The House resumed the consideration on final passage of House Bill No. 1456 (Senate Bill No. 375), entitled:

An Act fixing and regulating the fees commissions mileage and other costs chargeable by sheriffs for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the counties including the compensation of Special Deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to their counties for certain fees and commissions collected and repealing inconsistent laws general special or local.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162

Andrews,	Hamilton,	McKay,	Shettel,
Baker,	Harmuth,	McKinney,	Shortz,
Beech,	Harris,	Meredith,	Shreiner,
Bernhard,	Hart,	Metzler,	Shugarts,
Blumberg,	Hartman,	Mohn,	Simon,
Boyd,	Heffernan,	Moore,	Sinwell,
Brancato,	Hefferon,	Munley,	Sowers,
Brennan,	Heffner,	Negley,	Spann,
Brown, J. E.,	Hermansen,	Nothnagle,	Sterling, P.,
Brown, W. L.,	Hester,	O'Connor,	Sterling, R. B.,
Brownfield,	Hewitt,	O'Keefe,	Stevenson,
Cannon,	Himes, H. E.,	O'Neill,	Stiteler,
Caputo,	Himes, L. R.,	O'Rourke,	Storb,
Carey,	Holmes, J. B.,	Patterson,	Stott,
Carson,	Holmes, J. L.,	Peelor,	Surface,
Chervenak,	Hoopes,	Pennock,	Turner,
Cohen,	Horst,	Perry, D. R.,	Wade,
Conner,	Howard,	Perry, J. J.,	Wagner,
Cooke,	Hutton,	Peters,	Walker, G. E.,
Cordier,	Jaffe,	Powell,	Walker, W. A.,
Craig,	Jones,	Powers,	Wall,
Cramer,	Kane, J. J.,	Price,	Wasserman,
Dane,	Kane, L. P.,	Quinn,	Weidemann,
Davies,	Kinney,	Raub,	Welsh,
DeFrehn,	Lewis,	Rectenwald,	Westrick,
Denning,	Long,	Reilly,	White,
Downey, G. E.,	Lord,	Rhodes,	Wike,
Downey, J.,	Lose,	Rice,	Williams, G. W.,
Duffy,	Lynch, M.,	Roan,	Williams, J. J.,
Ederer,	Malina,	Root,	Wilson, L. M.,
Emhardt,	Maloney,	Roth,	Wilson, T. B.,
Eroe,	Marcks,	Royle,	Witkin,
Fitzgerald,	Mason,	Ruby,	Wood,
Flinchbaugh,	McBride,	Sarig,	Woodside,
Forrest,	McCandless,	Sautter,	Wright,
Gartner,	McCreary,	Schrope,	Yeakel,
Gillette,	McElwee,	Schwab,	Yourishin,
Green,	McGinnis,	Schwartz,	Zimmerman,
Griffith,	McGrail,	Sheffer,	Talbot,
Habbyshaw,	McGregor,	Shellenberger,	Speaker.
Haines,	McHenry,		

NAYS—1

Schrock,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1770, as follows:

An Act requiring the licensing of portable grinding mills conferring powers and imposing duties on the Department of Agriculture and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "portable grinding mill" as used in this act shall mean an apparatus or machine so contructed as to be moved from place to place and which is not located in a permanent place used and employed as a food or feed grinder oat huller or mill

The word "department" as used herein shall mean the Department of Agriculture of this Commonwealth

Section 2 No person association copartnership or corporation shall engage in the business of operating a portable grinding mill in this Commonwealth after the first day of January one thousand nine hundred and thirty-four unless having first obtained from the department a license so to do Provided however That the provisions of this act shall not apply to portable grinding mills used by farmers for their own use or to any portable grinding mill owned by an organization of farmers and used only for the benefit of the members of such organization

Section 3 Application for such license shall be made on forms furnished by the department Licenses shall expire on the thirty-first day of December of the year for which issued Each portable grinding mill shall require a separate license the fee for which shall be fifty ($50).

License fees for licenses issued for less than a year shall be reduced one-twelfth for each month not covered by said license

Section 4 Any person association copartnership or corporation operating a portable grinding mill contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions of the county within which such offense occurred shall be sentenced to pay a fine of two hundred dollars ($200) and costs of prosecution

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. WADE. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture for the purpose of further study.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1738, as follows:

An Act invoking the police power of this Commonwealth staying proceedings to sell real property on foreclosures of first mortgages for the period of eighteen months in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the exercise of the police power for the protection of the public health safety morals and welfare threatened by existing economic conditions and to prevent the unwarranted sale of property on first mortgages where the security

is adequate all proceedings whether by scire facias sur mortgage confession of judgment on mortgage bond or otherwise instituted prior to the effective date of this act to enforce the payment of the principal or any part thereof of any first mortgage on real property where all interest taxes insurance water rent and other charges on such mortgaged premises other than the principal of such mortgage and taxes for the current year have been paid and where the mortgaged property has not already been sold and where on petition of the owner of the mortgaged premises it shall be shown to the satisfaction of the court of common pleas that the security is adequate and the mortgage debtor is unable to pay the whole or any part of the principal of such mortgage then unpaid and /or taxes for the current year and is not avoiding payment thereof by reason of this act the court shall make a special order restraining the sale for a period of eighteen months from and after the effective date of this act and if such petition is presented and such order made before such writ is issued no such proceeding shall be commenced during such period and providing further that during said stay of eighteen months granted by the Court as herein provided that the owner of such mortgaged premises shall pay all interest taxes insurance water rent and other charges on such mortgaged premises other than the principal as said charges accrue by the terms of said bond and mortgage otherwise the stay granted by the Court shall immediately cease and determine and upon filing of an averment of default by the holder of such mortgage setting forth said default the prothonotary sheriff and other officers shall forthwith proceed with such writ of execution with the same force and effect as if no stay of proceedings was granted

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163

Andrews,	Gallagher,	McGinnis,	Shettel,
Baker,	Gillette,	McHenry,	Shortz,
Barnhardt,	Green,	McKay,	Shreiner,
Bechtel,	Griffith,	McKinney,	Shugarts,
Beech,	Haines,	Meredith,	Simon,
Bennett,	Harmuth,	Merrell,	Sinwell,
Bernhard,	Hart,	Metzler,	Snyder,
Blumberg,	Heffernan,	Moore,	Sowers,
Boyd,	Heffner,	Mumford,	Spann,
Brancato,	Hermansen,	Munley,	Sterling, R. B.,
Brennan,	Hewitt,	Myers,	Stevens,
Brown, J. E.,	Himes, H. E.,	Negley,	Stevenson,
Brown, W. L.,	Himes, L. R.,	Nothnagle,	Storb,
Brownfield,	Holmes, J. B.,	O'Connor,	Stott,
Cannon,	Holmes, J. L.,	O'Keefe,	Surface,
Carey,	Hoopes,	O'Neill,	Turner,
Carson,	Horst,	O'Rourke,	Wade,
Chervenak,	Hough,	Peelor,	Wagner,
Cohen,	Howard,	Pennock,	Walker, G. E.,
Conner,	Hutton,	Perry, J. J.,	Walker, W. A.,
Cooke,	Jaffe,	Peters,	Wall,
Cordier,	Jones,	Powell,	Wasserman,
Craig,	Kane, J. J.,	Powers,	Way,
Cramer,	Kane, L. P.,	Price,	Weidemann,
Dane,	Lane,	Quinn,	Welsh,
Davies,	Laubach,	Raub,	White,
DeFrehn,	Lewis,	Rectenwald,	Wike,
Denning,	Long,	Reilly,	Williams, G. W.,
Downey, G. E.,	Lord,	Rhodes,	Williams, J. J.,
Downey, J.,	Lose,	Rice,	Wilson, L. M.,
Duffy,	Lovett, J. E.,	Roan,	Wilson, T. B.,
Dunmire,	Lynch, M.,	Roth,	Witkin,
Dwyer,	Male,	Royle,	Wood,
Ederer,	Malina,	Ruth,	Woodside,
Emhardt,	Maloney,	Sarig,	Wright,
Eroe,	Mason,	Schrock,	Yeakel,
Evans,	McBride,	Schrope,	Yourishin,
Flanagan,	McCandless,	Schwab,	Zimmerman,
Fleming,	McCreary,	Scott,	Talbot,
Flynn,	McElwee,	Shellenberger,	Speaker.
Forrest,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2316 (Senate Bill No. 617), entitled:

An Act to amend section twenty-five of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions, debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies; including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devisd at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"; as amended, so as to limit the duration of the lien of legacies unless proceedings are brought to enforce their payment within ten years after the probate of the testator's will, or after said legacies become due and payable.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—23

Andrews,	McKinney,	Rhoder,	Way,
Chervenak,	O'Rourke,	Schrock,	Wike,
Emhardt,	Patterson,	Shreiner,	Williams, G. W.,
Evans,	Peelor,	Stevenson,	Wood,
Griffith,	Peters,	Wade,	Wright,
McGregor,	Price,	Wall,	

NAYS—108

Baker,	Heffernan,	McBride,	Schwartz,
Beech,	Hefferon,	McClure,	Scorza,
Bennett,	Hermansen,	McCreary,	Shellenberger,
Blumberg,	Hester,	McElwee,	Shenkel,
Boyd,	Hewitt,	McGinnis,	Shortz,
Brancato,	Hoffman,	McHenry,	Shugarts,
Brown, J. E.,	Holmes, J. B.,	Melchiorre,	Simon,
Brown, W. L.,	Hoopes,	Metzler,	Sinwell,
Cannon,	Hough,	Mohn,	Sowers,
Caputo,	Howard,	Moore,	Spann,
Carson,	Hutton,	Mumford,	Stank,
Conner,	Kane, J. J.,	Munley,	Sterling, R. B.,
Cooke,	Kane, L. P.,	Negley,	Stevens,
Cordier,	Kinney,	Nothnagle,	Tahl,
Davies,	Labar,	O'Keefe,	Terry,
DeFrehn,	Lane,	Pennock,	Turner,
Denning,	Laubach,	Perry, D. R.,	Wagner,
Duffy,	Lenahan,	Perry, J. J.,	Walker, W. A.,
Dunmire,	Lewis,	Powers,	Weidemann,

Eroe,	Long,	Quinn,	Westrick,
Fitzgerald,	Lord,	Reed,	Williams, J. J.,
Flanagan,	Lovett, J. E.,	Reilly,	Wilson, L. M.,
Flinchbaugh,	Lovett, W. S.,	Roan,	Witkin,
Gartner,	Lynch, M.,	Ruby,	Yeakel,
Green,	Male,	Ruth,	Yourishin,
Hamilton,	Maloney,	Sautter,	Talbot,
Harmuth,	Mason,	Schwab,	Speaker.
Hart,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

STATEMENT BY MR. CANNON

Mr. CANNON asked and obtained unanimous consent to make the following statement:

Mr. Speaker and ladies and gentlemen of the House, it is a known fact that we have had before us ever so often a bill known as the beer bill now in the Senate to be concurred in by that body as a relief measure.

I desire to state that in this nation since April 7th, 1933, beer has been restored to this nation by the honorable and courageous President Franklin D. Roosevelt, whom all here assembled must conscientiously confess is the man of the hour.

As a known fact the State of Pennsylvania is a part of this nation, therefore, we shall do well to remember that much success can be had by settling this question known as beer control for the part which it shall take toward relief, which is very important, as I previously stated before this House.

Relief we shall have in the future, but not by the course taken in the past sixteen weeks. While I still retain the idea that relief is necessary from all angles by this body assembled here for legislation, again I ask in this week, which will actually be the seventeenth week, the least we can do for our constitutents is to follow the Democratic idea this week, for the people, by the people and with the people.

A new deal in Pennsylvania is needed and it is generally felt that a new deal is desirable. Positively we should have a sensible beer bill with conditions improving as rapidly in the nation as time warrants.

Here in this General Assembly of the Commonwealth of Pennsylvania we have had before us numerous bills, bills of importance, some of which I consider to be major issues, which recently after much strife reached their destination; but how?

As the hour of 11.00 o'clock A. M. has again passed; heretofore there has been an honest endeavor by a large percentage of this House to support active legislation which it seems impossible to get before this body, due to various committees which are so involved, whereby a motion agreed to on March 28, 1933, before the members assembled, to discharge the committee after a special order of business for a third reading, passed finally April 4, 1933, to concur with the Senate.

It is a fact that this bill, listed with others, as House Bill No. 65, means a new deal for the people of this Commonwealth. While the people of Pennsylvania look to us for legislation some here may wonder what it is all about, and I dare say another percentage of the members of this House know that the people of this Commonwealth can no longer be fooled. Allow them to have the old age pension put into effect and it shall be in no way a detriment to this State, as a fact it shall prove as much of a success as it has in the states where it has become a law.

The Workmen's Compensation Act is successfully proven to to be a value in this Commonwealth; the old age pension system absolutely will accomplish the same.

In the dying days of this session of seventeen weeks, get busy, follow the honorable, courageous President's methods, show your power, give the people what they desire; and that is the theme of this which I clipped out of last months "Philadelphia Record:"

"Dictator Grundy

"Joseph R. Grundy sets himself up as dictator to deny old-age pensions to Pennsylvania.

"Although the measure was passed by the last Legislature and has an unquestioned majority in this one, Grundy is against old-age pensions—and old-age pensions may be killed.

"Two of his political henchmen, Buckman and Fay, aided by our own Senator Woodward, are smothering the act in the subcommittee of which they are members.

"Success for Grundy means a five-year setback for old-age pensions in Pennsylvania.

"Arch-lobbyist and reactionary, guiding spirit of the Pennsylvania Manufacturers' Association, Grundy's chief purpose is the imposition of ever higher tariffs to tax the people for the benefit of himself and other manufacturers.

"His chief dislike is for any social legislation that may tax him and the group he represents for the benefit of the people.

"In this State his power is particularly pernicious because he not only wields great influence in the regular Republican organization, but has a claim on Pinchot for services rendered in the latter's election to the Governorship.

"That may explain why the Governor, although known to favor old-age pensions, has declined to work actively for their enactment.

"Long experience in other countries and other States has shown the superiority, in humanity and cost of old-age pensions over the poorhouse.

"Grundy favors the poorhouse.

"Will the Legislature permit his dictation?"

In conclusion, I desire to lay before this House an appeal for House Bill No. 2038 sponsored by myself in honor due to mothers, which we all had, by designating a day and declaring as Mother's Day the fifteenth day of August as a legal holiday.

Therefore, I ask the gentleman from Philadelphia, Mr. Price, Chairman of the Judiciary Local Committee, whom I approached, along with the few I did not approach, to give the measure consideration, report the bill out of committee as an honor to Mother.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1420, entitled:

An Act requiring Public samplers and Public weighers of cargo of ships at ports in cities of the first class to be residents of such cities and to be licensed and providing penalties

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. DENNING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 76, entitled:

An Act to amend subdivision (b) of article three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance ex-

changes and certain societies and orders, the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers; providing penalties and repealing existing laws," as amended by providing for the valuation of securities held by insurance companies other than life insurance companies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165

Andrews,	Harris,	McGregor,	Sheffer,
Baker,	Hart,	McHenry,	Shellenberger,
Bennett,	Hartman,	McKay,	Shenkel,
Boyd,	Heffernan,	McKinney,	Shettel,
Brown, J. E.,	Hefferon,	Melchiorre,	Shortz,
Brown, W. L.,	Heffner,	Meredith,	Shreiner,
Brownfield,	Hermansen,	Merrell,	Shugarts,
Caputo,	Hewitt,	Metzler,	Simon,
Carey,	Himes, H. E.,	Mohn,	Snyder,
Carson,	Hoffman,	Mumford,	Spann,
Chervenak,	Holmes, J. L.,	Munley,	Stank,
Cohen,	Hoopes,	Myers,	Sterling, R. B.,
Conner,	Horst,	Nothnagle,	Stevens,
Cooke,	Hough,	O'Connor,	Stevenson,
Cordier,	Howard,	O'Keefe,	Stone,
Craig,	Hutton,	O'Neill,	Storb,
Cramer,	Jaffe,	O'Rourke,	Surface,
Davies,	Jones,	Peelor,	Tahl,
DeFrehn,	Kane, J. J.,	Pennock,	Terry,
Denning,	Kane, L. P.,	Perry, D. R.,	Wade,
Duffy,	King,	Perry, J. J.,	Wagner,
Dunmire,	Labar,	Peters,	Walker, W. A.,
Ederer,	Lane,	Powell,	Wall,
Emhardt,	Laubach,	Powers,	Wasserman,
Eroe,	Lewis,	Quinn,	Way,
Evans,	Long,	Raub,	Weidemann,
Flanagan,	Lord,	Rectenwald,	Welsh,
Fleisher,	Lose,	Reed,	Westrick,
Flinchbaugh,	Lovett, J. E.,	Reilly,	Wike,
Flynn,	Lovett, W. S.,	Rhodes,	Williams, G. W.,
Forrest,	Lynch, J. R.,	Roan,	Williams, J. J.,
Gallagher,	Male,	Root,	Wilson, L. M.,
Gartner,	Malina,	Ruby,	Wilson, T. B.,
Gillette,	Maloney,	Ruth,	Witkin,
Gorman,	Marcks,	Sarig,	Woodside,
Green,	Mason,	Sautter,	Wright,
Greenstein,	McCandless,	Schrock,	Yeakel,
Griffith,	McClure,	Schwab,	Yourishin,
Habbyshaw,	McCreary,	Schwartz,	Zimmerman,
Haines,	McElwee,	Scorza,	Talbot,
Hamilton,	McGrail,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

JOINT COMMITTEE TO INVESTIGATE DEPARTMENT OF PROPERTY AND SUPPLIES

Mr. DENNING offered the following resolution which was twice read by the Clerk as follows:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That the Speaker of the House of Representatives appoint four Members of the House, and the President pro tempore of the Senate appoint three Members of the Senate, who, together, shall constitute a Joint Legislative Committee, whose duty it shall be to thoroughly investigate affairs of the Department of Property and Supplies relating to legislative printing, the work of the Public Printer, the purchase of supplies for State printing, ways and means of improving legislative printing in the interest of economy and efficiency, and such other matters and affairs relating to legislative printing as the Committee deems necessary.

Resolved, That said Committee shall have power to issue subpoenas under the hand and seal of its chairman, requiring and commanding any person to appear before it and to answer such questions touching matters properly being inquired into by the Committee and to produce such books, papers, records and documents as the Committee may deem necessary. Such subpoenas under the hand and seal of its chairman, requiring and commanding any person to appear before it and to answer such questions touching matters properly being inquired into by the Committee and to produce such books, papers, records and documents as the Committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoens issued out of the courts of this Commonwealth. Each Member of the Committee shall have power to administer oaths of affirmations to witnesses appearing before it. Any person who shall willfully neglect or refuse to appear and testify before said Committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of this Commonwealth in such cases.

Resolved, That an item be inserted in the General Appropriation Bill to pay the expenses of said Committee.

Resolved, That said Committee shall make report of its findings accompanied by such drafts of legislation as it deems necessary to the next Session of the Legislature.

The SPEAKER. Will the House give its unanimous consent to the offering of the resolution at this time? Are there objections?

Mr. McKINNEY. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1991, as follows:

An Act requiring county treasurer excepting counties of the first class to make monthly settlements with all cities boroughs townships school districts and poor boards within the county for all delinquent taxes penalties fines and costs collected during said period and providing the manner in which same shall be made

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That upon the passage and signing of this act the treasurer of each county excepting counties of the first and second class shall make a monthly return and statement to each city borough township school district and poor board within the county Said return shall be made within ten days following the first day of each month and shall show all delinquent taxes penalties fines and costs collected by said treasurer Said report or settlement shall also give a detailed description of the tax in question with the name of the taxpayers and a full and sufficient description of the property to which the tax in question relates

Section 2 At the time of making said settlement and report the treasurer shall also remit all taxes penalties fines and costs and in said report shall make a proper segregation showing separately the amount and kind of tax the year to which the same relates amount of penalties interest and costs

Section 3 All penalties costs fines and interest relating to any tax collected by the county treasuer and belonging to any city borough township school district or poor board shall be monthly transmitted to said city borough township school district or poor board and shall in no way belong to or become the property of the county

Section 4 All forms of reports or transmittals shall be uniform and shall be furnished and supplied by the county commissioners and at the expense of the county

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170

Andrews,	Hester,	Melchiorre,	Shortz,
Baker,	Hewitt,	Meredith,	Shreiner,
Baldi,	Himes, H. E.,	Merrell,	Shugarts,
Barnhardt,	Himes, L. R.,	Metzler,	Simon,
Bennett,	Hoffman,	Mohn,	Sinwell,
Boyd,	Holmes, J. B.,	Mumford,	Snyder,
Brancato,	Holmes, J. L.,	Munley,	Sowers,
Brennan,	Hoopes,	Negley,	Spann,
Brown, W. L.,	Horst,	Nothnagle,	Stank,
Carson,	Hough,	O'Connor,	Steedle,
Chervenak,	Howard,	O'Keefe,	Sterling, R. B.,
Cordier,	Hutton,	O'Neill,	Stevens,
Dane,	Jaffe,	O'Rourke,	Stevenson,
DeFrehn,	Jones,	Patterson,	Stiteler,
Denning,	Kane, J. J.,	Peelor,	Stone,
Duffy,	Kane, L. P.,	Pennock,	Surface,
Dunmire,	King,	Perry, D. R.,	Tahl,
Ederer,	Kinney,	Perry, J. J.,	Terry,
Emhardt,	Lane,	Peters,	Turner,
Evans,	Laubach,	Powell,	Wade,
Fitzgerald,	Lenahan,	Powers,	Walker, G. E.,
Flanagan,	Lewis,	Price,	Walker, W. A.,
Flinchbaugh,	Long,	Quinn,	Wall,
Flynn,	Lord,	Raub,	Wasserman,
Forrest,	Lose,	Rectenwald,	Way,
Furman,	Lovett, J. E.,	Reed,	Weidemann,
Gallagher,	Lovett, W. S.,	Rhodes,	Welsh,
Gartner,	Lynch, J. R.,	Rice,	Westrick,
Gillette,	Lynch, M.,	Roan,	Wike,
Gorman,	Male,	Roth,	Williams, G. W.,
Green,	Malina,	Royle,	Williams, J. J.,
Griffith,	Maloney,	Ruby,	Wilson, L. M.,
Habbyshaw,	Mason,	Sarig,	Wilson, T. B.,
Haines,	McBride,	Sautter,	Witkin,
Hamilton,	McClure,	Schrock,	Wood,
Harmuth,	McCreary,	Schrope,	Woodside,
Harris,	McElwee,	Schwab,	Wright,
Hart,	McGinnis,	Schwartz,	Yeakel,
Hartman,	McGrail,	Scorza,	Yourishin,
Heffernan,	McGregor,	Scott,	Zimmerman,
Hefferon,	McHenry,	Sheffer,	Talbot,
Heffner,	McKay,	Shenkel,	Speaker.
Hermansen,	McKinney,	Shettel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2136 (Senate Bill No. 764), entitled:

An Act to amend section one as amended by the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred twenty-eight) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highway when constructed shall become a part of the system of State highways of the Commonwealth" by providing that roads taken over as parallel highways may intersect or cross over the highway to which they are parallel

On the question,

Will the House agree to the bill on third reading?

Mr. McELWEE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 13, by inserting after the word "as" the following: "approximately"

Amend title, page 1, line 14, by inserting after the word "are" the following: "approximately"

Amend section 1, page 3, line 1, by striking out the letter "a" and insert in lieu thereof "an approximately"

Amend section 1, page 3, line 2, by inserting after the word "is" the following: "approximately"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING

The SPEAKER. The Chair will now return to House Bill No. 2096, on page 16 of today's calendar which was passed over a short time ago.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2096, as follows:

An Act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited at the "1933 Beverage Tax Law"

Section 2 The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

"Beverages" Alcoholic beverages which include beer lager beer ale porter wine similar fermented malt or vinous liquor and fruit juice containing one-half of one per centum or more of alcohol and not more than 3.2 per centum or more of alcohol by weight by whatever name such liquors or fruit juices may be called the manufacture and sale of which for beverage purposes is not prohibited by the laws of the United States

"Department" Department of Revenue of this Commonwealth

"Distributor" A person engaged in the purchase and resale of beverages in the original sealed packages as prepared for market by the manufacturer or bottler including any who or which

1 Imports or causes to be imported from any other state or territory of the United States or from any foreign country beverages for his own use in the Commonwealth of Pennsylvania or for sale and delivery in and after reaching the Commonwealth other than in the original package receptacle or container

2 Imports or causes to be imported from any other state or territory of the United States or from any foreign country beverages for his own use in the Commonwealth of Pennsylvania or for sale or delivery therein after the same have come to rest or storage therein whether or not in the original package receptacle or container

3 Purchases or receives beverages in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use or for sale and delivery therein from any person who has imported the same from a foreign country

4 Purchases or receives beverages in the original package receptacle or container in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein from any person who has imported the same from any other state or territory of the United States in case such beverages have not prior to such purchase or receipt come to rest or storage in the Commonwealth of Pennsylvania

5 Receives and in any manner uses or distributes beverages in the Commonwealth of Pennsylvania on which the tax provided in this act has not been previously paid

"Manufacturer" A person engaged in the brewing manufacturing or bottling of beverages for sale

"Original Container" Bottle cask keg or other container that has been securely capped or corked by the manufacturer with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing the same

"Person" An individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals or a corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to a partnership limited partnership or any other form of unincorporated enterprise shall mean the partners or members thereof and as applied to corporations the officers thereof

"Retail Dealer" A person engaged in the retail sale of beverages either for consumption on the premises or not for consumption on the premises where sold

"Sale" Any transfer for a consideration exchange barter gift offer for sale and distribution in any manner or by any means whatsoever

The singular shall include the plural and the masculine shall include the feminine and the neuter

Section 3 Each manufacturer or distributor shall be subject to pay to the Commonwealth the taxes imposed by this section upon all beverages manufactured in this Commonwealth when prepared for market or imported into this Commonwealth when the same come to rest or storage in this Commonwealth Such taxes shall be at the rate of one-half cent (½c) per pint of sixteen (16) fluid ounces or fraction thereof

The tax rates per barrel or standard fraction thereof are as follows

Standard	Fraction	Malt Tax Rate	Volume
1	barrel	$1.24	31 gal.
1/2	barrel	.62	15 1/2 gal.
1/3	barrel	.42	10 1/3 gal.
1/4	barrel	.31	7 3/4 gal.
1/6	barrel	.21	5 1/6 gal.
1/8	barrel	.16	3 7/8 gal.
1	gallon	.04	
1/2	gallon	.02	
1	quart	.01	
1	pint	.005	

Manufacturers and distributors shall be liable to the Commonwealth as taxpayers for the payment of the taxes imposed by this act

Section 4 The payment of the taxes herein provided shall be evidenced by the affixing of beverage tax stamps or crowns to the original containers in which all beverages are placed received stored shipped or handled Such stamps or crowns shall be affixed to each individual container or beverages by manufacturers within twenty-four (24) hours and by distributors within forty-eight (48) hours after such beverages are placed therein or received by them

It is the intent and purpose of this section to require all manufacturers and distributors to affix the stamps or crowns provided for in this act to all original containers in which beverages are normally placed prepared for market received sold or handled

Any manufacturer or distributor who shall sell beverages to retail dealers or consumers without affixing to the containers the stamps or crowns required by this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to suffer imprisonment for a term not exceeding six (6) months or both in the discretion of the court and in the case of a conviction of a second or subsequent offense hereunder shall be sentenced to pay a fine of not less than two hundred dollars ($200.00) or more than one thousand dollars ($1,000.00) and to suffer imprisonment for a term of not less than six (6) months or more than three (3) years

Any manufacturer or distributor who shall be convicted of a misdemeanor under this section shall in addition to the punishment heretofore prescribed be adjudged to pay to the Commonwealth the tax due together with interest at the rate of twelve (12) per centum per annum from the date when due and payable Such adjudication shall be certified to the prothonotary of the county and shall be indexed as and have the effect of a judgment for the amount of such tax and interest

Section 5 The Department shall prescribe prepare and furnish stamps or crowns of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The Department shall make provision for the sale of such stamps or crowns in such places and at such times as it may deem necessary

The Department may appoint persons within or without the Commonwealth as agents for the sale of stamps or crowns to be used in paying the tax herein imposed upon sales of beverages and whenever the Department shall sell consign or deliver to any such agent any such stamps or crowns for sale or use such agent shall be entitled to receive as compensation for his services and expenses as such agent and to retain out of the moneys to be paid by him for such stamps a commission of one-half of one per centum on the face value thereof The Department is hereby authorized and required to allow such commission or compensation in the settlement of the accounts of such agent upon payment by him into the State Treasury through the Department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps or crowns

Section 6 Stamps shall be affixed in such manner that their removal will require continued application of steam or water

Section 7 For the purpose of verifying the stamp requirements it shall be the duty of every manufacturer and distributor on or before the fifth day of the succeeding month to transmit to the Department on forms supplied by the Department a report under oath or affirmation of beverages prepared for market or which were imported and came to rest or storage at his place of business in this Commonwealth during the preceding month Such report shall show the number of barrels or standard fraction thereof prepared for market or imported during the period for which it is made and such further information as the Department shall prescribe Each manufacturer and distributor shall maintain and keep for a period of two (2) years such record or records of beverages manufactured or imported together with invoices bills of lading and other pertinent papers as may be required by the Department

Section 8 The Department or any agent appointed in writing by it is hereby authorized to examine the books papers invoices and other records and the stock of beverages in and upon any premises where the same are placed stored or sold to verify the payment of or liability for the tax imposed by this act Any person in possession of such beverages is hereby directed and required to give the Secretary of Revenue or his duly authorized representative the means facilities and opportunity for such examination

Section 9 Producers or other vendors of beverages from without this Commonwealth may purchase stamps or crowns from the Department and affix them in the manner prescribed by the Department to original containers of beverages to be sold in this Commonwealth in which case the recipient of such beverages within this Commonwealth shall not be required to purchase and affix stamps or crowns thereon

Section 10 In case any beverages upon which stamps or crowns have been placed by manufacturers or distributors have been sold and shipped to a regular dealer in such beverages in another state the seller in this Commonwealth shall be entitled to a refund of the actual amount of tax paid upon condition that the seller in this Commonwealth shall make affidavit that the beverages were so sold and shipped and that he shall furnish from the purchaser a written acknowledgment that he has received such beverages and the amount of stamps or crowns thereon together with the name and address of the purchaser whereupon the Department shall with the approval of the Board of Finance and Revenue issue to the seller in this Commonwealth stamps or crowns of sufficient value to cover the refund

Section 11 The Department may promulgate rules and regulations to relieve manufacturers or distributors from affixing the stamps or crowns on such goods as are sold and shipped to points outside this Commonwealth

Section 12 It shall be unlawful for any retail dealer consumer or other person to accept delivery of taxable beverages in containers upon which stamps or crowns do not appear and upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace he shall be fined ten dollars ($10.00) and in default of payment thereof shall undergo imprisonment for not more than five (5) days

Section 13 Any person who shall fail neglect or refuse to comply with or shall violate the rules and regulations prescribed adopted and promulgated by the Department under the provisions of this act or who shall refuse to permit the Department or any agent appointed by it in writing to examine his books papers invoices and other records his stock of beverages in and upon any premises where the same are prepared stored and sold and his equipment pertaining to the manufacture or sale of beverages taxable under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to suffer imprisonment of not more than six (6) months or both in the discretion of the court

Section 14 Any person who falsely or fraudulently makes forges or alters or counterfeits any stamp or crown prescribed by the Department under the provisions of this act or causes or procures to be falsely or fraudulently made forged altered or counterfeited any such stamp or crown or knowingly and wilfully utters publishes passes or tenders as true any such false altered forged or counterfeited stamp or crown or uses more than once any stamp or crown provided for and required by this act for the purpose of evading the tax hereby imposed and assessed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to suffer imprisonment for a term of not less than two (2) years or more than five (5) years

Section 15 The Department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

Section 16 All taxes fines penalties and interest received collected or accruing under the provisions of this act shall be paid into the General Fund of the State Treasury by and through the Department

Section 17 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 18 This act shall become effective on the date of its approval by the Governor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160

Andrews,	Hart,	McGrail,	Shreiner,
Baker,	Hartman,	McHenry,	Shugarts,
Beech,	Heffernan,	McKay,	Simon,
Bennett,	Hefferon,	McKinney,	Sinwell,
Bernhard,	Heffner,	Meredith,	Sowers,
Blumberg,	Hermansen,	Merrell,	Spann,
Boyd,	Hester,	Metzler,	Stank,
Brancato,	Hewitt,	Mumford,	Steedle,
Brennan,	Himes, H. E.,	Nothnagle,	Sterling, P.,
Brown, J. E.,	Himes, L. R.,	O'Connor,	Sterling, R. B.,
Brown, W. L.,	Holmes, J. L.,	O'Keefe,	Stevens,
Brownfield,	Hoopes,	O'Neill,	Stevenson,
Carson,	Horst,	O'Rourke,	Stiteler,
Chervenak,	Hough,	Peelor,	Stott,
Cohen,	Howard,	Pennock,	Surface,
Conner,	Hutton,	Perry, D. R.,	Tahl,
Cooke,	Jaffe,	Perry, J. J.,	Terry,
Cordier,	Jones,	Powell,	Tuner,
DeFrehn,	Kane, J. J.,	Price,	Wade,
Dunmire,	Kane, L. P.,	Quinn,	Walker, G. E.,
Ederer,	King,	Raub,	Walker, W. A.,
Emhardt,	Kinney,	Rectenwald	Wall,
Eroe,	Labar,	Reed,	Wasserman,
Evans,	Lane,	Reilly,	Way,
Flanagan,	Laubach,	Rhodes,	Weidemann,
Fleisher,	Lewis,	Roan,	Welsh,
Flinchbaugh	Long,	Root,	Westrick,
Flynn,	Lord,	Roth,	White,
Forrest,	Lose,	Royle,	Wike,
Furman,	Lovett, J. E.,	Ruby,	Williams, G. W.,
Gallagher,	Lovett, W. S.,	Ruth,	Williams, J. J.,
Gartner,	Lynch, J. R.,	Sarig,	Wilson, L. M.,
Gillette,	Lynch, M.,	Sautter,	Wilson, T. B.,
Green,	Male,	Schrock,	Witkin,
Greenstein,	Malina,	Schrope,	Woodside,
Griffith,	Marcks,	Schwab,	Wright,
Habbyshaw,	Mason,	Schwartz,	Yeakel,
Haines,	McBride,	Sheffer,	Yourishin,
Hamilton,	McCandless,	Shellenberger	Zimmerman,
Harmuth,	McClure,	Shettel,	Talbot,
Harris,	McGinnis,	Shortz,	Speaker.

NAYS—2

Lenahan,	McElwee,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING

The SPEAKER. The Chair returns to House Bill No. 2323, Senate Bill No. 1205, on page 2 of today's calendar, bills on second reading, which was passed over when it was reached in its order.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 2323 (Senate Bill No. 1205), as follows:

An Act to amend the act approved the twenty-eighth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred two) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" providing for liability for damages caused by the negligent operation of a motor boat

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the twenty-eighth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred two) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" be and the same is hereby amended to read as follows

Section 3 Any person owning a motor boat and desiring to operate or navigate the boat or cause it to be operated or navigated on any inland water shall make a written application to the [board] Department of Revenue for a license for such boat Such application shall be made on a form prescribed prepared and furnished by the [board] Department of Revenue and together with such other information as the [board] Department of Revenue may require shall state

(a) The name and address of the applicant and if the applicant is a partnership the names and addresses of all the partners and if the applicant is a corporation the names and addresses of the officers

(b) The size seating or other capacity gross weight and type of the boat

(c) The type number of cylinders the horse power and maximum speed of the motor and the type of muffler or underwater exhaust used in connection with such motor

(d) The engine number of the motor which propels the boat

Upon receipt of an application and upon the payment of a license fee of one dollar for each cylinder of the motor built in or attached to the boat the [board] Department of Revenue shall issue to the applicant owner a license for his boat together with duplicate metallic license plates which plates shall contain a serial number at least five inches in height corresponding with the number on the license issued to the owner and shall be displayed conspicuously at all times one on each side of the bow of the boat The owner may paint or stencil a facsimile of the license plates one on each side of the bow of the motor boat provided such license plates are stored in such motor boat [Such license and license plates shall be valid until the thirty-first day of December next following the date of their issuance and may be renewed from year to year upon application and payment of a fee as in the case of the procurement of an original license] Such license plates or facsimile of such license plates shall be used only on the boat the engine of which bears the number set forth in the application

Section 2 That following section three of said act the following new sections are hereby added to read as follows

Section 4 Dealers' license plates bearing the additional mark "X" may be used on any motor boat in the possession of such manufacturer jobber or dealer when the boat is being used for demonstration purposes Application for dealers' licenses shall be made upon a form provided by the Department of Revenue and shall set forth the full name and business address of the applicant and such other information as the Department of Revenue shall require and shall be signed by such manufacturer jobber or dealer Upon receipt of the application and upon the payment of a license fee of five dollars for the initial set and five dollars for each additional set the Department of Revenue shall issue to the applicant manufacturer jobber or dealer a dealer's license together with duplicate metallic license plates which plates shall contain the letter "X" and a seriol number corresponding with the number on the license issued to the dealer and shall be displayed conspicuously one on each side of the bow of the boat being used by the dealer

Section 5 Dealers' and owners' license plates shall be valid from year to year provided the license is renewed as hereinafter required If the license is not renewed it shall be the duty of the motor boat owner to forward the license plates in his possession to the Department of Revenue and remove the facsimile of such license plates immediately upon the expiration of his license In the event the license plates have been lost or destroyed a sworn statement to that effect shall be submitted to the Department of Revenue in lieu of the license plates Dealers' and owners' licenses shall be valid until the thirty-first day of December next following the date of their issuance and may be renewed from year to year upon application and payment of a fee as in the case of procurement of an original license

Section 6 Special licenses and license plates shall be issued free of charge by the Department of Revenue for State-owned and operated motor boats

Section 7 Upon the transfer of ownership or the destruction of any motor boat the owner shall remove the license plates therefrom immediately and forward same to Department of Revenue In the case of transfer of ownership the facsimile of the license plates of the transferor must be removed In the event the license plates have been destroyed a sworn statement to that effect shall be submitted to the Department of Revenue in lieu of the license plates The owner may transfer license plates to another motor boat which he owns and which is propelled by a motor having the same or less number of cylinders as the one for which the license was originally procured provided he notifies the Department of Revenue within ten (10) days of such transfer The notice shall specify the engine number of the motor boat to which the license plates were transferred Transfer of license plates from a motor boat in one classification to a motor boat of a higher classification is prohibited

Section 8 In the event of a lost destroyed or illegible license or license plate it shall be the duty of the owner to apply to the Department of Revenue for a duplicate within forty-eight (48) hours of his discovery of the loss or defacement of such license or license plate upon a form furnished by the Department of Revenue and accompanied by a fee of twenty-five cents in the case of a license and fifty cents in the case of license plates If a facsimile of the license plates is used such facsimile shall be kept in a readable condition

Section 9 No boat propelled by any type of internal combustion motor of one or more cylinders including outboard motors shall be operated on any of the inland waters unless the same is equipped with an underwater exhaust or with a muffler having at least two baffle plates Such muffler and baffle plates shall be in good working order and of a type approved by the board No cut-outs or other devices shall be used to make such muffler ineffective Provided That nothing contained in this section shall be construed to require motors to be so muffled when boats are engaged in legitimate racing contests or in preparation for the same

Section 10 Every owner of a motor boat causing or knowingly permitting any person to operate a motor boat on any inland waters and any person who leases or furnishes a motor boat to any other person shall be jointly and severally liable with such other person for any damages caused by the negligence of such other person in operating such motor boat

Section [4] 11 The board is hereby authorized and empowered to prescribe promulgate and enforce

(a) General rules and regulations to be observed in the operation or navigation of motor boats upon over or through inland waters which it shall deem necessary for the public health or the safety of persons or property or or in such waters or for the preservation of all forms of useful aquatic life particularly as to speed running lights signals courses channels rights-of-way and the disposal of oil gas gasoline tificial or natural areas of waters for further limiting or or other wastes from such boats

(b) Special rules and regulations for such particular arrestricting or prohibiting the operation or navigation of motor boats thereon to protect the public health or to protect and preserve useful aquatic life

Section [5] 12 The board is hereby empowered and its duty shall be to enforce the provisions of this act the rules and regulations prescribed and promulgated hereunder and any existing laws regulating the operation of motor boats whenever such boats are operated or navigated on any inland waters Any person employed or elected by this Commonwealth or by any municipality county or township and whose duty it is to preserve peace or to make arrests or to enforce the law including the State police and game fish and forest wardens is hereby authorized and empowered to make arrests without warrant for all violations of this act or of the rules and regulations prescribed hereunder which they may witness

Section [16] 13 Any power duty or jurisdiction conferred or imposed upon the board by this act shall be deemed to be supplemental to any existing power duty or jurisdiction conferred or imposed by law on any other administrative department board or commission of the Commonwealth over upon or in any inland waters and it shall be the duty of every such department board or commission to co-operate with the board in carrying out the purposes of this act

Section [7] 14 All license fees fines and penalties collected or received under the provisions of this act shall be paid into the State Treasury through the Department of Revenue and credited to the Fish Fund

Section 3 That section eight of said act be and the same is hereby amended to read as follows

Section [8] 15 Any person violating any provision of this act or any rule or regulation prescribed by the board under this act shall upon conviction thereof in a summary proceeding before a justice of the peace alderman or magistrate be sentenced to pay a fine of not less than [twenty-five] five dollars and costs nor more than one hundred dollars and costs or in default of payment thereof thirty days in jail and in addition the [board] Department of Revenue may re-

voke the license issued for the motor boat used by such person

Section 4 This act shall become effective on the first day of January one thousand nine hundred and thirty-four

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

BILL ON THIRD READING

Mr. STEEDLE. Mr. Speaker, I desire to call up at this time House Bill No. 2283, Senate Bill No. 100, Printer's No. 556, on page 19 of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Steedle

The House resumed the consideration on third reading of House Bill No. 2283 (Senate Bill No. 100), entitled:

An Act relating to the relief of the burden of local taxation making an appropriation out of the Motor License Fund providing for the allocation thereof to cities towns boroughs and townships prescribing the time manner basis and purposes for and upon which such said money shall be allocated and paid specifying the uses for which said moneys may be expended and imposing powers and duties upon the Department of Highways the Auditor General State Treasurer and on cities boroughs towns and townships and officers thereof and providing penalties

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HERMANSEN. Mr. Speaker and members of the House, in reference to the Williamson Bill I want to offer objections to this bill, because in the first place I do not think it is going to reduce the taxes in the different localities.

It proposes to take nineteen million two hundred and fifty thousand dollars out of the Motor Fund to be divided amongst political sub-divisions, allocating three million dollars to Philadelphia, one million five hundred thousand dollars to Pittsburgh, two hundred and fifty thousand dollars to Scranton, one million five hundred thousand dollars to forty-three third-class cities, two million two hundred and fifty thousand dollars to nine hundred and thirty-seven boroughs and towns, seven hundred and fifty-thousand dollars to sixty-two first-class townships and ten million dollars to fifteen hundred and eleven second-class townships.

If this bill is enacted into law it will mean only five million five hundred thousand dollars will be left annually for construction and reconstruction of highways on both the rural highway system and the Sproul system, exclusive of such construction as is performed under the provisions of the Federal aid law. But from present indications in Congress it looks as if any Federal aid for highways during the coming biennium is extremely remote.

This bill would eliminate the possibility of taking over any of the following obligations which are now pending or proposed:

1. Connecting links on State highways through boroughs.
2. Township bridges on the Rural highway system.
3. Payment of property damage by the Commonwealth.
4. Any additional State highway mileage in cities.
5. Any additional mileage of township roads proposed as additions to the present State highway systems.

The cessation of construction would immediately necessitate the release of the greater part of thirty-five thousand men now being given employment as a matter of work relief, under the Department's program of low cost road construction. Under the administration's policy of employing only such labor as is approved by the local relief boards, these men and their families would immediately become charges upon public charity. It is an unquestioned fact that work relief is the best form of public relief which has yet been devised. The honest workman continues to retain his self-respect and his desire to labor for his support rather than to subsist on the dole.

Under the policy of work relief the Commonwealth also obtains for its people value received in the form of beneficial and lasting public improvements of a type which directly further the development of the business and resources of the Commonwealth.

It is true that the bill provides that this nineteen million and a quarter dollars shall be spent only for road, street and bridge work. The proponents of the bill may, therefore, say that a program of public work relief will accordingly be carried on.

The undesirability of this proposition can be seen at a glance, when it is considered that the money proposed to be appropriated and the responsibility for its administration in work relief programs will be distributed to more than twenty-five hundred political sub-divisions of the Commonwealth. Each of these sub-divisions must be responsible for working up and carrying through an independent program of public improvement. Such de-centralization of effort is highly impractical and uneconomical.

It cannot be seriously open to question that the Commonwealth, with its trained highway organization, resources and experience, can obtain greater value for each dollar expended than could the local political sub-divisions.

With the single exception of Philadelphia the same money would be expended by this trained organization, in the same political sub-divisions, with much greater benefit to the public in general and the citizens of those political sub-divisions, if the bill is not enacted into law.

As opposed to such a raid on the funds collected from the motorists, which will return a doubtful benefit to the citizens of the Commonwealth, a well-balanced program of highway work relief benefiting all of the political sub-divisions of the Commonwealth may be carried out with the assumption of the following proposed additional obligations:

1. The taking over of fifty-three thousand miles of township roads in townships of the second-class for maintenance and construction by the Commonwealth, thereby affording immediately relief to the taxpayer of at least eighteen million dollars in the biennium, and the expenditure in maintenance alone upon these township roads a sum greater than that included for the townships of the second-class in the Williamson Bill.

2. The taking over of twenty-five per cent of the mileage of roads in first-class townships. This will relieve first-class townships of an expenditure of approximately five hundred thousand dollars each biennium.

3. The taking over as State Highways of approximately five hundred and sixty miles of streets forming parts or continuations of State highways within borough and town limits. The assumption of this burden by the Commonwealth

will relieve these municipalities of an expenditure estimated to be at least five hundred thousand dollars each biennium, as well as the cost of construction of these streets of almost three million dollars.

4. The taking over as State highways of approximately one hundred miles of city streets in the City of Philadelphia, which streets form direct continuations of main State highways within that city. The assumption of this burden by the Commonwealth will relieve the City of Philadelphia of a present biennial expenditure of approximately one million dollars and a future estimated expenditure far in excess of that amount when reconstruction and resurfacing of these streets is required.

5. The taking over of approximately one hundred and ten miles of streets in cities of the second, second-A and third classes, which form parts or continuations of State highways on the Rural system, entering such cities. The assumption of this obligation will relieve these cities of an estimated biennial expenditure for construction and maintenance of five hundred thousand dollars.

6. The assumption of property damages on State highway routes outside of municipalities by the Commonwealth. This will relieve sixty-six counties in Pennsylvania of an annual expenditure of approximately two million dollars as developed over the last eight years and the funds so relieved may be devoted to either relief purposes or the reduction of county tax levies.

These additional obligations can be taken over by the Commonwealth and their assumption will not only provide a well-rounded plan of highway development, which will protect the Motor Fund and afford increased work relief, but will also relieve these municipalities of a continuing obligation, not only for this biennium but for future years.

In addition to the assumption of these obligations the Commonwealth may carry on a major program of highway construction on both the old State highway system and rural system, which will be of incalculable benefit in the future development of business and resources of this commonwealth.

Mr. Speaker and members of the House, I want to state further that the idea that this bill is going to reduce local taxes will not prove true in all cases. I represent a first-class township and a third-class city, and I know that if this bill does pass our taxes will not be reduced. We may receive additional streets, but if the bill does not pass those streets will not be built. To a certain extent they will be more of a luxury than a necessity.

Now, this Department, as I understand it and as I have seen it, has given to the State one hundred cents worth of service pretty nearly for every dollar that has been spent. There is no one who questions the ability of the State Highway Department to construct roads and to give service for the money spent.

In conclusion I want to call your attention to some of the inequalities in this bill so far as the division of the roads is concerned and a carefuly study of the various subdivisions will show greater inequalities. I have not had a chance to look into the townships, where I feel there will be extreme inequalities, but I have gone into some of the thrid-class cities, and here is what I have found:

Wilkes-Barre, Hazleton and Pittston are third-class cities located in Luzerne county. Wilkes-Barre is twice as big as Hazleton in population, yet they both get the same amount of money under the Williamson Bill for streets. Pittston is one-half the size of Hazleton, but Hazleton gets more than four times as much money as Pittston under the bill.

Reading and Erie are practically the same size in population, yet Erie gets two and a quarter times as much money as Reading under the Williamson Bill.

Altoona gets two and a quarter times as much money as Reading, yet Reading has nearly twenty thousand more population than Altoona.

Uniontown, Monessen and Duquesne are three third-class cities in Western Pennsylvania with practically the same population. They all hinge around twenty-thousand people, accaccording to the last census, yet Uniontown gets twice as much money as either of the other two cities.

York has a population of ten thousand larger than Williamsport, yet Williamsport gets twice as much money as York.

Lancaster has three thousand more population than Bethlehem, yet Bethlehem gets almost two and one-half times as much money as Lancaster.

Lebanon and Pottsville are both of equal size in population, yet Lebanon gets fifty per cent more money than Pottsville.

My friends, with these remarks I will conclude with the request that this bill be voted down. It is not a good bill as far as equality is concerned and it is not an economical bill.

Mr. SARIG. Mr. Speaker and ladies and gentlemen of the House, for eighteen years I have heard it said time and time again on the floor of this House that real estate is carrying from seventy-five to eighty per cent of the burden of taxation, an unjust share, a statement that has never been denied for eighteen years on the floor of this House, but every time a bill comes up to relieve the local taxpayer there is always somebody to find fault, somebody to find a little technicality, or somebody to find an excuse for some inequality or something of that sort in the bill, and the result is that the local taxpayer is never relieved.

This is one of a few bills that we have been privileged to vote upon, which will relieve local taxes on real estate. There are some others here, as, for instance, just a week or two ago the thirteen thousand mile so-called Peters Bill which puts thirteen thousand miles of roads on the State highway system. That is one form of relief. This is a second form of relief. There is another bill coming that proposes to take over all of the remaining three thousand miles and place them on the State highway system.

Every member of this House knows that there is not a ghost of a chance to pass any bill over the Governor's veto. Suppose it should happen that the fifty-three thousand mile bill should not pass, then the House would not even have a chance to relieve the local tax situation on real estate.

I feel that as a matter of common sense and as a matter of loyalty to the local taxpayer who have for so many years borne more than their just share of taxation, we should put on the Governor's desk every bill that gives us a chance to relieve the taxes on real estate.

I do not claim that this bill is perfect, no doubt it has some faults, no doubt it has some inequalities, but it is just that very argument, that very method of fault finding that has defeated every bill in this House for eighteen years, which was intended to relieve the tax on real estate and to bring about an equitable situation in the carrying of tax burdens in this Commonwealth of Pennsylvania.

Only a few weeks ago we passed the Einstein Bill taking away the four mill personal property tax on bank deposits. I do not understand that that money is now going to the State and that that tax is not to be relieved. Of course I did not realize when I voted for that bill just what it would do, and I doubt whether there is any member of this House who did realize at the time that the construction that has now been placed upon it was possible to be placed upon it, but I do say

this: Let us stop quibbling, let us stop fault finding, let us stop finding fault with every bill that would tend to bring relief to the local taxpayers of Pennsylvania.

If the Governor finds on his desk at the close of this session some other bill that he feels will relieve local taxation better than this bill, he will have the opportunity to sign it, but whatever we do let this House not go on record here today as not being capable of giving the Governor a chance to relieve the pressure on local taxation.

You and I know, and especially those from the rural districts know the burden that is now resting upon every local board, whether it is a road board, a school board, a borough council or any other local body that must derive its expenditures from local taxation.

Let us stop quibbling, let us stop talking and pass this bill, because it is one of the few bills that we have had an opportunity to vote upon, that will give real relief to the local taxpayers back home in the districts of Pennsylvania.

Mr. HEFFNER. Mr. Speaker and members of the House, You have heard quite a lot and I have, and perhaps I agree very readily with my good friend Sarig from eastern Pennsylvania. The question is not what we can get, but it is a question of whether this is the best piece of legislation that we can possibly have an opportunity to pass upon so far in this session.

I will be very brief. I want to ask my good friends from Philadelphia if the amount set forth in this bill would effect the support, the upkeep and the maintenance of the streets in Philadelphia. If that be true, ladies and gentlemen of the House, then Philadelphia real estate, without doubt, without question, would be relieved of that portion of their budget that goes to the maintenance of the streets of Philadelphia.

In Pittsburgh, I will ask my friends from Pittsburgh if the amount in this bill as provided herein would relieve that portion of their budget which goes for streets and maintenance, if that will not be a relief upon the real estate of Allegheny county and Pittsburgh.

I ask my friends from the third-class cities if the allocation made herein will relieve the burden of taxation upon real estate in the third-class cities in Pennsylvania, is it worth anything to you as members that represent counties with third-class cities in them.

I ask the members from the first-class townships of Pennsylvania, is the amount set forth in this act beneficial to you in your first-class townships to relieve the burden of taxation. If it is, is this the best or do you have something better.

I want to ask the members from the second-class townships who represent the same parts of Pennsylvania that I represent, if two hundred dollars a mile is allocated in this bill to the rural roads of Pennsylvania, and God knows that many of them today are not receiving five dollars a mile in two years, will it be a relief to you and to me in rural central Pennsylvania?

It occurs to me that this is the first real measure. There may be more to come, and I shall certainly vote for them and ask my friends of rural Pennsylvania to vote for them. I know perhaps that it could be better, but this is the first act that has been presented to you and to me that affects your home and my home, your county and my county, your first-class cities, your second-class cities, your second-class A cities, your first-class townships and your second-class townships of Pennsylvania.

If you feel it is not a tax relief on real estate, I would ask you in all fairness not to vote for this bill, but if you see that it is a benefit and a relief to you and to your constituents in your county, which you have the honor to represent, I would kindly ask you to vote "aye" on this bill.

Mr. HERMANSEN. Mr. Speaker and members of the House, there is no one who would go further to relieve taxation on real estate than I would go, but there is a question in my mind. I can not understand how you figure you are relieving real estate when you are taking it from the rural districts and putting it in the more populous districts.

It is an acknowledged fact by all economists in the country today that prosperity will not be restored until the farmer has been put on a solid foundation. By this act we are robbing the farmer of the roads he needs as badly as any city needs them.

The rural districts have not the roads they need for access to and from the markets. Furthermore, I want to say this, if this bill goes through it wont be long before we will be asked to increase the motor license fees and gasoline taxes, because the fund that we are now robbing will have to be reimbursed.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—131

Beech,	Green,	McClure,	Schrock,
Bennett,	Griffith,	McCreary,	Scorza,
Blumberg,	Habbyshaw,	McGinnis,	Shenkel,
Boyd,	Harmuth,	McGrail,	Shettel,
Brancato,	Harris,	Melchiorre,	Shreiner,
Brennan,	Hart,	Metzler,	Shugarts,
Brown, J. E.,	Hartman,	Mohn,	Simon,
Brown, W. L.,	Heffernan,	Moore,	Sinwell,
Brownfield,	Heffner,	Munley,	Sowers,
Cannon,	Hester,	Negley,	Spann,
Carey,	Hewitt,	Nothnagle,	Steedle,
Carson,	Himes, L. R.,	O'Connor,	Sterling, P.,
Chervenak,	Holmes, J. B.,	O'Keefe,	Sterling, R. B.,
Conner,	Hoopes,	O'Neill,	Stevens,
Cooke,	Horst,	O'Rourke,	Stiteler,
Cordier,	Hough,	Patterson,	Tahl,
Craig,	Howard,	Peelor,	Turner,
Cramer,	Hutton,	Pennock,	Wagner,
Davies,	Jaffe,	Perry, D. R.,	Walker, G. E.,
Denning,	Kane, J. J.,	Peters,	Walker, W. A.,
Downey, G. E.,	Kane, L. P.,	Powers,	Weidemann,
Duffy,	Kinney,	Price,	Welsh,
Dunmire,	Lane,	Quinn,	Westrick,
Ederer,	Laubach,	Raub,	Wike,
Emhardt,	Lenahan,	Rectenwald,	Williams, J. J.,
Eroe,	Lewis,	Reed,	Wilson, L. M.,
Fitzgerald,	Long,	Reilly,	Witkin,
Flanagan,	Lord,	Rhodes,	Woodside,
Fleisher,	Lovett, J. E.,	Rice,	Wright,
Flinchbaugh,	Lynch, M.,	Root,	Yourishin,
Forrest,	Male,	Ruby,	Zimmerman,
Furman,	Maloney,	Ruth,	Talbot,
Gallagher,	Marcks,	Sarig,	Speaker.
Gartner,	McBride,	Sautter,	

NAYS—41

Andrews,	Himes, H. E.,	Merrell,	Stone,
Baker,	Jones,	Perry, J. J.,	Stott,
Caputo,	King,	Powell,	Terry,
Dane,	Lovett, W. S.,	Roan,	Wade,
Evans,	McCandless,	Schwab,	Wall,
Flynn,	McElwee,	Sheffer,	Williams, G. W.,
Gillette,	McGregor,	Shellenberger,	Wilson, T. B.,
Haines,	McKay,	Snyder,	Wood,
Hamilton,	McKinney,	Stank,	Yeakel,
Hermansen,	Meredith,	Stevenson,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

TIME EXTENDED ON ALL BILLS ON POSTPONED CALENDAR

The SPEAKER. If there are no objections the Chair will ask for an extension of five days' time on all bills on the third reading and final passage postponed calendars. Are there objections? The Chair hears none and the extension of five days is granted.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 321, 559, 660, 760, 1187 and 1234

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 321, Printer's No. 48, entitled "An Act to amend section five hundred and six and five hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by authorizing the funding of certain indebtedness."

House Bill No. 559, Printer's No. 88, entitled "An Act Defining the kind of title cities of the second class shall acquire pursuant to the exercise of the power of eminent domain."

House Bill No. 660, Printer's No. 412, entitled "An Act to amend clause (b) section four hundred fifteen article four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended further defining group life insurance."

House Bill No. 760, Printer's No. 859, entitled "An Act to further amend sections four and five of and to add section fourteen to the act approved the twenty-eighth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred ninety-six) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by increasing the number of years of service of employes totally and permanently disabled to entitle them to pensions by changing the rate per centum of payment by employes of their monthly salaries or wages and changing the maximum payment to be made by such employes and by giving the pension board of said cities the right to suspend payment of said pensions while such pensioners are employed by the government of the United States or the Commonwealth of Pennsylvania or the same county in which such cities are or by any subdivision of such cities."

House Bill No. 1187, Printer's No. 938, entitled "An Act Empowering a court in which a suit for the recovery of damages for personal injuries to a minor is pending to make an order authorizing a compromise or settlement to be made for such minor, and empowering a court in which a judgment is obtained for such minor, or by which a compromise or settlement is approved, to fix counsel fees and other expenses incident to said suit; and to award the balance to a duly appointed guardian of such minor and limiting the liability of said guardian to the sum of money thus coming into his hands."

House Bill No. 1234, Printer's No. 286, entitled "An Act Making an appropriation to the Department of Property and Supplies for the payment of an arbitration award for architectural services rendered in connection with the construction of the Farm Show Building."

GIFFORD PINCHOT.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1925.

An Act authorizing persons employed under any system of State work relief to work out the per capita school taxes of himself and members of his family and providing for the payment of such taxes

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 6, by striking out after the word "purpose" the word "shall" and inserting in lieu thereof the word "may."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176

Andrews,	Greenstein,	McHenry,	Shugarts,
Baker,	Griffith,	McKay,	Simon,
Barnhardt,	Habbyshaw,	McKinney,	Sinwell,
Bechtel,	Hamilton,	Melchoirre,	Snyder,
Beech,	Harris,	Meredith,	Sowers,
Bernhard,	Hart,	Merrell,	Spann,
Blumberg,	Hartman,	Metzler,	Stank,
Boyd,	Heffernan,	Mohn,	Steedle,
Brennan,	Hefferon,	Moore,	Sterling, P.,
Brown, J. E.,	Heffner,	Mumford,	Sterling, R. B.,
Brown, W. L.,	Hermansen,	Munley,	Stevens,
Brownfield,	Hester,	Negley,	Stevenson,
Caputo,	Hewitt,	Nothnagle,	Stiteler,
Carey,	Himes, H. E.,	O'Connor,	Stone,
Carson,	Holmes, J. B.,	O'Neill,	Storb,
Cohen,	Holmes, J. L.,	O'Rourke,	Stott,
Conner,	Hoopes,	Peelor,	Surface,
Cooke,	Horst,	Pennock,	Tahl,
Cordier,	Howard,	Perry, J. J.,	Terry,
Craig,	Hutton,	Peters,	Turner,
Cramer,	Kane, J. J.,	Powell,	Wade,
Dane,	Kane, L. P.,	Powers,	Wagner,
Davies,	Kinney,	Price,	Walker, G. E.,
DeFrehn,	Laubach,	Raub,	Walker, W. A.,
Denning,	Lewis,	Rectenwald,	Wall,
Downey, G. E.,	Long,	Reed,	Wasserman,
Downey, J.,	Lord,	Reilly,	Way,
Duffy,	Lose,	Rhodes,	Weidemann,
Dunmire,	Lovett, J. E.,	Rice,	Welsh,
Ederer,	Lovett, W. S.,	Roan,	Westrick,
Emhardt,	Lynch, J. R.,	Roth,	White,
Eroe,	Lynch, M.,	Royle,	Wike,
Evans,	Male,	Ruby,	Williams, G. W.,
Fitzgerald,	Malina,	Sarig,	Williams, J. J.,
Flanagan,	Maloney,	Sautter,	Wilson, L. M.,
Fleisher,	Marcks,	Schrock,	Wilson, T. B.,
Flinchbaugh,	Mason,	Schwab,	Witkin,
Flynn,	McBride,	Schwartz,	Wood,
Forrest,	McCandless,	Scott,	Woodside,
Furman,	McClure,	Sheffer,	Wright,

Gallagher,	McCreary,	Shellenberger,	Yourishin,
Gartner,	McElwee,	Shenkel,	Zimmerman,
Gillette,	McGinnis,	Shortz,	Talbot,
Gorman,	McGrail,	Shreiner,	Speaker.
Green,	McGregor,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1791.

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

T SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amnd section 1, page ', line 4, by striking out after the word "millio" the words "two hundred thousand"; also in line 5, by striking out at the beginning of said line the figures "($5,-200,00)" and inserting in lieu thereof the figures "($5,000,000)."

Amend by striking out on page 2, the entire "Section 2" as as follows:

Section 2 The General Assembly hereby declares that a moral obligation rests on the General Assembly to return such money to the Motor License Fund in the future whenever the financial condition of the General Fund permits an appropriation from the General Fund for such purposes without incurring an over appropriation liability

and inserting in lieu thereof an entire new section as follows:

Section 2 The amount appropriated from the Motor License Fund by this act to aid financially handicapped school districts shall be repaid to the Motor License Fund from moneys in the General Fund during the fiscal biennium beginning June first one thousand nine hundred and thirty-three at such time or times and in such instalments as the Governor Auditor General and State Treasurer shall determine and for such purposes any moneys in the General Fund are hereby specifically appropriated

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176

Andrews,	Habbyshaw,	McGrail,	Simon,
Baker,	Haines,	McGregor,	Sinwell,
Barnhardt,	Hamilton,	McKay,	Snyder,
Bechtel,	Harmuth,	McKinney,	Sowers,
Beech,	Harris,	Meredith,	Spann,
Bennett,	Hart,	Merrell,	Stank,
Bernhard,	Hartman,	Metzler,	Sterling, P.,
Blumberg,	Heffernan,	Mohn,	Sterling, R. B.,
Boyd,	Hefferon,	Moore,	Stevens,
Brennan,	Heffner,	Mumford,	Stevenson,
Brown, J. E.,	Hermansen,	Munley,	Stiteler,
Brown, W. L.,	Hester,	Meyers,	Stone,
Cannon,	Hewitt,	Negley,	Storb,
Carey,	Himes, H. E.,	Nothnagle,	Stott,
Chervenak,	Himes, L. R.,	O'Connor,	Surface,
Conner,	Hoffman,	O'Keefe,	Tahl,
Cooke,	Holmes, J. B.,	O'Rourke,	Terry,
Cordier,	Holmes, J. L.,	Patterson,	Turner,
Craig,	Hoopes,	Peelor,	Wade,
Dane,	Horst,	Pennock,	Wagner,
Davies,	Hutton,	Perry, D. R.,	Walker, G. E.,
DeFrehn,	Jaffe,	Perry, J. J.,	Walker, W. A.,
Denning,	Jones,	Peters,	Wall,
Downey, G. E.,	Kane, I R.,	Powell,	Way,
Downey, J.,	King,	Powers,	Wasserman,
Duffy,	Kinney,	Price,	Weidemann,
Dunmire,	Laubach,	Quinn,	Welsh,
Dwyer,	Lenahan,	Raub,	Westrick,
Emhardt,	Lewis,	Rectenwald,	White,
Eroe,	Long,	Reilly,	Wike,
Evans,	Lord,	Rhodes,	Williams, G. W.,
Flanagan,	Lovett, J. E.,	Rice,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Roan,	Wilson, L. M.,
Flinchbaugh,	Lynch, M.,	Root,	Wilson, T. B.,
Flynn,	Malina,	Ruby,	Witkin,
Forrest,	Maloney,	Ruth,	Wood,
Furman,	Marcks,	Sarig,	Woodside,
Gallagher,	Mason,	Schrock,	Wright,
Gartner,	McBride,	Schwartz,	Yeakel,
Gillette,	McCandless,	Scott,	Yourishin,
Gorman,	McClure,	Shellenberger,	Zimmerman,
Green,	McCreary,	Shettel,	Talbot,
Greenstein,	McElwee,	Shortz,	Speaker.
Griffith,	McGinnis,	Shreiner,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2107.

An Act to further amend section six hundred and three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine), entitled as amended, "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associatons reciprocal and inter-insurance exchanges and certain societi s and others the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the licensing of insurance agents.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 4, line 11, by striking out after the word "cause" the following:

"Renewals of licenses expiring March thirty-first one thousand nine hundred and thirty-four shall be issued for a year or more than a year as the case may be so that their future expiration dates will accord with the provisions of this section and the department shall collect an additional fee at the rate of one-twelfth of the annual rate as fixed by this act for each additional month that the term of such licenses will be extended beyond a year"

and inserting in lieu thereof the following:

"Licenses for fire insurance agents and for casualty and health and accident insurance agents issued to expire at midnight March thirty-first one thousand nine hundred and thirty-four are hereby extended until midnight of September thirtieth and November thirtieth one thousand nine hundred

and thirty-four respectively in accordance with the expiration dates fixed by this act The department shall collect an additional fee for each such license extended at the rate of one-twelfth of the annual rate as fixed by this act for each additional month that the term of such licenses are extended"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176

Andrews,	Griffith,	McGrail,	Simon,
Baker,	Habbyshaw,	McHenry,	Sinwell,
Barnhardt,	Haines,	Meredith,	Snyder,
Bechtel,	Hamilton,	Merrell,	Sowers,
Beech,	Harmuth,	Metzler,	Spann,
Bennett,	Harris,	Mohn,	Stank,
Bernhard,	Hartman,	Moore,	Steedle,
Blumberg,	Heffernan,	Mumford,	Sterling, P.,
Boyd,	Hefferon,	Munley,	Sterling, R. B.,
Brennan,	Heffner,	Myers,	Stevens,
Brown, J. E.,	Hermansen,	Negley,	Stevenson,
Brown, W. L.,	Hester,	Nothnagle,	Stiteler,
Brownfield,	Hewitt,	O'Connor,	Stone,
Cannon,	Himes, H. E.,	O'Keefe,	Storb,
Caputo,	Himes, L. R.,	O'Neill,	Stott,
Carey,	Holmes, J. B.,	O'Rourke,	Surface,
Carson,	Holmes, J. L.,	Patterson,	Tahl,
Chervenak,	Hoopes,	Peelor,	Terry,
Cohen,	Horst,	Pennock,	Turner,
Conner,	Hough,	Perry, D. R.,	Wade,
Cooke,	Howard,	Perry, J. J.,	Wagner,
Cordier,	Hutton,	Peters,	Walker, G. E.,
Craig,	Jaffe,	Powell,	Walker, W. A.,
Cramer,	Jones,	Powers,	Wall,
Dane,	Kane, J. J.,	Price,	Wasserman,
Davies,	Kane, L. P.,	Quinn,	Way,
DeFrehn,	King,	Rectenwald,	Weidemann,
Denning,	Kinney,	Reed,	Welsh,
Downey, G. E.,	Labar,	Reilly,	Westrick,
Downey, J.,	Lenahan,	Rice,	White,
Ederer,	Lewis,	Roan,	Wike,
Emhardt,	Long,	Root,	Williams, G. W.,
Eroe,	Lord,	Roth,	Williams, J. J.,
Evans,	Lose,	Ruby,	Wilson, L. M.,
Fitzgerald,	Lovett, J. E.,	Sarig,	Wilson, T. B.,
Flanagan,	Lovett, W. S.,	Sautter,	Witkin,
Flinchbaugh,	Lynch, J. R.,	Schrope,	Wood,
Flynn,	Maloney,	Schwartz,	Woodside,
Gallagher,	Mason,	Scott,	Wright,
Gartner,	McBride,	Sheffer,	Yeakel,
Gillette,	McCandless,	Shettel,	Yourishin,
Gorman,	McClure,	Shortz,	Zimmerman,
Green,	McElwee,	Shreiner,	Talbot,
Greenstein,	McGinnis,	Shugarts,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1788.

An Act to further amend Sections three and four of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An Act appropriating the moneys in the Motor License Fund" by making the moneys in the Motor License Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, by inserting after the word "department" in the last line thereof the following: "and for the maintenance of the State Highway Patrol."

Amend section 1, page 3, line 2, by inserting after the word "Patrolmen" the following: "Provided That the provisions of this clause shall not authorize any appropriation for such purposes to the Department of Revenue if the State Highway Patrol is by law placed under the administration of the State Police but said appropriation shall be available for like purposes to the State Police but not in excess of the amount limited by any other law."

Amend section 2, page 11, by inserting after the word "determine" in line 4, the following new paragraph:

(t) For payment to the Department of Property and Supplies of the cost incurred by that department in making purchases of supplies equipment and materials for the Department of Highways as purchasing agent including salaries wages or other compensation of employes traveling expenses telephone toll charges telegrams newspaper advertising and notices and all other expenses necessary for the performance by the Department of Property and Supplies of the aforesaid duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176

Andrews,	Habbyshaw,	McGinnis,	Shortz,
Baker,	Haines,	McGrail,	Shreiner,
Baldi,	Hamilton,	McGregor,	Shugarts,
Barnhardt,	Harmuth,	McHenry,	Simon,
Bechtel,	Harris,	McKay,	Sinwell,
Beech,	Hart,	McKinney,	Snyder,
Bennett,	Hartman,	Meredith,	Sowers,
Bernhard,	Heffernan,	Metzler,	Spann,
Blumberg,	Hefferon,	Mohn,	Stank,
Boyd,	Heffner,	Moore,	Steedle,
Brancato,	Hermansen,	Mumford,	Sterling, P.,
Brennan,	Hester,	Munley,	Sterling, R. B.,
Brown, J. E.,	Hewitt,	Myers,	Stevens,
Carey,	Himes, H. E.,	Nothnagle,	Stevenson,
Carson,	Leslie, L. R.,	O'Connor,	Stone,
Chervenak,	Hoffman,	O'Keefe,	Storb,
Cohen,	Holmes, J. B.,	O'Neill,	Stott,
Conner,	Holmes, J. L.,	O'Rourke,	Surface,
Cooke,	Hoopes,	Patterson,	Tahl,
Cordier,	Horst,	Peelor,	Terry,
Davies,	Hough,	Pennock,	Wade,
DeFrehn,	Howard,	Perry, D. R.,	Walker, G. E.,
Denning,	Hutton,	Perry, J. J.,	Wall,
Downey, G. E.,	Jaffe,	Peters,	Wasserman,
Downey, J.,	Jones,	Powell,	Way,
Duffy,	Kane, L. P.,	Powers,	Weidemann,
Dunmire,	King,	Price,	Welsh,
Dwyer,	Kinney,	Raub,	Westrick,
Ederer,	Labar,	Rectenwald,	White,
Emhardt,	Kane, J. J.,	Reilly,	Wike,
Eroe,	Lane,	Rhodes,	Williams, G. W.,
Evans,	Laubach,	Rice,	Williams, J. J.,
Fitzgerald,	Lenahan,	Roan,	Wilson, L. M.,
Fleisher,	Lewis,	Root,	Wilson, T. B.,
Flynn,	Long,	Roth,	Witkin,
Forrest,	Lord,	Royle,	Wood,
Furman,	Lose,	Ruby,	Woodside,
Gallagher,	Lynch, M.,	Sarig,	Wright,
Gartner,	Maloney,	Sautter,	Yeakel,
Gillette,	Mason,	Schrope,	Yourishin,
Gorman,	McBride,	Schwab,	Zimmerman,
Green,	McCandless,	Sheffer,	Talbot,
Greenstein,	McElwee,	Shettel,	Speaker.
Griffith,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1051.

An Act to amend section seven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party offices including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent signers required for nomination petitions for magistrates in cities of the first class."

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 2, line 2, by inserting after the word "inconsistent" the word "legislation" as amended by increasing the number "of."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176

Andrews,	Green,	McGinnis,	Shortz,
Baker,	Greenstein,	McGrail,	Shreiner,
Barnhardt,	Habbyshaw,	McGregor,	Shugarts,
Bechtel,	Haines,	McHenry,	Simon,
Beech,	Hamilton,	McKay,	Sinwell,
Bennett,	Harris,	McKinney,	Snyder,
Bernhard,	Hart,	Meredith,	Sowers,
Boyd,	Hartman,	Merrell,	Spann,
Brancato,	Heffernan,	Metzler,	Stank,
Brennan,	Hefferon,	Moore,	Steedle,
Brown, W. L.,	Heffner,	Mumford,	Sterling, P.,
Brown, J. E.,	Hermansen,	Munley,	Sterling, R. B.,
Brownfield,	Hester,	Negley,	Stevens,
Cannon,	Hewitt,	O'Connor,	Stevenson,
Carey,	Himes, H. E.,	O'Neill,	Stitely,
Chervenak,	Holmes, J. B.,	O'Rourke,	Stone,
Cohen,	Holmes, J. L.,	Peelor,	Storb,
Conner,	Hoopes,	Pennock,	Stott,
Cooke,	Horst,	Perry, D. R.,	Surface,
Cordier,	Hough,	Perry, J. J.,	Tahl,
Craig,	Howard,	Peters,	Terry,
Cramer,	Hutton,	Powell,	Turner,
Dane,	Jaffe,	Powers,	Wade,
Davies,	Jones,	Price,	Wagner,
DeFrehn,	Kane, J. J.,	Quinn,	Walker, W. A.,
Denning,	Kane, L. P.,	Raub,	Wall,
Downey, G. E.,	King,	Rectenwald,	Way,
Downey, J.,	Kinney,	Reilly,	Weidemann,
Duffy,	Labar,	Rhodes,	Welsh,
Dunmire,	Lane,	Rice,	White,
Ederer,	Lewis,	Roan,	Wike,
Emhardt,	Long,	Root,	Williams, G. W.,
Eroe,	Lord,	Roth,	Williams, J. J.,
Evans,	Lose,	Royle,	Wilson, L. M.,
Fitzgerald,	Lovett, J. E.,	Ruby,	Wilson, T. B.,
Flanagan,	Lovett, W. S.,	Ruth,	Witkin,
Fleisher,	Lynch, J. R.,	Sarig,	Wood,
Flinchbaugh,	Lynch, M.,	Sautter,	Woodside,
Flynn,	Maloney,	Schrock,	Wright,
Forrest,	Marcks,	Schrope,	Yeakel,
Furman,	Mason,	Schwab,	Yourishin,
Gallagher,	McBride,	Schwartz,	Zimmerman,
Gartner,	McCandless,	Scott,	Talbot,
Gillette,	McCreary,	Shellenberger,	Speaker.
Gorman,	McElwee,	Shettel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1659.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1659, Printer's No. 937, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. PHILIP STERLING. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. PHILIP STERLING. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. PHILIP STERLING. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 4, of the title by striking out at the end of the line after the word "entitled" the following: "["An act to amend section seventeen of]."

Amend page 1 by striking out lines 5 and 6 of the title.

Amend page 1, line 7, of the title by striking out at the beginning of the line before the word "act" the following: "[Laws seven hundred ten) entitled 'An]" and inserting in lieu thereof the following: "An."

Amend page 1, line 12, of the title by striking out after the word "prescribing" and before the word "by" the word: "[penalties' "]" and inserting in lieu thereof the word: "penalties."

Amend section 1, page 2, line 4, by inserting after the article "the" and before the word "approved" the word: "act."

Amend section 1, page 2, line 6, by striking out after the word "entitled" and before the word "act" the following: "['An]" and inserting in lieu thereof the follows: "An."

Amend section 1, page 2, line 11, by striking out at the be-

ginning of the line before the word "as" the following: "[alties' "]" and inserting in lieu thereof the following: "alties."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1107.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1107, Printer's No. 929, for the purpose of amendment.

Accordingly, the orginal bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. METZIER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. METZIER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. METZIER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 3, page 3, line 4 by striking out after the word "personnel" and before the word "shall" the word "[hereof]" and inserting in lieu thereof the word "thereof."

Amend section 7, page 5, line 8, by striking out after the word "written" and before the word "as" the word "[proposal]" and inserting in lieu thereof the word "proposals."

Amend section 12, page 10, line 24, by inserting at the beginning of the line before the word "Division" the word "Inspector."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 744

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 744, Printer's No. 154, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILL LAID ON TABLE

Mr. MASON. Mr. Speaker, I move that the message together with the bill be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1676

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1676, Printer's No. 950, for the purpose of further consideration.

Accordingly the original bill is herewith returned.

GIFFORD PINCHOT.

BILL LAID ON TABLE

Mr. PHILIP STERLING. Mr. Speaker, I move that the message together with the bill be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 1155 and 1123

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 1155, Printer's No. 181, entitled "An Act to amend section seven of the act approved the twelfth day of May, one thousand nine hundred and eleven (Pamphlet Laws two hundred ninety-five) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" as amended by abolishing the advertising of delinquent taxes in such cities."

House Bill No. 1123, Printer's No. 182, entitled "An Act authorizing any city of the second class in this Com-

monwealth to sell or dispose of its interest in property condemned for public park or for any public use to the holder of the reversionary interest when the property is no longer needed for park purposes or for said public use."

GIFFORD PINCHOT.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 1009.

An Act fixing the minimum salaries of county and assistant county superintendents for the terms which will begin on the first Monday of July one thousand nine hundred thirty-four providing for the payment of such minimum salaries by the Commonwealth and superseding any inconsistent acts and parts of acts

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 80.

An Act making an appropriation to the Kittanning General Hospital, Kittanning, Pennsylvania.

HOUSE BILL No. 118.

An Act making an appropriation to the Nason Hospital Association of Roaring Spring, Blair County, Pennsylvania.

HOUSE BILL No. 252.

An Act making an appropriation to the Westmoreland Hospital Association of Greensburg Pennsylvania.

HOUSE BILL No. 275.

An Act making an appropriation to the Mount Sinai Hospital of Philadelphia Pennsylvania.

HOUSE BILL No. 283.

An Act making an appropriation to the Westmoreland Children's Aid Society at Greensburg Pennsylvania

HOUSE BILL No. 294.

An Act making an appropriation to the Latrobe Hospital Latrobe Pennsylvania

HOUSE BILL No. 295.

An Act making an appropriation to the York Hospital West College Avenue York Pennsylvania

HOUSE BILL No. 301.

An Act making an appropriation to the Christian H. Buhl Hospital, Sharon, Pennsylvania.

HOUSE BILL No. 302.

An Act making an appropriation to the Brookville Hospital Brookville Pennsylvania.

HOUSE BILL No. 303.

An Act making an appropriation to the Pennsylvania Memorial Home of Brookville, Pennsylvania.

HOUSE BILL No. 304.

An Act making an appropriation to the Adrian Hospital Association of Punxsutawney Jefferson County Pennsylvania.

HOUSE BILL No. 322.

An Act making an appropriation to the Baby Welfare Association of Philadelphia.

HOUSE BILL No. 349.

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania.

HOUSE BILL No. 353.

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education.

HOUSE BILL No. 356.

An Act making an appropriation to the Pennsylvania Home Teaching Society and Free Circulating Library for the Blind at Philadelphia.

HOUSE BILL No. 377.

An Act making an appropriation to the Florence Crittenton Home of Erie, Pennsylvania.

HOUSE BILL No. 378.

An Act making an appropriation to the Zem Zem Hospital for Crippled Children of Erie, Pennsylvania.

HOUSE BILL No 381.

An Act making an appropriation to the Erie Home for the Friendless of the City of Erie Pennsylvania.

HOUSE BILL No. 391.

An Act making an appropriation to the Erie Infants' Home and Hospital of Erie, Pennsylvania.

HOUSE BILL No. 404.

An Act making an appropriation to the Ellwood City Hospital of Ellwood City Pennsylvania.

HOUSE BILL No. 409.

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital at Wilkes-Barre Pennsylvania.

HOUSE BILL No. 412.

An Act making an appropriation to the Chester Day Nursery and Children's Home at Chester, Pennsylvania.

HOUSE BILL No. 414.

An Act making an appropriation to the Suburban General Hospital, of Bellevue, Allegheny County, Pennsylvania.

HOUSE BILL No. 416.

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries.

HOUSE BILL No. 418.

An Act making an appropriation to the Hamot Hospital Association, of Erie, Pennsylvania.

HOUSE BILL No. 453.

An Act making an appropriation to the Coatesville Hospital, Coatesville, Pennsylvania.

HOUSE BILL No. 458.

An Act making an appropriation to the Home for the Veterans of the Grand Army of the Republic and Wives, Philadelphia, Pennsylvania.

HOUSE BILL No. 466.

An Act making an appropriation to the Centre County Hospital located at Bellefonte Centre County Pennsylvania

HOUSE BILL No. 467.

An Act making an appropriation to the Indiana Hospital of Indiana County Pennsylvania

HOUSE BILL No. 471.

An Act making an appropriation to the Homeopathic Hospital, West Chester, Chester County, Pennsylvania.

HOUSE BILL No. 472.

An Act making an appropriation to the Phoenixville Hospital, Phoenixville, Chester County, Pennsylvania.

HOUSE BILL No. 474.

An Act making an appropriation to the Corry Hospital Association of Corry Pennsylvania

HOUSE BILL No. 485.

An Act making an appropriation to the Home for the Friendless of Harrisburg, Pennsylvania.

HOUSE BILL No. 486.

An Act making an appropriation to the Harrisburg Polyclinic Hospital of Harrisburg, Pennsylvania.

HOUSE BILL No. 493.

An Act making an appropriation to the Henry Clay Frick Memorial Hospital at Mount Pleasant, Pennsylvania.

HOUSE BILL No. 497.

An Act making an appropriation to the Pittsburgh Hospital Association, Pittsburgh, Pennsylvania.

HOUSE BILL No. 498.

An Act making an appropriation to the Belvedere General Hospital of Pittsburgh Allegheny County Pennsylvania

HOUSE BILL No. 503.

An Act making an appropriation to the Johnson Industrial School of Scranton Pennsylvania.

HOUSE BILL No. 507.

An Act making an appropriation to the Sewickley Valley Hospital Association, Incorporated, of Allegheny County, Pennsylvania.

HOUSE BILL No. 509.

An Act making an appropriation to the Home for Friendless Children of Lancaster, Pennsylvania.

HOUSE BILL No. 510.

An Act making an appropriation to the Lancaster County Tuberculosis Society.

HOUSE BILL No. 516.

An Act making an appropriation to the Saint Vincent's Hospital Association of the City of Erie Pennsylvania

HOUSE BILL No. 519.

An Act making an appropriation to the Quakertown Hospital Association, Quakertown, Pennsylvania.

HOUSE BILL No. 520.

An Act making an appropriation to the Grand View Hospital, located near Sellersville, Bucks County, Pennsylvania.

HOUSE BILL No. 521.

An Act making an appropriation to the Tabor Home for Children, Doylestown, Bucks County, Pennsylvania.

HOUSE BILL No. 533.

An Act making an appropriation to the Mary M. Packer Hospital, Sunbury, Pennsylvania.

HOUSE BILL No. 538.

An Act making an appropriation to the Allegheny Valley Hospital, at Tarentum, Pennsylvania.

HOUSE BILL No. 540.

An Act making an appropriation to the Jamison Memorial Hospital Association New Castle Pennsylvania.

HOUSE BILL No. 542.

An Act making an appropriation to the Women's Homeopathic Hospital Philadelphia (now known as Broad Street Hospital) Philadelphia Pennsylvania.

HOUSE BILL No. 543.

An Act making an appropriation to the Pennsylvania Seamen's Friend Society of Philadelphia, Pennsylvania.

HOUSE BILL No. 545.

An Act making an appropriation to the Lock Haven Hospital, Lock Haven, Pennsylvania.

HOUSE BILL No. 546.

An Act making an appropriation to the Renovo Hospital Renovo Pennsylvania

HOUSE BILL No. 547.

An Act making an appropriation to the Mercy Hospital of Philadelphia, Pennsylvania.

HOUSE BILL No. 551.

An Act making an appropriation to the York Society to Protect Children and Aged Persons of York Pennsylvania

HOUSE BILL No. 552.

An Act making an appropriation to the Children's Home of the City of York Pennsylvania

HOUSE BILL No. 556.

An Act making an appropriation to the J. C. Blair Memorial Hospital of Huntingdon Pennsylvania.

HOUSE BILL No. 557.

An Act making an appropriation to the Homestead Hospital Homestead Pennsylvania.

HOUSE BILL No. 560.

An Act making an appropriation to the Providence Hospital Beaver Falls Pennsylvania.

HOUSE BILL No. 561.

An Act making an appropriation to the Rochester General Hospital of Rochester Beaver County Pennsylvania.

HOUSE BILL No. 562.

An Act making an appropriation to the Beaver Valley General Hospital, at New Brighton, Pennsylvania.

HOUSE BILL No. 563.

An Act making an appropriation to the Beaver County Children's Home, at New Brighton, Pennsylvania.

HOUSE BILL No. 577.

An Act making an appropriation to the Mercy Hospital of Altoona, Pennsylvania.

HOUSE BILL No. 581.

An Act making an appropriation to the Children's Home of Harrisburg Pennsylvania.

HOUSE BILL No. 582.

An Act making an appropriation to the Harrisburg Hospital Harrisburg Pennsylvania.

HOUSE BILL No. 584.

An Act making an appropriation to the Altoona Hospital, of Altoona, Pennsylvania.

HOUSE BILL No. 621.

An Act making an appropriation to the Hahnemann Hospital, City of Scranton, Pennsylvania.

HOUSE BILL No. 622.

An Act making an appropriation to the Frederick Douglass Memorial Hospital and Training School at Philadelphia Pennsylvania.

HOUSE BILL No. 633.

An Act making an appropriation to the Pottstown Homeopathic Hospital, Pottstown, Pennsylvania.

HOUSE BILL No. 634.

An Act making an appropriation to the Pottstown Hospital Pottstown Pennsylvania

HOUSE BILL No. 636.

An Act making an appropriation to the Philadelphia Association for the Protection of Colored Women, Philadelphia, Pennsylvania.

HOUSE BILL No. 638.

An Act making an appropriation to the Pennsylvania Working Home for Blind Men, Philadelphia, Pennsylvania.

HOUSE BILL No. 646.

An Act making an appropriation to the McKeesport Hospital Pennsylvania

HOUSE BILL No. 653.

An Act making an appropriation to the Pottsville Hospital Pottsville Pennsylvania

HOUSE BILL No. 661.

An Act making an appropriation to the Children's Hospital Bainbridge Street Philadelphia Pennsylvania

HOUSE BILL No. 662.

An Act making an appropriation to the Bethel Orphanage located at Osceola Tioga County Pennsylvania

HOUSE BILL No. 665.

An Act making an appropriation to the Taylor Hospital Association of the Borough of Taylor Lackawanna County Pennsylvania

HOUSE BILL No. 667.

An Act making an appropriation to the Pittsburgh and Allegheny Home for the Friendless Pittsburgh Pennsylvania

HOUSE BILL No. 668.

An Act making an appropriation to the Presbyterian Hospital of Pittsburgh Pennsylvania

HOUSE BILL No. 682.

An Act making an appropriation to the Mercy Hospital Wilkes-Barre Pennsylvania

HOUSE BILL No. 685.

An Act making an appropriation to the Northern Home for Friendless Children of Philadelphia Pennsylvania

HOUSE BILL No. 686.

An Act making an appropriation to the Memorial Hospital at Roxborough Philadelphia Pennsylvania

HOUSE BILL No. 715.

An Act making an appropriation to the Passavant Hospital of Pittsburgh, Pennsylvania.

HOUSE BILL No. 719.

An Act making an appropriation to the Grove City Hospital, in the Borough of Grove City, Pennsylvania.

HOUSE BILL No. 735.

An Act making an appropriation to the Taylor Hospital, Ridley Park, Delaware County, Pennsylvania.

HOUSE BILL No. 741.

An Act making an appropriation to the General Hospital, East Stroudsburg, Monroe County, Pennsylvania.

HOUSE BILL No. 745.

An Act making an appropriation to the Pittston Hospital Association of the City of Pittston, Pennsylvania.

HOUSE BILL No. 754.

An Act making and appropriation to the George Junior Republic Association of Western Pennsylvania.

HOUSE BILL No. 766.

An Act making an appropriation to the Lewistown Hospital, Lewistown, Pennsylvania.

HOUSE BILL No. 770.

An Act making an appropriation to the Benevolent Association's Home for Children, Pottsville, Pennsylvania.

HOUSE BILL No. 809.

An Act making an appropriation to the Temple University Garreston Hospital, Philadelphia, Pennsylvania.

HOUSE BILL No. 820.

An Act making an appropriation to the Home for Aged of Westmoreland County

HOUSE BILL No. 853.

An Act making an appropriation to the Children's Home of Easton Pennsylvania (formerly the Easton Home for Friendless Children)

HOUSE BILL No. 854.

An Act making an appropriation to the Home of Aged and Infirm Women of Easton Pennsylvania

HOUSE BILL No. 863.

An Act making an appropriation to the Northern Liberties Hospital, Philadelphia, Pennsylvania.

HOUSE BILL No. 865.

An Act making an appropriation to the Trustees of the A. C. Millikin Hospital Pottsville Pennsylvania (formerly the Anthracite Hospital)

HOUSE BILL No. 867.

An Act making an appropriation to the Chambersburg Hospital, at Chambersburg, Pennsylvania.

HOUSE BILL No. 868.

An Act making an appropriation to the Waynesboro Hospital Waynesboro Pennsylvania

HOUSE BILL No. 874.

An Act making an appropriation to the Children's Aid Society of Franklin County, Pennsylvania.

HOUSE BILL No. 907.

An Act making an appropriation to the Simon H. Barnes Memorial Hospital of Susquehanna Pennsylvania

HOUSE BILL No. 934.

An Act making an appropriation to the Braddock General Hospital Braddock Pennsylvania

HOUSE BILL No. 951.

An Act making an appropriation to the Western Pennsylvania Hospital, Pittsburgh, Pennsylvania.

HOUSE BILL No. 978.

An Act making an appropriation to the Philadelphia College of Osteopathy and Osteopathic Hospital of Philadelphia

HOUSE BILL No. 980.

An Act making an appropriation to the Saint Christopher's Hospital for Children, Philadelphia, Pennsylvania.

HOUSE BILL No. 983.

An Act making an appropriation to the Saint John's General Hospital of Pittsburgh, Pennsylvania.

HOUSE BILL No. 994.

An Act making an appropriation to the Christian Home of Johnstown, Pennsylvania.

HOUSE BILL No. 1003.

An Act making an appropriation to the Butler County Memorial Hospital, Butler, Butler County, Pennsylvania.

HOUSE BILL No. 1012.

An Act making an appropriation to The United States Charities of Hazelton Pennsylvania.

HOUSE BILL No. 1016.

An Act making an appropriation to the Pittsburgh Homeopathic Medical and Surgical Hospital, Pittsburgh, Pennsylvania.

HOUSE BILL No. 1024.

An Act making an appropriation to the Delaware County Hospital, Lansdowne Avenue and Garrett Road, Upper Darby, Delaware County, Pennsylvania.

HOUSE BILL No. 1055.

An Act making an appropriation to the Nazarene Home for the Aged, at Philadelphia, Pennsylvania.

HOUSE BILL No. 1113.

An Act making an appropriation to the Warren General Hospital of Warren, Pennsylvania.

HOUSE BILL No 1132.

An Act making an appropriation to the Northwestern General Hospital of Philadelphia, Pennsylvania.

HOUSE BILL No. 1141.

An Act making an appropriation to the Stetson Hospital of Philadelphia, Pennsylvania.

HOUSE BILL No. 1144.

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia, Pennsylvania.

HOUSE BILL No. 1174.

An Act making an appropriation to the Kensington Hospital for Women, Philadelphia, Pennsylvania.

HOUSE BILL No. 1181.

An Act making an appropriation to the Frankford Hospital located at Frankford Philadelphia Pennsylvania

HOUSE BILL No. 1329.

An Act making an appropriation to the Kane Summit Hospital Association of Kane McKean County Pennsylvania

HOUSE BILL No. 1341.

An Act making an appropriation to the Hanover General Hospital of Hanover York County Pennsylvania

HOUSE BILL No. 1388.

An Act making an appropriation to the Good Samaritan Hospital Lebanon Pennsylvania.

HOUSE BILL No. 1464.

An Act making an appropriation to the Meadville Children's Aid Society and Home for the Aged Meadville Crawford County Pennsylvania.

HOUSE BILL No. 1465.

An Act making an appropriation to the Spencer Hospital Meadville Meadville Pennsylvania.

HOUSE BILL No. 1467.

An Act making an appropriation to the Titusville Hospital, at Titusville, Pennsylvania.

HOUSE BILL No. 1481.

An Act making an appropriation to the Berean Manual Manual Training and Industrial School.

HOUSE BILL No. 1484.

An Act making an appropriation to the Working Men's Home for the Aged, located at Warrington, Bucks County, Pennsylvania.

HOUSE BILL No. 1503.

An Act making an appropriation to the Julia White Priscilla Home for Aged Colored People located at LaMott, Montgomery County, Pennsylvania.

HOUSE BILL No. 1510.

An Act making an appropriation to the Montgomery Hospital at Norristown, Montgomery County, Pennsylvania.

HOUSE BILL No. 1533.

An Act making an appropriation to the Bradford Hospital, Bradford, Pennsylvania.

HOUSE BILL No. 1534.

An Act making an appropriation to the Beacon Light Mission near the city of Bradford Pennsylvania.

HOUSE BILL No. 1555.

An Act making an appropriation to the Children's Home Society of Pennsylvania.

HOUSE BILL No. 1724.

An Act making an appropriation to the Ohio Valley General Hospital at McKees Rocks Pennsylvania.

HOUSE BILL No. 2105.

An Act making an appropriation to the Elk County General Hospital Ridgway Pennsylvania.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 1.

An Act authorizing counties of the second class and cities of the second class to appropriate sums of money to aid in defraying the expenses of entertaining the stated convention of the National Encampment of the United Spanish War Veterans in the year one thousand nine hundred and thirty-four.

SENATE BILL No. 2.

An Act relating to the collection of delinquent county taxes in counties of the second class; repealing all acts or parts of acts, general, local or special inconsistent herewith.

SENATE BILL No. 3.

An Act authorizing cities of the first, second and third classes to defray the expenses of National encampment of certain organizations of veterans.

SENATE BILL No. 48.

An Act to amend sections nine hundred and one, and one thousand and eighty-one of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs"; providing for the appointment of the county treasurer as tax collector in certain cases

SENATE BILL No. 61.

An Act to amend section one of the act approved the twenty-seventh day of April, one thousand nine hundred and eleven (P. L. 101), entitled "An act for the assignment of judges to districts other than their own, for the purpose of expediting business, with provision for their compensation," as amended; allowing certain judges and requiring certain judges who can spare the time from their own courts to send monthly statements to the prothonotary of the Supreme Court of the days when they can sit in other courts; and requiring the prothonotary of the Supreme Court to transmit transcripts of the Judicial Assingment Register to the General Assembly.

SENATE BILL No. 67.

An Act increasing the discretionary powers of the county commissioners in counties of the third class with reference to the assessment levy and collection of taxes

SENATE BILL No. 68.

An Act increasing the discretionary powers of boards of school directors in school districts of the second class with reference to the assessment, levy and collection of taxes.

SENATE BILL No. 77.

An Act to amend the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (P. L. 148), entitled "An act to require all magistrates and other officials in cities of the first, second and third class, authorized to take acknowledgments and administer oaths, to perform such service free of charge for soldiers and widows of soldiers when making affidavit to papers for the purpose of drawing pensions" extending the provisions of the act to all magistrates aldermen justices of the peace or other persons authorized to take acknowledgments and administer oaths and to papers other than those connected with pensions

SENATE BILL No. 102.

An Act authorizing county treasurers to make, execute, acknowledge and deliver deeds of seated lands sold by them for delinquent taxes under the provisions of an act of Assembly of the Commonwealth of Pennsylvania, approved the ninth day of May, one thousand nine hundred and twenty-nine (P. L. 1684), entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assesed on such seated lands by authority of any county, borough, town, township, school district and poor district are delinquent and remain unpaid, and fixing penalties for such delinquency; authorizing county commissioners to purchase such lands under certain circumstances;" prior to its repeal, notwithstanding that said deeds were not made, issued, ackowledged or delivered and surplus bond not given prior to said repeal; and authorizing the making, execution, acknowledgment and delivery of said deeds by said county treasurers after the expiration of term of office or by their successors in office; and confirming the title to lands so sold where the deeds have been made, executed and delivered and the surplus bonds filed since the repeal of said act, and whether the said deeds were made, executed or delivered by the county treasurer who made said sale during the term of his office or after its expiration, or by his successor in office.

SENATE BILL No. 109.

An Act to amend section six hundred and thirty of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing school districts to lay water pipe lines in certain cases, and to condemn a right-of-way therefor.

SENATE BILL No. 106.

An Act to amend section ten as amended of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase of acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or

incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriation to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act by providing for the construction reconstruction and maintenance of certain bridges forming parts of State Highways in boroughs and incorporated towns by the Department of Highways

SENATE BILL No. 139.

An Act fixing the pay and mileage of jurors and witnesses.

SENATE BILL No. 144.

An Act to amend section two of the act approved the twenty-ninth day of April, one thousand nine hundred and fifteen (P. L. 200), entitled "An act creating, in counties having over eight hundred thousand, and less than one million five hundred thousand, inhabitants, according to the last preceding United States census, a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments, and divisions thereof; prescribing the powers and duties of said board, and regulating appeals from the decision thereof"; defining the voting power of members of the salary board.

SENATE BILL No. 153.

An act to amend clause (d) of section ten of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," as amended, by defining the powers of the courts on appeals from the Department of Public Instruction.

SENATE BILL No. 183.

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," as amended by further regulating the affairs of counties and imposing penalties.

SENATE BILL No. 194.

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; by authorizing counties of the second class to levy and collect tolls on certain county bridges for the purpose of paying off the indebtedness incurred in locating, constructing and purchasing such bridges.

SENATE BILL No. 158.

An Act to amend section six, as amended, and section eight of an act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation" prohibiting candidates for certain offices from being candidates for more than one party nomination.

SENATE BILL No. 748.

An Act authorizing and regulating the reorganization of banks and trust companies.

SENATE BILL No. 209.

An Act fixing the compensation of property assessors elected for county purposes in boroughs, townships of the second class and wards, and repealing existing acts relating thereto.

SENATE BILL No. 210.

An Act fixing the compensation of assessors and registry or assistant assessors performing duties pertaining to the assessment and registration of voters in counties other than first and second class and repealing existing acts relating thereto

SENATE BILL No. 228.

An Act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws

SENATE BILL No. 237.

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by adding a new subdivision providing for the appointment of a fire marshal in counties of the second class.

SENATE BILL No. 257.

An Act requiring State-aided hospitals under certain conditions immediately to admit indigent veterans as herein defined, and to provde care and treatment for them until they can be accommodated in Federal institutions.

SENATE BILL No. 266.

An Act to provide for the hospitalization of tubercular patients in State and State-aided hospitals when State owned institutions established for that purpose are unable to provide therefor

SENATE BILL No. 296.

An Act to amend sections five and six of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws, seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of streets improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act" by providing for the limit of width of construction and maintenance on said streets.

SENATE BILL No. 314.

An Act authorizing the Commonwealth, the City of Philadelphia and the State of New Jersey to accept from the Delaware River Joint Commission bonds or other obligations, in lieu of moneys, for the repayment of the amounts due for moneys advanced in the construction of the Delaware River Bridge and its approaches and in the acquisition of property in connection therewith; providing for the disposition of such bonds delivered to the Commonwealth and the City of Phliadelphia; authorizing the purchase thereof by custodial funds of the Commonwealth; and providing that this act shall become effective upon the adoption of reciprocal legislation by the State of New Jersey.

SENATE BILL No. 322.

An Act to eliminate reckless and irresponsible drivers from the public highways, and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident), and for the establishment of ability to respond in damages for injury to property and persons, including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles); conferring powers and imposing duties upon the Department of Revenue, the Insurance Commissioner, insurance carriers, and clerks of the courts; requiring certain provisions in motor vehicle liability insurance policies; and providing penalties.

SENATE BILL No. 325.

A Supplement to the act approved the third day of April, one thousand nine hundred and three (P. L. 137), entitled "An act regulating the confinement of children, under the age of sixteen years, awaiting trial"; providing for the management of houses of detention for juveniles in counties of the second class, imposing expense in connection therewith on the county and permitting and authorizing the county commissioners thereof to appropriate money or issue bonds for the purchase of lands, or erecting, constructing and equipping of buildings for such purpose.

SENATE BILL No. 348.

An Act permitting sheriffs in counties of the third class to collect the cost of schedules of distribution on sheriff's sales of real estate

SENATE BILL No. 368.

An Act authorizing the Secretary of Property and Supplies to convey a certain lot of ground in the possession and occupancy of the Philipsburg State Hospital to the Rush Township School District.

SENATE BILL No. 373.

An Act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon.

SENATE BILL No. 392.

An Act authorizing the compromise of tax claims on rail property purchased by the county on county treasurers' sales for nonpayment of taxes, and the reconveyance of such property.

SENATE BILL No. 399.

An Act authorizing the Board of County Commissioners of counties of the second class to appropriate monies toward the maintenance of the Organized Reserve of the Army of the United States and for the assistance of conventions and meetings of Associations of Officers of the Officers Reserve Corp of the Army of the United States, and validating, ratifying, and approving all such appropriations heretofore made.

SENATE BILL No. 427.

An Act relating to libraries making it unlawful to retain any book, pamphlet, magazine, newspaper, manuscript, map or other property belonging to a library after notice to return the same providing penalty to be imposed in summary proceedings providing for payment of any fine imposed to the library instituting the prosecution.

SENATE BILL No. 433.

An Act to amend section four hundred and forty-eight of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by increasing the membership of the State Military Reservation Commission.

SENATE BILL No. 454.

An Act authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and members of the school board in relation to said funds and fixing a penalty for the violation thereof

SENATE BILL No. 458.

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens, in the several cities of the third class of this Commonwealth, and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessments and claims.

SENATE BILL No. 460.

An Act providing for the appointment of township police in townships of the second class; defining their powers and duties; providing for their compensation; requiring the keepers or persons in charge of jails, lockups or station houses to receive persons arrested by such policemen; and prohibiting such policemen from charging or accepting additional compensation.

SENATE BILL No. 466.

An Act to amend sections three and seven of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by regulating the pasteurization of milk and milk used for certain purposes.

SENATE BILL No. 467.

An act relating to Trusts for Charitable or Benevolent Purposes and Providing for the Combining of the same under certain conditions

SENATE BILL No. 476.

An Act ratifying and confirming certain contracts for the erection of joint county bridges where the bridges have been erected and accepted.

SENATE BILL No. 478.

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended, and paragraph one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two.

SENATE BILL No. 498.

An Act authorizing counties, cities, boroughs, townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds, and fixing a penalty for the violation thereof.

SENATE BILL No. 507.

An Act fixing the salaries of directors of the poor in counties of the second class.

SENATE BILL No. 516.

An Act to amend section one of the act, approved the twenty-fifth day of May, one thousand eight hundred and ninety-seven (P. L. 89), entitled "An act authorizing and requiring grand and petit juries to dispose of the costs in criminal prosecutions for larceny, where the value of the goods alleged to be stolen is less than ten dollars, and in the prosecutions for assault or assault and battery where felony is charged, and in which the prosecutor had no reasonable ground for making the charge of felony," by giving the juries jurisdiction over the costs in prosecutions for larceny and receiving stolen goods.

SENATE BILL No. 535.

An Act to amend section eight of the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances;" as amended, by further providing for the sales of seated lands for delinquent taxes assessed and levied for the year one thousand nine hundred and thirty, or any year prior thereto; where no sales have previously been made for delinquent taxes of that year, and validating liens on lands, taxes heretofore returned when land has not been advertised or sold.

SENATE BILL No. 537.

An Act to amend section one of the act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred ten) entitled "A further supplement to 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four" by providing that all corporations organized not for profit shall have authority to issue capital stock to an amount not exceeding five hundred thousand dollars

SENATE BILL No. 548.

A Supplement to act number four-A approved the fourteenth day of April one thousand nine hundred thirty-one (Appropriation Acts of one thousand nine hundred thirty-one page five) entitled "An act providing for the investigation and study of the effect of the diversion of water for water supply purposes upon the lower Delaware River and the industries using water therefrom imposing certain duties upon the Sanitary Water Board and making an appropriation" authorizing the Sanitary Water Board to continue the investigation and study of the effect of the diversion of water for water supply purposes from the lower Delaware River and the industries using water therefrom and extending the scope of the investigation and study

SENATE BILL No. 615.

An Act validating certain proceedings of borough councils pursuant to the provisions of the act, approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs; and revising, amending and consolidating the law relating to boroughs," and the several supplements and amendments thereto.

SENATE BILL No. 629.

An Act to prohibit the employment by the Commonwealth and by counties cities boroughs towns townships departments boards commissions and by certain corporations hospitals homes and institutions of aliens who entered the United States unlawfully and providing penalties

SENATE BILL No. 640.

An Act to amend the first "Whereas" clause, the first paragraph of article one, clause (d) of article two, and article ten of section one, and section two as amended, of the act approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said Commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by providing for the appointment of an engineer by the commission, and for the repayment to the Commonwealth of appropriation herein made.

SENATE BILL No. 643.

An Act dedicating and setting aside certain lands in Cameron and Clinton Counties as a public park and pleasure ground, to be known as "Bucktail State Park;" and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth.

SENATE BILL No. 645.

An Act to amend section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances

SENATE BILL No. 674.

An Act to repeal section three of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 98), entitled "A supplement to the act, approved the eleventh day of June, one thousand nine hundred and

thirty-one (Act Number Fifteen-A) entitled 'An act to provide for the ordinary expenses of the Executive, Legislative, and Judical Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one,' making additional appropriations to the Department of Military Affairs an dto the Department of Property and Supplies, and an appropriation to the Senate Committee for the Investigation of The Public Service Commission"; lapsing the appropriation made by said act to the Senate committee for the investigation of the Public Service Commission.

SENATE BILL No. 625.

An Act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing acts and parts of acts

SENATE BILL No. 699.

An Act to amend clause five of section three of the act approved the thirteenth day of May, one thousand nine hundred and nine (P. L. 520), entitled "An act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, mis-branded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," as amended, permitting the use of harmless colors in fruits used in fruit cake and further regulating the use of sulphur dioxide in the preparation of dried fruits and molasses

SENATE BILL No. 740.

An Act making an appropriation to the Department of Property and Supplies to reimburse any contractor having a contract with the Commonwealth, for costs, expenses and loss incurred where work under such contract was not prosecuted on account of the lapsing of part of the appropriation on which the contract was based.

SENATE BILL No. 691.

An Act to amend section fifty-seven of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by requiring the county commissioners to furnish office supplies for county officers not located in county buildings or at the county seat

SENATE BILL No. 695.

An Act to preserve the continuity of service of officers and enlisted men of the Pennsylvania National Guard who are mustered into the service of the United States during the World War and afterward were enlisted or commissioned in the said National Guard.

SENATE BILL No. 702.

An Act to repeal the act, approved the twentieth day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, three hundred ten), entitled "An act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the seventh class."

SENATE BILL No. 707.

An Act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof

SENATE BILL No. 727.

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in and ownership of space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, alderman, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws.

SENATE BILL No. 728.

A Supplement to act number fifteen-A, approved the eleventh day of June, one thousand nine hundred thirty-one (Appropriation Acts of one thousand nine hundred thirty-one, page sixteen), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one," providing for a deficiency in the appropriation to the Department of Forests and Waters for the extinction and control of forest fires for the fiscal biennium ending May thirty-first, one thousand nine hundred thirty-three.

SENATE BILL No. 730.

An Act to ratify, confirm and validate, as debts of the municipality, bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits.

SENATE BILL No. 746.

An Act to amend section two hundred and four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing that the coroner shall act in case the sheriff resigns

SENATE BILL No. 767.

An Act to add section seven hundred and thirty-seven to the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing two or more counties jointly, with the consent of the Department of Highways, to levy and collect tolls on certain toll bridges acquired and rebuilt by such counties for the purpose of paying off the indebtedness incurred or reimbursing such counties for moneys expended in the acquisition, rebuilding and maintenance of such toll bridges.

SENATE BILL No. 763.

An Act to amend sections one and four of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred four), entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements

erected or made within the limits of any such highway and providing for the payment of damages" by providing for the maintenance of the existing highway.

SENATE BILL No. 638.

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors; providing for the appointment and compensation of a director of welfare, investigators, assistants, experts and employes, and for the employment and compensation of elected directors whose terms have not expired; and repealing existing laws.

SENATE BILL No. 771.

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of berths and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," as amended, by providing for special certificates of the birth of adopted persons; and requiring school authorities to accept such certificates for certain purposes.

SENATE BILL No. 773.

An Act to repeal section thirteen of the act approved the twenty-fifth day of March, one thousand eight hundred and forty-two (P. L. 192), entitled "An act to appoint commissioners to re-survey and mark that portion of the county line, which divides the township of Bristol, in the county of Philadelphia, from the township of Cheltenham, in the county of Montgomery and for other purposes."

SENATE BILL No. 794.

An Act establishing certain public roads and streets in the City of Pittsburgh and County of Allegheny as a State highway, and providing for their construction and maintenance by the Department of Highways, subject to certain terms and conditions.

SENATE BILL No. 820.

An Act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances

SENATE BILL No. 834.

An Act empowering cities, boroughs, incorporated towns and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation and the amortization of indebtedness and interest thereof.

SENATE BILL No. 848.

A Supplement to the act, approved the eighth day of May, one thousand nine hundred and nineteen (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River," and its amendments, authorizing the commission created under said act to borrow money from the Reconstruction Finance Corporation for the purpose of constructing toll bridges, to charge tolls thereon, and to repay loans from tolls collected.

SENATE BILL No. 856.

An Act authorizing cities of the third class to provide, by ordinance, for the payment for public work or improvements heretofore made for or furnished to the city, where no legal or valid contract was entered into as required by law.

SENATE BILL No. 876.

An Act to amend clause (a) of section four hundred and eleven of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing of operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that rcords are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties: providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds;" by providing for transfer of registration from husband and wife to either spouse.

SENATE BILL No. 892.

An Act to amend section one of the act approved the fourteenth day of April, one thousand eight hundred and eighty-one (P. L. 10), entitled "An act granting power to counties, cities (except cities of the first and second classes) boroughs, municipalities and school districts in this Commonwealth, which have issued bonds or other interestbearing evidences of indebtedness, to redeem the same and issue new bonds therefor, with or without interest coupons attached," as amended, by extending the provisions of the said act to cities of the first and second classes and providing that the refunding bonds, issued under the provisions thereof may bear interest at a rate of six per centum per annum and providing further that said bonds shall be payable at any time not exceeding twenty years after the date thereof.

SENATE BILL No. 897.

An Act authorizing the issuance of scrip certificates for relief purposes by political subdivisions of this Commonwealth; providing for the printing and issuance of scrip and stamps by the Commonwealth, for the creation of scrip redemption fund in the State Treasury and for the redemption of scrip therefrom; imposing duties on the State Emergency Relief Board and the State Treasurer; appropriating the moneys in the scrip redemption fund and imposing penalties.

SENATE BILL No. 899.

An Act authorizing municipalities and townships to provide work for unemployed persons by renewing, repairing and replacing sidewalks.

SENATE BILL No. 932.

An Act to amend sections one, two three, and four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act: and imposing penalties;" limiting the status of an approved inspector; changing the requirements for holders of milk permits and imposing additional duties on such permit holders or applicants therefor; granting additional powers to the Secretary of Health in the enforcement of the act.

SENATE BILL No. 985.

An Act to amend clause nine of section one and clause two of section eleven, of the act approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board of the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the haeds of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended, openin gthe system further for original members, and preserving the rights of certain retired State employes who re-enter State service.

SENATE bILL No. 995.

A Supplement to the act approved the eighth day of May, one thousand nine hundred and nineteen (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River" and its amendments, authorizing the commission created under said act to borrow money from the Reconstruction Finance Corporation for the purpose of constructing toll bridges to charge tolls thereon and to repay loans from tolls collected.

SENATE BILL No. 1035.

An Act to amend paragraph seventeen of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred fifty-eight) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State emloyes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "final salary"

Whereupon,

The SPEAKER, in the presence of the House signed the same.

REPORTS FROM COMMITTEES

Mr. STEVENSON, from the Committee on Education, reported as committed, House Bill No. 1884, entitled:

An Act to amend section one thousand three hundred and one, and section one thousand three hundred and sixteen as amended, of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by increasing the requirements to obtain teachers' certificates and the qualifications to teach in public senior high schools or to hold official positions of higher rank.

Mr. HEFFNER, from the Committee on Game, reported as committed, House Bill No. 1588, entitled:

An Act to amend sections one, two and three of the act, approved the twenty-first day of April, one thousand nine hundred and fifteen (P. L. 140), entitled "An act directing the county commissioners of the several counties to offer for sale to the Department of Forestry tracts of land which they may have purchased at county treasurers' sales, for acceptance or refusal for forestry purposes, and to convey to the Commonwealth of Pennsylvania the tracts so offered to be sold, if accepted by the department," applying the provisions thereof to the Department of Forests and Waters, and extending the provisions thereof to the Board of Game Commissioners.

Mr. WILSON, from the Committee on Education, reported as committed, House Bill No. 1031, entitled:

An Act to amend section fourteen of the act approved the eighteenth day of July, one thousand nine hundred and seventeen (P. L. 1043), entitled "An act establishing a publi cschool employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," as amended, by fixing a minimum monthly compensation for certain retired teachers.

Mr. HARRY E. HIMES, from the Committee on Education, reported as committed, House Bill No. 1965, entitled:

An Act to amend sections five hundred and thirty-seven and five hundred and thirty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, limiting the per capita school tax to persons not paying tax on real property.

Mr. PEELOR, from the Committee on Education, reported as committed, House Bill No. 755, entitled:

An Act authorizing school districts with the approval of the court of common pleas, to negotiate temporary emergency loans for certain purposes during the year one thousand nine hundred thirty-three, and, under certain circumstances, to refund such loans annually for a certain period.

Mr. SOWERS, from the Committee on Judiciary General, reported as committed, House Bill No. 2336 (Senate Bill No. 151), entitled:

An Act to enlarge the jurisdiction of Justices of the Peace and Aldermen.

Mr. MOHN, from the Committee on Education, reported as committed, House Bill No. 2281 (Senate Bill No. 18), entitled:

An Act to amend section five hundred and seventeen of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended; limiting the personal liability of school directors and officers.

Mr. WILSON, from the Committee on Education, reported as committed, House Bill No. 2132 (Senate Bill No. 700), entitled:

An Act to amend section three hundred and twenty-five of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all

laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith"; by providing for the security to be given by depositories of school funds.

Mr. SNYDER, from the Committee on Education, reported as committed, House Bill No. 3282 (Senate Bill No. 20), entitled:

An Act to amend section one of the act approved the thirteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred eleven) entitled "An act relating to the appeals from the reports of auditors of school districts of the second third and fourth classes" limiting the powers to surcharge officers of school districts.

Mr. STONE, from the Committee on Fisheries, reported as amended, House Bill No. 2339 (Senate Bill No. 785), entitled:

An Act to amend section fifty and section two hundred and twenty, as amended, of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by permitting and regulating the use of eel chutes.

Mr. FORREST, from the Committee on Banking, reported as amended, House Bill No. 2348 (Senate Bill No. 446), entitled:

An Act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of banking corporations, with or without fiduciary powers, including the conversation of national banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts.

Mr. HEFFNER, from the Committee on Highways, re-reported as amended, House Bill No. 2152 (Senate Bill No. 717), entitled:

An Act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

Mr. WILSON, from the Committee on Education, re-reported as amended, House Bill No. 2287 (Senate Bill No. 825), entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," as amended; authorizing the officers of school districts to prepare, sign and make payment upon certain orders before approval of the orders by the board; relating to the payment of temporary indebtedness from current revenue; permitting the refunding of certain indebtedness and the depositing of collateral security by depositories, secretaries, treasurers and tax collectors of school districts in lieu of surety bonds; removing the right of certain boards of school directors to make agreements concerning the tuition of non-resident pupils; relieving certain school districts of the duty of providing special education for feeble minded children and placing such obligation upon the Department of Welfare; allowing certain pupils to attend schools in other districts; empowering the State Council of Education to regulate the issuance of certificates to students and graduates of State teachers colleges; authorizing boards of trustees of State teachers colleges to charge their pupils certain fees; designating certain persons as auditors of financial matters of certain school districts; relating to the filing of reports of audits, discontinuing teachers institutes and providing for meetings of teachers, the payment of the expenses thereof by the counties, and the compensation for the teachers in attendance; and repealing certain sections and parts of sections.

Mr. NOTHNAGLE, from the Committee on Education, re-reported as amended, House Bill No. 1018, entitled:

An Act to amend section three of the act approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons, and registration of corporations, engaging in the care, preparation and disposition of the bodies of deceased persons; and providing penalties"; by permitting the licensing of the spouse of a deceased licensed undertaker without necessity of certain educational qualifications.

BILLS ON FIRST READING

The following bills were read the first time pursuant to resolution presented by the Rules Committee fixing the order of the day.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1884, entitled:

An Act to amend section one thousand three hundred and one, and section one thousand three hundred and sixteen as amended, of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith, by increasing the requirements to obtain teachers' certificates and the qualifications to teach in public senior high schools or to hold official positions of higher rank.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1588, entitled:

An Act to amend sections one, two and three of the act, approved the twenty-first day of April, one thousand nine hundred and fifteen (P. L. 140), entitled "An act directing the county commissioners of the several counties to offer for sale to the Department of Forestry tracts of land which they may have purchased at county treasurers' sales, for acceptance or refusal for forestry purposes, and to convey to the Commonwealth of Pennsylvania the tracts so offered to be sold, if accepted by the department, applying the provisions thereof to the Department of Forests and Waters, and extending the provisions thereof to the Board of Game Commissioners.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1031, entitled:

An Act to amend section fourteen of the act approved the eighteenth day of July, one thousand nine hundred and seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board

for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," as amended, by fixing a minimum monthly compensation for certain retired teachers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1965, entitled:

An Act to amend sections five hundred and thirty-seven and five hundred and thirty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, limiting the per capita school tax to persons not paying tax on real property.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 755, entitled:

An Act authorizing school districts, with the approval of the court of common pleas, to negotiate temporary emergency loans for certain purposes during the year one thousand nine hundred thirty-three, and, under certain circumstances, to refund such loans annually for a certain period.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2336 (Senate Bill No. 151), entitled:

An Act to enlarge the jurisdiction of Justices of the Peace and Aldermen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2281 (Senate Bill No. 18), entitled:

An Act to amend section five hundred and seventeen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended limiting the personal liability of school directors and officers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2132 (Senate Bill No. 700), entitled:

An Act to amend section three hundred and twenty-five of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing funds for the security to be given by depositories of school funds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2282 (Senate Bill No. 20), entitled:

An Act to amend section one of the act, approved the thirteenth day of May, one thousand nine hundred and fifteen (P. L. 311), entitled "An act relating to appeals from the reports of auditors of school districts of the second, third and fourth classes," limiting the powers to surcharge officers of school districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2339 (Senate Bill No. 785), entitled:

An Act to amend section fifty and section two hundred and twenty as amended of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish in the inland waters and boundary rivers of the Commonwealth" by permitting and regulating the use of eel chutes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2348 (Senate Bill No. 446), entitled:

An Act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RESOLUTION

RECALLING HOUSE BILL No. 1675 FROM THE GOVERNOR

Mr. PHILIP STERLING asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 24, 1933.

Resolved (if the Senate concur), That House Bill No. 1675, entitled "An act to amend Section 1 of the act approved the

eighth day of June one thousand nine hundred and twenty-three (Pamphlet Laws six hundred eighty-five) entitled 'An act prescribing the fees for the office of Secretary of the Commonwealth' by increasing the fee to be charged by the Department of State for filing the power of attorney and statement of a foreign corporation" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1009 FROM THE GOVERNOR

Mr. WILSON asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 1009, Printer's No. 857, entitled "An act fixing the minimum salaries of county and assistant county superintendents for the first year of their terms which begin on the first Monday of July, one thousand nine hundred thirty-four; providing for the payment of such minimum salaries by the Commonwealth. and temporarily superseding any inconsistent acts and parts of acts," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

COMMITTEE TO INVESTIGATE MOTOR TRANSPORTATION

Mr. PETERS asked and obtained unanimous consent to offer the following resolution which was twice read and laid over under the rules.

In the House of Representatives, April 26, 1933.

Whereas, Various bills have been introduced seeking to further regulate the transportation of passengers and freight by motor vehicles; and

Whereas The correct and equitable solution of this important question cannot be solved by hastily considered legislation, or by the lone action of one state without harm to its own citizens through the breaking of reciprocal relations between states; therefore be it

Resolved, That the Speaker of the House of Representatives appoint a committee of seven Members of the House, one of whom shall be the Speaker, whose duty it shall be to study and prepare legislation relating to and regulating the size, weight, height and length of motor vehicles for the transportation of passengers and freight which shall be permitted in the interests of the public safety, and the problems involved in the transportation of passengers and freight by motor vehicles;

Resolved, That said committee shall have power to request the American Legislators' Association to call a regional conference of states with a view of framing uniform and reciprocal legislation, and to make recommendations to legislatures of the several states for the adoption of such legislation at a uniform date;

Resolved, That said committee shall have power to issue subpoenas under the hand and seal of its chairman, requiring and commanding any person to appear before it and answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before it. Any person who shall wilfully neglect or refuse to appear and testify for said committees, or to produce any books, papers, records and documents, shall be subject to the penalties provided by the laws of this Commonwealth in such cases;

Resolved, That the committee constituted by this resolution shall make report to the Legislature at its next session.

ADJOURNMENT

Mr. McBRIDE. Mr. Speaker, I move that this House do now adjourn until Thursday, April 27, 1933, at 10.00 o'clock A. M.

The motion was agreed to, and (at 6.28 P. M.) the House adjourned until Thursday, April 27, 1933, at 10.00 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., THURSDAY, APRIL 27, 1933 — No. 57

SENATE

THURSDAY, April 27, 1933.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Thou Almighty and Eternal God we rejoice this beautiful morning in Thy glorious sunshine. Surely these days are declaring the glory of God and the firmament is showing his handiwork. Let us learn the lesson that God is teaching in the star-lit heavens and in the sun-blazoned sky, the tremendous force of silence in this universe, that it is God's method in all the trillions of miles of light and space. So may we sometimes be like Him. We ask in His name. Amen

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. Clark, the further reading was dispensed with, and the Journal was approved.

PETITION

FAVORING DISTRIBUTION OF UNEMPLOYMENT RELIEF FUNDS THROUGH COUNTY POOR BOARDS

The Chair cleared his table and laid before the Senate petition from numerous citizens throughout Westmoreland County favoring the distribution of unemployment relief funds through county poor boards.

Which was referred to the Committee on Finance.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 76 (Senate Bill No. 1478), entitled:

An Act to amend subdivision (b) of article three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789), entitled "Insurance Department Act of 1921," as amended by providing for the valuation of securities held by insurance companies other than life insurance companies.

Which was committed to the Committee on Insurance.

House Bill No. 1050 (Senate Bill No. 1479), entitled:

An Act making it unlawful to give public moneys for the relief of the unemployed or the poor, to any alien who entered the United States unlawfully.

Which was committed to the Committee on Judiciary General

House Bill No. 1120 (Senate Bill No. 1480), entitled:

An Act providing a method for computing the time of imprisonment to be served by persons sentenced to pay any fine or costs in default of the payment thereof.

Which was committed to the Committee on Judiciary General

House Bill No. 1121 (Senate Bill No. 1481), entitled:

An Act providing for the discharge or parole of persons serving imprisonment for failure to make restitution under sentence of any court.

Which was committed to the Committee on Judiciary General.

House Bill No. 1299 (Senate Bill No. 1482), entitled:

An Act to supplement the act approved the twenty-sixth day of June, one thousand nine hundred and thirty-one (P. L. 1379), entitled "Third Class County Board Assessment Law," by validating assessments made otherwise than as provided therein and authorizing county commissioners to pay for services of assessors making such assessments.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1300 (Senate Bill No. 1483), entitled:

An Act imposing an additional excise license tax on each store or mercantile establishment in excess of one operated or maintained within this Commonwealth under the same general management, supervision, or ownership.

Which was committed to the Committee on Finance.

House Bill No. 1395 (Senate Bill No. 1484), entitled:

An Act to stay writs of eviction, distress or other writs of possession under certain circumstances, and providing procedure therefor.

Which was committed to the Committee on Judiciary General.

House Bill No. 1738 (Senate Bill No. 1485), entitled:

An Act invoking the police power of this Commonwealth staying proceedings to sell real property on foreclosures of first mortgages for the period of eighteen months in certain cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 1807 (Senate Bill No. 1486), entitled:

An Act to amend section one of the act approved the twenty-seventh day of February, one thousand eight hundred and sixty-five, (P. L. 4), entitled "An act to increase the fees of mercantile appraisers in certain counties of this Commonwealth."

Which was committed to the Committee on Finance.

House Bill No. 1903 (Senate Bill No. 1487), entitled:

An Act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs.

Which was committed to the Committee on Judiciary General.

House Bill No. 1991 (Senate Bill No. 1488), entitled:

An Act requiring county treasurers to make monthly settlements with all cities, boroughs, townships, school districts and poor boards within the county, for all delinquent taxes, penalties, fines and costs, collected during said period and providing the manner in which same shall be made.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 2096 (Senate Bill No. 1489), entitled:

An Act imposing a State tax, payable by those herein defined as manufacturers and distributors, on non-intoxicating alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale of non-intoxicating alcoholic beverages at retail or wholesale; and providing penalties.

Which was committed to the Committee on Finance.

House Bill No. 2333 (Senate Bill No. 1490), entitled:

An Act authorizing the Secretary of the Commonwealth, with the approval of the Attorney General and Director of the Legislative Reference Bureau, to correct certain errors in the original copies of laws.

Which was committeed to the Committee on Judiciary General.

House Bill No. 2279 (Senate Bill No. 1491), entitled:

An Act appropriating the moneys in the Motor License Fund for the two years beginning June first, one thousand nine hundred and thirty-three; and repealing the act of May first, one thousand nine hundred and twenty-nine (P. L. 1046), entitled, "An act appropriating the moneys in the Motor License Fund," except as to certain provisions relative to unpaid bills and moneys received by the Department of Highways from the Federal government.

Which was committed to the Committee on Finance.

House Bill No. 1850 (Senate Bill No. 1492), entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by prohibiting the issuance of certain registration plates unless applied for on a form prescribed and furnished by the department and accompanied by an extra fee.

Which was committed to the Committee on Public Roads and Highways.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF LANCASTER COUNTY

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, April 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Mrs. Agnes S. Hostetter, of Lancaster, Lancaster County, as a member of the Board of Trustees of the Mothers' Assistance Fund of Lancaster County, vice Mrs. Isabelle Patterson Evans, deceased, until June 1, 1933, and until her successor is duly appointed and qualified.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

DELAWARE COUNTY

Frank McClatchy, Jr., Upper Darby.

NORTHAMPTON COUNTY

Miss Elizabeth S. Hare, Easton.

PHILADELPHIA COUNTY

Miss Olga I. Bowen, Philadelphia.

GIFFORD PINCHOT.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 625

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 625, Printer's No. 617, for the purpose of amendment.

Accordingly the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL No 625

Mr. SHAPIRO. Mr. President, I move to reconsider the vote by which Senate Bill No. 625 passed finally.

The PRESIDENT. How did the Senator vote?

Mr. SHAPIRO. Mr. President, I voted "aye"

Mr. GRAFF. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GRAFF. Mr. President, I voted "aye"

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. SHAPIRO. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. SHAPIRO. Mr. President, I voted "aye."

Mr. GRAFF. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GRAFF. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SHAPIRO. Mr. President, I ask unanimous consent to amend section 202, page 21, line 10 by striking out after the word "State" and before the word "an" the following: "[duplicate originals of]"; also line 13 by striking out after the word "send" and before the word "of" the words "[one duplicate original]" and inserting in lieu thereof the words "a copy"; also line 24 by striking out at the end of the line after the word "State" the words "[duplicate originals]"; also line 25 by striking out at the beginning of the line before the word "a" the word "[of]"; also line 28 by striking out after the word "send" and before the word "such" the word "[one]" and inserting in lieu thereof the words "a copy of"; also line 28 by striking out at the end of the line after the word "such" the word "[duplicate]"; also line 29 by striking out at the beginning of the line before the word "to" the word "[original]" and inserting in lieu thereof the word "notice"; also section 406, page 42, line 18 by striking out at the beginning of the line before the word "accountants" the following: "[a certified public accountant or a firm of such]" and inserting in lieu thereof the words "an accountant or"; also line 27 by striking out after the syllable "ants]" and before the word "as" the words "[certified public accountants]" and inserting in lieu thereof the words "an assistant or assistants"; also page 43, line 3 by striking out after the syllable "sons]" and before the word "accountants" the words "[certified public]" and inserting in lieu thereof the words "accountant or"; also section 615, page 71, line 15 by inserting after the word "of]" and before the word "If" the letter "B"; also section 901, page 102, line 4 by striking out at the beginning of the line before "[]rate of]" the word "[definite]"; also section 903, page 106, line 19 by striking out after the word "not" and before the word "with" the word "[altogether]" and inserting in lieu thereof the word "together"; also section 905, page 109, line 26 by striking out after the word "trustees" and before the word "to" the following: "[pusuant]" and inserting in lieu thereof the word "pursuant"; also section 913, page 116 by inserting between lines 27 and 28 the following: "A Any premium which [is bid or] is agreed to be paid"; also by striking out line 29; also section 1003, page 120 by inserting between lines 24 and 25 the following: "(5) The plan of merger or consolidation"; also section 1008, page 126 by placing a bracket after the word "surviving" at the end of line 12; also section 1204, page 148, line 26 by striking out at the beginning of the line before the article "the" the words "[the Department has filed]" and inserting in lieu thereof the words "have not filed"; also page 148, line 26 by striking out at the end of the line after the word "dissolution" the word "[with]"; also line 27 by striking out at the beginning of the line before the word "pursuant" the words "[the recorder of deeds]"

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1009

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 27, 1933.

Resolved (if the Senate concur), That House Bill No. 1009, entitled: "An Act fixing the minimum salaries of county and assistant county superintendents for the first year of their terms which will begin on the first Monday of July, one thousand nine hundred thirty-four; providing for the payment of such minimum salaries by the Commonwealth; and temporarily superseding any inconsistent acts and parts of acts," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1675

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and agreed to:

In the House of Representatives, April 27, 1933.

Resolved (if the Senate concur), That House Bill No. 1675, entitled: "An Act to amend section one of the act approved the eighth day of June, one thousand nine hundred and twenty-three (P. L. 685), entitled 'An act prescribing the fees for the office of Secretary of the Commonwealth" by increasing the fee to be charged by the Department of State for filing the power of attorney and statement of a foreign corporation," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. HOWELL, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 860 (House Bill No. 1180), entitled:

An Act to amend section one of article one of the act approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "Anthracite Coal Mining Law," by extending the provisions of the act to all anthracite mines or collieries that employ five or more persons, and authorizing the mine inspectors to enter and inspect all mines employing from two to five persons for the purpose of determining whether or not the mine is generally safe.

Mr. MANSFIELD, from the Committee on Judiciary General, reported a scommitted, Senate Bill No. 1445 (House Bill No. 1767), entitled:

An Act authorizing plaintiffs in actions on written instruments to join as defendants persons severally, jointly and severally, liable thereon, and regulating the effect thereof and the procedure in such actions.

Also, from the Committee on Agriculture, reported as amended, Senate Bill 1374 (House Bill No. 1000), entitled:

An Act to encourage industry manufacturing and commerce by declining state aid to any and all institutions directly or indirectly competing with any person copartnership association or corporations engaged in the printing or publishing industry and prohibiting the payment by the State Treasurer of any moneys appropriated to any such institution or institutions which manufacture or cause to be produced or manufactured for sale to the public at wholesale or retail any printed matter

Mr. TRAINER, from the Committee on Finance, re-reported as amended, Senate Bill No. 902 (House Bill No. 22), entitled:

An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers deputies and employes providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the assistants and employes of certain departments boards and commisisons shall be determined.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Frank S. Napierhowski, Pittsburgh.

LACKAWANNA COUNTY

Thomas A. Garvey, Carbondale.

NORTHAMPTON COUNTY

Paul T. M. Hahn, Easton.

PHILADELPHIA COUNTY

Miss A. E. Daly, Philadelphia.
Joseph F. Marcer, Philadelphia.
Harry W. Raff, Philadelphia.

BERKS COUNTY

Leroy Klopp, Reading.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. KRAUSE,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. KRAUSE,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Aron,	Frazier,	Miller,	Shapiro,
Batchelor,	Gelder,	Norton,	Snyder,
Baumer,	Graff,	Owlett,	Sones,
Bell,	Harris,	Parkinson,	Sordoni,
Bennett,	Harvey,	Pethick,	Staudenmeier,
Boyd,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,	Mansfield,	Roberts,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. EALY. Mr. President, I move that the Executive Session do now rise.

Mr. WILLIAMSON. Mr. President, I second the motion.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 385

Mr. McCLURE. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives on the subject of the differences existing between the two houses in relation to Senate Bill No. 385, entitled:

An Act providing for the fixing of salaries or compensation of all appointed officers clerks and other employes paid from the county funds in counties of the sixth seventh and eighth classes and creating salary boards in certain counties

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. McClure, Howell and Sones be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEE

Mr. SCOTT, from the Committee on Appropriations, reported as committed, Senate Bill No. 1471, entitled:

A Joint Resolution authorizing the appointment of a Commission to make a survey of the construction and maintenance of public roads, streets, highways and bridges within the Commonwealth, to study and report to the Legislature its findings based upon such survey; giving it authority to sit after the adjournment of the Legislature and compel the attendance of witnesses and the production of books and papers, and making an appropriation from the Motor License Fund to meet the expenses of said Commission.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1473, entitled:

An Act making an appropriation for the support of the American Legislators' Association.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1397 (House Bill No. 1256), entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the maintenance and development of the Drake Well Memorial Park.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 897

Mr. McCLURE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCLURE offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 27, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 897, Printer's No. 475, entitled "An act authorizing the issuance of script certificates for relief purposes by political subdivisions of this Commonwealth; providing for the printing and issuance of scrip and stamps by the Commonwealth, for the creation of a scrip redemption fund in the State Treasury and for the redemption of scrip therefrom; imposing duties on the State Emergency Relief Board and the State Treasurer; appropriating the moneys in the scrip redemption fund and imposing penalties [and making an appropriation]" be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 1450, as follows:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverage may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That SHORT TITLE This act shall be known and may be cited as the "Beverage License Law"

Section 2 DEFINITIONS The following words and terms as used in this act shall be construed as defined in this section

(a) The word "beverages" means any beer lager beer ale porter wine similar fermented malt or vinous liquor and fruit juice containing one-half of one per centum or more of alcohol by volume and not exceeding three and two-tenths per centum of alcohol by weight by whatever name such liquors or fruit juices may be called the manufacture and sale of which for beverage purposes is not prohibited by the laws of the United States

(b) The word "person" means and includes natural persons associations partnerships and corporations

(c) The word "manufacturer" means and includes all persons holding permits issued by the Alcohol Permit Board of this Commonwealth

(d) The term "distributor" means and includes persons licensed to engage in the purchase and resale of beverages in the original sealed packages as prepared for the market by the manufacturer but not for consumption on the premises where sold

(e) The term "retailer means and includes persons licensed to engage in the retail sale of beverages where the consumption thereof is upon the premises of such vendor with the privilege of selling beverages to be carried from the premises by the purchaser thereof only however in the original containers

(f) The term "original containers" means and includes bottles casks kegs or other containers that have been securely capped or corked by the manufacturer with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing same

(g) The term "license" means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised and includes distributors' retailers' and public service licenses

(h) "Eating place" means a room having an area of not less than three hundred square feet and equipped with tables and chairs accommodating forty persons at one time

(i) "Treasurer" means the county treasurer of the county in which is located any place specified in an application as the place for which a license is desired

(j) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and neuter

Section 3 Sales for Consumption on the Premises It shall be unlawful for any person to sell to another for consumption upon the premises where sold or to permit another to consume upon the premises where sold any beverage unless such person holds a valid retailer's license issued by the treasurer

Section 4 Sales Not for Consumption on the premises It shall be unlawful for any person to sell to another any beverage not for consumption upon the premises where sold unless such person holds a valid manufacturer's permit issued by the Alcohol Permit Board or a valid distributor's or retailer's license issued by the treasurer

Section 5 Distributors' Licenses The treasure shall issue to any person who applies therefor pays the license fee hereinafter prescribed and files the bond hereinafter required a distributor's license for the place at which such person desires to sell beverages not for consumption on the premises where sold

Section 6 Retailer's Licenses Subject to the restrictions hereinafter provided the treasurer shall issue to a person who conducts a reputable hotel or incorporated club or a reputable bona fide eating place where food is regularly and customarily prepared and sold and who makes application upon a form as hereinafter prescribed pays the license fee hereinafter required a retailer's license for such place

Such licenses shall be issued only to reputable individuals who are citizens of the United States and have for one year been residents of the municipality or township wherein the place of business is located at the date of their applications or to reputable corporations organized or duly registered under the laws of Pennsylvania

No retailer's license shall be granted for the sale of beverages for consumption on the premises in any municipality or township in which the electors shall as hereafter provided have voted against the licensing therein of places where beverages may be sold for consumption on the premises where sold

Section 7 Appeals from refusal of licenses Any person aggrieved by the Treasurer's refusal to issue a license may appeal to the Court of Quarter Sessions of the County Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the Treasurer whereupon a hearing shall be held upon said petition by the Court upon thirty days' notice to the Treasurer who shall be represented in the proceeding by the district attorney At said hearing testimony may be presented by the applicant and the Treasurer after the consideration of which the Court shall either sustain the refusal of the Treasurer or order an issuance of the license to the applicant There shall be no further appeal

Section 8 PUBLIC SERVICE LICENSES The Department of Revenue may issue special retailers' licenses to a railroad pullman or steamship company permitting beverages to be sold in dining club or buffet cars or the dining compartments of steamships or vessels for consumption on the trains steamships or vessels Such licenses shall only be granted to reputable persons and for fit places The Department of Revenue shall have the power to suspend or revoke any such licenses for cause after granting a hearing thereon to the licensee. Any person aggrieved by the decision of the Department of Revenue in refusing suspending or revoking any such license may within thirty days thereafter appeal to the Court of Common Pleas of Dauphin County which shall fix a time for hearing of which notice shall be given to the Department of Revenue as the court may provide The court shall hear the appeal de novo and shall make such order affirming modifying or reversing the order of the Department as to it shall appear just The action of the court shall be final

Section 9 DISTRIBUTORS' AND RETAILERS' LICENSES LICENSE YEAR Licenses to distributors and retailers shall be granted by the treasurer and shall be for one year The license year in each county shall begin on June first

Section 10 FILING OF APPLICATIONS FOR DISTRIBUTORS' AND RETAILERS' LICENSES Every person intending to apply for a distributor's or retailer's license as aforesaid in any municipality or township of this Commonwealth shall file with the treasurer his or its application at least one week before the first day of June and shall at the same time pay said treasurer ten dollars for the use of the county

Section 11 APPLICATION FOR DISTRIBUTORS' AND RETAILERS' LICENSES Application for distributors' and retailers' licenses shall contain

(a) The name and residence of the applicant and how long he has resided there and if an individual the residence of such applicant and if an association partnership or corporation the residences of the members officers and directors for the period of two years next preceding the date of such application

(b) The particular place for which the license is desired and a detailed description thereof

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation when and where incorporated with the names and addresses of each officer and director

(d) Name of owner of premises and his residence

(e) That the applicant is not or in case of a partnership or association that the members or partners are not and in the case of a corporation that the officers and directors are not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business regulated under this act except as hereinafter temporarily permitted

(f) That applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner pecuniarily interested during the continuance of the license except as hereinafter temporarily permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in case of a corporation any officer or director thereof has during the three years immediately preceding the date of said application had a license for the sale of beverages revoked or has during the same period been convicted of any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of beverages a full history of such business relating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location

There shall be annexed to such application a certificate signed by at least twelve reputable qualified electors of the ward borough or township in which such beverages are to be sold setting forth that they have been acquainted with the applicant or applicants or the members of the association or partnership or the directors and officers of the corporation where the applicant is a corporation that they have good reason to believe that each and all the statements contained in the petition are true and they therefore believe that the application should be granted and that the license should issue

The application must be verified by affidavit of applicant and if any false statement is made in any part of the application the affiant shall be deemed guilty of the crime of perjury A license shall not be granted by the treasurer unless the application contains the information herein required

Section 12 PROHIBITION AGAINST THE GRANT OF LICENSES Any retailer may be granted licenses to maintain operate or conduct any number of places for the sale of beverages but a separate license must be secured for each place where beverages are sold or where orders are taken

No person shall possess or be issued more than one distributor's license in any one municipality or township nor shall any distributor maintain or operate any place or places other than that for which the license is granted where beverages are sold or where orders are taken

Licenses shall be granted by the treasurer only to reputable individuals or to associations partnerships and corporations whose members or officers and directors are reputable individuals

Licenses shall be granted by the treasurer only to individual citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding or to corporations organized in or duly authorized to transact business in this Commonwealth and all of whose officers and directors shall be citizens of the United States who have also been residents of this Commonwealth for at least three years immediately preceding the applications for license

Section 13 REVOCATION AND SUSPENSION OF LICENSES BY COURT OF QUARTER SESSIONS After a license has been granted upon petition of the Attorney General the treasurer the district attorney or fifteen or more taxpayers residents of the ward borough or township where the place of business is located to the court of quarter sessions and upon sufficient cause being shown or proof being made to the court that the licensee holding a license or any partners members officers or directors of the licensee has or have violated any of the laws of this Commonwealth relating to the sale of beverages or relating to the manufacture sale or transportation of alcohol or any other alcoholic beverages it may upon due notice and proper hearing being given to the person so licensed suspend or revoke the said license issued by the treasurer The court shall assess or remit the costs in its discretion The action of the court in suspending or revoking a license shall be final

Section 14 LICENSES NOT ASSIGNABLE TRANSFERS Licenses issued under this act may not be assigned The treasurer is hereby authorized to transfer any distributor's or retailer's license from one person to another or from one place to another within the same municipality or township as the treasurer may determine but no transfer shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally Any such transfer of a license may be made at any time From any refusal to grant a transfer the person aggrieved shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses

Section 15 APPLICATIONS FOR TRANSFERS FEE Applications for any such transfer shall be filed in the office of the county treasurer at least one week before the transfer is made

Whenever any license is transferred no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current license year except a fee of ten dollars to be paid to the treasurer for the use of the county

Section 16 RENEWAL OF LICENSES Renewals of licenses shall be granted annually by the treasurer upon the filing of an application as hereinbefore provided at least one week before the first day of June and the payment of a fee of ten dollars for the use of the county and the payment of the license fee and the filing of a bond as in the case of an original license

Section 17 DISPLAY OF LICENSE Every licensee shall frame his or its license under a transparent substance and display the same in a conspicuous space so that it may easily be read in his or its place of business and no license shall authorize sales until this section has been complied with

Section 18 ALL LICENSEES TO FURNISH BOND No license shall be issued to any distributor or retailer until the licensee shall have first executed a bond to the Commonwealth of Pennsylvania and a warrant of attorney to confess judgment in the penal sum hereinafter prescribed and with sufficient sureties either personal or a surety company authorized to do business in this Commonwealth Such bond shall not be accepted until approved by the treasurer All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to the sale of beverages or relating to the manufacture sale or transportation of alcohol or any other alcoholic beverages Such bond shall be filed with and retained by the treasurer The penal sums of such bonds shall be one thousand dollars for each place at which the licensee is authorized to sell beverages Every such bond shall be turned over to the district attorney to be sued out if and when the licensee's license shall have been revoked as herein provided

Section 19 LICENSE FEES DISTRIBUTION OF REVENUES No license shall be issued to any distributor or retailer until

the licensee shall have first paid an annual license fee for such grant as follows

(a) In the case of a distributor the license fee shall be graduated according to the population of the municipality or township in which the place of business is located as follows and shall be paid to the treasurer

I In municipalities or townships having a population of less than one thousand five hundred inhabitants thirty-seven dollars and fifty cents

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants fifty dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants seventy-five dollars

IV In those having a population of fifty thousand and more but less than one hundred thousand inhabitants one hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants one hundred and twenty-five dollars

VI In those having a population of one hundred fifty thousand and more one hundred and fifty dollars

(b) In the case of a retailer the license fee shall be granted according to the population of the municipal unit in which the place of business is located as follows and shall be paid to the treasurer

I In municipalities or townships having a population of less than one thousand five hundred inhabitants seventy-five dollars

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants one hundred dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants one hundred and fifty dollars

IV In those having a populatian of fifty thousand and more but less than one hundred thousand inhabitants two hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants two hundred and fifty dollars

VI In those having a population of one hundred fifty thousand and more three hundred dollars

(c) In the case of an incorporated club the fee shall be twenty-five dollars in all cases

(d) In the case of a public service license for the sale of beverages in dining club and buffet cars the fee shall be ten dollars for each car on which beverages are sold and shall be paid to the State Treasurer through the Department of Revenue

(e) In the case of a public service license for the sale of beverages on a boat or vessel the fee shall be fifty dollars for each such vessel or boat which shall be paid to the State Treasurer through the Department of Revenue

The license fees fixed by this section shall be paid before the license or renewal is issued

The fees for distributors' and retailers' licenses shall be paid by the treasurer to the municipalities and townships of the first class in which the licensed places are located for the use of such municipalities and townships the fees for licenses of places located in townships of the second class shall be paid into the county treasury for the use of the county The fees for public service licenses shall be for the use of the Commonwealth

Remittances shall be made by the treasurer to municipalities and townships within thirty days of the receipt of any license fee

Section 20 SALES BY MANUFACTURERS MINIMUM QUANTITIES No manufacturer shall sell any of such beverages for consumption on the premises where sold nor sell or deliver any such beverages in other than orginal containers nor in quantites of less than two hundred and eighty-eight (288) fluid ounces nor shall any manufacturer maintain or operate any place or places other than the place or places covered by his or its permit where beverages are sold or where orders are taken

Section 21 SALES BY DISTRIBUTORS No distributor shall purchase receive or resell any beverages except in the original containers Provided That no such beverage sold or delivered shall be consumed upon the premises of the distributor or in any place provided for such purpose by such distributor

Section 22 SALES BY RETAILERS No retailer shall purchase or receive any beverages except in original containers and thereafter may break the bulk upon the licensed premises and sell or dispense the same for use and consumption only however in and upon the premises so licensed Provided however That such retailer may sell such beverages in the original containers to be carried from the premises by the purchaser thereof

No retailer shall maintain any bar at which beverages are served to customers or sell any beverages for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times visible and accessible to the use and accommodation of the general public but this section shall not be interpreted to prohibit the sale of beverages at a lunch counter with seats or chairs permanently fastened thereto if such counter is in an eating place as herein defined A retailer licensed to sell beverages in a hotel or club house may however sell and deliver such beverages in any room of such hotel or clubhouse occupied by a bona fide registered guest or member entitled to purchase the same

Section 23 UNLAWFUL SALES It shall be unlawful for any licensee or his or its servants agents or employes

(a) To sell trade or barter in beverages between the hours of twelve o'clock midnight of any Saturday and six o'clock in the forenoon of the following Monday

(b) To sell furnish or give any beverages to any person visibly intoxicated or to any insane person or to any minor

(c) To sell furnish or give any beverage to any person on any day on which a general municipal special or primary election is being held.

(d) In the case of retailers to sell or offer to sell any beverages for consumption on the premises where sold to any person on credit excepting credits extended by an hotel or club to a bona fide registered guest or member No right of action shall exist to collect any claims for credit extended to the provisions of this clause

(e) To sell offer to sell or furnish any beverage to any person on a pass-book or store order or to receive from any person any goods wares merchandise or other articles in exchange for beverages

(f) To hawk or peddle any beverages in this Commonwealth

Section 24 THINGS OF VALUE NOT TO BE OFFERED FOR THE RETURN OF CERTAIN ARTICLES It shall be unlawful for any person licensed to sell beverages to offer or give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing such beverages or to offer or give anything of value as a premium or present to induce the purchase of such beverages or for any other purpose whatsoever in connection with the sale of such beverages Provided however that this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof

Section 25 UNLAWFUL TO FORTIFY ADULTERATE OR CONTAMINATE BEVERAGES It shall be unlawful to fortify adulterate contaminate or in any wise to change the character or purity of the beverages from that as originally marketed by the manufacturer

Section 26 TRANSPORTATION IN ORIGINAL PACKAGES It shall be unlawful to transport any beverages except in the original containers

Section 27 DELIVERY VEHICLES TO BEAR NAME AND ADDRESS OF DISTRIBUTOR OR MANUFACTURER It shall be unlawful for a manufacturer or distributor to deliver any beverages excepting in vehicles bearing the name and address of such distributor or manufacturer on each side of such vehicle in letters no smaller than four inches in height

Section 28 INTERLOCKING BUSINESS PROHIBITED

(a) No manufacturer and no officer or director of any manufacturer shall at the same time be a distributor or retailer or an officer director or stockholder or creditor of any distributor or of any retailer nor be the owner proprietor or lessor of any place covered by any distributor's or retailer's license

(b) No distributor and no officer or director of any distributor shall at the same time be a manufacturer or retailer or be an officer director stockholder or creditor of a manufacturer or retailer or be the owner proprietor or lessor of any place covered by any retailer's license

No manufacturer or distributor or retailer licensed under this act shall own any stock of or have any financial interest in any other class of business licensed under this act

(d) Excepting as hereinafter provided no manufacturer or distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage lien against the same for which a retailer's license is granted nor shall a manufacturer or distributor either directly or indirectly lend any moneys credit or equivalent thereof to any retailer in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale and consumption upon the premises excepting only the usual and customary commercial credits for beverages sold and delivered

(e) Excepting as hereinafter provided no manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a distributor's license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or their equivalent to any distributor in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale by a distributor excepting only the usual and customary commercial credits for beverages sold and delivered

The purpose of this section is to require a separation of the financial and business interests between the various classes of business regulated by this act and no person or corporation shall by any device whatsoever directly or indirectly evade the provisions of this section But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest until January first one thousand nine hundred and thirty-six by a manufacturer of any place occupied by a distributor or retailer if the manufacturer has continuously owned or had a conflicting interest in such place for a period of at least three years prior to the effective date of this act

The term "manufacturer" as used in this section shall include manufacturers as defined in this act and any person manufacturing any beverage outside of this Commonwealth

Section 29 PENALTY. Any person copartnership association or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three hundred dollars ($300) for the first offense and for any second or subsequent offense shall be sentenced upon conviction to pay a fine not exceeding five hundred dollars ($500) Any such person or the members agents servants or employes of any partnerships or association or the officers directors agents servants or employes of any corporation responsible for any violation of any of the provisions of this act may upon a second or subsequent conviction be sentenced to imprisonment for a term not exceeding six months or by both such fine and imprisonment in the discretion of the court

Section 30 CONSTITUTIONALITY. The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 31 LOCAL OPTION In any municipality or township an election may be held but not oftener than once in four years on the date of any municipal election to determine the will of the electors with respect to the granting of licenses to retailer of beverages under the provisions of this act Whenever electors equal to at least ten per centum of the highest vote cast for any office in the municipality or township at the last preceding general election shall petition the corporate authorities of the municipality or township for a referendum on the question of granting such licenses the said corporate authorities shall cause a question to be submitted at the municipal election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission of such question on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the granting of retail beverage licenses in the of	Yes No	———

If a majority of the persons voting on such question vote "yes" then retailers' licenses shall be granted by the treasurer in such municipality or township under the provisions of this act but if a majority of the persons voting on such question vote "no" then the treasurer shall thereafter have no power to grant or to renew upon their expiration any retailer's licenses in such municipality or township under the provisions of this act

Section 32 EFFECTIVE DATE This act shall become effective on June first one thousand nine hundred and thirty-three except that licenses may be granted prior to said date to become effective on said date

Section 33 REPEAL The following acts are hereby repealed as respectively indicated

The act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-seven) entitled "An act authorizing the transfer by the judges of the several courts of the Commonwealth of licenses for the wholesale or retail of vinous spirituous malt or brewed liquors from one person to another and from one place to another" absolutely

The act approved the thirtieth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws four hundred sixty-four) entitled "An act to provide revenue and regulate the sale of malt brewed vinous and spirituous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors" and the amendments thereto so far as the same relate to beverages licensed under this act

The act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" and the amendments thereto so far as the same relate to beverages the sale and distribution of which is regulated and licensed under this act

The act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of Federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of the permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and pro-

viding for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" in so far as the same relates to the sale at wholesale of beverages the sale of which is regulated and licensed under this act

All other acts and parts of acts general local and special inconsistent with this act are hereby repealed But nothing contained in this act shall be construed to repeal any law relating to the purity or adulteration of beverages or any law relating to sanitation

Nothing contained in this act shall be construed to repeal or in any manner to impair the provisions of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-three) entitled "An act to permit the growers of grapes in this Commonwealth to manufacture wine from grapes of their own raising that are not first class or marketable and sell such wine to licensed dealers without taking out or paying a license for such manufacture or sale"

An said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. REED. Mr. President and members of the Senate, this bill has not been in our hands for a very long period of time, but I believe that in the few moments at my disposal I have looked it over sufficiently to confirm my opposition to the bill. I will take the time of the Senate for only a few moments, to explain some of the provisions of this bill which I regard as bad.

First, there is a definition of "beverage," and we find the definition to be: "beer, lagar beer, ale, porter, wine" and so forth "containing one-half of one per centum or more of alcohol by volume and not exceeding three and two-tenths per centum of alcohol by weight."

We find, therefore, that by its definition this bill regulates alcoholic liquor having a content which has been declared by the Congress of the United States and by the President of the United States to be non-intoxicating. Therefore, we start off with the premise that we are regulating something which is purely non-intoxicating, and to my mind this seriously raises the question of constitutionality.

I presume no one would question for a moment that were we to regulate ginger ale and not regulate other soft drinks the bill would be unconstitutional, as class legislation; but if we are to accept the view,——and I must accept the view, whatever my individual opinion may be, ——of the constitutionality of an Act of Congress, that it is non-intoxicating, I fail to see how we can regulate one form of harmless beverage and exclude all others.

On page 3 we find the definition of "eating place" as meaning "a room having an area of not less than three hundred square feet and equipped with tables and chairs accommodating forty persons at one time." If I understand the theory of this legislation correctly, it is that we are to produce revenue, ——because I can hardly see the reason under the police power, of regulating the sale of this harmless non-intoxicating beverage; and I therefore fail to see any reason whatever why a place accommodating forty persons or more should come within the purview of this act and the place which would accommodate thirty-nine persons should not be brought within the act.

These are but some of possibly the less serious objections to this bill, but my principal objection to this bill is the fact that notwithstanding the numerous amendments which have been made we continue to place the licensing power in the hands of the county treasurer; and I pause for a moment to ask, "Why are we doing this?"

It was only a few weeks ago that the Senate of Pennsylvania went on record: and I believe the vote shows that thirty-four Senators favored licensing by the courts. All these thirty-four Senators have gone on record as placing confidence in the courts of Pennsylvania; and why this reversal of sentiment today? To my mind, members of the Senate, this bill stands as a direct reflection upon the judiciary of Pennsylvania. Are we in this Legislature to say that the judges of our courts, the members of the third great department of government, cannot be trusted in the matter of granting licenses?

I have heard the argument made that to place the licensing in the courts would be politics; and seemingly, therefore, to place the licensing power in the county treasurer takes this out of politics. If any Senator can see logic, or common sense in an argument like that, I submit that I am unable to argue that question any further than merely to state the fact.

But the serious point is that the county treasurer is not a mere licensing officer, under this act, acting without discretion,——I would not have so much objection to this bill if the county treasurer were to grant a license to every applicant who desired it, just as the county treasurer today grants a license to every dog owner who wants a license,—— here we are putting a discretion into the hands of the county treasurer: and I submit that the little amendment on page 6, striking out the word "may" and inserting in place thereof the word "shall," does not in any sense alter that fact. The mere fact that there is an appeal from the decision of the county treasurer to the Court of Quarter Sessions, whenever an applicant is refused, shows conclusively that discretion in the county treasurer is written all through this act.

Objection has been made to the old Brooks License Law and some of the evils resulting therefrom; but I would like some member of the Senate to explain wherein the same questions of discrtion are not vested in the county treasurer that were before the courts under the old Brooks License Law. An examination of Section 7 before it was amended, and, as well, under the present amendment, shows that the discretion of the county treasurer is subject to review of the courts.

I am speaking what I believe to be the sentiment of my county,——that we do no feel that this power, this gigantic power conferred under this act, should be placed in the treasurer's office. Under the law the treasurer is the fiscal officer of the county. It is an office of tremendous responsibility. In most of the counties of the Commonwealth the treasurer is, in addition, entrusted with the collection of part, at least, of the taxes which come into his hands; and, I say, into this office which guards the funds of the tax-payers of the county should not be placed this additional power which will raise that office to an importance and a dignity which is dangerous in our Commonwealth, by including in that office the discretionary power of granting licenses. And for this reason, Mr. President, I hope this bill will not have the support of the Senate.

Mr. McCLURE. Mr. President, the objections raised by the Senator from Dauphin County have been discussed in the Law and Order Committee and on the floor of this Senate at length; and I know that the members of this body thoroughly understand the bill now. I do not think we should have any more delay, and further debate is unnecessary; and I ask the members of the Senate to support this measure.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Armstrong,	Ealy,	Lanius,	Snyder,
Aron,	Fay,	Mansfield,	Sordoni,
Batchelor,	Frazier,	McClure,	Staudenmeier,
Baumer,	Gelder,	Owlett,	Thompson,
Bell,	Graff,	Parkinson,	Trainer,
Bennett,	Harris,	Pierson,	Williamson,
Chapman,	Harvey,	Rice,	Woodward,
Clark,	Homsher,	Roberts,	Ziesenheim,
Coyne,	Krause,	Shapiro,	

NAYS—8

Howell,	Norton,	Prince,	Scott,
Miller,	Pethick,	Reed,	Sones,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 345, as follows:

An Act prohibiting contractors subcontractors and builders and their agents from paying out using or appropriating moneys and funds received for the erection construction alteration completion and repair of buildings and for additions thereto before first paying in full or pro rata all claims due to architects surveyors engineers and persons furnishing labor and material imposing certain duties upon owners of buildings for the protection of the claims of such architects surveyors engineers and person and providing that the contractor in receiving payments on the contract shall be the agent of such claimants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all moneys or funds whatsoever received by a contractor subcontractor or builder or his her or its agent for the erection construction completion alteration or repair of any building or for additions to a building are hereby declared to be trust funds in the hands of the contractor or subcontractor or builder or his her or its agent It shall be unlawful for any contractor subcontractor builder or his her or its agent to pay out use or appropriate any of said moneys or funds until the same have first been applied to the payment of the full amount of all bona fide claims due and owing by such contractor subcontractor or builder to architects surveyors engineers and to persons furnishing labor and material to such contractor subcontractor or builder for the erection construction completion alteration or repair of or for additions to such building whether or not the said labor or material enter into or become component parts of the building or additions thereto

No moneys or funds shall be paid for the erection construction completion alteration on repair of any building or for additions to a building except for payment of all bona fide claims due and owing by such contractor or builder to architects surveyors engineers and persons furnishing labor or materials thereto and if paid in one payment the owner of said building or his disbursing agent shall require the contractor to present a schedule supported by affidavit of said contractor showing the amounts owing to architects surveyors engineers and persons furnishing labor or materials whether or not the said labor or material enter into or become component parts of the building or additions thereto and the payment shall be made to the contractor as agent of said architect surveyor engineer and person furnishing labor or materials in accordance with said schedule.

If paid in one or more payments no payment after the first payment may be made by the owner or his disbursing agent unless the contractor furnish to the owner or his disbursing agent a statement supported by his affidavit showing that any money previously paid to the contractor had been expended in payment to the architects surveyors engineers and persons furnishing labor or materials for services work labor or material supplied or done in connection with the particular building or buildings and none other allowing a reasonable amount to the contractor for overhead not exceeding ten per centum of any amount received

Before final payment the owner or his disbursing agent shall require a schedule of all amounts remaining due the said architects surveyors engineers and persons furnishing labor or materials and shall give fifteen days notice to all such architects surveyors engineers and persons furnishing labor or materials that final payment is about to be made and where it shall be made and said final payment shall be made to the contractor as the agent of the architects surveyors engineers and persons furnishing labor and materials contained in the list or schedule so presented

The failure of a contractor or subcontractor or builder to pay in full or pro rata from time to time to the full extent of the moneys and funds received by him her or it all of the bona fide claims of architects surveyors engineers and of persons furnishing labor and material as required by this act within sixty days after the receipt of any moneys or funds for the erection construction completion alteration or repair of any such building or any addition thereto shall be prima facie evidence of the payment use or appropriation of the trust moneys and funds for purposes other than the payments of bona fide claims of architects surveyors engineers and of persons furnishing labor and material Nothing contained in this act shall apply to public buildings where under existing law an additional bond has been required to be given by the contractor for the payment of the claims of persons furnishing labor and material

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Armstrong,	Frazier,	McClure,	Salus,
Aron,	Gelder,	Miller,	Scott,
Batchelor,	Graff,	Norton,	Snyder,
Baumer,	Harris,	Owlett,	Sones,
Bell,	Harvey,	Parkinson,	Sordoni,
Bennett,	Homsher,	Pethick,	Staudenmeier,
Boyd,	Howell,	Pierson,	Thompson,
Chapman,	Hunsicker,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

The PRESIDENT. Senate Bill No. 388, on final passage recalled from the Governor, entitled:

An Act providing for the appointment promotion reduction removal and reinstatement of paid officers firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the first second and third class defining the powers and duties of civil service commissions for such purposes and fixing penalties

is not up from the printer, and will go over in its order.

The PRESIDENT. Senate Bill No. 389, on final passage recalled from the Governor, entitled:

An Act to amend sections six seventeen and twenty-six of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" as amended by extending the provisions of said act so as to include bookers booking agents representatives of booking agencies for services of wrestlers modifying license fees in certain cases exempting amateur boxing or wrestling in schools colleges and universities

is not up from the printer, and will go over in its order.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 263, as follows:

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicles registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

Section 1 Definitions Throughout this act unless the context indicates a different intention the singular includes the plural and the masculine pronoun includes the feminine and the neuter

As used in this act

(a) "Secretary" means the Secretary of Revenue of this Commonwealth

(b) "Motor Vehicle" means any self-propelled device in upon or by which any person or property is or may be transported or drawn upon a public highway except tractors power shovels road rollers agricultural machinery and vehicles which move upon or are guided by a track or trolley or travel through the air

(c) "Motor vehicle liability policy" means a policy of liability insurance designating by explicit description or appropriate reference all motor vehicles with respect t owhich coverage is intended to be granted by said policy and insuring to the amounts or limits hereinafter specified the person named therein and any other person using or responsible for the use of any such motor vehicles with the consent express or implied of such insured against loss from the liability imposed by law upon the insured or upon such other person for injury to or death of any person other than the insured and such persons as may be covered as respects such injury or death by any workmen's compensation law and for damage to property other than property of others in charge of the insured or of his employes or other agents arising out of the ownership maintenance use or operation of any such vehicle within the continental limits of the United States of America or the Dominion of Canada or a binder pending the issuance of such a policy or an endorsement to an existing policy as hereinafter provided Within the meaning of this definition separate concurrent policies whether issued by one or several insurers covering respectively personal injury or death as aforesaid and property damage as aforesaid shall be deemed a "Motor Vehicle Liability Policy"

(d) "Motor vehicle operators' policy" means a policy of liability insurance insuring the person named therein to the amounts or limits hereinafter specified against loss from the liability imposed by law upon the insured for injury to or death of any person other than the insured and such persons as may be covered as respects such injury or death by any workmen's compensation law and for damage to property other than property of others in charge of the insured or of his employees or other agents arising out of the operation by the insured of any motor vehicle within the continental limits of the United States of America or the Dominion of Canada or a binder pending the issuance of any such policy or an endorsement to an existing policy as hereinafter provided Within the meaning of this definition separate concurrent policies whether issued by one or several insurers covering respectively personal injury or death as aforesaid and property damage as aforesaid shall be deemed a "Motor Vehicle Operators' Policy"

(e) "Operator" means the person including a chauffeur in actual physical control of a motor vehicle upon a highway

(f) "Operator's license" means the license issued to any person to operate a motor vehicle within this state

(g) "Owner" has the same meaning as in the laws requiring the registration of motor vehicles within this state

(h) "Person" means a natural person firm copartnership association or corporation

(i) "Proof of financial responsibility" means evidence in a form authorized by this act of ability to respond in damages resulting from the operation or ownership of a motor vehicle and arising by reason of personal injury to or death of any one person in the amount of at least five thousand dollars ($5,000) and subject to such limit for any one person injured or killed in an amount of at least ten thousand dollars ($10,000) for injury to or the death of two or more persons in any one accident and for damage to property in the amount of at least one thousand dollars ($1,000) resulting from any one accident

Section 2 Evidence of Ability to Respond in Damages For the purposes of this act the following will be deemed evidence of ability to respond in damages

(a) When proof of financial responsibility is required as a condition precedent to the granting or renewal of an operator's license or to the termination of the suspension thereof the written certificate of an insurer duly authorized to transact business within the state of residence of the person applying for such license or seeking to terminate the suspension thereof that it has issued to him or for his benefit a motor vehicle operator's policy which at the date of the certificate is in full force and effect and will so continue until the expiration of fifteen days after notice of expiration or cancellation shall first have been given to the Secretary in writing

(b) When proof of financial responsibility is required of an owner of a motor vehicle as a condition precedent to the registration thereof or to the termination of the suspension of such registration the written certificate of an insurer duly authorized to transact business within the state of residence of the person applying for such registration or for the termination of the suspension thereof that it has issued to him or for his benefit a motor vehicle liability policy which at the date of the certificate is in full force and effect and will so continue until the expiration of fifteen days after notice of expiration or cancellation shall first have been given to the Secretary in writing The Secretary shall not accept any such certificate unless all motor vehicles registered in the name of the owner from whom proof is required are covered by the policies mentioned in such certificate or in it and other similar certificates furnished at the same time and an additional certificate shall be required as a condition precedent to the registration in the name of such owner of any motor vehicle not covered by the certificate or certificates on file

(c) In any case a bond conditioned for the payment of the amounts herein required for injury to or the death of persons and damage to property arising out of the ownership maintenance use or operation by the principal of a motor vehicle the continental limits of the United States of America or the Dominion of Canada having as surety a corporation duly authorized to transact a surety business within the state of residence of the person applying for an operator's license the registration of a motor vehicle or the termination of the suspension of such license or registration Any such bond shall expressly provide that it shall not be cancellable until the expiration of fifteen days' written notice to the Secretary and shall designate the state as obligee but shall expressly provide that suit may be brought against the principal or surety named therein by any person or persons who may have a cause of action against the principal obligor for damages resulting from a motor vehicle accident in the

event that the principal obligor does not within fifteen days from the time the judgment becomes final pay within the limits hereinbefore specified any final judgment entered against him for damages sustained as the result of such accident

(d) In any case the deposit with the Secretary of the sum of eleven thousand dollars ($11,000) in cash which the Secretary shall turn over to the State Treasurer as custodian and which the Secretary shall employ in paying within the limits hereinbefore specified any final judgment or judgments which may be entered against the depositor for injury to or the death of persons and damage to property arising out of the ownership maintenance use or operation by the depositor subsequent to the date of the deposit of a motor vehicle within the continental limits of the United States of America or the Dominion of Canada Interest on money deposited hereunder shall be paid to the depositor at the highest rate which the state receives on its deposits payment to be made out of moneys from time to time appropriated for the purpose

Section 3 Penalty for Executing or Presenting Forged or Unauthorized Evidence of Ability to Respond in Damages Any person who shall forge or knowingly without authority sign any certificate or bond intending the same to be used as evidence of ability to respond in damages under this act and any person knowingly furnishing to the Secretary a forged or unauthorized certificate or bond as such evidence shall be guilty of a misdemeanor and upon conviction thereof shall be imprisoned for not more than one year and fined not less than one hundred dollars ($100) or more than one thousand dollars ($1000) in the discretion of the court

Section 4 Payment of Claims When Cash is Deposited as Evidence of Ability to Respond in Damages the State Treasurer upon requisition of the Secretary shall pay final judgments arising out of the ownership maintenance use or operation of a motor vehicle by a depositor of cash as evidence of ability to respond in damages in the order in which claims are made upon the Secretary for payment but claim shall not be made prior to the date when a judgment becomes final and any claim made prior to such date shall be void and of no effect Every claimant shall file with the Secretary a certified transcript of such parts of the proceedings as are necessary to show that the judgment is one coming within the terms of this section together with a certificate from a judge of the court in which the judgment was entered that the judgment has become final because an appeal was not taken within the time allowed by law or because the appellate court of last resort has affirmed the judgment Upon receipt of such transcript the Secretary shall give notice in writing to the depositor stating that fifteen days after the date of the notice he will present to the State Treasurer his requisition for the amount of the judgment or such part thereof as can be paid from the deposited fund unless within that time objection with the reasons thereof be filed by the depositor with the Secretary If objection be filed by the depositor the Secretary shall refer to the Attorney General any questions raised by the depositor and shall be guided by the Attorney General's advice but notice of the disposition of the objection shall begiven to the claimant and to the depositor and payment shall not be made until after the expiration of fifteen days after such notice has been given The depositor may by bill in equity seek to enjoin the payment of any claim contrary to his objection filed as herein provided and the claimant may by writ of mandamus seek to compel payment if the Secretary sustains the objection filed by the depositor

Section 5 Cash Deposited Not Subject to Legal Process Money deposited with the Secretary and held by the State Treasurer as evidence of ability to respond in damages shall not be subject to garnishment attachment or execution

Section 6 Insurance Policies Must Contain Certain Provisions to Constitute Proof of Financial Responsibility Binders Endorsements Insurance policies in order to constitute proof of financial responsibility under this act shall be subject to the provisions hereinafter stated and any insurance carrier which executes a certificate that it has issued a motor vehicle operator's policy or a motor vehicle liability policy for the purpose of enabling any person to furnish proof of financial responsibility hereunder shall be conclusively presumed to have issued the policy mentioned in such certificate subject to such provisions whether or not they are set forth therein

(a) Should an execution on a final judgment against the insured in an action covered by a motor vehicle operator's policy or motor vehicle liability policy be returned unsatisfied the judgment creditor shall have a right of action against the insurer to the same exetent that the insured would have had had such insured paid final judgment No such policy shall be cancelled or annulled as respects any loss or damage by any agreement between the insurer and the insured after such loss or damage has occurred and any such cancellation or annullment shall be void The policy may provide that the insured or any other person covered by the policy shall reimburse the insurer for payments made on account of any accident claim or suit involving a breach of the terms provisions or conditions of the policy and further if the policy shall provide for limits in excess of the limits designated in this act the insurer may plead against a judgment creditor of the insured with respect to the amount of such excess limits of liability any defenses which it may be entitled to plead against the insured Any such policy may further provide for the prorating of the insurance thereunder with other applicable valid and collectible insurance

(b) The policy the written application therefor if any and rider or endorsement which shall not conflict with the provisions of this act shall constitute the entire contract between the parties

(c) The insurer shall upon the request of the insured deliver to the insured for filing or at the request of the insured shall file direct with the Secretary an appropriate certificate for the purpose of furnishing proof of the assured's financial responsibility as provided by this act

(d) Any insurer authorized to issue motor vehicle operator's policies or motor vehicle liability policies as provided in this act may pending the issuance of such a policy execute an agreement to be known as a binder or may in lieu of such a policy issue an endorsement to an existing policy each of which shall be construed to provide indemnity or protection in like manner and to the same extent as such a policy The provisions of this section shall apply to such binders and endorsements

This act shall not be construed to prevent any insurance carrier from granting any lawful coverage in excess of or in addition to the coverage required by this act as proof of financial responsibility or from embodying in such policy any agreements provisions or stipulations not contrary to the provisions of this act and not otherwise unlawful

Section 7 Proof of Financial Responsibility Required When Operator's License or Operating Privilege Has Been Revoked or Suspended or Becomes Subject to Revocation or Suspension Whenever the Secretary shall revoke or suspend an operator's license or shall suspend the operating privilege of an non-resident for violation of the laws regulating the operation of motor vehicles on the highways as may now or hereafter be provided by law such license or operating privilege shall not be renewed unless and until the former holder of the license or privilege has furnished proof of financial responsibility and whenever the Secretary for any such violation has the right in his discretion to revoke or suspend an operator's license or the operating privilege of a non-resident but his discretion to revoke or suspend an operator's license or the operating privilege of a non-resident but is disposed in the exercise of his discretion not to do so he may nevertheless suspend such license or operating privilege until the holder thereof has furnished proof of financial responsibility

Section 8 Proof of Financial Responsibility Required as Condition Precedent to Issuance or Renewal of Operator's Licenses to Persons Having Certain Accident Record Until proof of financial responsibility has been furnished to the Secretary an operator's license shall not be issued or renewed to a person who within the twelve months' period next preceding such person's application therefor while operating a motor vehicle either within or outside of this state had two or more accidents caused wholly or partially by his negligence which caused injury to persons or damage to property excluding injury to himself and damage to motor vehicles operated by such person amounting in the aggregate to more than two hundred dollars ($200) The amount of damages caused by accidents in which the applicant was involved will be deemed to have been the amounts paid in settlement of claims of other persons if all such claims have been settled and if such claims have not been paid then the amounts claimed by persons injured and by the persons entitled to recover for the death of persons killed and by the owners of property damaged For the purposes of this section the happening of an accident while a person is operating a motor vehicle shall be prima facie evidence that it was caused wholly or partly by such person's negligence but

the Secretary may upon application of such person conduct an inquiry into the circumstances under which the accident occurred and thereupon find that the accident occurred without any negligence on the part of such person The Secretary's findings shall not be admissible in evidence in any Court proceeding for damages instituted either by or against such person or in any criminal proceeding arising out of such accident

Section 9 Secretary to Require Accident Record Before Issuing or Renewing Operator's License It shall be the duty of the Secretary before issuing or renewing an operator's license to an applicant therefor to cause him to state to the Secretary specifically the number of accidents causing injury to persons or damage to property including motor vehicles operated by the applicant in which the applicant was involved during the preceding twelve months while operating a motor vehicle either within or outside of this state and the aggregate amount of damages caused by such accidents

Section 10 Penalty for Failure to Furnish Correct Accident Record Any person who knowingly fails to give correctly the information required of him by the Secretary in connection with an application for the issuance or renewal of an operator's license shall be ineligible to operate a motor vehicle within this state for a period of two years from the date when the Secretary ascertains that the information was not correctly given If such person at that date holds an operator's license it shall forthwith be revoked and shall not be renewed under any circumstances until the two-year period has expired If such person does not hold an operator's license such license shall not be issued to him until the expiration of the two-year period Upon the expiration of the two-year period such person shall not receive an operator's license until he has furnished proof of financial responsibility

Section 11 Proof of Financial Responsibility Required of Persons Who Fail to Satisfy Judgments Arising Out of Motor Vehicle Accidents Operator's License and Registration Certificates to be Suspended Until Satisfaction of Judgment If within fifteen days after it becomes final any person fails to satisfy any judgment rendered against him by a Court of competent jurisdiction in this or any other state or the District of Columbia or any province of the Dominion of Canada or by a District Court of the United States for damages on account of personal injury or of damage to property in excess of two hundred dollars ($200) resulting from the operation subsequent to the effective date of this act by him his agent or any other person with his express or implied consent of a motor vehicle owned by him or the operation by him or his agent of a motor vehicle not owned by him his operator's license and all of his registration certificates shall be forthwith suspended by the Secretary upon receiving a certified copy of such final judgment from the Court in which the same was rendered and shall remain suspended and shall not be renewed nor shall any other motor vehicle be thereafter registered in his name while such judgment remains unsatisfied and subsisting and until he has furnished proof of financial responsibility for future accidents

If such person is not a resident of this state he shall not be permitted to operate any motor vehicle in this state and it shall not be lawful for any other person knowing that such operation is not permitted to operate in this state any motor vehicle owned by such non-resident while such judgment remains unsatisfied and subsisting and until such non-resident has furnished proof of financial responsibility for future accidents

If after such person has satisfied such judgment within the meaning of this act and has furnished proof of financial responsibility any other such judgment shall be recovered against him for any accident occuring before such proof was furnished his operator's license and registration certificates shall again be and remain suspended while such other judgment remains unsatisfied and subsisting

Section 12 What to be Deemed Satisfaction of Judgment For the purposes of this act but only for such purposes the following will be deemed satisfaction of judgments resulting from the ownership or operation of motor vehicles

(a) When a judgment has been paid in full or when five thousand dollars ($5000) has been credited upon any judgment or judgments rendered in excess of that amount for personal injury to or the death of one person as the result of any one accident or

(b) When a judgment has been paid in full or when subject to the limit of five thousand dollars ($5000) for each person the sum of ten thousand dollars ($10,000) has been credited upon any judgment or judgments rendered in excess of that amount for personal injury to or death of more than one person as the result of any one accident or

(c) When a judgment has been paid in full or when one thousand dollars ($1000) has been credited upon any judgment or judgments rendered in excess of that amount for damage to property as the result of any one accident

Section 13 Courts to Certify Motor Vehicle Accident Judgments to Secretary of Revenue Secretary to Forward Certificates to Proper Officer of Other State if Debtor is Non-Resident It shall be the duty of the prothonotary or clerk of any Court of this state in which any judgment for damages resulting from the operation of a motor vehicle is rendered to forward immediately to the Secretary a certified copy of such judgment or a transcript thereof In the event the defendant is a non-resident it shall be the duty of the Secretary to transmit to the Commissioner of Motor Vehicles or other proper officer of the state of which the defendant is a resident a certified copy of such judgment

Section 14 Disability of Operator Whose License is Suspended Under This Act to Operate Under Foreign License Any person whose operator's license has been suspended under this act or whose operator's license cannot be renewed or to whom an operator's license cannot be issued until he has furnished proof of financial responsibility shall not have the privilege of operating a motor vehicle within this state under an operator's license issued by any other state until he has furnished to the Secretary proof of financial responsibility

Section 15 Suspension of Operators License or Registration Certificates upon Cancellation of Insurance or Surety Bond Whenever the Secretary is notified of the cancellation of a policy of insurance mentioned in a certificate furnished as evidence of ability to respond in damages or of a surety bond furnished as such evidence he shall forthwith suspend the operator's license and registration certificates if any in connection with the issuance or renewal of which such evidence was furnished and such cancellation shall remain effective until other proof of financial responsibility has been furnished to the Secretary

Section 16 Proof of Financial Responsibility Once Required to be Maintained Whenever in accordance with the provisions of this act a person has furnished proof of financial responsibility for the purpose of obtaining an operator's license or the registration of a motor vehicle owned by him it shall be obligatory upon such person thereafter to maintain such proof until he shall have been relieved by the Secretary of the duty of maintaining such proof as hereinafter provided and in the event that such proof lapses or becomes diminished in security or amount it shall be the duty of the Secretary to suspend the operator's license and certificates if any in connection with which such proof was furnished until proof sufficient in amount has again been furnished

The Secretary may relieve a person who has previously been required to furnish proof of financial responsibility of the duty of maintaining such proof at any time after three years shall have elapsed since such proof was first required if during the three years' period immediately preceding such person shall not have committed any violation of the laws regulating the operation of motor vehicles on the highways because of which the Secretary revoked or suspended or would have had the right to revoke or suspend such person's operator's license and if within said three years' period such person shall not have had while operating a motor vehicle either within or outside of this state two or more accidents caused wholly or partially by his negligence which resulted in injury to persons or damage to property excluding motor vehicles operated by such person amounting in the aggregate to more than two hundred dollars ($200.00) and if there shall not be any pending claim or unsatisfied judgment against such person for damages resulting from the operation or ownership of a motor vehicle by such person during the three years' period

Section 17 Penalty for Operating Motor Vehicle Contrary to Provisions of this Act Any person who operates a motor vehicle within this state after his operator's license or operating privilege has been suspended or withdrawn under the provisions of this act and while such license remains suspended and any person a non-resident of this state who operates a motor vehicle within this state contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not more than one year or by fine not exceeding one thousand dollars ($1000) or both in the discretion of the court

Section 18 Substitution of Evidence of Ability to Respond in Damages Cancellation of Bond or Refund of Cash Whenever proof of financial responsibility has been furnished to the Secretary he may upon request permit the substitution of evidence of another kind provided for in this act for the particular evidence of ability to respond in damages which has been filed or deposited with him and whenever a person has deposited with the Secretary as evidence of his ability to respond in damages a bond or cash in the amount of eleven thousand dollars ($11,000) as hereinbefore provided the Secretary may permit the bond to be cancelled or cause to be returned such cash or the balance thereof remaining in the hands of the State Treasurer if and when he has relieved such person of the duty of maintaining proof of financial responsibility as heretofore in this act provided or upon the surrender for cancellation of such person's operator's license and registration certificates and the filing with the Secretary of an affidavit that there is no claim pending against such person for damages resulting from the operation or ownership of a motor vehicle subsequent to the filing of the bond or the deposit of cash and that he has abandoned his residence in this state or that he has made a bona fide sale of all motor vehicles owned by him and does not intend to own or operate any motor vehicle for a period of at least one year The Secretary may also permit the bond to be cancelled or cause cash to be paid to the estate of such person upon proof of his death and that there is no claim pending against such estate for damages resulting from the operation or ownership of a motor vehicle by such person as aforesaid

Before surrendering a bond or causing cash to be returned the Secretary may give such notice and make such investigation as he may deem necessary

After the Secretary shall have permitted any person's bond to be cancalled or cash returned upon surrender of his operator's license and registration certificate and the filing of an affidavit as provided in this section such person shall not thereafter be eligible to be licensed as an operator or to have automobiles owned by him registered until he shall again have furnished proof of financial responsibility

Section 19 Penalty for Operating Motor Vehicle After Cancellation of Bond or Refund of Cash Any person who has induced the Secretary to permit his bond to be cancelled or to return or cause to be returned cash or the balance thereof deposited as evidence of ability to respond in damages as provided in the preceding section of this act and within one year thereafter without having furnished to the Secretary proof of financial responsibility operates a motor vehicle within this state or permits any other person to operate within this state a motor vehicle owned by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to imprisonment for not more than one year or a fine of not more than one thousand dollars ($1000) or both in the discretion of the court

Section 20 Secretary of Revenue to Furnish Information to Insurers Sureties and Others The Secretary shall upon request furnish to any insurer or surety company or person a certified abstract of the operating record of any person subject to the provisions of this act which abstract shall fully designate the motor vehicles if any registered in the name of such person and if there be no record of any conviction of such person of a violation of any provision of the laws regulating the operation of motor vehicles on the highways or of any op- the operation of motor vehicles on the highways or of any injury or damage caused by such person in operating motor vehicles the Secretary shall so certify The Secretary shall require the payment of a fee of two dollars ($2.00) for each certificate furnished hereunder Such record shall not be admissible as evidence in any action for damages or criminal proceeding arising out of an automobile accident

Section 21 Secretary to Furnish Information to Persons Injured in Motor Accidents et cetera Upon written request and the payment of a fee of one dollar ($1.00) the Secretary shall furnish to any person who has been injured or whose property has been damaged by any motor vehicle or to those entitled to recover for the death of a person injured by a motor vehicle or to the attorney for any such person all information of record in his office pertaining to the evidence of ability to respond in damages of the operator or owner of the motor vehicle involved in such injury or damage

Section 22 Constitutionality If any provision of this act or the application thereof to any person or circumstances is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are declared to be severable

Section 23 Uniformity of Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

Section 24 Short Title This act may be cited as the "Uniform Automobile Liability Security Act"

Section 25 Repeal All acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed

Section 26 Time of Taking Effect This act shall take effect on January first one thousand nine hundred and thirty-four

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Armstrong,	Fay,	Miller,	Scott,
Aron,	Frazier,	Norton,	Shapiro,
Batchelor,	Graff,	Owlett,	Snyder,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Boyd,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,	McClure,		

NAYS—0

Gelder,	Lanius,	Sones,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 1270 (House Bill No. 1780), on final passage, entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws Five Hundred Ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing certain routes and adding certain new routes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1288 (House Bill No. 960), as follows:

An Act to amend section one hundred and thirteen of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred thirty-seven) entitled "An act relating to counties and townships and county and township officers" as amended by requiring a deputy constable in cities of the first and second class to work under or through the constable who appoints him

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General

Assembly met and it is hereby enacted by the authority of the same That section one hundred and thirteen of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred thirty-seven) entitled "An act relating to counties and townships and county and township officers" which was amended by the act approved the eighth day of June one thousand nine hundred and seven (Pamphlet Laws four hundred sixty-five) is hereby further amended to read as follows

Section 113 No deputy shall be appointed by any constable either by general or partial deputation without the approbation of the court of quarter sessions of the proper county first had and obtained except the same be made specially in some civil suit or proceeding at the request and risk of the plaintiff or his agent Provided however That from and after the passage of this act no constable of any city of the first or second class shall appoint any person as a deputy who is not a bona fide resident and duly qualified elector of the ward of the city in and for which constable was elected and at all times any deputy constable so appointed shall work or operate only under and through the constable who appointed him That upon the removal of said deputy from said ward or ceasing to be a qualified elector of said ward in and for which said constable was elected upon the petition of five duly qualified electors thereof setting forth said facts and upon proof thereof the court of quarter sessions of the proper county may revoke the appointment of said deputy

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Frazier,	McClure,	Scott,
Aron,	Gelder,	Miller,	Shapiro,
Batchelor,	Graff,	Norton,	Snyder,
Baumer,	Harris,	Owlett,	Sones,
Bell,	Harvey,	Parkinson,	Sordoni,
Bennett,	Homsher,	Pethick,	Staudenmeier,
Boyd,	Howell,	Pierson,	Thompson,
Chapman,	Hunsicker,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim.
Fay.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1339, as follows:

An Act to amend section thirty-seven of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death defining and taxing transfers made in contemplation of death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" providing a fee for consents and certificates to transfer stock of decedents

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirty-seven of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of death defining and taxing transfers made in contemplation of death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is hereby amended to read as follows

Section 37 Whenever the tax imposed by this act upon the transfer of the stock of any corporation of this Commonwealth or national banking association located in this Commonwealth standing in the name of a decedent resident or nonresident or in the joint names of the decedent and one or more persons or in trust for such decedent has been paid it shall be the duty of the [Auditor General] Department of Revenue upon the request of any interested party or of said corporation or association or upon [his] its own motion to file with the said corporation or banking association a certificate of such payment and the [Auditor General] department is hereby further authorized and empowered in [his] its discretion to consent to the transfer of such stock prior to the payment of the said taxes whenever [he] it deems such transfer may be so made without prejudice or peril to the rights of the Commonwealth

The Department of Revenue shall collect a fee of one dollar for each such certificate of payment or consent to the transfer of stock prior to payment for the use of the Commonwealth

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Frazier,	McClure,	Scott,
Aron,	Gelder,	Miller,	Shapiro,
Batchelor,	Graff,	Norton,	Snyder,
Baumer,	Harris,	Owlett,	Sones,
Bell,	Harvey,	Parkinson,	Sordoni,
Bennett,	Homsher,	Pethick,	Staudenmeier,
Boyd,	Howell,	Pierson,	Thompson,
Chapman,	Hunsicker,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. REED. Mr. President, I move that Senate Bill No. 1349 (House Bill No. 2155), on final passage, entitled:

An Act to amend section twenty of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the

illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties by abolishing the fee payable to police officers for killing and disposing of unlicensed dogs

be recommitted to the Committee on Finance.

Mr. GRAFF. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1451, as follows:

An Act to amend the act approved the fifth day of May one thousand nine hundred twenty-one (Pamphlet Laws three hundred seventy-four) entitled "An act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties" as amended by providing for the transfer from the Department of Banking to the Pennsylvania Securities Commission of the rights and duties with respect to the licensing and regulation of such corporations copartnerships associations and individuals

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifth day of May one thousand nine hundred twenty-one (Pamphlet Laws three hundred seventy-four) entitled "An act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That wherever used in this act the following words shall be construed as follows

"Corporation" shall mean a corporation formed incorporated or organized under the laws of this Commonwealth or of any other State or Territory the District of Columbia or any foreign country

"Person" shall mean an individual firm partnership or association

"Contract" shall mean a bond note certificate contract obligation agreement pass book or any other chose in action evidenced by writing

["Commissioner" shall mean the Commissioner of Banking of this Commonwealth]

"Commission" shall mean the Pennsylvania Securities Commission

Section 2 That section two of the said act is hereby amended to read as follows

Section 2 After the first day of October one thousand nine hundred and twenty-one no corporation or person shall whether or not operating under a declaration of trust or other agreement engage or continue either directly or indirectly in the business within this Commowealth of receiving single payments regular instalment payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling and contract on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payment under which all or part of the total amount received is to be repaid at some future time either with or without profit unless such corporation or person is licensed to transact such business within this Commonwealth by the [commissioner] commission in the manner hereinafter provided

Section 3 That section three of the said act as amended by the act approved the twenty-first day of April one thousand nine hundred twenty-three (Pamphlet Laws seventy-nine) is hereby further amended to read as follows

Section 3 Every corporation or person desiring to obtain a license under the provisions of this act shall file with the [commissioner] commission an application in writing in such form as may be prescribed by the [commisssioner] commission Before a license shall be issued by the [commissioner he] commission it shall make or cause to be made an investigation of the condition and affairs of the applicant and its general plan of operation [He] It shall investigate the moral character and general fitness of the applicant if an individual and of the members of a partnership or association and of the directors managers trustees and other officers of every applicant to discharge the duties reposed in them and may examine any or all of them under oath [He] It shall require the applicant to submit [to him] a mathematical chart or calculation showing in detail the operation of the plan of investment carried on or proposed to be carried on for the purpose of determining whether the same is financially and mathematically sound and the contracts or obligations issued or proposed to be issued possible of fulfillment Unless the [commissioner] commission is satisfied as to the character and general fitness of the managing officers of the applicant to honestly and efficiently carry on its business and that the plan of operation is financially sound and the contracts issued or posed to be issued possible of fulfillment [he] it shall refuse the license and forthwith notify the applicant of such refusal and specify in the notice the cause or causes thereof The [commissioner] commission may revoke such license at any time when conditions arise which in [his] its judgment if existing at the time when the license was granted would have been sufficient cause for refusing to issue such license

Section 4 That section four of the said act as amended by the act approved the twenty-first day of April one thousand nine hundred twenty-three (Pamphlet Laws seventy-nine) is hereby further amended to read as follows

Section 4 No corporation or person shall be licensed under the provisions of this act unless and until it has deposited with the [commissioner] commission in cash or bonds of the United States or of the State of Pennsylvania or of cities counties boroughs or school districts of this Commonwealth or any other State of the United States approved by the [commissioner] commission of the clear market value of one hundred thousand dollars ($100,000) as security for the fulfillment of its contracts made heretofore or hereafter with residents of Pennsylvania Exchanges of such bonds may be made from time to time with the approval of the [commissioner] commission If any of said bonds are called for payment the proceeds thereof shall remain in the hands of the [commissioner] commission until other bonds of the character described in this section shall be substituted in like amount sioner] commisison If any of said bonds are called for pay- deposit shall be entitled to the income thereon

Section 5 That section five of the said act is hereby amended to read as follows

Section 5 Every corporation or person licensed under the provisions of this act shall before such license is issued pay to the [commissioner] commission a fee of one hundred dollars ($100) at the time such license is issued and twenty-five dollars ($25) on or before the first day of October annually thereafter All fees paid to the [commissioner] commission under the provisions of this act shall be paid by [him] it through the Department of Revenue into the State Treasury [for the use of the Banking Department]

Section 6 That section six of the said act is hereby amended to read as follows

Section 6 Every corporation or person licensed under the provisions of this act shall annually on or before the fifteenth day of January file in the office of the [commis-

sioner] commission a report which shall exhibit its financial condition on the thirty-first day of December of the previous year and its business of that year and shall at any other time upon written request of the [commissioner] commission file a supplemental report of its financial condition and business done For cause the [commissioner] commission may extend the time for filing the annual report but not to a date later than the fifteenth day of February Such report shall be in such form as may be established from time to time by the [commissioner] commission and shall be sworn to by the president and secretary of the corporation or person or in their absence by two of its principal officers empowered to act in their stead A corporation or person which neglects to file its annual report with the [commissioner] commission within the time required shall be liable to a penalty of one hundred dollars ($100) for each day during which such neglect continues Such penalty shall be collected by the Attorney General as debts due the Commonwealth are collected

Section 7 That section seven of the said act is hereby amended to read as follows

Section 7 The [commissioner] commission may require every corporation or person licensed under the provisions of this act to set apart a fund no portion of which shall be applied to the expense of such corporation or person which shall consist of not less than ten per centum of the amount designated in each contract issued as applicable to the payment of the expenses of conducting the business of such corporation or person Such fund shall be invested at the close of each calendar year or oftener if the [commissioner] commission may require in bonds of the character described in section four of this act and forthwith deposited with the [commissioner] commission in the same manner and under the same terms as prescribed by said section as additional security for the fulfillment of its contracts provided such corporations or person may deposit cash with the [commissioner] commission in lieu of securities

Section 8 That section eight of the said act is hereby amended to read as follows

Section 8 [The commissioner shall have the same powers for the supervision and examination of any corporation or person licensed under the provisions of this act as are now or may hereafter be vested in him by law for the supervision and examination of banks trust companies and other financial institutions and every corporation or person licensed under the provisions of this act shall be subject to the same fees for supervision and examination as are now or may hereafter be imposed on other institutions under the supervision of the commissioner

For the purpose of examination or supervision the [commissioner] The commission or [his] its duly authorized representative shall have free access to all the books and papers of the corporation or person which relate to its business and to the books and papers kept by any of its agents and may administer oaths to and examine as witnesses the directors officers and agents of said corporation or person and any individual or the members of any copartnership or association licensed hereunder and any other person relative to its affairs transactions and condition

Section 9 That section nine of the said act is hereby amended to read as follows

Section 9 Whenever any corporation or person licensed under the provisions of this act shall desire to discontinue with this Commonwealth the business of the nature hereinbefore set forth and described it may make application by petition to the court of common please of of Dauphin County setting forth its resources and liabilities within and without this Commonwealth and particularly an itemized and complete list of the holders or owners of the outstanding contracts issued by such corporation or person together with the last known address of such holders or owners and in each case the total amount of the liability of such corporation or person thereon if any and thereupon the said court after due hearing of which the [commissioner] commission shall have such notice as the court may determine may make such order as will permit the withdrawal of said cash or bonds deposited with the [commissioner] commission or a part thereof and will at the same time fully protect the rights of all persons owning or holding the contracts issued by such corporation or person

Section 10 That section ten of the said act is hereby amended to read as follows

Section 10 Any corporation or person violating any of the provisions of this act or failing to comply with any requirement imposed upon it by the [commissioner] commission pursuant to any of the provisions of this act is guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than five thousand dollars ($5,000) Each transaction carried on in violation of this act shall constitute a separate offense

Section 11 That section twelve of the said act is hereby amended to read as follows

Section 12 The provisions of this act shall not apply to any person or corporation engaged entirely in the business of issuing negotiating offering for sale or selling contracts which at the time of issuance negotiation offering for sale or sale are secured by adequate property real or personal nor to any domestic or foreign banks banking companies cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks and provident institutions or to mutual savings funds employes' savings funds building and loan associations or corporations doing a safe deposit business only nor to national banking associations nor to any corporation copartnership association exchange society or order subject to the supervision of the Insurance Commissioner of the Commonwealth nor to contracts issued by a corporation or person for the purpose of raising money for its principal business if its principal business is other than the issuing or selling of contracts or obligations described in section two of this act

The provisions of this act shall not be construed to affect in any way the act approved the thirteenth day of April one thousand nine hundred twenty-seven (Pamphlet Laws two hundred seventy-three) entitled "An act for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscriptions to or orders for or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined herein including securities issued by them conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the court of common pleas of Dauphin County and to the Supreme Court of Pennsylvania prescribing penalties and making appropriations" its amendments and supplements

All books papers records securities and moneys of or relating to corporations and persons subject to the provisions of this act which are in the office of the Department of Banking shall be transferred by the Department of Banking to the commission

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Frazier,	McClure,	Scott,
Aron,	Gelder,	Miller,	Shapiro,
Batchelor,	Graff,	Norton,	Snyder,
Baumer,	Harris,	Owlett,	Sones,
Bell,	Harvey,	Parkinson,	Sordoni,
Bennett	Homsher,	Pethick,	Staudenmeier,
Boyd,	Howell,	Pierson,	Thompson,
Chapman,	Hunsicker,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1455, as follows:

An Act to amend Act Number Twelve A approved the twentieth day of April one thousand nine hundred thirty-three

(Appropriation Acts of one thousand nine hundred thirty-three page) entitled "An act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania" by changing the fiscal biennium for which the appropriation is made

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Act Number Twelve A approved the twentieth day of April one thousand nine hundred thirty-three (Appropriation Acts of one thousand nine hundred thirty-three page) entitled "An act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six hundred dollars ($600.00) or so much thereof as may be necessary is hereby specifically appropriated for the two fiscal years beginning June first one [thousand] thousand nine hundred and [twenty-three] thirty-three to be paid to the treasurer of Elk Township Warren County Pennsylvania for the purpose of improving and maintaining in good repair the public roads and highways passing through the Cornplanter Indian Reservation in said township Said money shall be paid on warrant drawn on the State Treasurer by the Auditor General and shall be disbursed under the direction of the supervisors of Elk Township

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Frazier,	McClure,	Scott,
Aron,	Gelder,	Miller,	Shapiro,
Batchelor,	Graff,	Norton,	Snyder,
Baumer,	Harris,	Owlett,	Sones,
Bell,	Harvey,	Parkinson,	Sordoni,
Bennett,	Homsher,	Pethick,	Staudenmeier,
Boyd,	Howell,	Pierson,	Thompson,
Chapman,	Hunsicker,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senaet proceeded to the third reading and consideration of Senate Bill No. 512, entitled:

An Act to amend clause twenty-five, as amended and renumbered clause eighteen of, and to add clause twenty to, section three hundred and two of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys, erroneously paid to the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State Depository and every debtor or creditor of the Commonwealth"; by establishing the State Parks Fund and transferring certain revenues from the State School Fund to the State Parks Fund.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MANSFIELD. Mr. President, I ask unanimous consent to amend section 1, page 2, line 12, by striking out the word "of" and insert in lieu thereof "or"; also page 4, line 7, by striking out the word "for" and insert in lieu thereof "from."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER REQUESTED

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent that Senate Bill No. 534, on third reading, entitled:

An Act creating in counties of the fourth, fifth, sixth, seventh and eighth classes a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors and clerks; providing for their compensation, payable by such counties; claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys, erroneously paid abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities.

go over in its order.

The PRESIDENT. Is there objection?

Mr. STAUDENMEIER. Mr. President, I desire to interrogate the sponsor of this bill, the Senator from Centre, Mr. Scott.

The PRESIDENT. Will the Senator from Centre, Mr. Scott, permit himself to be interrogated?

Mr. SCOTT. Mr. President, I will ask the Senator from Schuylkill, Mr. Staudenmeier, to interrogate the Senator from Dauphin, Mr. Reed, who is interested in this bill.

The PRESIDENT. Will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated?

Mr. REED. Mr. President, I will.

Mr. STAUDENMEIER. Mr. President, I desire to ask the Senator from Dauphin, Mr. Reed, whether it is not true that under the provisions of this bill the right of the people to elect assessors in the counties of the fourth, fifth, sixth, seventh and eighth classes will be abolished.

Mr. REED. Mr. President, that is correct.

Mr. STAUDENMEIER. Mr. President and members of the Senate, I merely wish to bring to the attention of the Senate at this time a practice that is rapidly on the increase, to wit, the practice of taking away from the people the right to elect

those who should have something, or will have something, to say either about their property or their personal rights. We are rapidly approaching the situation, or the point in political history of our Commonwealth, where we are saying to the people in no uncertain way that they are competent to nominate and elect the men who should represent them in the halls of legislation at Harrisburg and in the halls of legislation at Washington, but when it comes to electing anybody else they are rather incompetent. I, for one, for the past ten years have been raising my voice in the House against this very bill. The bill, in 1923, was introduced by John Marshall of Beaver County. Again, in 1925, and in 1927, by Benjamin Ludlow of Montgomery County; and today it appears herein the Senate with a new sponsor, but without any different clothing. It is the same old thing—telling the people back home that they are no longer able to nominate and elect those who are to place a valuation, an assessed valuation, upon their property. And what is the substitute? The substitute is this: To have the County Commissioners, three men,—they are going to place their trust in three men instead of an assessor in every locality—three men to do what? These three men, that constitute the Board of Revision, or Assessment , have the right to do what?—to appoint subordinate assessors who go up and down the limits of the county and assess the property, according to whose wishes and whose dictates?—the County Commissioners. And if you have an outfit, a corporation with power and influence in the county—and I am not going to use innuendo now—but a corporation that may have control, and I do not say that with any disparagement but with the anxiety to preserve themselves and take care of their own interest, it would not be fair to them, in a county like Schuylkill to imagine or to conceive that the Philadelphia and Reading Coal and Iron Company, for instance,—and I have nothing against them, they have done nothing to me, but I am using it as an illustration,—to get control of whom, or to have who acting in their interests? These County Commissioners, perhaps, whom they were instrumental, to a great extent, in having elected,—having lent their influence to the election of these County Commissioners —are they going to nominate three men who would be opposed to the interest of the coal companies? No.

Let me tell what happened. About seven years ago we had an unhappy situation in Schuylkill County, and not only in Schuylkill County, you had it up in Luzerne and you had it in Lackawanna County, you had it in Northumberland County, —your coal producing counties, where the county commissioners were dissatisfied with the assessed valuation placed on the coal lands by the assessors who were publicly nominated and elected by the people, their neighbors. And what happened? They appointed special assessors, who went up and down the length and breadth of Schuylkill County, and did what?—they placed an assessment upon the coal lands and placed an assessment upon the property owners; and I do not want to say this, but I believe I am compelled to,—they placed such an assessment that they must have known that when it went into the Courts of Appeal it would be set aside. And what happened? The Courts of Schuylkill County sustained that assessment, and the coal companies who had availed themselves of the right to take an appeal within thirty days from the date of assessment, appealed to the Supreme Court of Pennsylvania; and the Supreme Court of the State of Pennsylvania wiped out the assessment. And what happened? Every school district thought, "Here is an immense amount of money coming to the school district." And they commenced building high schools and what not—vocational training schools and so forth—and when the Supreme Court wiped out the assessment, in that decision, it stated they had to pay back to the coal companies that amount of money which the coal companies had paid under protest. Why, it practically ruined district after district in Schuylkill County. And let me tell you the sad part, the tragedy of the whole situation, if you will: The individual property owner did not take an appeal, and where was he left? He was left holding the bag, with this high assessment; and the coal company went back to the original assessment. Why? Because they had taken their appeal within thirty days.

You may have this thought: Why did not each individual property owner take an appeal? Can you conceive of the 235,000 citizens—oh, say, 100,000 property owners marching down to the court house to take out an appeal? No, they were lulled to sleep. They thought this special assessment would hold water, and, like good citizens, they went and paid their taxes in accordance. They did not get a rebate. And why? Because the courts said they should have come in within thirty days after the day of this special assessment and taken out their appeal.

Now then, that is an illustration of how this thing, to my mind, is going to work out. And what happens? I thought we were in the midst of economy. The salary of the members of the board who shall be appointed by the County Commissioners to serve for the term of four years shall be fixed by the County Commissioners or the Salary Board,—it does not say what; no check upon it whatsoever. And what happens? These three commissioners or assessors, or call them what you will,—because to my mind they were misnomers anyhow,—I know of some names that I could call them,—the subordinate assessors shall receive compensation as the Salary Board or the Commissioners shall place; it does not say how much Can you imagine what a mad rush there will be in counties like Schuykill to be County Commissioner? Why, it will be a throttle hold that will never be broken down. It would happen. Do not, you men that are out of this class,—in Allegheny County and Philadelphia County, where you do not have the situation that we have,—do not become a party to foisting this upon us. You have an entirely different situation in cities like Philadelphia and Pittsburgh. Help us to prevent that with which we have been threatened for the past ten years; because I would hate to be compelled when perhaps I shall no longer be a member of this Senate, or, indeed in official public life at all, to come back here, maybe in four or five years, and appear before a Senatorial Committee and say, "Did I not tell you, on the floor of this Senate, that this kind of thing would happen?" Help us in this our time of need to defeat this bill, and you will be rendering a service, not only to yourselves but to those people who in counties like Schuylkill are standing in need of your vote.

Mr. REED. Mr. President and members of the Senate, I was particularly impressed with one argument of my friend, the Senator from Schuylkill, Mr. Staudenmeier, to the effect that if we pass this bill there will be a mad rush of candidates for the office of County Commissioner. But I submit that that will be nothing like the mad rush of candidates for the office of County Treasurer if a bill becomes law which we had before us a short time ago.

The picture presented by the Senator from Schuylkill is most alluring, and the gentleman from Schuylkill is always difficult to answer; but this is a controversy on which my distinguished friend and I have locked horns before, while we were members of the House of Representatives, and I feel that the people of Dauphin County are in this particular somewhat opposed to the people of Schuylkill County, and I will

ask at least a few moments of your time to present the other side of the picture.

First, this bill is in harmony with the rule which now obtains in first, second and third class counties, of a central assessment board. You will recollect that two years ago the Legislature passed an act creating a board of this general character for counties of the third class; and there was a tremendous sentiment in fourth class counties two years ago in favor of a similar act. The fourth class county act came before the House of Representatives and was defeated. The sentiment in Dauphin County was so tremendous for the central board that one of our leading newspapers, the Harrisburg Telegraph, stated editorially that they hoped that next time the people of Dauphin County would send a representative to the Senate and to the House who would camp on this bill and see that fourth class counties had this central board of assessors

Now, I think the argument of the Senator from Schuylkill against this bill, as creating three salaried officers, is not a very sound argument when you consider that the cost of many assessors will be done away with. From that standpoint it is an economy measure; but also, in my opinion, it is an efficiency measure.

In Dauphin County, and, I believe, in many other counties, we have this situation: There may be, in one township, an assessor who assesses property low, in an adjoining township the assessor may put a high valuation; and therefore there is a lack of uniformity that exists, and certainly there is no cry coming from the taxpayer today which is more vocal than the cry against unjust and unequal assessments; and that, to my mind, is the prime reason for this bill.

I do not like to vote to take any man out of office, but I think the feeling is growing in fourth class counties—at least I am speaking for Dauphin County—that the time has come when we should extend this principle, which applies now to first, second and third class counties, to other counties as in the interest of economy, in the interest of efficiency, if we have a central board to regulate this vital question of assessors.

Mr. WILLIAMSON. Mr. President, no one from my district has approached me as to being for or against this bill. We all know, here in the Senate, that when a bill comes up for first class county and the members from the first class counties want that bill, we all trail along, and everybody gives the first class counties what they want. And so it expands, and when we come to the counties of the second class we do the same thing.

I think I can truthfully say that in my own county, of Huntingdon, the County Commissioners Board, as now constituted, being Republican,—the Republican members of that board are my staunchest political friends; and I think I am as close to the Democratic members of the County Commissioners Board as I am to a very few Democrats of my county of Huntingdon.

In other words, I can truthfully say that we have a high type, and a very satisfactory board, as far as my feelings are concerned, in the county of Huntingdon, as County Commissioners.

Now, in these times of depression we know that assessments have been too high. People cannot pay their taxes. And we are all looking forward to 1934, to the triennial assessment; and in 1935 the assessment as made in 1934 will go into effect.

At that triennial assessment the county assessors act as a check on the local assessors, and they are the court of last resort unless appeal is taken to the court. I do not for the little bit of property I have. I try for the triennial assessment. Everybody gets notice of the time, and his appeal is heard. He goes there and reasons with the Board; and if his assessment is too high, and the County Commissioners think it is too high, they red line the particular assessment and make it what it ought to be.

Now here we have a bill that proposes that the County Commissioners, the court of last resort, shall appoint the assessors. How shall we take our appeals from a too high assessment? Certainly the creatures of the County Commissioners Board are going to make the assessment according to the ideas of the County Commissioners. It may suit Philadelphia and Allegheny Counties, but it will not suit the fifth and the seventh class counties that I have the honor to represent.

Our people are opposed to this centralization of power. As the Senator from Schuylkill, Mr. Staudenmeier, has well said, our country is aflame with organizations to keep from centralizing everything here in Harrisburg. Are we not going to heed the protests of our people, but are we supinely going to put every county of the State practically within the control of the county organization, and force everybody to go to the courts, at an expense, to appeal from the improper assessment of the county organization?

I say "No." Let us vote this bill down. Let us sweep out of office those who have been elected, and put in a County Commissioners' Board that will have no control, thfough the power of appointment, of the officers who are to make these assessments.

Mr. PRESIDENT. I am against this bill, and I hope that this Senate will vote it down.

Mr. FRAZIER. Mr. President, the distinguished Senator from Huntingdon, Mr. Williamson, has mentioned going along with first-class counties when first-class counties wanted something, and with second-class counties when second-class counties wanted something, and that it is the part of reciprocity for the same thing to be done when third-clas counties wanted something or did not want something. It seems to me we are in rather an unfortunate position in first and second-class counties just now in not being able to know what the counties affected by this bill may desire; and therefore, as chairman of the Committee on New Counties and County Seats. I move that the bill be reported back to the Committee on New Counties and County Seats for the purpose of having the committee informed and the Senate informed how the Senators from the various counties stand on this matter; and then take action next week.

BILL RECOMMITTED

I, therefore move that Senate Bill No. 534 be recommitted to the Committee on New Counties and County Seats.

Mr. MANSFIELD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. REED. Mr. President, I think that this bill should be voted on "Yes" or "No," because to recommit it at this time is simply tantamount to killing the bill. Everybody knows there is a division in counties on this bill. There always has been and there always will be—

Mr. WILLIAMSON. Mr. President, I rise to a point of order. I think a motion to recommit is not debatable.

The PRESIDENT. The point of order is well taken.

And the question recurring,

Will the Senate agree to the motion?

A division being called for twenty-nine Senators voted in the affirmative and none in the negative, whereupon the question was decided in the affrmative.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 600 (House Bill No. 99), entitled:

An Act to amend section eighteen of article nineteen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by making provisions for reinstatement of persons removed from the classified service of the city without fault or delinquency on their part.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 869 (House Bill No. 1279), entitled:

An Act to amend article fourteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine), entitled "An act to established a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribed penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by adding thereto a new section providing that the Department of Public Instruction shall reimburse school districts for educating children of employes of public institutions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 710 (House Bill No. 183), entitled:

An act to amend section twenty five and thirty-eight of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred thirty-seven) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" clarifying the ground for divorce where the respondent has been convicted of certain crimes providing for the amendment of libels to include additional grounds for divorce providing for service of notice of hearing on correspondents and providing for alimony pendente lite in cases of divorce from bed and board.

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, I ask unanimous consent to amend line 11 of the title by inserting after the word "divorce" and before the syllable "pro-" the word "and"; also line 13, of the title by inserting after syllable "ents" the following: "["; also line 14 of the title by inserting after the word "board" the following "]"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 907 (House Bill No. 860), entitled:

An Act conferring jurisdiction on the Municipal Court of Philadelphia with respect to civil proceedings arising in magistrates' courts; providing for the filing of transcripts of judgments entered by magistrates in said court, and validating proceedings heretofore filed in said court.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,

Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 953, entitled:

An Act to further amend section three of the act approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand forty-six), entitled "An act appropriating the moneys in the Motor License Fund by making the moneys in the Motor License Fund available for administering the laws, rules and regulations relating to aeronautics.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Harris,	Owlett,	Sones,
Baumer,	Harvey,	Parkinson,	Sordoni,
Bell,	Homsher,	Pethick,	Staudenmeier,
Bennett,	Howell,	Pierson,	Thompson,
Chapman,	Krause,	Reed,	Trainer,
Clark,	Lanius,	Rice,	Williamson,
Coyne,	Mansfield,	Roberts,	Woodward,
Ealy,	McClure,	Scott,	Ziesenheim,
Fay,			

NAYS—2

Graff,	Prince,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 980 (House Bill No. 1666), entitled:

An Act to amend section 9 of the act approved the thirteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, six hundred forty-four) entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes" by increasing the fee to be charged by the Department of Welfare for certificates of registration.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim.
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1011 (House Bill No. 1278), entitled:

An Act to amend section four hundred and twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended providing that the county commissioners shall provide for the graves of service men foundations for headstones furnished by the United States Government placed in lots containing the bodies of service men.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1019 (House Bill No. 1847), entitled:

An Act to protect the public health; defining and providing for the licensing of bakeries and regulating the inspection, maintenance and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale and offering for sale of baker products; conferring powers on the Department of Agriculture; and providing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—8

Aron,	Homsher,	Norton,	Williamson,
Clark,	Lanius,	Sordoni,	Woodward,

NAYS—24

Armstrong,	Coyne,	Krause,	Rice,
Batchelor,	Ealy,	Mansfield,	Roberts,
Baumer,	Fay,	Miller,	Shapiro,
Bell,	Frazier,	Pethick,	Snyder,
Bennett,	Graff,	Pierson,	Sones,
Chapman,	Harris,	Prince,	Ziesenheim,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 1235 (House Bill No. 1033), entitled:

An Act to amend section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposiation of fines forfetitures fees and miscellaneous recipts making an appropriation and providing for refunds" as amended exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—22

Armstrong,	Graff,	Norton,	Rice,
Batchelor,	Harris,	Parkinson,	Roberts,
Baumer,	Krause,	Pethick,	Snyder,
Coyne,	Lanius,	Prince,	Thompson,
Ealy,	Mansfield,	Reed,	Ziesenheim,
Frazier,	Miller,		

NAYS—12

Aron,	Chapman,	Homsher,	Sones,
Bell,	Clark,	Pierson,	Williamson,
Bennett,	Fay,	Shapiro,	Woodward,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILL RECOMMITTED

Mr. CLARK. Mr. President, I move that Senate Bill No. 1244 (House Bill No. 1536), on third reading, entitled:

An Act to amend the title, and to amend section one of the act, approved the tenth day of May, one thousand nine hundred and twenty-seven (P. L. 879), entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods, wares, or merchandise of any kind, fixtures, machinery, equipment or real estate, by every corporation, joint-stock association, limited partnership or company; providing certain requirements, therefor and imposing certain duties upon the seller and buyer; and fixing penalties" by extending the provisions of the said act to individuals, copartnerships, and other unincorporated associations, and including notice thereof in the title of said act.

be recommitted to the Committee on Judiciary General.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. EALY. Mr. President, I ask unanimous consent that Senate Bill No. 1258 (House Bill No. 1775), on third reading, entitled:

An Act authorizing agreements between the Department of Highways and local authorities to provide for the construction and maintenance of streets and highways in cities, counties, boroughs, towns and townships, under certain conditions; providing for assessments on abutting property owners; and making an appropriation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. WILLIAMSON. Mr. President, I move that Senate Bill No. 1263 (House Bill No. 1131), on third reading, entitled:

An Act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties.

be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. BAUMER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

QUESTION OF PERSONAL PRIVILEGE

Mr. SORDONI. Mr. President, I rise to a question of personal privilege on this bill.

The PRESIDENT. The Senator from Luzerne, Mr. Sordoni, will state his question of personal privilege.

Mr. SORDONI. Mr. President, I want to talk about the conditions surrounding this bill. I do not believe the Senators who are opposing this measure fully realize its importance. In the chaotic condition the Senate has been in for the last week or ten days, I do not blame them for not familiarizing themselves with it. This bill is a very important piece of legislation, and should pass. As Chairman of the Banking Committee of the Senate I urge you not to recommit it, but permit it to be passed, and let it be placed upon the Governors desk so he can sign it. It is good legislation. The only opposition that could possibly come to this bill is from those who are not familiar with it. I will not talk upon the bill at this time, but will ask the members of the Senate to vote against recommitting it, because I am familiar with the provisions of the bill, and I can vouch for the goodness which can be accomplished by its passage.

Mr. SHAPIRO. Mr. President, I would like to interrogate the Senator from Huntingdon, Mr. Williamson.

The PRESIDENT. Will the Senator from Huntingdon, Mr. Williamson, permit himself to be interrogated?

Mr. WILLIAMSON. Mr. President, I will.

Mr. SHAPIRO. Mr. President, I would like to ask the Senator from Huntingdon, Mr. Williamson, whether he knows that this bill was in the Committee on Banks and Building and Loan Associations, referred to a subcommittee for investigation, was reported by that sub-committee back to the committee on Banks and Building and Loan Associations with approval, for the purpose of having the bill go to the Governor.

Mr. WILLIAMSON. Mr. President, I did not know that.

Mr. PRINCE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Cumberland, Mr. Prince, will state his question of personal privilege.

Mr. PRINCE. Mr. President, my question of personal privilege is raised in order to assist Senator Sordoni and Senator Woodward in predisposing the minds of the Senators favorably toward this bill, and to preserve the inviolability of that parliamentary rule which limits debate to the motion under under consideration.

These institutions are modeled after the German Raffeisen Banks, which were organized in 1848 and have swept all over Europe. The National Credit Union Extension Bureau is financed by Edward A. Filene, the merchant-philanthropist of Boston, who spends his money for this purpose as Carnegie established free libraries and as Rockefeller endows colleges and biological research laboratories.

The purpose of the credit union is to enable persons who cannot get loans from banks to borrow from the collective resources of a group. This group consists principally of industrial workers and small farmers, not exceeding twenty, who pay in the small amount of twenty-five cents a week and lend each other the funds which thus accumulate. It is a significant fact, Mr. President, testifying to the strength of these institutions and to the soundness of their methods, that during the present period of industrial prostration, while 5,000 banks failed and 4,000 banks called upon the Reconstruction Finance Corporation for aid, not one of the 1,800 credit unions in the United States has been affected by the depression except two or three in New York State, organized on racial lines, which have not followed credit union procedure.

There are 1,800 credit unions in the United States, with a membership of 300,000, and with assets of fifty millions. They have been established by law in thirty-six States, in the District of Columbia and in two provinces in Canada.

This bill is approved by the Banking Department of this State, by the Department of Agriculture, by the State Teachers Association, by the Farm Bureau Federation and by the State Grange. The United States Post Office has 300 credit unions, with a total membership of 60,000 and assets of $29,000,000.

Last Monday night I listened to an eloquent and impressive speech by the Senator from Philadelphia, Mr. Salus, against a bill which he denounced as the worst piece of proposed legislation that had been presented during this session, and I believe he was right.

Mr. President, I am convinced that if this bill is passed it will prove to be the most meritorious and the most permanently helpful measure of relief that has been enacted during the session of 1933.

Mr. SORDONI. Mr. President, one additional word to what has already been said. I have a large paper, but shall not impose on the time of the Senate by reading it all. I shall read this paragraph for the benefit of the members of the banking fraternity present:

"In no way, directly or indirectly, does the credit union compete with or seek to substitute itself for a bank or a building and loan association or a small loan company; there is no competition between the three forms of banking in any of the States where all three have flourished for many years. The Granges are much interested in the relief which credit unions will extend to Pennsylvania farmers. Organized labor in many states, and nationally, has gone on record in favor of the credit union because of the great service rendered by it. Organized business, as represented by State Chambers of Commerce and State Manufacturers' Associations favor this legislation; and many of the finest and most useful credit unions serve the employes of such major industrial units as Swift and Company, Armour and Company, the Du Pont industries the Industrial Shoe Company, and so on."

I trust that we can get a unanimous vote on this, gentlemen; it is one of the most meritorious pieces of legislation before the Senate today.

Mr. WILLIAMSON. Mr. President, I am impressed by what Senator Prince has just said, and I think if the bill has the merit he suggests, it should be passed.

I therefore withdraw my motion.

Mr. BAUMER. Mr. President, I withdraw the second.

The PRESIDENT. The motion to recommit is withdrawn.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1263 (House Bill No. 1131), entitled:

An Act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions, designating such credit unions as corporations and defining their powers and duties, conferring certain powers and duties on the Department of Banking and providing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Armstrong,	Graff,	Norton,	Snyder,
Batchelor,	Harris,	Owlett,	Sordoni,
Bell,	Homsher,	Pierson,	Staudenmeier,
Clark,	Howell,	Prince,	Thompson,
Ealy,	Krause,	Reed,	Trainer,
Fay,	Lanius,	Rice,	Woodward,
Frazier,	Mansfield,	Scott,	Ziesenheim,
Gelder,	Miller,	Shapiro,	

NAYS—9

Aron,	Chapman,	Pethick,	Sones,
Baumer,	Parkinson,	Roberts,	Williamson,
Bennett,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1281 (House Bill No. 1726), entitled.

An Act creating a commission to study the laws relating to poor districts and to draft such new laws as may be necessary to revise and codify such laws and establish State supervision over poor boards.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Armstrong,	Frazier,	McClure,	Shapiro,
Aron,	Gelder,	Miller,	Snyder,
Batchelor,	Graff,	Norton,	Sones,
Baumer,	Harris,	Owlett,	Sordoni,
Bell,	Harvey,	Parkinson,	Staudenmeier,
Bennett,	Homsher,	Pethick,	Thompson,
Chapman,	Howell,	Pierson,	Trainer,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Woodward,
Ealy,	Mansfield,	Scott,	Ziesenheim,
Fay,			

NAYS—2

Prince, Reed,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1314 (House Bill No. 1754), entitled:

An Act to amend section four hundred fifteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liabilty for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing or refunds," as amended, by providing for the sale of statistics relating to the titling and registration of motor vehicles.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Williamson,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECONSIDERATION OF SENATE BILL No. 1235

Mr. BELL. Mr. President, I move to reconsider the vote by which Senate Bill No. 1235 (House Bill No. 1033), entitled:

An Act to amend section seven hundred twenty-two, of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts, and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them,

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. BELL. Mr. President, I voted "aye."

Mr. SHAPIRO. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SHAPIRO. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BELL. Mr. President, I feel there were a number of the Senators who voted "no" on this bill under a misapprehension.

I therefore ask immediate reconsideration of the bill.

Mr. WOODWARD. Mr. President, this bill was discussed in the Committee on Finance, and we, of course, are tenderhearted toward all the veteran organizations, but the trouble with the bill is that it opens the door to all kinds of charitable organizations to be exempted from paying this tax to the Motor Fund for registration. If we could limit the bill to veterans' organizations, that would be one thing, but as I understand the bill now before us the Red Cross and other organizations would have this same exemption, and the thing would roll along and you would have a great many exemptions under this act.

BILL OVER IN ORDER

Mr. BELL. Mr. President, I ask unanimous consent that Senate Bill No. 1235, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL. Mr. President, I ask unanimous consent that Senate Bill No. 1324 (House Bill No. 1888), on third reading, entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" extending the time within which school districts of the second class may levy their taxes conferring jurisdiction upon certain courts to review the budgets of school districts of second third and fourth classes and relating to the effect of the institution of such proceedings upon contracts agreements undertakings and the tax levy made during their pendency.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1345 (House Bill No. 141), entitled:

An Act to amend sections two and three section four as amended section five seven and eight of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eighty) enitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by reducing the salaries of judges.

And said bill having ben read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, in rising to make a protest against this bill I may seem to be doing what at first blush looks like a dangerous thing, but upon analysis I think it will be seen that the danger is more apparent than real. This is the bill that seeks to reduce the salaries of judges, and, apparently in disguise, is a so-called economy measure. It seems to me, if it were a measure that would result in some real economy, no one would object, and I would not raise my voice against it.

This bill seems to reduce salaries of judges all through the State; but, as a matter of fact, by its very provisions, and under the law, it would affect only a few judges. For instance, justices of the Supreme Court, elected for 21-year terms, would not be affected by this bill; justices of the Superior Court, elected for 10-year terms, would not be affected by this bill.

In Philadelphia we have five Common Pleas Courts, and there are three judges in each court, or fifteen judges in all; but only four of them, coming up for re-election, would be affected by this bill. In the Municipal Court, where four or five come up for re-election, only those four or five would be affected, and the remaining judges would not. This would place the Common Pleas Court in the anomalous position of having three judges in one court, with two of them receiving a salary of $14,000 and one a salary of $12,000. In one particular court the President Judge, who has served long, and gained a creditable reputation for himself, comes up for re-election—and he undoubtedly will be re-elected, and when he is re-elected he will find his salary reduced to a figure lower than the salary of the other two associate judges who have been there, one for only four or five years and the other for a shorter time.

It seems to me, Mr. President that a bill which, in a large City of Philadelphia, can save the Commonwealth of Pennsylvania, at most, only, approximately $14,000 or $15,000, and, at the same time, humiliates the judges, who sit together on the bench to so great a degree, should have the most careful scrutiny; especially when it is a measure that cannot, in any sense, be called a real economy bill. And the situation that we find in Philadelphia must be true all over the State. There are many judges who have been re-elected for terms of years who cannot be affected by this reduction in salary. At the same time that this bill was in the House a resolution was defeated, which would have placed all judges on an equal basis.

It would be taking an unfair advantage of those judges who are coming up for re-election, and who have served long and well, to reduce their salaries while others who sit with them have their salaries remain the same.

The only reason, to my mind, that a bill such as this is introduced is because we are living in hectic times, and few are willing to raise their voices in protest against a bill that passes, or seems to pass, for an economy measure. I am willing to help the Commonwealth of Pennsylvania to save as much money as it possibly can, if we can have a real economy measure; and I am willing to sit here long enough to accomplish that result, no matter how long that may be; but I do feel justified in asking, on behalf of the men who have served the Commonwealth faithfully and have earned less than they could have earned had they left the bench and practiced law, men who have made sacrifices during good times—I feel justified in asking that you do not place them in this position of inequality with their associates.

So, I raise my voice in behalf of those judges, and say to you that this is not, in any sense, an economy measure, because the result will be to humiliate the judges the value of whose services far exceeds the value of the money that would be saved by the bill.

If, as it seems, the consensus of the Senate is that this bill should be passed, it should be so restricted that the Senate may again deal with it when the proper occasion arises. So I ask unanimous consent to offer an amendment to this bill which will restrict its force and effect for three years; so that when we come here again, if the conditions under which we are living now have been changed—or, if they have not changed—we can act accordingly. This bill's being restricted to three years' time will give us ample time to readjust ourselves; and if we need any emergency measure at that time we can take the drastic step just as well then.

I ask unanimous consent to offer amendments at this time.

Mr. REED. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

And the question recurring,

Will the Senate agree to the bill?

Mr. REED. Mr. President and members of the Senate, I want to assure my friend, the Senator from Philadelphia, Mr. Shapiro, that I have not made objection to his request, for unanimous consent to amend for any captious reasons; nor do I intend to argue the merits or defects of this bill; but I think it is only fair that the Senate should understand the present status of the various bills of this character.

Last January I think it was the Senate passed a bill which is identical in form with the present bill, and that bill passed

the Senate by an overwhelming majority. I had the honor of introducing that bill. Since then that bill has been for a long period, I believe, on the calendar of the House.

The Hutton Bill, now before us, passed the House of Representatives in an entirely different form, and it was amended, in the Committee on Judiciary General, so that it is now before the Senate in precisely the same form that the bill which I introduced was passed by the Senate early in the session.

This has been a matter which has been discussed many times in the Committee on Judiciary General, and the bill as now before the Senate represents the repeated action of the Committee on Judiciary General and the consensus of the Senate as expressed heretofore.

I think the only question before the Senate is: Are we going to consider this matter at all during the session? If we are, it seems to me that the bill should be brought to a vote, and voted up or voted down in its present form.

And the question recurring,

Will the Senate agree to the bill?

BILL OVER IN ORDER

Mr. TRAINER. Mr. President, I ask unanimous consent that Senate Bill No. 1345, entitled:

An Act to amend sections two and three section four as amended and sections five and seven and eight of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (P. L. 1780), entitled "An act to fixe the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the court of common pleas the judges of the Orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by reducing the salaries of judges.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1358 (House Bill No. 1701), entitled:

An Act to amend section two hundred and twenty-two of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing a procedure to provide for the holding of two or more county offices in counties of the sixth class by the same person.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1362, entitled:

An Act to amend section fifty-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; permitting individual sureties on the bonds of county officers in counties of the sixth seventh and eighth classes and regulating and controlling the acceptance of such bonds.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Mr. REED. Mr. President, I move that the Senate do now proceed to the third reading and consideration of Senate bill No. 1345, entitled:

An Act to amend sections two and three, section four as amended, and sections five seven and eight, of the act, approved the sixteenth day of May one thousand nine hundred and twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by reducing the salaries of judges.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. REED. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

BILLS RECOMMITTED

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 1367 (House Bill No. 1866), on third reading, entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred and seven (Pamphlet Laws six hundred and forty) entitled "An act to provide revenue by levying a tax upon the shares of stock companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages and others interests in real estate, from loss by reason of defective titles, liens and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled, 'An act conferring upon certain fidelity, insurance, safety deposit, trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine, of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies."

be recommitted to the Committee on Finance.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. EALY. Mr. President, I ask unanimous consent that Senate Bill No. 369 (House Bill No. 244), on third reading, entitled:

An Act to amend section fourteen of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" by giving the courts of the county wherein alleged violation occurs or the residence or place of business of the complainant jurisdiction in equity proceedings under the act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1373 (House Bill No. 910), entitled:

An Act to amend section one of the act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred eighty-four) entitled "An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of said tax" as amended exempting retail vendors or retail dealers engaged in compounding and dispensing medicines on prescriptions of physicians

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senate Bill No. 1378, on third reading, entitled:

An Act to safeguard human health and life in counties of the second class by providing for the licensing and regulation of persons and entities engaged in the disposal of garbage through the construction keeping maintenance or conduct of garbage disposal plants conferring powers and imposing duties on County Commissioners of such counties and otherwise providing for the administration of the act and imposing penalties

go over in its order.

The PRESIDENT. Is there objection?

Mr. COYNE. Mr. President, I object.

The PRESIDENT. There is objection.

Mr. MANSFIELD. Mr. President, I think that every member of this Senate should have the opportunity of examining this bill. I sent down to the printer's, and the page boy brought back the word that the bill was not up from the printer's; and I think it is only courteous to permit the bill to go over until after we are able to read it.

Mr. COYNE. Mr. President, I withdraw the objection.

The PRESIDENT. The objection is withdrawn.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1380 (House bill No. 1373), entitled:

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and thirty-one (P. L. 555), entitled "An act to further amend section seven of the act approved the second day of May, one thousand eight hundred ninety-nine (P. L. 184), entitled 'An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax,' by changing the date upon which the city or county treasurer is required to sue for the recovery of certain licenses duly returned to him by the mercantile appraiser and not paid."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Williamson,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1382 (House Bill No. 1418), entitled:

An Act declaring and adopting the azalea nudiflora, also known as the wild Azalea, wild honeysuckle and pinxter bloom, as the Pennsylvania State flower.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1383 (House Bill No. 1586), entitled:

An Act to amend section seven of the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring a certificate of death to include the military record of decedent if any

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. REED. Mr. President, I ask unanimous consent that Senate Bill No. 1402 (House Bill No. 1865), on third reading, entitled:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred and ninety-seven (Pamphlet Laws, two hundred and ninety-two), entitled "An act to provide revenue by taxation."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1405 (House Bill No. 1229), entitled:

An Act to amend section one hundred and thirty-five of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight), entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by limiting the salary of the solicitor to the controller in counties of the fifth class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,

Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1409 (House Bill No. 1372), entitled:

An Act to provide reciprocal relations in respect to death duties in taxation of estates of non-resident decedents.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1415 (House Bill No. 1971), entitled:

An Act to amend section two hundred and twelve of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign companies associations or exchanges providing penalties and repealing existing laws" as amended by bringing public adjusters' solicitors within the retaliatory provisions relating to agents brokers and public adjusters

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution. and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1416 (House Bill No. 1972), entitled:

An Act to amend section six hundred and three as amended and section six hundred and twenty-two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign companies associations or exchanges providing penalties and repealing existing laws" by defining the right or corporations to be licensed as insurance agents or insurace brokers.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim.
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1417 (House Bill No. 1973), entitled:

An Act to amend section six hundred and ten of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protec-

tion of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as added by further defining resident agents of certain foreign insurance companies.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. OWLETT. Mr. President, I ask unanimous consent that Senate Bill No. 1432, on third reading, entitled:

An Act declaring and adopting the Mountain Laurel (Kalmia latifolia) as the State Flower of Pennsylvania.

go over in its order.

Mr. ROBERTS. Mr. President, I object. I would like very much if the Senator from Tioga, Mr. Owlett, would see fit to withdraw his request.

Mr. OWLETT. Mr. President, I withdraw the request.

The PRESIDENT. The request is withdrawn.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1432 (House Bill No. 1127), entitled:

An Act declaring and adopting the Mountain Laurel (Kalmia latifolia) as the State Flower of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. ROBERTS. Mr. President, I possibly should just say one word in connection with this bill. I say it because I do not want any misunderstanding with the Senators on how they are voting. There was a bill just passed that you might think would conflict with this bill; but the other day I spoke to the author of the other bill, and after I had made a motion that it be reconsidered, then we had a sort of mutual understanding that neither would object to the other bill and both bills would be allowed to go through. And therefore I am hoping that as the other bill went through without objection this bill might be accorded the same privilege.

Mr. WILLIAMSON. Mr. President, I would like to interrogate the Senator from Warren, Mr. Roberts.

The PRESIDENT. Will the Senator from Warren, Mr. Roberts, allow himself to be interrogated?

Mr. ROBERTS. Mr. President, I will.

Mr. WILLIAMSON. Mr. President, has anybody suggested the sunflower?

Mr. ROBERTS. Mr. President, not to my knowledge.

Mr. WILLIAMSON. Mr. President, I do not know but what it would be a good flower, but I doubt it very much.

Mr. ROBERTS. Mr. President, I would like to see it go through.

Mr. WILLIAMSON. Mr. President, I would rather vote on a resolution to let the Governor select the flower.

Mr. FRAZIER. Mr. President, a lily-of-the-valley I guess we would get.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate had passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1433 (House Bill No. 933), entitled:

An Act reducing the salaries and compensation of certain county city borough town township and poor district officers and employes and requesting and urging public officers of counties cities boroughs towns townships and poor districts now in office to agree to voluntary reductions of salaries.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Thompson,
Bennett,	Homsher,	Pierson,	Staudenmeier,
Chapman,	Howell,	Prince,	Trainer,

Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye' the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate had passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1438 (House Bill No. 1642), entitled:

An Act to authorize incorporated towns to secure lands for the purpose of establishing and maintaining municipal airports airdromes aviation landing fields intermediate landing fields and airport facilities to establish equip condition operate and maintain municipal airports airdromes landing fields or intermediate landing fields and lease the same either separately or jointly with other political subdivisions of this Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of the Senators having voted "aye' the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate had passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1440 (House Bill No. 188), entitled:

An Act to amend section one hundred and seventy-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; prescribing the oath to be taken by members of the board of viewers.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate had passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1449 (House Bill No. 1235), entitled:

An Act to amend section two hundred and twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by changing the qualifications of the first deputy prothonotary in counties of the third class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate had passed the same without amendments.

BILLS OVER IN ORDER

Mr. ROBERTS. Mr. President, I ask unanimous consent that Senate Bill No. 1457, on third reading, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to incur indebtedness and issue bonds for certain purposes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ROBERTS. Mr. President, I ask unanimous consent that Senate Bill No. 1458, on third reading, enitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to incur indebtedness and issue bonds for certain purposes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1461, as follows:

An Act providing for the reduction by a building and loan association with the approval of the Department of Banking and upon order of the court of common pleas of its liability to shareholders applying to building and loan associations whether or not in possession of the Secretary of Banking

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the losses of any building and loan association resulting from a depreciation of its securities or otherwise xceed its acumulated profits and its reserve for contingent losses so that the fair value of its assets is less than the total amount due its creditors and shoreholders the court of common pleas of the country in which the place of business of the association is located may upon the petition of the association approved by a majority of all its directors and by the Department of Banking order a reduction of its liability to its shareholders in such manner as to distribute the loss equitably among such shareholders Such petition shall be advertised at least once in a newspaper of general circulation in the county in which the association has its place of business.

Section 2 The provision of this act shall likewise apply to any building and loan association the business and property of which were or shall be taken in possession by the Secretary of Banking prior to the third day of July one thousand nine hundred thirty-three

Section 3 The act shall become effective immediately upon its approval by the Governor and shall continue to be effective until the thirty-first day of March one thousand nine hundred thirty-four

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affrmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The Senate proceeded to the third reading and consideration of Senate Bill No. 1462, entitled:

An Act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General providing for subsequent transfers of equal sums between such funds and making appropriations necessary to effect such transfers

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affrmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON FINAL PASSAGE

Mr. ROBERTS. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 388, on final passage, entitled:

An Act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the second and third class defining the powers and duties of civil service commissions for such purposes and fixing penalties

Mr. MANSFIELD. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 388, as follows:

An Act providing for the appointment promotion reduction removal and reinstatement of paid officers firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the second and third class and defining the powers and duties of civil service commissions for such purposes and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of July one thousand nine hundred and thirty-three appointments to and promotions in all paid fire departments or as fire alarm operators and fire box inspectors in the bureaus of electricity of cities of the second and the third class shall be made according to qualifications and fitness to be ascertained by examinations which so far as practicable shall be competitive as hereinafter provided On and after said date no person shall be reinstated appointed promoted demoted or discharged as a paid member of any fire department (except the chief and deputy chiefs) regardless of rank or position in any fire department or as a fire alarm operator or fire box inspector in the bureau of electricity in any city of the second or third class in any manner or by any means other than those prescribed in this act

Section 2 The civil service commission in each city within the terms of this act shall

First Prescribe amend and enforce rules and regulations for carrying into effect the provisions of this act All rules so prepared may from time to time be added to amended or rescinded All rules shall be approved by the mayor and the council before they go into effect and when so approved

shall not be annulled or changed except by the commission with the approval of the mayor and the council If the mayor or council takes no action on a rule or amendment submitted to them within a period of twenty days from the date of its submission then the rule or amendment shall become effective as though approved by the mayor and council

Second Keep minutes of its own proceedings and records of its examinations and other official actions All recommendations of applicants for employment received by the commission or by any officer having authority to make appointments shall be kept and preserved for a period of ten years and all such records (recommendations of former employes excepted) and all written causes of removal filed with it shall subject to reasonable regulation be open to public inspection

Third Make investigations either as a body or through a single commissioner concerning all matters touching the enforcement and effect of the provisions of this act and the rules and regulations prescribed thereunder concerning the action of any examiner or subordinate of the commission or of any person in the public service in respect to the execution of this act In the course of such investigations each commissioner shall have the power to administer oaths and affirmations and to take testimony

Fourth Have power to subpoena and require the attendance of witnesses and the production of books and papers pertinent to the investigations and inquiries hereby authorized and to examine them and such public records as it shall require in relation to any matter which it has the authority to investigate The fees of such witnesses for attendance and travel shall be the same as for witnesses before the courts of common pleas and shall be paid from the appropriations for the incidental expenses of the commission All officers in the public service and their deputies clerks subordinates and employes shall attend and testify when required to do so by the commission Any disobedience to or neglect of any subpoena issued by the said commissioners or any one of them to any person shall be held a contempt of court and shall be punished by the court of common pleas as if such subpoena had been issued therefrom Any judge of any of said courts shall upon the application of any one of said commissioners in such cases cause the process of said court to issue to compel such person or persons disobeying or neglecting any such subpoena to appear and to give testimony before the said commissioners or any one of them and shall have power to punish any such contempt

Fifth Make an annual report to the mayor showing its own actions and rules and regulations and all the exceptions thereto in force and the practical effects thereof and any suggestions it may approve for the more effectual accomplishment of the purposes of this act Such report shall be available for public inspection five days after the same shall have been delivered to the mayor

Section 3 The civil service commission in each city shall make rules and regulations providing for examinations for positions in the paid fire department and as fire alarm operators and fire box inspectors in the bureau of electricity in each city and for appointments to and promotions therein and for such other matters as are necessary to carry out the purposes of this act Due notice of the contents of such rules and regulations and of any modifications thereof shall be given by mail in due season to appointing officers affected thereby Such rules and regulations and modifications thereof shall also be printed for public distribution All original appointments to any positions in the fire department and as fire alarm operators and fire box inspectors within the terms of this act shall be for a prohationary period of three months At any time during the probationary period the appointee may be dismissed for just cause in the manner provided in section sixteen of this act If at the close of such probationary term the conduct or capacity of the probationer has not been satisfactory to the appointing officer the probationer shall be notified in writing that he will not receive permanent appointment whereupon his employment shall cease otherwise his retention in the service shall be equivalent to his permanent appointment

Section 4 All examinations for positions or promotions shall be practical in their character and shall relate to such matters and include such inquiries as will fairly and fully test the comparative merit and fitness of the persons examined to discharge the duties of the employment sought by them All examinations shall be open to all applicants who have fulfilled the preliminary requirements required by this act All applicants for any position in the fire department and as fire alarm operators and fire box inspectors in the bureau of electricity shall subject to regulations adopted by the civil service commission be required to submit to a physical examination before being admitted to the regular examinations held by the commission Each applicant shall have been a resident of the city in which he seeks employment for one year next preceding date of his application Adequate public notice of the time and place of every examination held under the provisions of this act together with information as to the kind of position or place to be filled shall be given at least one week prior to such examinations The commission shall adopt reasonable regulations for permitting the presence of representatives of the press at the examinations The commission shall post in a public place at its office the eligible lists containing the names and grades of those who have passed examinations and shall indicate thereon such appointments as may be made from said lists

Section 5 The civil service commission in each city shall require persons applying for admission to any examination provided for under this act or under the rules and regulations of the said commission to file in its office within a reasonable time prior to the proposed examination a formal application in which the applicant shall state under oath or affirmation

First His full name residence and post office address

Second His citizenship age and the place and date of his birth

Third His health and his physical capacity for public service

Fourth His business and employments and residences for at least three years previous

Fifth Such other information as may reasonably be required touching the applicant's qualifications and fitness for the public service

Blank forms for such applications shall be furnished by the commission without charge to all persons requesting the same The commission may require in connection with such application such certificate of citizens physicians or others having knowledge of the applicant as the good of the service may require The commission may refuse to examine an applicant or after examination to certify as eligible one who is found to lack any of the established preliminary requirements for the examination or position or employments for which he applies or who is physically so disabled as to be rendered unfit for the performances of the duties of the position to which he seeks appointment or who is addicted to the habitual use of intoxicating liquors or drugs or who has been convicted of any crime or whose conduct is infamous or notoriously disgraceful or who has been dismissed from the public service for delinquency or misconduct or who has made a false statement of any material fact or practiced or attempted to practice any deception or fraud in his application in his examination or in establishing his eligibility or who refuses to comply with the rules and regulations of the commission

If any applicant feels himself aggrieved by the action of the commission in refusing to examine him or after an examination to certify him as an eligible as provided in this section the commission shall at the request of such applicant appoint a time and place for a public hearing at which time such applicant my appear by himself or counsel or both and the commission shall then review its refusal to make such examination or certification and testimony shall be taken The commission shall subpoena at the expense of the applicant any competent witnesses requested by him After such review the commission shall file the testimony taken in its records and shall again make a decision which decision shall be final

Section 6 Every position or employment unless filled by promotion reinstatement or reduction shall be filled only in the following manner The appointing officer shall notify the civil service commission of any vacancy in the service which he desires to fill and shall request the certification of eligibles The commission shall forthwith certify from the appropriate eligible list the names of the three persons thereon who received the highest averages at the last preceding examination held under the provisions of this act The appointing officer shall thereupon with sole reference to the relative merit and fitness of the candidates make an appointment from the three names so certified If the appointing officer

makes objection to the commission to one or more of the persons named for any of the reasons stated in section eleven of this act and if such objections are sustained by the commission the commission shall thereupon strike the name of such person from the eligible list and certify the next highest name for each person so stricken off If any name shall be three times rejected for the same or another position such name shall be stricken from the list When there are a number of positions of the same kind to be filled at the same time each appointment shall be made separately and in accordance with the foregoing provisions

Section 7 Whenever there are urgent reasons for filling a vacancy in any position in the fire department or as fire alarm operators or fire box inspectors in the bureau of electricity and there is no list of persons eligible for appointment the appointing officer may nominate a person to the civil service commission for non-competitive examination and if such nominee shall be certified by the commission as qualified after such non-competitive examination he may be appointed provisionally to fill such vacancy until a selection and appointment can be made after competitive examination in the manner prescribed by this act No such provisional appointment shall continue for a longer period than three months nor shall successive provisional appointments be made to the same position

Section 8 Vacancies in positions in the fire department and as fire alarm operators and fire box inspectors in the bureau of electricity shall be filled so far as practicable by promotions from among persons holding positions in the next lower grade in the department Promotions shall be based upon merit to be ascertained by tests to be provided by the civil service commission and upon the superior qualifications of the persons promoted as shown by his previous service and experience Provided however That no person shall be eligible for promotion from the lower grade to the next higher grade until such person shall have completed at least two years service in the next lower grade in the department The commission shall have the power to determine in each instance whether an increase in salary constitutes a promotion

Section 9 All applicants for any position in the fire department and as fire alarm operators and fire box inspectors in the bureau of electricity shall undergo a physical examination which shall be conducted under the supervision of a commission composed of doctors of medicine appointed for that purpose by the mayor Said commission shall certify that an applicant is free from any bodily or mental defects deformity or diseases that might incapacitate him from the performance of the duties of the position desired before said applicant shall be permitted to take further examinations No application will be received if the person applying is less than twenty-one years of age or more than thirty-five years of age at the date of his aplication Provided however That in event any applicant has formerly served upon the fire department or as a fire alarm operator or fire box inspector in the bureau of electricity of the city to which he makes application for a period of more than six months and no charges of misconduct or other misfeasance were made against such applicant within a period of two years next of the city then such person shall be eligible for reinstatement in the discretion of the civil service commission even though such applicant shall be over the age of thirty-five years Such applicant providing his former term of service so justifies may be reappointed to the fire department or as a fire alarm operator or fire box inspector in the bureau of electricity without examination other than a physical examination If such person is reinstated he shall be the lowest in rank in the department next above the probationers of the department

Section 10 No member of any fire department and no fire alarm operator fire box inspector in any bureau of electricity within the terms of this act shall be removed discharged or reduced in rank or pay except for just cause which shall not be religious or political nor in any event until he shall have been furnished with a written statement of the reasons for such action In every case of such removal or reduction a copy of the statement of reasons therefor and of the written answer thereto if the person sought to be removed desires to file such written answer shall be furnished to the civil service commission and entered upon its records If the person sought to be removed or reduced shall demand it the civil service commission shall grant him a public hearing which hearing shall be held within a period of fifteen days from the filing of the charges in writing and the written answer thereto At such hearing the burden shall be upon the removing officer to justify his action In the event that the civil service commission fails to sustain the action of the removing officer the person sought to be removed shall be reinstated with full pay for the entire period during which he may have been prevented from performing his usual employment and no charges shall be recorded against him A written record of all testimony taken at such hearing shall be kept and preserved by the civil service commission which record shall be sealed and not be available for public inspection unless an appeal is taken from the action of the commission In the event that the civil service commission shall sustain the action of the removing officer the person removed shall have an immediate right of appeal to the court of common pleas Such appeal shall be taken within ninety days from the entry by the civil service commission of its final order The court shall proceed to hear the appeal upon the original record taken therein and no additional proof shall be introduced Any employe dissatisfied with the decision of the court of common pleas shall have the right of appeal to the Supreme Court The removing officer and the person sought to be removed shall have the right to employ counsel to represent him before said civil service commission and upon appeal

Section 11 If for reasons of economy or other reasons it shall be deemed necessary by any city to reduce the number of paid members of any fire department or the number of fire alarm operators or fire box inspectors in the bureau of electricity then such city shall follow the following procedure

First If there are any paid firemen fire alarm operators or fire box inspectors eligible for retirement under the terms of any pension fund then such reduction in numbers shall be made by retirement on pension of all the oldest in age and service

Second If the number of paid firemen fire alarm operators and fire box inspectors eligible for retirement under the pension fund of said city if any is insufficient to effect the reduction in number desired by said city or if there is no eligible person for retirement or if no pension fund exists in said city then the reduction shall be effected by suspending the last man or men including probationers that have been appointed Such removal shall be accomplished by suspending in numerical order commencing with the last man appointed all recent appointees until such reduction shall have been accomplished Whenever such fire department or fire alarm operators or fire box inspectors in the bureau of electricity shall again be increased in numbers to the strength existing prior to such reduction of members or if any vacancies occur the employes suspended under the terms of this act shall be reinstated to their former class before any new appointees are appointed

Section 12 No question in any form of application or in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant nor shall inquiry be made concerning such opinions or affiliations and all disclosures thereof by any applicant shall be discountenanced No discrimination whatsoever shall be exercised threatened or promised by any person in the fire department or in the bureau of electricity against or in favor of an applicant eligible or employe in such fire department or as fire alarm operator or fire box inspector in the bureau of electricity under this act because of his political or religious opinions or affiliations

Section 13 Any person who makes an appointment to officer or selects a person for employment contrary to the provisions of this act or wilfully refuses or neglects otherwise to comply with or to conform to any of the provisions of this act or violate any of such prvisions shall be guilty of a misdemeanor

Section 14 Any commissioner or examiner or any other person who wilfully by himself or in cooperation with one or more persons defeats deceives or obstructs any person in respect to his right of examination or registration under the provisions of this act or under any rules or regulations adopted pursuant thereto or who wilfully or corruptly falsely marks grades estimates or reports upon the examination or proper standing of any person examined registered or certified pursuant to the provisions of this act or aids in so doing or who

wilfully or corruptly furnishes to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of appointment of any person so examined registered or certified or to be examined registered or certified or who impersonates any other person or permits or aids in any manner any other person to impersonate him in conncetion with any examination or registration or application or request to be examined or registered shall for each offense be guilty of a misdemeanor

Section 15 Any person guilty of a misdemeanor under the provisions of this act shall upon conviction thereof be sentenced to pay a fine of not less than fifty dollars nor more than one thousand dollars or by imprisonment for a term not exceeding one year or by both such fine and imprisonment in the discretion of the court

Section 16 All paid firemen fire alarm operators and fire box inspectors in the bureau of electricity in the employ of any city upon the effective date of this act shall continue to hold their positions subject to the provisions of this act

Section 17 All acts and parts of acts general special or local inconsistent with this act are hereby repealed It is the purpose of this act to furnish a complete and exclusive system for the appointment promotion reduction removal and reinstatement of all officers firemen or other employes of fire departments and of all fire alarm operators and fire box inspectors in the bureaus of electricity in all cities of the second and third class wherein such officers and employes are paid

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Armstrong,	Frazier,	Miller,	Scott,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,		

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. ROBERTS. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 389, on final passage, entitled:

An Act to amend sections six, seventeen and twenty-six of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, seven hundred ten), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," as amended, by extending the provisions of said act so as to include bookers, booking agents, representatives of booking agencies for services of wrestlers; modifying license fees in certain cases; exempting amateur boxing or wrestling in schools colleges and universities

Mr. MANSFIELD. Mr. President. I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate rseumed the consideration of Senate Bill No. 389, as follows:

An Act to amend sections six seventeen and twenty-six of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" as amended by extending the provisions of said act so as to include bookers booking agents representatives of booking agencies for services of wrestlers modifying license fees in certain cases exempting amateur boxing or wrestling in schools colleges and universities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" as amended by section three of the act approved the twenty-ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred sixty) is hereby further amended to read as follows

Section 6 Corporations and Persons Required to Procure Licenses Definintions All corporations or persons physicians referees judges announcers matchmakers timekeepers professional boxers professional wrestlers their managers and seconds bookers booking agents or agencies or representatives of booking agencies for services of wrestlers shall be licensed by the said commission and no such corporation or person shall be permitted to participate either directly or indirectly in any such boxing sparring or wrestling match or exhibition or the holding thereof unless such corporation and all such persons shall have first procured a license from the commission For the purpose of this act a "professinal bxer" or a "professional wrestler" is deemed to be one who competes for money or teaches or pursues or assists in the practice of boxing or wrestling as a menas of obtaining a livelihood or pecuniary gain and any contest conforming to the rules regulations and requirements of this act shall be deemed to be a boxing match and not a prize fight

Section 2 That section seventeen of the said act as amended by section seven of the act approved the twenty-ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred sixty) is hereby further amended to read as follows

Section 17 License Fees Each applicatnt for a license shall before a license is issued by the commission and annually thereafter during the life of such license pay to the commission a license fee as follows Corporations or persons in cities of the first class two hundred and fifty dollars in cities of the second class one hundred dollars in cities of the third class fifty dollars and elsewhere twenty-five dollars bookers booking agents or representatives of booking agencies for services of wrestlers three hundred dollars physicians ten dollars referees twenty-five dollars judges five dollars timekeepers five dollars professional boxers five dollars professional wrestlers five dollars managers twenty-five dollars seconds five dollars announcers five dollars and matchmakers ten dollars but the commission may issue without fee licenses to referees or physicians authorizing such referees or physicians to officiate only at boxing sparring or wrestling matches to exhibitions between amateurs and only without receiving any compensation for their services Permits for matches or exhibitions in which only amateurs participate shall be issued without fee and may be issued for a single match or exhibition or a series of matches or exhibitions or for a period not exceeding one year

Section 3 That section twenty-six of the said act as amended by section twelve of the act approved the twenty-ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred sixty) is hereby further amended to read as follows

Section 26 The provisions of this act shall not prohibit any duly constituted organization or association organized for a lawful purpose from having boxing sparring and wrestling matches and exhibitions in connection with entertainments when such matches or exhibitions are conducted not for profit Provided That before such match or exhibition is held a permit is granted by the commission

None of the provisions of this act shall apply to boxing sparring or wrestling matches conducted or sponsored by or for any university college or secondary school wherein all of the contestants are students regularly enrolled as such in the universities colleges or secondary schools participating in such matches In all such cases such matches shall be conducted under the supervision management and control of the authorities of the university college or secondary school conducting or sponsoring the same or under the supervision and control of an intercollegiate or inteschoolastic association of which all participating colleges universities and secondary schools are members

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE Bill No. 1791.

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 27, 1933.

Resolved (if the Senate concur), That House Bill No. 1791, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1678.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 27, 1933.

Resolved (if the Senate concur), That House Bill No. 1678, entitled:

An Act to amend the act approved the nineteenth day of February one thousand nine hundred and twenty-six (P. L. 16), entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (P. L. 34), entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor licenses laws' providing for the registering of federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denturizarion redistillation recovery reuse holding in bonds holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permitees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by abolishing the Pennsylvania Alcohol Permit Board and transferring the powers and duties of the board to the Department of Health.

be recalled from the Governor for further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1649.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 27, 1933.

Resolved (if the Senate concur), That House Bill No. 1649, entitled:

An Act to reeanct Section one and to amend Section six of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred nineteen) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" as amended by reestablishing the Anatomical Board of the State of Pennsylvania and making the board selfsustaining

be recalled from the Governor for further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 897.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 27, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 897, entitled; "An Act authorizing the issuance of scrip certificates for relief purposes by political subdivisions of this Commonwealth; providing for the printing and issuance of scrip and stamps by the Commonwealth, for the creation of scrip redemption fund in the State Treasury and for the redemption of scrip therefrom; imposing duties on the State Emergency Relief Board and the State Treasurer; appropriating the moneys in the scrip redemption fund and imposing penalties" be recalled from the Governor for further consideration.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 760, as follows:

An Act to provide for the leasing and releasing of land owned by the Commonwealth within the beds of streams lakes and other bodies of water wholly or partly within or forming part of the boundary of this Commonwealth except such land under the navigable waters of the Delaware River and its navigable tributaries conferring powers and imposing duties upon the Water and Power Resources Board requiring lessees to establish an amortization fund for improvements placed or erected upon such land granting certain preference and exemption rights to municipalities of the Commonwealth and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning.

"Association" means a partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Board" means the Water and Power Resources Board of this Commonwealth

"Municipality" means a city borough town township or county of this Commonwealth

"Person" means a natural person association corporation or municipality Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 2 On or after the effective date of this act it shall be unlawful for any person to encroach upon any land which is part of the bed of any stream lake or other body of water wholly or partly within or forming part of the boundary of this Commonwealth and which is owned by the Commonwealth without first obtaining from the Board a least for the use and occupancy of such lands provided that nothing herein contained shall be construed to apply to any land which is part of the bed of the Delaware River and its navigable tributaries between the headwaters of navigation at Morrisville Pennsylvania and the boundary line between this Commonwealth and the State of Delaware at Marcus Hook Pennsylvania

Section 3 Any person desiring to use and occupy any such land shall file an application for a lease with the Board The application shall be made under oath or affirmation on a form prescribed prepared and furnished by the board and shall set forth the name of the applicant his business address an accurate description of the land desired to be leased the physical condition of the land the purpose for which the land is to be used and occupied and such additional information as the Board may require either by general rules and regulations or by specific request If the Board is satisfied that the granting of the lease will not be against the public interest it shall grant a lease to the applicant upon the terms and conditions in this act In granting leases under this act the Board shall give preference to applications therefor by municipalities

Section 4 Leases granted by the Board under this act shall be granted for a period not exceeding fifty years except that municipalities may be granted leases for the term of their use and occupancy of the land. Each lease shall require the payment by every lessee other than a municipality of a rental payable in advance and reasonably commensurate with the value of the land for leasing purposes which shall be fixed by the Board In the event the applicant desires to develop or place or erect improvements upon any land leased under this act the Board shall fix a time within which the development or placement or erection of improvements necessary for the use and occupancy of the land shall be completed to an effective point and in every such case the lease shall contain a provision that it shall become void unless the lessee effects such development or improvements within the time fixed by the Board Every lease may contain such other conditions as the Board may deem necessary for the protection of the public interest Any lease granted under this act may be revoked by the Board for nonpayment of rentals and for noncompliance with any of the terms of the lease or any of the provisions of this act

Section 5 After the twentieth year of any lease if it shall so long continue in force every lessee except a municipality shall set aside an amortization fund based upon the actual legitimate cost of permanent improvements placed or erected upon the land by the lessee at a rate to be approved by the Board For such purposes the Board is hereby authorized and directed to determine for each lease the actual legitimate original cost of all permanent improvements placed or erected on lands leased under the provisions of this act and of all additions to and betterments thereof

Section 6 Upon the expiration of the term of a lease whether fifty years or less the Board may grant a least for the same land to the same lessee or any other applicant In every such case the Board shall give preference to applications by municipalities If the lease of such land is not granted to the same lessee the new lessee shall pay to the former lessee an amount equal to the actual legitimate investment in the developmnt of or the improvements placed or erected on such leased land less an amount for depreciation and less the amount of the amortization reserve as of the date of the termination of the lease Whether the lease shall be granted anew to the former lessee or to some other applicant the annual rental fixed by the Board shall be based on the same kind of value as for the original lease plus the amount of such amortization reserve and the setting aside of the amortization reserve shall be continued until it together with proper depreciation reserves shall absorb the entire cost of the development of or the improvement placed or erected on the leased land

Section 7 No voluntary transfer of any lease or of the rights granted thereunder shall be made by any lessee without the written approval of the Board and any successor or assignee of the rights of any lessee shall be subject to all the conditions of the lease

Section 8 The Board is hereby empowered to hold hearings subpoena witnesses perform any and all acts make and enforce such rules and regulations and issue such orders not inconsistent with this act as it may deem necessary and proper for carrying out the purpose of this act The Board is also empowered to require all lessees under to act to make such reports keep such accounts and give such information at any time as the Board may deem proper for carrying out the provisions and purposes of this act

Section 9 Nothing in this act shall be construed to abrogate in any way whatsoever any title right or interest the Commonwealth may have in any part of the bed of any stream lake or other body of water wholly or partly within or forming part of the boundary of this Commonwealth which was encroached upon by any person prior to the effective date of this act and which is now used and occupied by such person

Section 10 All rentals and other moneys collected or received by the Board under the provisions of this act shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

Section 11 Any person who shall hereafter encroach upon any land which forms part of the bed of any stream lake or other body of water wholly or partly within or forming part of the boundary of this Commonwealth which is subject to the provisions of this act and which is owned by the Commonwealth without obtaining a lease for the use and occupancy of such land as required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than Five Hundred Dollars ($500.00) or not more than One Thousand Dollars ($1,000.00) or to undergo imprisonment for a term of one year or both in the discretion of the court

Section 12 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 807 (House Bill No. 197), as follows:

An Act to amend sections eight hundred and eight hundred and one of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" defining legal settlement and the liability of poor districts for support

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight hundred of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 800 [HOW GAINED A settlement may be gained in any poor district by any person not a public charge married or single who bona fide comes to inhabit therein and counties to reside there for one year Persons born in a place whether legitimate or illegitimate shall be deemed to be settled there unless the parent having their custody be settled elsewhere and all children shall follow the settlement of the parent or parents stepfather or stepmother having their custody until the age of sixteen years] LEGAL AND QUASI SETTLEMENTS LIABILITY FOR SUPPORT (a) A legitimate person is first settled in the poor district of birth unless the father shall then have a known settlement elsewhere in which case the first settlement of such person is in the district where the father was then settled

(b) An illegitimate person is first settled in the poor district of birth unless the mother shall then have a known settlement elsewhere in which case the first settlement of such person is in the district where the mother was then settled

(c) The settlement of a person in a poor district continues until a new one is acquired in this State or elsewhere A settlement is lost only by acquiring a new one

(d) Except as hereinafter otherwise provided every adult and every emancipated minor whether married or single legitimate or illegitimate may acquire a new settlement in any poor district of this Commonwealth by coming bona fide to establish a permanent abode therein and continuing to reside therein for one whole year if such person or minor is of sufficient mental ability to make a bargain and is not or does not become a public charge during said year

(e) The settlement of a married woman during coverture follows that of her husband and continues after his death in the district where he was last settled but she may thereafter acquire a new settlement for herself If the husband has no known settlement then she is settled whether he be living or dead in the district where she was last settled The settlement of a woman After divorce absolute or from bed and board or desertion by the husband or withdrawal by the wife from cohabitation with the husband on account of his cruelty inebriety or lack of support continues in the district where the husband was last settled but she may acquire a new settlement for herself

(f) A minor whether legitimate or illegitimate cannot be amancipated before age sixteen and becomes emancipated absolutely at age twenty-one if then of sufficient mental ability to make a bargain After age sixteen and before age twenty-one a minor of sufficient mental ability to make a bargain may become emanicipated by his own acts or the acts of the parent stepfather or stepmother having had the custody When a person is emancipated he or she is capable of establishing a new settlement

(g) A minor whether legitimate or illegitimate who is so mentally deficient as to be unable to make a bargain cannot be emancipated after age sixteen and such a person does not become emancipated at age twenty-one and so long thereafter as said mental condition continues The settlement of such a person shall at all times during mental disability be ascertained as provided in clauses (h) and (i) of this section for the settlement of minors not emancipated

(h) Before emancipation the settlement of a legitimate minor is and remains that of the father unless

(1) The father is dead and the mother acquires a new settlement in which case it follows that of the mother or

(2) The father deserts his family in which case it follows that of the mother or

(3) The mother withdraws from cohabitation with the husband on account of his cruelty inebriety or lack of support in which case it follows that of the parent having the custody or

(4) The parents are divorced either absolutely or from bed and board in which case it follows that of the parent having the exclusive custody but where custody is divided between the parents the settlement remains that of the father or

(5) Both parents are dead and the minor is in the custody of a stepfather or stepmother in which case it follows that of the stepfather or stepmother having the custody

(i) Before emancipation the settlement of an illegitimate minor at all times follows that of the mother and in case of her death before emancipation of such minor continues in the poor district in which she was last settled until such person established a new settlement after emancipation

(j) If a person has no known settlement in this Commonwealth and cannot for any reason whatever be removed into the State or country where settled he shall have a quasi-settlement in the poor district where he or she becomes a public charge which district shall be liable for his or her support

(k) If a person becomes a public charge in a poor district other than the one in which settled such district shall be liable for support until the district of settlement is discovered and removal to such district takes place but the poor district of settlement shall be liable to the district in which the person became a charge for the amount of relief advanced costs and the expenses of removal

Section 2 That section eight hundred and one of said act is hereby amended to read as follows

Section 801 ORDER OF REMOVAL In case any person shall have no settlement in the district wherein he has become or is likely to become a public charge it shall be the duty of the directors as soon as may be to notify the directors of the district of his settlement of the facts [and from the time of such notice the cost of his relief shall be charged to the district of his settlement] If the directors so notified refuse or neglect to receive him or to make arrangements for his proper support and maintenance and to pay the amount of relief advanced the directors furnishing such relief may apply to the court of quarter sessions of their county or to any judge thereof by petition asking for a citation to the directors so refusing or neglecting requiring them to appear before such court at a time specified therein and show cause why an order should not issue for the removal of such person into their district. The said court shall proceed to hear and determine the cause upon its merits and their decree shall be final unless an appeal therefrom be taken with thirty days

The citation herein provided for accompanied by a copy of the petition shall be served by the sheriff of the county who may for that purpose deputize the sheriff of the county of the respondent upon one or more of the directors named therein or with the approval of the court service may be had by sending such copy by registered mail and shall be served or mailed at least ten days before the day fixed for such hearing Provided That upon the hearing and argument before said court of quarter sessions of said citation for an order of removal of paupers from one district to another it shall be lawful for either of the parties to the issue to except to any decision of the court upon any point of evidence or law which exception shall be noted by the court and filed of record as in

civil cases and an appeal to an appellate court may be taken by either party from the judgment or decree of the court with like effect as in civil cases

Section 3 That section nine of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (Pamphlet Laws five hundred thirty-nine) entitled "An act relating to the support and employment of the poor" is hereby repealed

All other acts and parts of acts general local and special inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senatee Bill No. 808 (House Bill No. 198), as follows:

An Act to amend sections one two and three of the act approved the sixth day of April one thousand nine hundred and five (Pamphlet Laws one hundred twelve) entitled "An act providing for the relief of poor persons regulating their settlements in poor districts providing a means of enforcing the removal of a poor person to the district of his settlement the payment for relief furnished to him and the payment of costs thereto and authorizing courts of quarter sessions to compel certain relations to contribute to the relief of poor persons" defining legal settlement and the liability of poor districts for support

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the sixth day of April one thousand nine hundred and five (Pamphlet Laws one hundred twelve) entitled "An act providing for the relief of poor persons regulating their settlements in poor districts providing a means of enforcing the removal of a poor person to the district of his settlement the payment for relief furnished to him and the payment of costs thereto and authorizing courts of quarter sessions to compel certain relations to contribute to the relief of poor persons" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That [a settlement may be gained in any poor district by any person married or single who bona fide comes to inhabit therein and continue to reside there for one year Persons born in a place whether legitimate or illegitimate shall be deemed to be settled there unless the parent having their custody be settled elsewhere and all children shall follow the settement of the parent or parents stepfather or stepmother having their custody until the age of sixteen years] (a) A legitimate person is first settled in the poor district of birth unless the father shall then have a known settlement elsewhere in which case the first settlement of such person is in the district where the father was then settled

(b) An illegitimate person is first settled in the poor district of birth unless the mother shall then have a known settlement elsewhere in which case the first settlement of such person is in the district where the mother was then settled

(c) The settlement of a person in a poor district continues until a new one is acquired in this State or elsewhere A settlement is lost only be acquiring a new one

(d) Except as hereinafter otherwise provided every adult and every emancipated minor whether married or single legitimate or illegitimate may acquire a new settlement in any poor district of this Commonwealth by coming bona fide to establish a permanent abode therein and continuing to reside therein for one whole year if such person or minor is of sufficient mental ability to make a bargain and is not or does not become a public charge during said year

(e) The settlement of a maried woman during coverture follows that of her husband and continues after his death in the district where he was last settled but she may thereafter acquire a new settlement for herself If the husband has no known settlement then she is settled whether he be living or dead in the district where she was last settled The settlement of a woman After divorce absolute or from bed and board or desertion by the husband or withdrawal by the wife from cohabitation with the husband on account of his cruelty inebriety or lack of support continues in the district where the husband was last settled but she may acquire a new settlement for herself

(f) A minor whether legitimate or illegitimate cannot be emancipated before age sixteen and becomes emancipated absolutely at age twenty-one if then of sufficient mental ability to make a bargain After age sixteen and before age twenty-one a minor of sufficient mental ability to make a bargain may become emancipated by his own acts or the acts of the parent stepfather or stepmother having had the custody When a person is emancipated he or she is capable of establishing a new settlement

(g) A minor whether legitimate or illegitimate who is so mentally deficient as to be unable to make a bargain cannot be emancipated after age sixteen and such a person does not become emancipated at age twenty-one and so long thereafter as said mental condition continues The settlement of such a person shall at all times during mental disability be ascertained as provided in clauses (h) and (i) of this section for the settlement of minors not emancipated

(h) Before emancipation the settlement of a legitimate minor is and remains that of the father unless

(1) The father is dead and the mother acquired a new settlement in which case it follows that of the mother or

(2) The father deserts his family in which case it follows that of the mother or

(3) The mother withdraws from cohabitation with the husband on account of his cruelty inebriety or lack of support in which case it follows that of the parent having the custody or

(4) The parents are divorced either absolutely or from bed and board in which case it follows that of the parent having the exclusive custody but where custody is divided between the parents the settlement remains that of the father or

(5) Both parents are dead and the minor is in the custody of a stepfather or stepmother in which case it follows that of the stepfather or stepmother having the custody

(i) Before emancipation the settlement of an illegitimate minor at all times follows that of the mother and in case of her death before the emancipation of such minor continues in the poor district in which she was last settled until such person estblishes a new settlement after emancipation

(j)If a person has no known settlement in this Commonwealth and cannot for any reason whatever be removed into the State or county where settled he shall have a quasi settlement in the poor district where he or she becomes a public charge which district shall be liable for his or her support

(k) If a person becomes a public charge in a poor district other than the one in which settled such district shall be liable for support until the district of settlement is discovered and removal to such district takes place but the poor district of settlement shall be liable to the district in which the person became a charge for the amount of relief advanced costs and expenses of removal

Section 2 That section two of said act is hereby amended to read as follows

Section 2 In case any person shall have no settlement in the district where he applies for relief it shall be the duty of the directors or poor-law officers as soon as may be to notify the directors or poor-law officers of the place of his settlement of the facts [and from the time of such notice the cost of his relief shall be charged to the district of his settlement] If the directors or poor-law officers so notified refuse or neglect to receive him the directors or poor-law officers furnishing such relief may apply to the court of quarter sessions of the peace of the county of the directors or poor-officers furnishing such relief or to any judge thereof by petition and asking for a citation to the directors or poor law officers so refusing or neglecting requiring them to appear before such court at a time to be specified therein and show cause why an order should not issue for the removal of such person into their custody to be provided for by them and the said court shall proceed to hear and determine the cause upon its merits and their decree thereon shall be final unless an appeal therefrom be taken within thirty days The citation herein provided for may be served by any officer of the law or by any agent of the petitioners and such service may be made by delivering a copy thereof to one or more of the directors or poor-law officers named therein or their clerk being within an county of this

Commonwealth and shall be served at least twenty days before the day fixed for such hearing Provided That upon the hearing and argument before said court of quarter sessions of said citation for an order of removal of paupers from one district to another it shall be lawful for either of the parties to the issue to except to any decision of the court upon any point of evidence or law which exception shall be noted by the court and filed of record as in civil cases and an appeal to an appellate court may be taken by either party from the judgment or decree of the court with like effect as in civil cases

Section 3 That section three of said act is hereby amended to read as follows

Section 3 In case an order of removal is granted by any court of quarter sessions of the peace under the provisions of this act the court in the same order shall require the directors or poor-law officers of the place of settlement to pay the petitioners the cost of the proceedings the expense of removing and the proper charges for the relief of the poor person [from the date of the notice first above provided for] all of which expense cost and charges shall be ascertained and allowed by the court If an order of removal is refused the cost of the proceeding shall be paid by the directors or poor-law officers petitioning therefor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 857 (House Bill No. 74), as follows:

An Act to amend section one thousand two hundred and seven of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the tilting including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Departmentof Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous recepts making an appropriation and providing for refunds" as amended providing for the reimbursement from fines penalties and forfeited bail collected of counties for costs imposed on them as the result of prosecutions under this act and for the adjustment of the accounts of counties by the Auditor General

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred and seven of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making a appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws seven hundred fifty-one) entitled "An act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled 'For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon the owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forefeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by further regulating the registration and titling of motor vehicles trailers and semi-trailers their operation on the highway the licensing of operators and the suspension of licenses making certain changes in fees modifying penalties and procedure for enforcement and affecting the powers duties and rights of political subdivisions of the Commonwealth and their officers the Department of Highways the Department of Revenue and the courts" is hereby further amended to read as follows

Section 1207 Disposition of Fines and Forfeitures Reimbursement of Counties for Costs

(a) All fines and penalties collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the department and transmitted to the State Treasury and credited to the "Motor License Fund" except those for the reimbursement of Counties as hereinafter provided and except those collected for violations of the provisions of sections nine hundred and three (903) nine hundred and five (905) one thousand and two (1002) one thousand and eleven (1011) one thousand and fifteen (1015) one thousand and eighteen (1018) one thousand and twenty (1020) one thousand and twenty-six (1026) one thousand and twenty-eight (1028) of this act committed within cities boroughs incorporated towns and townships which fines and penalties and all bail forfeited shall be paid to the treasurer of the city borough incorporated town or township wherein the violation occurred to be used by such city borough incorporated town or township for the construction repair and maintenance of the highways thereof Provided That all fines and penalties collected and all bail forfeited for violations of the provisions of section one thousand and sixteen (1016) committed within cities boroughs and incorporated towns shall be paid to the treasury of the city borough or incorporated town wherein the violation occurred to be used by such city borough incorporated town for the construction repair and maintenance of the highways thereof Provided further That the Commonwealth shall be liable to the several counties of this Commonwealth for the repayment to them out of the fines penalties and forefeited bail collected by counties of all costs which are imposed upon said counties by verdicts of juries or payable by said counties on account of the failure of a plaintiff or defendant upon whom such costs are imposed after trial in a court of record to pay the same as the result of criminal prosecutions brought under the provisions of this act where in such cases the fines penalties and forfeited bail is payable to the Commonwealth The Auditor General shall annually for the calendar year adjust the accounts of each county relative to fines penalties and forfeited bail collected adjusting and deducting therefrom the costs imposed upon such county and certify the amount

due if any by each such county to the Department of Revenue for collection and payment into the Motor License Fund In no event shall the amount paid to any county for costs exceed the amount of fines penalties and forfeited bail collected by such county

(b) Sworn statements of all fines and penalties so collected and all bail forfeited shall also be made by the magistrate or other officer imposing or receiving the same to the secretary upon forms furnished by the department such reports shall be made monthly not later than the tenth (10th) day of the following month Each such statement except in the case of clerks of the courts of quarter sessions shall be accompanied b ycheck or money order for the amount due the Commonwealth for the period for which the statement is made In the case of counties the accounts shall be adjusted annually as above provided

Penalty Any magistrate or other officer who shall fail to make such monthly reports and returns or either of them shall be guilty of a misdemeanor in office and upon conviction thereof in a court of quarter sessions shall be sentenced to pay a fine of five hundred ($500.00) dollars and costs of prosecution or undergo imprisonment for not more than sixty (60) days or suffer both such fine and imprisonment

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 940 (House Bill No. 902), entitled:

An Act to amend the title and sections one and three of the act approved the fourteenth day of April, one thousand nine hundred and thirty-one (P. L. 38), entitled "An act regulating the removal or dismissal of policemen and firemen in cities of the second class A"; extending the provisions of said act to cities of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1237 (House Bill No. 1076), entitled:

An Act requiring the Secretary of the Commonwealth to inquire into the purposes of the incorporators of labor groups and to approve or disapprove their incorporation or right to do business within the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. PETHICK. Mr. President, I move that Senate Bill No. 1261 (House Bill No. 504), on second reading, entitled:

An Act to amend paragraph (b) of section four hundred sixty-eight of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain department boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes in certain department boards and commissions shall be determined "as amended by providing for the place where Veterans' Commission records shall be filed and the place where its office shall be established providing for the employment of veterans by said commission

be recommitted to the Committee on Military Affairs.

Mr. PARKINSON. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 1264 (House Bill No. 1248), reading, entitled:

An Act authorizing the publication of legal and official advertising and notices in Sunday newspapers of general circulation in cities of the first class and counties of the third class only

go over in its order.

The PRESIDENT. Is there objection? The Chairs hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1322 (House Bill No. 1984), as follows:

BILLS ON SECOND READING

An Act to amend section two thousand five hundred and sixty-three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the reductions and penalties provided by said act on city and poor taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand five hundred and sixty-three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 2563 Reductions and Penalties All persons who shall make payment [during the months of March and April] in each year of city and poor tax shall be entitled to a reduction or abatement of [one] five per centum from the amount thereof [All such taxes shall be payable at their face during the months of May and June in each year Upon all city and poor taxes remaining unpaid on the first day of July in each year [1] five per centum shall be added thereto and upon the first day of each succeeding month thereafter there shall be added or charged an additional penalty for nonpayment of one half of one per centum until such taxes are paid] which penalty shall be added to the taxes by said treasurer as collector and be collected by him

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agree to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1341, as follows:

An Act to amend section seven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by providing for fees for licensing of projectionists

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" is hereby amended to read as follows

Section 7 Licensing of Projectionists No person shall be permitted to project any motion picture either theatrical or non-theatrical until he has obtained a license from the Department of Labor and Industry after passing an examination prescribed by the said department for which fees shall be charged as hereinafter provided and no person shall be permitted in any projection room during any performance except licensed projectionists apprentice projectionists the manager or owner of the theater or authorized officials of the Department of Labor and Industry Any license may be suspended or revoked for due cause but no license shall be revoked for due cause but no license shall be voked until the projectionist or apprentice projectionist has been granted a hearing before the Secretary of Labor and Industry

Every application for examination as a projectionist shall be accompanied by a fee of two dollars ($2.00) If the applicant is successful a Certificate of Competency and a license shall be issued upon payment of an additional fee of five dollars ($5.00) for projectionists of theatrical or commercial motioin pictures or a fee of two dollars ($2.00) for projectionists of non-theatrical motion pictures There shall be no examination fee required from apprentice projectionists but there shall be a license fee of three dollars ($3.00) required the same to accompany application from the apprentice projectionist For the annual renewal of license for a theatrical or commercial projectionist there shall be a fee of five dollars ($5.00) charged the same to accompany the application for renewal of license and for non-theatrical projectionists the renewal fee shall be two dollars ($2.00) The renewal fee for apprentice license shall be one dollar ($1.00) All fees shall be paid to the Department of Labor and Industry and by the said department paid to the State Treasurer through the Department of Revenue for the use of the Commonwealth

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1377 (House Bill No. 1196), entitled:

An Act to amend section three of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing certain duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," providing that such distributors may deposit bonds of the United States or of this Commonwealth in lieu of surety bonds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1393, as follows:

An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended providing that when the authorities of any county shall have provided a place for the safe keeping of ballot boxes they shall after each election be delivered at such place to the sheriff

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" which was last amended by section one of the act approved the twenty-ninth day of May one thousand nine hundred and hereby further amended to read as follows

Section 13 As soon as the polls shall close the officers of election shall proceed to count all the votes cast for each candidate voted for and make a full return of the same in triplicate with a return sheet in addition in all of which the votes received by each candidate shall be given after his or her name first in words and again in figures and shall be signed by all of said officers and certified by overseers if any or if not so certified the overseers and any officer refusing to sign or certify or either of them shall write upon each of the returns his or their reasons for not signing or certifying them The vote as soon as counted shall also be publicly and fully declared from the window to the citizens present and a brief statement showing the votes received by each candidate shall be made and signed by the election officers as soon as the vote is counted and the same shall be immediately posted upon the door of the election house for information of the public. The triplicate returns shall be enclosed in envelopes and sealed in presence of the officers and one envelope with th unsealed return sheet given to the judge which shall contain on list of voters tally paper and oaths of officers and another of said envelopes shall be given to the minority inspector All judges living within twelve miles of the prothonotary's office or within twenty-four miles if their residence be in a town village or city upon the line of a railroad leading to the county seat shall before two o'clock post meridian of the day after the election and all other judges shall before twelve o'clock meridian of the second day after election deliver said return together with return sheet to the prothonotary of the court of common pleas of the county which said return sheet shall be filed and the day and hour

of filing marked thereon and shall be preserved by the prothonotary for public inspection At twelve o'clock on the said second day following any election the prothonotary of the court of common pleas shall present the said returns to the said court In counties where there is no resident president judge or where the resident president judge is himself a candidate for any office at said election the associate judge shall perform the duties imposed upon the court of common pleas which shall convene for said purpose the returns presented by the prothonotary shall be opened by said court and computed by such of its officers and such sworn assistants as the court shall appoint in the presence of the judge or judges of said court and the returns certified and certificates of election issued under the seal of the court as is now required to be done by return judges and the vote as so computed and certified shall be made a matter of record in said court The sessions of the said court shall be open to the public And in case the returns of any election district shall be missing when the returns are presented or in case of complaint of a qualified elector under oath charging palpable fraud or mistake and particularly specifying the alleged fraud or mistake or where fraud or mistake is apparent on the return the court shall examine the return and if in the judgment of the court it shall be necessary to a just return said court shall issue summary process against the election officers and overseers if any of the election districts comjlained of to bring them forthwith into court with all election papers in their possession and if palpable mistake or fraud shall be discovered it shall upon such hearing as may be deemed necessary to enlighten the court be corrected by the court and so certified but all allegations of palpable fraud or mistake shall be decided by the said court within three days after the day the returns are brought into court for computation and the said inquiry shall be directed only to palpable fraud or mistake and shall not be deemed a judicial adjudication to conclude any contest now or hereafter to be provided by law an the other of said triplicate returns shall be placed in the box and sealed up with the ballots Nothing in this act shall require the returns of election of township or borough officers to be made to the court as directed in this section but all returns of the election of township and borough officers shall be enclosed in a sealed cover directed to the prothonotary of the court of common pleas of the proper county and shall by some one of them be delivered into his office within three days after every such election and filed therein In counties where there are three or more judges of said court learned in the law at least two judges shall sit to compute and certify returns unless unavoidably prevented If any of the said judges shall himself be a candidate for any office at any election he shall not sit with the court or act in counting the returns of such election and in such cases the other judges if any shall act and if in any county there shall be no judge qualified to hold the said court under the provisions of this act present and able to act then and in every such case the register of wills the sheriff and the county commissioners of the proper county shall be and constitute a board who or a majority of whom shall have and exercise all the powers and perform all the duties vested in or required to be performed by the court of common pleas of such county by and under the provisions of this section but none of the said officers shall act as a member of such board when himself a candidate for any office at the election the returns of which the said board is required to count under the provisions of this section If in any such case a majority of such officers or candidates for office at such election then the officer or officers members of said board who are not candidates shall have and exercise the powers and perform the duties herein delegated to the said board The returns required by this act to be presented to the prothonotary of the courts of common pleas of Philadelphia and Allegheny respectively shall be presented to such two or more of the judges of the several courts of common pleas of said counties respectively as the judges of said courts or a majority of them may designate to perform the duty of receiving computing and certifying said returns When two or more counties or parts of two or more counties or parts of two or more counties are connected for the election of any officer the courts of such counties r parts of counties comprising the districts shall each appoint a return judge resident within such district to meet within seven days after the day of election of such officer at such place as is required by law or if no place of meeting is designated by law at such place within such district where the returns of the election of such officer shall by law be directed to be filed to compute and certify the vote of such districts and it shall be the duty of the return judges in such cases to transmit to the person elected as such officers certificate of his election within five days after the day of making up such return The judge inspectors and clerks of each election district in any school district in this Commonwealth which comprises the territory of or territory from to or more municipalities shall make out a complete return of all the votes given at any election for officers in the school district or for the submission of any question to the electors of such district designating the number of votes cast for each person and for and against each question so submitted to the electors and the judge and inspectors shall appoint one of their number for return judge to meet the other return judge or judges of the said school district on the second day after any such election at the oldest election place within the district or at such place within the district as shall have been appointed by the court of common pleas and there add together the number of votes cast for each person voted for and against any question submitted to the electors and make out the returns as the nature of the election may require complying in all respects with the provisions of existing election laws and after the performance of said duties said return judges shall appoint one of their number by consent or lot to deliver the full returns of the vote for officers to the prothonotary of the court of common pleas and of the vote on questions submitted to the electors to the clerk of the court of quarter sessions of the proper county within two days thereafter in the manner now provided by law for making township or borough returns they shall ascertain declare the result of such election they shall within five days after making up such returns issue certificates to persons elected to fill such offices All officers provided for by this act shall be compensated as like officers are apid by existing laws Whenever a place has been or shall be provided by the authorities of any city county township or borough for the safekeeping of ballot boxes the judge and minority inspector shall after the election shall be finished and the ballot box or boxes containing the tickets list of voters and other papers have been securely bound with tape and sealed and the signatures of the judges and inspectors affixed thereto forthwith deliver the same together with the remaining boxes to the mayor and recorder of such city or in counties to the custody of the sheriff and in townships or boroughs to such person or persons as the court of common pleas of the proper county may designate at the place provided as aforesaid who shall then deposit the said boxes and keep the same to answer the call of any court or tribunal authorized to try the merits of such election Whenever the election officers of any election district shall require the election boxes of such district to hold any election which by law they are or shall be required to hold they shall keep the same securely in their possession without opening until the morning of such election and until they shall severally be sworn or affirmed not to disclose how any elector shall have voted and after being so sworn or affirmed they shall open the said boxes and burn and totally destroy all the ballots and other papers which they shall find therein before proceeding to hold such election

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. SHAPIRO. Mr. President, I move that Senate Bill No. 1401 (House Bill No. 1746), on second reading, entitled:

An Act establishing a State Emergency Public Works Commission; prescribing and defining its powers and duties, including the power to prepare an emergency program of construction projects for the immediate creation of employment, with the assistance of the various State agencies having charge of the construction of public works and the various duly constituted official planning agencies; or citizen-constituted planning bodies which have developed general plan

studies to devise and recommend for adoption by local and State government, draft of legislation establishing properly staffed and empowered official planning bodies; to study and recommend, in general terms, such types of legislation as will encourage or effect such needed reforms of financial and taxing procedure as are particularly related to the execution of public works, and which will also result in the establishment of long-term programs of public works construction and expenditure,

be recommitted to the Committee on Municipal Affairs.

Mr. GRAFF. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1406 (House Bill No. 1319), entitled:

A supplecent to the act approved the sixth day of April, one thousand eight hundred thirty (P. L. 272) entitled "An act for the levy and collection of taxes upon proceedings in courts and in the office sof register and recorder and for other purposes" requiring prothonotaries and recorders of deeds to file with the Department of State a bond covering certain moneys received by them for use of the Commonwealth and repealing section nine of said act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1421 (House Bill No. 1188), as follows:

An Act exempting shoe repairing machinery and tools and the appurtenances thereto leased loaned hired or conditionally sold from levy or sale on execution or distress for rent

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all patented shoe repairing machinery and tools and the appurtenances thereto upon which the patent has not expired loaned to or leased or hired by any person or persons residing within this Commonwealth or any corporation or corporations doing business therein or conditionally sold to any such person persons corporation or corporations under a contract of sale reserving title in the vendor until paid for shall be exempt from levy and sale on execution or distress for rent so long as the title thereto remains in the owner lessor or conditional vendor provided that such owner lessor or conditional vendor of such shoe repairing machinery and tools and the appurtenances thereto or the person or persons leasing or hiring the same or to whom they have been delivered under a contract of conditional sale shall give notice to the landlord or his agent within ten days after such machinery and tools and the appurtenances thereto are placed upon the demised premises that the same are loaned leased hired or sold under reservation of title

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reding and consideration of Senate Bill No. 1427 (House Bill No. 541), entitled:

An Act establishing certain public roads and streets in the county of Allegheny as a State highway and providing for their construction and maintenance by the Department of Highways subject to certain terms and conditions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1428 (House Bill No. 712), entitled:

An Act to establish as a State highway a certain section of public road in the County of Lackawanna and providing for its construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1430 (House Bill No. 966), entitled:

An Act to amend sections four hundred twenty-two and four hundred thirty-two of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by extending the provisions of the act to the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania and authorizing flags to be placed on graves of members of the enlisted nurse corps female field clerks and yeomanettes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1463, as follows:

An Act declaring it to be a misdemeanor for accountants or auditors to issue or permit to be issued false financial statements

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person or persons practising as accountants public accountants auditors or certified public accountants in this State who shall wilfully issue or permit the issuance of any false statement of the financial transactions standing or condition of any corporation partnership or individual business undertaking shall be deemed guilty of a misdemeanor and upon conviction thereof be fined not more than two thousand dollars or imprisoned for a period of not less than ninety days nor more than one year or subject to both said fine and imprisonment in the discretion of the court

Section 2 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the third time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1464, as follows:

An Act to amend the act approved the twenty-ninth day of March one thousand eight hundred and ninety-nine (Pamphlet Laws twenty-one) entitled "An act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" by adding thereto a section providing penalties for issuing or permitting to be issued a false financial statement

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-ninth day of March one thousand eight hundred and ninety-nine (Pamphlet Laws twenty-one) entitled "An act to establish a board for the examination of occountants and to provide a punishment for violation of this act" is hereby amended by adding thereto the following section

Section 6 Any person or persons practising as a certified public accountant or firm of certified public accountant in this State who shall wilfully issue or permit the issuance of any false statement of the financial transactions standing or condition of any corporation partnership or individual business undertaking shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than two thousand dollars or imprisonment for a period of not less than ninety days nor more than one year or subjected to both said fine and imprisonment in the discretion of the court

And said bill having been read at length the third time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1465, as follows:

An Act to amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by exempting interest bearing accounts in any bank or banking institution savings institution or trust company from taxation under the provisions of said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet aws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as last amended by the act approved the twenty-first day of April one thousand nine hundred and thirty-three (Act number forty) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all personal property of the classes hereinafter enumerated owned held or possessed by any person persons copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in purusance of any law of this Commonwealth or of the United States or of any other State or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation in his her their or its own right or a active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership unincorporated association company joint-stock company or association is hereby made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holders thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock for State purposes by the laws of the Commonwealth all moneys loaned or invested in other States Territories the District of Columbia or foreign countries al lother moneyed capital in the hand of individual citizens of the Sttae all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest bearing accounts in any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at an ytime either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for

city and county purposes shall be taxed or taxable for any other local purpose or for State purposes under the laws of this Commonwealth And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated hereafter received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth

It is the intent of this act to exempt from taxation all interest bearing accounts in any bank banking institution savings institution and trust company for any purpose and by any governmental unit whatever and this act shall not be construed as imposing any tax under any other section of the act to which this is an amendment or any other law and hereafter the Commonwealth shall have no power to impose and collect any tax on interest bearing accounts in any bank banking institution savings institution or trust company under the authority of any other section of the act to which this is an amendment or under any other law

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three but its provisions shall not preclude the collection of any tax assessed on accounts exempted from the provisions of this act for the year one thousand nine hundred and thirty-three or any previous year

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1469, as follows:

An Act adjourning treasurers' sales of lands in cities of the third class to be held in the year one thousand nine hundred and thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four or any later date to which such sales may be adjourned and suspending existing laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That during the year one thousand nine hundred and thirty-three no city of the third class and no treasurer of any city of the third class shall have authority under existing law to expose to sale any lands for non-payment of taxes and all existing laws authorizing city treasurers to sell lands for delinquent taxes during the year one thousand nine hundred and thirty-three are hereby suspended

At the time fixed by or in accordance with law for any city treasurer's sale of lands during the year one thousand nine hundred and thirty-three it shall be the duty of the city treasurer to declare such sale or sales adjourned until the time fixed by law for such sale or sales in the year one thousand nine hundred and thirty-four Any such sales so adjourned may be re-adjourned in the year one thousand nine hundred and thirty-four in accordance with existing law

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. KRAUSE. Mr. President, I move that Senate Bill No. 1469, the bill just read, be recommitted to the Committee on Judiciary General.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1470, as follows:

An Act adjourning county treasurers sales of seated and unseated lands to be held in the year one thousand nine hundred thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four or any later date to which such sales may be adjourned and suspending existing laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That during the year one thousand nine hundred and thirty-three no county of the fourth class and no county treasurer of any such county shall have authority under existing law to expose to sale any seated or unseated lands for non-payment of taxes and all existing laws authorizing county treasurers to sell seated and unseated lands for delinquent taxes at any time during the year one thousand nine hundred and thirty-three are hereby suspended At the time fixed by or in accordance with law for any county treasurers sale of seated or unseated lands during the year one thousand nine hundred and thirty-three it shall be the duty of the county treasurer to declare such sale or sales adjourned until the time fixed by law for such sale or sales in the year one thousand nine hundred and thirty-four Any such sale so adjourned may be readjourned in the year one thousand nine hundred and thirty-four in accordance with existing law

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. KRAUSE. Mr. President, I move that Senate Bill No. 1470, the bill just read, be recommitted to the Committee on Judiciary General.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1472, as follows:

An Act to amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by exempting interest bearing accounts in any bank or banking institution savings institution or trust company from taxation under the provisions of said act

Whereas Senate Bill number three hundred two act number forty approved April twenty-first one thousand nine hundred and thirty-three which amends the law imposing taxes at the rate of four mills on intangible personal property exempted from said tax interest bearing accounts in any bank banking institution savings institution and trust company and

Whereas The intent of the Legislature in passing said legislation was to leave interest bearing bank deposits non-taxable and

Whereas It is now alleged that the exemption of bank deposits from the four mills tax imposed by counties and cities coextensive with counties enables the State to tax said deposits and to hold banking institutions liable for said tax and

Whereas The Legislature is of the opinion that if such tax can be collected from banking institutions the right to so collect said tax existed prior to the passage of said act number forty and that the failure of the State heretofore to collect said tax is conclusive evidence that no such right to tax existed in the State and

Whereas By its passage of said act the Legislature intended to entirely exempt from taxation interest bearing accounts in all banks banking institutions savings institutions and trust companies and did not intend by said law to simply shift the collection of said tax by the county from the individuals to the State from incorporated banks and

Whereas It is the sense of the General Assembly that if such an interpretation is placed on act number forty it will establish its unconstitutionality for three reasons

First That only the deposits in the incorporated banks would be made taxable and that those in private banks would be exempt and that a classification of bank deposits based on the place where the deposit is made would be invalid and the law would be unconstitutional as offending section one article nine of the Constitution which requires taxes to be uniform on the same class of subjects

Second That if said law be interpreted so as to make deposits in the incorporated banks taxable then it is a taxing measure and becomes unconstitutional under section six article three which requires the subject of an act to be clearly expressed in the title because the title gives notice only of the exemption from taxation of said deposits and not of any intent to tax said deposits

Third That if said law be interpreted as authorizing the imposition of a tax on bank deposits then said law must be construed as a revenue measure and that it then becomes invalid since it originated in the Senate because section fourteen article three of the Constitution requires all bills for raising revenue to originate in the House of Representatives therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as last amended by the act approved the twenty-first day of April one thousand nine hundred and thirty-three (Act number forty) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all personal property of the classes hereinafter enumerated owned held or possessed by any person persons copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other State or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation in his or her their or its own right as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for county purposes and in cities coextensive wtih counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of the Commonwealth or of the United States or of any other State or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock for State purposes by the laws of the Commonwealth all moneys loaned or invested in other States Territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest bearing accounts in any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purpose or for State pur-

poses under the laws of this Commonwealth And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated hereafter received from any person or persons copartnership or unincorporated association or company nonresident in or not located within the Commonwealth or from and joint stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth

It is the intent of this act to exempt from taxation all interest bearing accounts in any bank banking institution savings institution and trust company for any purpose and by any governmental unit whatever and this act shall not be construed as imposing any tax under any other section of the act to which this is an amendment or any other law and hereafter the Commonwealth shall have no power to impose and collect any tax on interest bearing accounts in any bank banking institution savings institution or trust company under the authority of any other section of the act to which this is an amendment or under any other law

Section 2 This act shall become effective on the first day of June one thousand nine hundred thirty-three but its provisions shall not preclude the collection of any tax assessed on accounts exempted from the provisions of this act for the year one thousand nine hundred and thirty-three or any previous year

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1476, as follows:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by exempting interest-bearing accounts in banks banking institutions savings institutions and trust companies after June first one thousand nine hundred and thirty-five

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by the act approved the fifteenth day of July one thousand nine hundred nineteen (Pamphlet Laws nine hundred fifty-five) be and the same is hereby amended to read as follows

Section 17 That all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other State or of the United States and doing business in this Commonwealth and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable in the year one thousand nine hundred and nineteen and annually thereafter for State purposes at the rate of four mills on each dollar of the nominal value thereof Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said saving institution having no capital stock And provided further That the provisions of this act shall not apply to fire-companies firemen's relief associations life or fire insurance corporations having no capital stock secret and benefical societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all scrip bonds certificates and evidences of indebtedness made taxable under this section are not taxable under section one (1) of the act to which this is an amendment and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under section one (1) of said act

Provided That the tax imposed by this section upon interest-bearing accounts in any bank or banking institution savings institution or trust company shall be in effect only until June first one thousand nine hundred thirty-five but this proviso shall not relieve from liability any person or corporation from any tax falling due under this section prior to that date

Section 2 This act shall be effective immediately upon its final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1477, as follows:

An Act to amend section four hundred forty-three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined changing the personnel of the State Workmen's Insurance Board prescribing their length of term the method of filling a vacancy on the board the election by the board of a manager and prescribing certain of his powers and duties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred forty-three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 443 State Workmen's Insurance Board The State Workmen's Insurance Board shall consist of the Secretary of Labor and Industry [who shall be the chairman thereof the State Treasurer and the Insurance Commission] ex officio and five members

The members of the board shall be elected by the subscribers to the State Workmen's Insurance Fund at a meeting to be held in the month of September one thousand nine hundred and thirty-three and every four years thereafter at the call of the Secretary of Labor and Industry The Board shall annually elect from its members a chairman and such officers as it shall from time to time determine

The terms of the members shall be four years from the first of October of the year of their election A vacancy occurring during a term shall be filled for the unexpired term by the appointment of a successor by the remaining members of the board

Three members of the board shall constitute a quorum No vacancy in the board shall impair the right of a quorum of the members to exercise all the rights and perform all the duties of the board

The board shall elect a manager who shall be subject only to the authority of the board administer the State Workmen's Insurance Fund The manager with the approval of the board shall from time to time appoint such officers experts accountants auditors clerks stenographers bookkeepers and other assistants and employes as may be necessary for the proper administration of the State Workmen's Insurance Fund

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES

Mr. WILLIAMSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WILLIAMSON, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 268 (House Bill No. 313), entitled:

An Act requiring recorders of deeds to note releases of mortgages on the margin of the record of such mortgages.

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Insurance, reported as committed, Senate Bill No. 1478 (House Bill No. 76), entitled:

An Act to amend subdivision (b) of article three of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty nine), entitled "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; providing penalties, and repealing existing laws," as amended, by providing for the valuations of securities held by insurance companies other than life insurance companies.

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as committed, Senate Bill No. 1210 (House Bill No. 309), entitled:

An Act making an appropriation for the dredging of the Delaware and Schuylkill Rivers.

Mr. EALY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 715 (House Bill No. 1325), entitled:

An Act providing that the lien of any tax or municipal claim assessed upon or with respect to real property and of any judgment entered therefor and any execution to enforce such lien or judgment shall be limited to the property against which said tax has been assessed and shall not impose personal liability upon the owner of such property.

Mr. TRAINER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TRAINER, from the Committee on Elections, reported as amended, Senate Bill No. 1346 (House Bill No. 1731), entitled:

An Act to further amend clause (a) of section four and clause (a) of section five of the act, approved the eighteenth day of April, one thousand nine hundred and twenty-nine (P. L. 549), entitled "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries, in any county, city, borough or township of the Commonwealth, at the option of the electors thereof, prescribing regulations with reference to the adoption, requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting

machines may be used providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used; placing duties upon county commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts, and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used; and providing penalties for violation of the provisions of this act."

BILL INTRODUCED

Mr. PETHICK. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PETHICK read in his place and presented to the Chair Senate Bill No. 1493, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section twenty.

Which was committed to the Committee on Finance.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 385

Mr. THOMPSON. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 27, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 385, Printer's No. 664, entitled "An act providing for the fixing of salaries or compensation of all appointed officers, clerks and other employes paid from the county funds in counties of the third, fourth, fifth, sixth, seventh and eighth classes, and creating salary boards in certain counties," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL INTRODUCED

Mr. CHAPMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 1494, entitled:

An Act prohibiting the waste of petroleum and of the petroleum resources of this Commonwealth; protecting the correlative rights of oil operators therein owning holdings in the same oil pool; preventing unfair practices, and prohibiting unnecessary drilling of wells, when necessary to prevent waste; creating a commission to effect these purposes, and defining its powers; authorizing agreements for unit or other cooperative plans for the development and operation of single oil pools and for cooperative marketing; appropriating money for the purposes of this act; providing for injunctions and other court process to enforce this act, and providing penalties for the violation of this act; authorizing a compact with other States for the furtherance of said objectives, and prescribing the terms of said compact.

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEES

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1492 (House Bill No. 1850), entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled "For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garages keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the issuance of certain registration plates unless applied for on a form prescribed and furnished by the department and accompanied by an extra fee.

HOUSE MESSAGES

HOUSE APPOINTS COMMITTEE OF CONFERENCE ON SENATE BILL No. 489

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 489, entitled:

An Act establishing as State highways certain condemned or abandoned turnpikes, and turnpikes the companies or associations owning which have been dissolved, and requiring their construction, repair and maintenance as such.

and has appointed Messrs. McElwee, McGregor and Peters as a committee of conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

AMENDMENT TO HOUSE BILL No. 1253 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1253, entitled:

An Act to amend article twenty of the act, approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "Public School Code," as amended, by prescribing the powers and duties of the boards of trustees of State teachers colleges and the Cheyney Training School for teachers; repealing inconsistent legislation, and making an appropriation.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requestd.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 2, line 26, by striking out at the beginning of the line the word "To" and inserting in lieu thereof the following: "Subject to the approval of the Superintendent of Public Instruction to"; also section 2, page 4, by placing a bracket after the following: "($3,000,000)".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Armstrong,	Frazier,	Miller,	Shapiro,
Aron,	Gelder,	Norton,	Snyder,
Batchelor,	Graff,	Owlett,	Sones,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Fay,	McClure,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. BENNETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BENNETT, from the Committee on Public Printing, reported the following resolution:

PRINTING A NEW EDITION OF THE BOROUGH CODE

In the Senate, April 13, 1933.

Whereas, The last edition of the Borough Code was printed in 1927, and

Whereas, There is need for a new edition to supply the requests of the more than nine hundred (900) boroughs of the Commonwealth, therefore be it

Resolved, (if the House of Representatives concur), That the Legislative Reference Bureau is hereby directed to prepare the copy for a new edition of the Borough Code, containing also the amendments and supplements thereto, and be it further

Resolved, That an edition of 15,000 copies be printed, of which 2,000 copies shall be for the use of the Senate, 3,000 copies for the use of the House of Representatives, and 10,000 copies for the use of the Department of Internal Affairs.

Mr. SCOTT. Mr. President, I move the resolution be laid on the table.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. NORTON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. NORTON, from the Committee on Education, reported as amended, Senate Bill No. 1400 (House Bill No. 1591), entitled:

An Act authorizing and empowering school districts to furnish food including milk to undernourished and poor school children in their districts.

Mr. BENNETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BENNETT, from the Committee on Education, reported as committed, Senate Bill No. 1475, entitled:

An Act to amend section one thousand nine hundred and twenty-six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts, thereof, that are or may be insonsistent therewith," as amended, by fixing the number of assistant county superintendents.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 58, entitled:

An Act to amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," as amended, by changing the compensation of members of the General Assembly.

Senate Bill No. 72, entitled:

An Act prescribing penalties to be imposed upon conviction of stealing poultry.

Senate Bill No. 100, entitled:

An Act relating to the relief of the burden of local taxation; making an appropriation out of the Motor License Fund; providing for the allocation thereof to cities, towns, boroughs, and townships; prescribing the time, manner, basis and purposes for and upon which such said money shall be allocated and paid; specifying the uses for which said moneys may be expended; and imposing powers and duties upon the Department of Highways, the Auditor General, State Treasurer and on cities, boroughs, towns and townships and officers thereof; and providing penalties.

Senate Bill No. 375, entitled:

An Act fixing and regulating the fees, commissions, mileage and other costs chargeable by sheriffs for their official acts and the services of their deputies, watchmen, appraisers and other agents, requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the counties, including the compensation of special deputies; providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to their counties for certain fees and commissions collected and repealing inconsistent laws, general, special or local.

Senate Bill No. 487, entitled:

An Act to amend section one thousand thirty-four of the act, approved the second day of May, one thousand nine hun-

dred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing how executions on judgments against counties may be issued, the procedure thereon; authorizing the court to direct the levy of a tax to satisfy such judgments, and fixing the rate of interest which such judgments shall bear.

Senate Bill No. 788, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase of certain veins and seams of coal or minerals underlying lands of the Commonwealth occupied by the State Tuberculosis Sanatorium at Cresson.

Senate Bill No. 793, entitled:

An Act to amend Section Two of the Act approved the twenty-second day of June, A. D. One thousand nine hundred thirty-one (Pamphlet Laws seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A. and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes.

Senate Bill No. 802, entitled:

An Act to amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds"; by adding thereto section eight hundred twenty-four, requiring certain vehicles to carry danger or caution signals and to display the same when the vehicle becomes disabled.

Senate Bill No. 996, entitled:

An Act to validate sales of mortgaged real estate made by sheriffs on writs of fieri facias without inquisition where the sales were made under judgments upon the bonds, not containing waivers of inquisition, accompanying such mortgages.

Senate Bill No. 1027, entitled:

An Act authorizing the conveyance to the United States of America of a certain tract of land in or near Petersburg Virginia

Senate Bill No. 1032, entitled:

An Act authorizing the courts of common pleas of this Commonwealth in certain cases, to extend the return days of writs and providing for the effect of such extensions.

Senate Bill No. 1207, entitled:

An Act to amend section two of the act approved the first day of June, one thousand nine hundred and thirty-one (Pamphlet Laws two hundred and ninety-nine), entitled "An Act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax, separately from the price of such liquid fuels, no liquid fuels price display signs; and imposing a penalty," and providing for the disposition of fine.

House Bill No. 1933, entitled:

An Act to amend section two of an act approved the twenty-first day of April, one thousand nine hundred twenty-seven (P. L. 327), enttiled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto," by giving the Governor of this State authority to deliver up certain imprisoned persons, for the purpose of trial for murder in the demanding state, and providing for their return in case of acquittal.

House Bill No. 2009, entitled:

An Act exempting the net amount payable under policies of accident and disability insurance from the claims of creditors.

House Bill No. 534, entitled:

An Act defining and regulating the occupation of beauty culture; providing for the licensing and registration of persons to carry on and teach beauty culture and the promulgation and enforcement of rules for the conduct thereof by the Department of Public Instruction.

House Bill No. 687, entitled:

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims of the Commonwealth not paid before the insolvency of the insurance carrier

House Bill No. 446, entitled:

An Act making an appropriation to the Department of Property and Supplies to be expended by it in the payment to the Harrisburg Railways Company of the City of Harrisburg of the unpaid balance of the damages occasioned by the erection by the Commonwealth of the Soldiers and Sailors Memorial Bridge.

House Bill No. 10, entitled:

An Act to repeal the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 278), entitled "An act creating a 'Greater Pennsylvania Council' for the promotion of the economic, social, industrial, agricultural, educational, civic and recreational welfare of the Commonwealth of Pennsylvania and its citizens, prescribing the organization, powers and duties of said council and making an appropriation."

House Bill No. 92, entitled:

An Act permitting fishing on Sunday with one rod and two hooks and fixing penalties

House Bill No. 254, entitled:

An Act making an appropriation to the Abington Memorial Hospital, Montgomery County, Pennsylvania.

House Bill No. 266, entitled:

An Act making an appropriation to the Hospital of the Woman's Medical College of Pennsylvania located at Henry Avenue and Abbotsford Road East Falls Philadelphia Pennsylvania.

House Bill No. 314, entitled:

An Act to amend section seven hundred five, of the act approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "Game Law," as amended, permitting the killing of more than one legal deer in one season by a member at a camp or body of men hunting together so long as the number of deer killed by such camp does not exceed six.

House Bill No. 425, entitled:

An Act making an appropriation to The Glen Mills Schools for Boys situate in Delaware County Pennsylvania.

House Bill No. 427, entitled:

An Act making an appropriation to The Sleighton Farm School for Girls situate in Delaware County Pennsylvania.

House Bill No. 500, entitled:

An Act to amend the act, approved the twenty-fifth day of February, one thousand eight hundred and seventy-five (P. L. 4), entitled "A supplement to the act, approved March thirty-first, one thousand eight hundred and sixty, entitled 'An act to consolidate, revise and amend the penal laws of this Commonwealth,' further defining the offence of kidnapping, and affixing additional penalties thereto," by increasing the penalty for kidnapping of children under the age of sixteen years with intent to extort money for restoration.

House Bill No. 513, entitled:

An Act making an appropriation to the Wayne County Memorial Hospital at Honesdale Pennsylvania

House Bill No. 752, entitled:

An Act making an appropriation to the Northern Tier Home Harrison Valley Potter County Pennsylvania

House Bill No. 846, entitled:

An Act to appropriate money in the Motor License Fund to the Department of Highways for the purpose of paying commissary supplies heretofore furnished said Department.

House Bill No. 903, entitled:

An Act to amend section four hundred and twenty-three of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," by requiring application for payment of allowance for burial of widows of certain soldiers, sailors or marines to be made within one year.

House Bill No. 979, entitled:

An Act to amend section five of the act approved the twenty-ninth day of June one thousand nine hundred and twenty-three (Pamphlet Laws nine hundred forty-four) entitled "An act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class" providing that county officers shall be members of the salary board when matters affecting their offices are under consideration.

House Bill No. 982, entitled:

An Act making an appropriation to the Saint John's General Hospital at Pittsburgh, Pennsylvania.

House Bill No. 1060, entitled:

An Act making an appropriation to the Maple Avenue Hospital Association of DuBois at DuBois Pennsylvania

House Bill No. 1124, entitled:

An Act to amend section two hundred and ninety-five of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," by limiting the compensation of the clerk of the jury commissioners in counties of the sixth class.

House Bill No. 1138, entitled:

An Act making an appropriation for the purchase of a history of the One Hundred and Ninth Field Artillery of the Pennsylvania National Guard, and providing for the distribution thereof.

House Bill No. 1140, entitled:

An Act to amend paragraph nine of section one of the act, approved the twenty-seventh day of June, on thousand nine hundred and twenty-three (P. L. 858), entitled "State Employes Retirement Law" as amended, by further extending the time limit for becoming original members of the retirement association.

House Bill No. 1185, entitled:

An Act creating borough and township poor districts in the County of Wyoming to be administered by overseers of the poor and abolishing the county poor district

House Bill No. 1205, entitled:

An Act exempting household furniture and household goods leased hired or conditionally sold from levy and sale on execution or distress for rent

House Bill No. 1383, entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," by providing for depositories of county funds in counties of the third class.

House Bill No. 1415, entitled:

An Act imposing penalties for improper use of food orders issued by or under the authority of the State Emergency Relief Board, or any poor board or other relief agency and improper furnishing of money, food and other merchandise thereon.

House Bill No. 1466, entitled:

An Act making an appropriation to the Meadville City Hospital Meadville Pennsylvania

House Bill No. 1550, entitled:

A Supplement to the act approved the second day of April one thousand eight hundred and sixty (Pamphlet Laws five hundred thirty-eight) entitled "An act to authorize the erection of a Poor House by the township of Wilkes-Barre in Luzerne county" authorizing the central poor district to create indebtedness

House Bill No. 1636, entitled:

An Act to validate certain municipal liens in the several cities of the third class of the Commonwealth of Pennsylvania and providing the proceedings for the revival and collection thereof.

House Bill No. 1647, entitled:

An Act to amend Sections 8 and 15 of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 465), entitled "Fire Safety Building Regulation Law," as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases.

House Bill No. 1758, entitled:

An Act to repeal the act approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 770), entitled "An act creating a Division of Township Highways in the State Highway Department; conferring powers, and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session: and providing penalties."

House Bill No. 1761, entitled:

An Act authorizing the county commissioners of certain counties to levy and collect the taxes necessary to pay the interest and principal of any bonds heretofore issued by any one of said counties to repay the money borrowed to maintain and support their poor.

House Bill No. 1774, entitled:

An Act establishing portions of certain highways lying partially within the corporate limits of cities boroughs or incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

House Bill No. 1779, entitled:

An Act to amend section one of an act, approved the eighth day of June, one thousand nine hundred twenty-three (Pamphlet Laws, six hundred eighty-five), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth," by increasing certain fees to be collected by the Secretary of the Commonwealth.

House Bill No. 1808, entitled:

An Act to amend section one thousand eight hundred and six of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," defining the powers of persons appointed to police State Parks.

House Bill No. 1809, entitled:

An Act to amend section forty of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "Fish Law of 1925," as amended, changing the number of trout to be caught in one day.

House Bill No. 1898, entitled:

An Act to further amend section seven hundred fourteen of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "Fiscal Code," by further defining deductions in case of reinsurance.

House Bill No. 1899, entitled:

An Act to further amend section three hundred twenty-one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further defining deductions in case of reinsurance.

House Bill No. 1891, entitled:

An Act making an appropriation to the Department of Property and Supplies to erect steps from the Soldiers and Sailors Memorial Bridge to Baum and Linden streets.

House Bill No. 1897, entitled:

An Act to further amend section twenty-four of an act approved the first day of June Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred twenty-nine) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by further defining deductions in case of reinsurance.

House Bill No. 2106, entitled:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

House Bill No. 2156, entitled:

An Act to amend section one hundred thirty-six of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," changing the procedure to create the office of county controller, including procedures where decrees have heretofore been entered.

House Bill No. 583, entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg Pennsylvania.

House Bill No. 756, entitled:

An Act to amend part of section two of the Appropriation Acts of one thousand nine hundred and thirty-one (Act Number fifteen-A page sixteen) entited "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one" amending the appropriation relating to the Coaldale State Hospital.

House Bill No. 128, entitled:

An Act making an appropriation to the Margaret Henry Children's Home, New Castle, Pennsylvania.

House Bill No. 484, entitled:

An Act making an appropriation to the St. Francis Hospital of the City of Pittsburgh, Pennsylvania.

House Bill No. 670, entitled:

An Act making an appropriation to the New Future Association located on Sherman Avenue, North Side, Pittsburgh, Pennsylvania.

House Bill No. 864, entitled:

An Act to repeal article twenty-one of the act, approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "Public Schol Code."

House Bill No. 911, entitled:

An Act to amend sections four and five of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "Delinquent Tax Sales Act of 1931," by providing for the extension of the period during which such taxes shall remain liens on real estate; and authorizing the filing of such liens in the prothonotary office.

House Bill No. 1022, entitled:

An Act to amend sections one hundred and one and six hundred and one of the act approved the twnty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "Game Law," as amended, by removing the raccoon from the list of fur-bearing animals.

House Bill No. 1063, entitled:

An Act making an appropriation to the Friendship Home, nineteen hundred thirty-nine North Twenty-second Street, Philadelphia.

House Bill No. 1125, entitled:

Au Act fixing the compensation and mileage of Jury commissioners in counties of the sixth class.

House Bill No. 1199, entitled:

An Act to amend section two hundred and eight of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by providing for the continuance of a lien on motor vehicles where

ownership is changed by operation of law or judicial sale, and determining the effect of the issuance of a certificate of title showing a lien or encumbrance.

House Bill No. 1204, entitled:

An Act to abolish the action of account render and to repeal certain acts and parts of acts relating thereto.

House Bill No. 1206, entitled:

An Act to abolish the action of dower and to repeal certain acts and parts of acts relating thereto.

House Bill No. 1207, entitled:

An Act to abolish the action of detinue.

House Bill No. 1312, entitled:

An Act providing for the filling of vacancies in certain county offices in counties of the first class, and fixing the terms of such appointees.

House Bill No. 1313, entitled:

An Act making an appropriation to the Colored Children's Bureau located at seven hundred twenty-two North Forty-third Street, Philadelphia, Pennsylvania.

House Bill No. 1341, entitled:

An Act making an appropriation to the Hanover General Hospital, of Hanover, York County, Pennsylvania.

House Bill No. 1499, entitled:

An Act to amend section three of Article five and section three of Article six of an act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one) entitled "First Class City Charter Law," by transferring the care, management, administration and supervision of electrical lighting from the Department of Public Safety to the Department of Public Works.

House Bill No. 1563, entitled:

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 883), entitled "An act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process, and relieving the sheriff from liability therefor,," by further prescribing procedure upon rules for interpleaders.

House Bill No. 1733, entitled:

An Act making an appropriation to Willow Crest for Convalescents, Philadelphia, Pennsylvania.

House Bill No. 1777, entitled:

An Act to amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by extending the exemptions from the tax imposed by the said act.

House Bill No. 1948, entitled:

An Act to amend section one of an act, approved the eleventh day of June, one thousand nine hundred and fifteen (P. L. 938), entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of the courts of oyer and terminer, general jail delivery, and quarter sessions of the peace, in counties of this Commonwealth having a population of over eight hundred thousand, and less than one million five hundred thousand inhabitants as computed by the last preceding United States census," as amended by extending said act to counties of the second class, changing and further fixing the fees to be charged by said clerks

House Bill No. 2042, entitled:

An Act making an appropriation to the Milton Wright Memorial Home of Franklin County, Pennsylvania.

House Bill No. 2103, entitled:

An Act providing for the reimbursement by the State of counties for costs and the maintenance of prisoners imposed as a result of prosecutions under laws, providing that fines and penalties imposed under such laws or forfeited bail recovered as the result of such prosecutions shall be payable into the State Treasury or any fund thereof; providing for the audit of the accounts of counties by the Auditor General, and for the collection of amounts due from counties, and for appeals by counties to the Board of Finance and Revenue; and imposing powers and duties on the Auditor General, Department of Revenue, and Department of Highways, and certain duties upon counties, and making an appropriation.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

MOTION TO READ BILL FOR THE FIRST TIME

Mr. GELDER. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. PARKINSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 268 (House Bill No. 313), entitled:

An Act requiring recorders of deeds to note releases of mortgages on the margin of the record of such mortgages.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 715 (House Bill No. 1325), entitled:

An Act providing that the lien of any tax or municipal claim assessed upon or with respect to real property and of any judgment entered therefor and any execution to enforce such lien or judgment shall be limited to the property against which said tax has been assessed and shall not impose personal liability upon the owner of such property.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate prceeded to the first reading and consideration of Senate Bill No. 860 (Hous e Bill No. 1180), entitled:

An Act to amend section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending the provisions of the act to all anthracite mines or collieries that employ five or more persons and authorizing the mine inspectors to enter and inspect all mines employing from two to five persons for the purpose of determining whether or not the mine is generally safe.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1210 (House Bill No. 309), entitled:

An Act making an appropriation for the dredging of the Delaware and Schuylkill Rivers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1346 (House Bill No. 1731), entitled:

An Act to further amend clause (a) of section four and clause (a) of section five of the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-nine) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1397 (House Bill No. 1256), entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the maintenance and development of the Drake Well Memorial Park.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1400 (House Bill No. 1591), entitled:

An Act authorizing and empowering school districts of the first class for a limited period to furnish food, including milk, to undernourished and poor school children in their districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1445 (House Bill No. 1767), entitled:

An Act authorizing plaintiffs in actions on written instruments to join as defendants persons severally jointly or severally or jointly and severally liable thereon and regulating the effect thereof and the procedure in such actions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1471, entitled:

A Joint Resolution authorizing the appointment of a Commission to make a survey of the construction and maintenance of public roads, streets, highways and bridges within the Commonwealth to study and report to the Legislature its findings based upon such survey; giving it authority to sit after the adjournment of the Legislature and compel the attendance of witnesses and the production of books and papers, and making an appropriation from the Motor License Fund to meet the expenses of said Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1473, entitled:

An Act making an appropriation for the support of the American Legislators' Association.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1374 (House Bill No. 1000), entitled:

An Act to encourage industry manufacturing and commerce by declining state aid to any and all institutions directly or indirectly competing with any person copartnership association or corporations engaged in the printing or publishing industry and prohibiting the payment by the State Treasurer of any moneys appropriated to any such institution or institutions which manufacture or cause to be produced or manufactured for sale to the public at wholesale or retail and printed matter

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1478 (House Bill No. 76), entitled:

An Act to amend subdivision (b) of article three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended by providing for the valuation of securities held by insurance companies other than life insurance companies

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1492 (House Bill No. 1850), entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled "For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns town-

ships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting theissuance of certain registration plates unless applied for on a form prescribed and furnished by the department and accompanied by an extra fee.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1475, entitled:

An Act to amend section one thousand one hundred and twenty-six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," as amended, by fixing the number of assistant county superintendents.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. NORTON. Mr. President, I move that the Senate do now adjourn.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2.40 P. M. until nine o'clock Monday evening, May 1, 1933 (Eastern Standard Time).

HOUSE OF REPRESENTATIVES

THURSDAY, April 27, 1933

The House met at 10.00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Almighty God, our Heavenly Father, accept our profound gratitude for the light and joy of another day. Shed forth Thy blessed spirit of light and truth, richly upon our Speaker and members of the House as they pursue the tasks appointed them today. May they be Thy willing servants in the outworking of Thy plans for the Commonwealth.

Thou hast said, "As thy day, so shall thy strength be." May this promise be fulfilled in us this day. Make us strong in mind, and viril in body that we may carry on, and bring to a propitious ending the work we have been assigned to do.

Vouchsafe Thy grace to rest upon His Excellency, the Governor, the honored gentlemen who preside over the General Assembly, members of the ouse and Senate and all others charged with the governance of the people. Keep us all faithful to the high trust reposed in us, and crown our labors with good success. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday.

JOURNAL APPROVED

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Laubach, the further reading was dispensed with and the Journal approved.

RESOLUTION

FIXING ORDER OF BUSINESS

Mr. HUTTON offered a resolution from the Committee on Rules, fixing the order of business for the day, which was twice read, considered and adopted as follows:

Resolved, That the order of business of the House for the Session Thursday, April 27, 1933, shall be as follows:

1. Communications from the Governor and the Senate, reference of bills or petitions to committee; signing of bills or other papers; and clearing the table privileged at any time.
2. The asking of leave of absence.
3. The receiving reports of committees. Reports from committees may also be received immediately before or after a recess or before adjournment. (All bills reported from committee, shall be read for the first time).
4. Resolutions:

A House and concurrent resolutions originating in the House other than those to discharge committees from consideration of bills and fixing special orders of business.

B Resolution recalling bills from the Governor or resolutions returning bills to the Governor are privileged.

5. Motions to recommit (this motion is also made when a bill is reached in its regular order).
6. Motions to reconsider privileged at any time.
7. Bills on second reading.
8. Bills on final passage recalled from the Governor.
9. Bills on final passage (bills on final passage postponed calendar may be called up under this order of business).
10. Bills on third reading (bills on the third reading or final passage postponed calendars may be called up under this order of business).
11. Conference reports may be received or called up for consideration at any time.

RULES COMMITTEE:
GROVER C. TALBOT,
A. J. WHITE HUTTON,
T. B. WILSON,
JOSEPH G. STEEDLE.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 786. (HOUSE BILL No. 2369).

An Act making an appropriation to the Southern Dispensary, three hundred and eighteen Bainbridge Street, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 1422 (HOUSE BILL No. 2370).

An Act authorizing directors of building and loan associations to pro rate, or with the approval of the Department of Banking, to fix the maximum amount of withdrawals and maturities; and applying retroactively.

Referred to the Committee on Building and Loan Associations.

SENATE BILL No. 1423. (HOUSE BILL No. 2371).

An Act limiting the period within which non-assenting or dissenting shareholders of building and loan associations, which have merged and consolidated or which shall merge and consolidate prior to the third day of July, one thousand nine hundred thirty-three, may enforce their rights.

Referred to the Committee on Building and Loan Associations.

SENATE BILL No. 1424. (HOUSE BILL No. 2372).

An Act providing for the preservation of the records of banks, bank and trust companies, trust companies, savings banks, and private banks; and imposing penalties for violations.

Referred to the Committee on Banking.

SENATE BILL No. 1456. (HOUSE BILL No. 2373).

An Act to authorize boroughs and townships of the first class to sue out writs of scire facias on certain tax liens where more than five years have elapsed since said liens were filed and to reduce such liens to judgment and providing for the revival of such judgments.

Referred to the Committee on Building and Loan Associations.

SENATE BILL No. 1459. (HOUSE BILL No. 2374).

An Act to amend sections one hundred and twenty-seven, one hundred and twenty-eight, one hundred and twenty-nine, and one hundred and thirty, as added, and to add section one hundred and thirty-one to the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating the creation of union school districts.

Referred to the Committee on Education.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows, viz:

SENATE BILL No. 58.

He also returned to the Senate, Senate Bill No. 58, en-
An Act to amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," as amended, by changing the compensation of Members of the General Assembly.

SENATE BILL No. 100.

An Act relating to the relief of the burden of local taxation making an appropriation out of the Motor License Fund providing for the allocation thereof to cities towns boroughs and townships prescribing the time manner basis and purpose for and upon which such said money shall be allocated and paid specifying the uses for which said moneys may be expended and imposing powers and duties upon the Department of Highways the Auditor General State Treasurer and on cities boroughs towns and townships and officers thereof and providing penalties

SENATE BILL No. 793.

An act to amend section two of the act approved the twenty-second day of June Anno Domini one thousand nine hundred thirtly-one (Pamphlet Laws seven hundred twenty) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing certain routes and adding certain new routes

SENATE BILL No. 802.

An Act to amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds"; by adding thereto section eight hundred twenty-four requiring certain vehicles to carry danger or caution signals and to display the same when the vehicle becomes disabled.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 1741, Printer's No. 837, entitled "An act to amend Section ten as amended of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing for method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the con-

tents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' by providing for the construction and maintenance of certain bridges in boroughs by the Commonwealth," be recalled from the Governor for the purpose of further consideration.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 1119, entitled "An act to validate certain proceedings for municipal improvements municipal assesments municipal claims and municipal liens, in the several cities of the third class of this Commonwealth and validating such improvements, assessments, claims and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessments and claims," be recalled from the Governor for the purpose of further consideration.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 26, 1933.

Resolved (if the House of Representatives concur), That House Bil lNo. 1104, Printer's No. 579, entitled

An Act to amend sections one and two as amended and section seventy of the act, approved the seventh day of June one thousand nine hundred and eleven (P. L. 680), entitled, "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules and regulations and requirements for the construction of plumbing, house drainage, and cesspools in cities of the first class, and imposing fines, penalties, and forfeitures for violation thereof," by including water piping additions, alterations and repairs to plumbing, house drainage, waterpiping cesspools wastes traps or vents changing the terms of the certificate of master plumbers changing the fee for examinations requirements for registration and re-registration of master plumbers and journeymen and providing for the penalty for the violation of the provisions herein.

be recalled from the House for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 131.

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens in the several cities of the third class boroughs and townships of the first class of this Commonwealth and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessment and claims.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 647.

An Act to amend section three of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred fifteen) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appals therefrom" by requiring registers of wills to notify bodies politic for religious or charitable uses of devises and bequests to them

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 876.

An Act to amend sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight one thousand seven hundred and fifteen one thousand eight hundred and six two thousand sixty-three two thousand seventy two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one to repeal sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred and two three thousand two hundred and three three thousand two hundred and four three thousand two hundred and five and three thousand two hundred and six and to add sections two hundred nine two hundred nine a three thousand two hundred and two and three thousand two hundred and three to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" regulating advertising fixing the voting powers at county conventions of townships officers correcting certain section headings providing the security to be given by depositories prescribing penalties for delinquent taxes permitting certain municipal claims to be embraced in one claim and providing that the width of sidewalks may be fixed by resolution regulating the carrying of Workmen's Compen-

sation Insurance providing for the laying out and ordaining of sidewalks for the removal of shrubbery and obstructions within highways for the filling of vacancies in office for the reestablishment of a first class township as a second class township and defining the powers and duties of the planning commission.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1035.

An Act to further amend section three hundred and two of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" providing for the identification of persons applying for licenses.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1220.

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town requiring contracts by counties, townships, boroughs and incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, relieving boroughs and incorporated towns from the responsibility for maintenance of highways and bridges under the control of the Department of Highways of the Commonwealth of Pennsylvania.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BIIL No. 1648.

An Act to amend Section 4 of the act approved the twelfth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, five hundred ten) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties by increasing the license fee to be collected by the Department of Welfare

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1786.

An Act to further amend section eleven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled "An act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof" by making the moneys in the State Workmen's Insurance Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1789.

An Act to further amend paragraph (a) of Section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents" by making the moneys in the Banking Department Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 571

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 571, entitled:

An Act to amend section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by decreasing and limiting the compensation of the members of the board of viewers in counties of the fourth fifth and sixth classes

And has appointed Messrs. Frazier, Miller and Armstrong a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 489

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 489, entitled:

An Act establishing as State highways certain condemned or abandoned turnpikes, and turnpikes the companies or associations owning which have been dissolved, and requiring their construction, repair and maintenance as such.

And has appointed Messrs. Gelder, Scott and Buckman a committee of conference to confer with a similar committee of the House of Representative (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 489

Mr. PETERS. Mr. Speaker, I move that a Committee of Conference be appointed on Senate Bill No. 489.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on Senate Bill No. 489, Messrs. McElwee, McGregor and Peters.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE ON BANKING TO SIT DURING SESSION OF THE HOUSE

Mr. FORREST, in the absence of Mr. Storb, Chairman of the Committee on Banking, asked and obtained permission for that committee to meet during the session of the House.

COMMUNICATION

URGING ACTION ON BEER AND RELIEF BILLS

The SPEAKER laid before the House the following communication which was read by the Clerk as follows:

AMERICAN LEGION
LINCOLN POST No. 73
SHAMOKIN, PA.

Shamokin, Pa., April 21. 1933.

Hon. Ollie Powell, State Legislature, Harrisburg, Penna.

Dear Ollie:—

I have been instructed by my Post, representing almost 700 World War veterans, to write you stating that if you fellows don't soon get down to business and get some action on the Beer and Relief Bills, there will be such an uprising in this State that the people will come down to Harrisburg and throw the whole bunch out.

Yours very truly,

LINCOLN POST No. 73, AMERICAN LEGION,
R. E. McKEEVER, Post Adjutant.

REPORTS FROM COMMITTEES

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 2366, entitled:

An Act making an appropriation out of the Motor License Fund for highway purposes in counties of the first class.

Mr. WOOD, from the Committee on Agriculture, reported as amended, House Bill No. 2362 (Senate Bill No. 1390), entitled:

An Act to amend section twenty, sections twenty-six, twenty-seven, twenty-nine, thirty and thirty-two, as amended, and to repeal section twenty-eight of the act approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs and for dogs temporarily imported for trial, show and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties,' changing the fee for killing dogs and disposing of their carcasses; and providing that appraisements for damages to live stock and poultry shall be made by an agent of the Commonwealth.

Mr. STEEDLE, from the Committee on Appropriations, reported as amended, House Bill No. 2221 (Senate Bill No. 354), entitled:

An Act making an appropriation to the Elizabeth Steel Magee Hospital, Pittsburgh, Pennsylvania.

Mr. HORST, from the Committee on Agriculture, reported as amended, House Bill No. 2365 (Senate Bill No. 1203), entitled:

An Act requiring certain persons associations copartnerships and corporations to keep full accounts and records with respect to the sales and transactions relating to dairy products and to submit the same to inspection by the Secretary of Agriculture and prescribing the effect of failure to comply with the orders of the Secretary of Agriculture.

BILLS ON FIRST READING

The following bills were read the first time pursuant to resolution presented by the Rules Committee fixing the order of the day.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2366, entitled:

An Act making an appropriation out of the Motor License Fund for highway purposes in counties of the first class.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Argeeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2362 (Senate Bill No. 1390), entitled:

An Act to amend section twenty, sections twenty-six, twenty-seven, twenty-nine, thirty and thirty-two, as amended, and to repeal section twenty-eight of the act, approved the eleventh day of May one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," changing the fee for killing dogs and disposing of their carcasses; and providing that appraisements for damages to live stock and poultry shall be made by an agent of the Commonwealth.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2365 (Senate Bill No. 1203), entitled:

An Act requiring certain persons associations copartnerships and corporations to keep full accounts and records with respect to the sales and transactions relating to dairy products and to submit the same to inspection by the Secretary of Agriculture and prescribing the effect of failure to comply with the orders of the Secretary of Agriculture.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RESOLUTIONS

JOINT COMMITTEE TO INVESTIGATE PRINTING

Mr. DENNING offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, April 27, 1933.

Resolved (if the Senate concur) That the Speaker of the House of Representatives appoint four Members of the House and the President pro tempore of the Senate appoint three members of the Senate who together shall constitute a Joint Legislative Committee whose duty it shall be to thoroughly investigate affairs of the Department of Property and Supplies relating to legislative printing the work of the Public Printer the purchase of supplies for State printing ways and means of improving legislative printing in the interest of economy and efficiency and such other matters and affairs relating to legislative printing as the Committee deems necessary

Resolved That said Committee shall have power to issue subpoenas under the hand and seal of its chairman requiring and commanding any person to appear before it and to answer such questions touching matters properly being inquired into by the Committee and to produce such books papers records and documents as the Committee may deem necessary Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth Each Member of the Committee shall have power to administer oaths or affirmations to witnesses appearing before it Any person who shall wilfully neglect or refuse to appear and testify before said Committee or to produce any books papers records or documents shall be subject to the penalties provided by the laws of this Commonwealth in such cases

Resolved, That an item be inserted in the General Appropriation Bill to pay the expenses of said Committee

Resolved That said Committee shall make report of its findings accompanied by such drafts of legislation as it deems necessary to the next Session of the Legislature

RESOLUTION

URGING HOUSE TO REMAIN IN SESSION

Mr. JOHN J. KANE offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, April 27th, 1933.

Whereas, the objective of the General Assembly now in session at the time it convened was to extend—

Relief to the corporations threatened by an increase in taxes unless State expenditures were reduced.

Relief for the victims of involuntary unemployment.

Relief from exorbitant rates and unfair utility practices for the utility rate payer.

Relief for the local taxpayer committed by legislation to expenditures that cannot be decreased except by legislative action.

Relief for the workers of the State, who have been made the victims of short weight at the mines, unfair treatment in company towns, unfair prices imposed by company stores, unfair practices made possible by reason of loopholes in the workmen's compensation laws, and intolerable working conditions and wage returns imposed by sweatshop employers, and

Whereas, the General Assembly, through legislative action has so far definitely planned only to extend relief to the corporations which pay State taxes, by reducing the cost of State government, and has tentatively planned to provide relief for the victims of involuntary unemployment and has not as yet provided the measure of relief to which the other interests enumerated are entitled, and

Whereas, the House of Representatives has given evidence of its constructive and sympathetic interest in a broad program of humanitarian legislation having passed House Bill 925—the minimum wage bill—by a vote of 182 to 0, and having passed the anti-yellow dog contract bill by a vote of 188 to 0 and having approved by a vote of 180 to 12, of the submission of the old age pension issue to the people, and having passed House Bill 408 (Anti-Eviction Bill) by a vote of 158 to 3, and having in other ways demonstrated its willingness to sponsor and support a broad, constructive humanitarian program, and

Whereas, No further action has been taken upon the humanitarian measures passed by the House of Representatives, and

Whereas, It is alleged by various responsible leaders that the General Assembly must necessarily adjourn before such action is taken, therefore be it

Resolved, That the House of Representatives express its willingness and intention of remaining in session until the essential legislation it has enacted is returned to it either as passed by this House or as amended or until informed that such legislation has been indefinitely postponed and be it further

Resolved, That a copy of this resolution be sent to the Senate for its information, and to the representatives of the press with the request that it be transmitted to the people for their encouragement.

RESOLUTION

JOINT COMMITTEE TO INVESTIGATE INSURANCE

Mr. HUTTON offered the following resolution which was twice read and laid over under the rules.

April 27, 1933.

Whereas, Charges have been made of improper practices in the Insurance Department with respect to the doing of business by casualty and fire insurance companies inadequately financed, and with respect to the merger of certain companies and their withdrawal from the State Treasury of assets deposited for the protection of insured persons; therefore be it

Resolved (if the Senate concur), That the President Pro Tempore of the Senate shall appoint three Senators, and the Speaker of the House of Representatives shall appoint three Members of the House of Representatives, who, together, shall constitute a joint legislative committee, whose duty it shall be to investigate the affairs and records of the Insurance Department relating to casualty and fire insurance companies, to ascertain whether certain companies are permitted to do business in this Commonwealth when inadequately financed and to ascertain whether mergers or consolidations of casualty companies approved by the Department have been made in accordance with law, and whether securities withdrawn from the Treasury Department, if any, after any such merger or consolidation, have been legally withdrawn;

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers records, or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases;

Resolved, That said committee shall make report of its findings to the next session of the General Assembly.

(MR. HUTTON IN THE CHAIR)

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2347 (Senate Bill No. 5), entitled:

An Act making an appropriation for the preparation of the Eightieth Division History; and creating a commission for such purposes.

And said bill having been read at length the second time, and agreed to,

Ordered to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2351 (Senate Bill No. 644), entitled:

An Act making an appropriation to the Department of Forests and Waters for the maintenance and improvement of Fort Washington Park.

And said bill having been read at length the second time, and agreed to,

Ordered to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2353 (Senate Bill No. 880), entitled:

An Act authorizing repayment to the Federal Unemployment Relief Fund and the State Emergency Relief Board of relief funds paid into the Motor License Fund in certain cases and appropriating moneys in the Motor License Fund for that purpose

And said bill having been read at length the second time, and agreed to,

Ordered to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2356 (Senate Bill No. 1364), entitled:

An Act creating a commission to make a study of local government and report thereon and making an appropriation.

And said bill having been read at length the second time, and agreed to,

Ordered to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2359 (Senate Bill No. 1425), entitled:

An Act to further amend part of section one of the act, approved the thirteenth day of June, one thousand nine hundred thirty-one (Act number eighteen-A Appropriation Acts of one thousand nine hundred thirty-one), entitled "An act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings for the Commonwealth, and the erection and construction of new buildings and additions, alterations or improvements to and replacement of new or existing buildings of the Commonwealth, including fixtures and heating or sewerage systems and services lines for the accommodation of buildings," by extending the scope of the appropriation made to the Department of Property and Supplies for the erection and construction of buildings at the State Industrial Home for Women at Muncy.

And said bill having been read at length the second time, and agreed to,

Ordered to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of oHuse Bill No. 2361 (Senate Bill No. 1368), entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws, one hundred seventy-seven), entitled "An act providing for and re-

organizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" by adding a new section providing for the reimbursement of the General Fund by the special operating funds for services rendered by the Department of Property and Supplies, and for space occupied in the Capitol buildings by departments, boards and commissions supported from the operating funds.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2363 (Senate Bill No. 1343), entitled:

An Act creating and appropriating a special fund in the State Treasury to be utilized by the Department of Property and Supplies in purchasing fuel equipment supplies and services for departments boards and commissions providing for the reimbursement of the fund from appropriations to departments boards and commissions upon bills rendered by the Department of Property and Supplies and making an appropriation

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2336 (Senate Bill No. 151), entitled:

An Act to enlarge the jurisdiction of Justices of the Peace and Aldermen

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2281 (Senate Bill No. 18), entitled:

An Act to amend section five hundred and seventeen of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended; limiting the personal liability of school directors and officers.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2132 (Senate Bill No. 700), entitled:

An Act to amend section three hundred and twenty-five of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith"; by providing for the security to be given by depositories of school funds.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule required bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2282 (Senate Bill No. 20), entitled:

An Act to amend section one of the act approved the thirteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred eleven) entitled "An act relating to appeals from the reports of auditors of school districts of the second third and fourth classes" limiting the powers to surcharge officers of school districts.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2348 (Senate Bill No. 446), entitled:

An Act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts

The first section of Article I was read as follows:

Section 1 Short Title This act shall be know and may be cited as the "Banking Code"

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. ROOT. Mr. Speaker, I move that this bill be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. HUTTON. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Root.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Root, permit himself to be interogated?

Mr. ROOT. I will, Mr. Speaker.

Mr. HUTTON. Mr. Speaker, is the gentleman from Philadelphia satisfied to have this bill pass second reading?

Mr. ROOT. Mr. Speaker, there are a number of amendments that are being prepared, and they will not be ready today. I think we should have the two together to study this bill as it is.

Mr. HUTTON. Very well, that satisfies me.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1253, as follows:

An Act to amend article twenty of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by prescribing the powers and duties of the boards of trustees of State teachers colleges and the Cheyney Training School for Teachers repealing inconsistent legislation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article twenty of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred twelve) is hereby further amended by inserting therein after section two thousand and one a new section to read as follows

Section 2001.1. The boards of trustees of the several teachers colleges and the Board of Trustees of the Cheyney Training School for Teachers shall have general direction and control of the property and management pecuniary and otherwise of their respective institutions Each of the said boards of trustees shall have the power and its duty shall be

(a) Subject to the approval of the Superintendent of Public Instruction to elect a president principal or superintendent of the institution who shall be subject to the authority of the board administer the institution and if deemed advisable a business manager

(b) On nomination by the president principal or superintendent from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board of this Commonwealth except as otherwise provided by law

(d) Subject to the approval of the Superintendent of Public Instruction to make such by-laws rules and regulations for the management of the institution as it may deem advisable

(e) To contract for directly and purchase and pay for from appropriations made by the Commonwealth for services supplies equipment and all other expenses of maintenance and operation necessary for the proper conduct of their several institutions and the purposes for which they are intended No department of the State Government shall act as purchasing agent for any of said colleges or institutions Provided that all requisitions for service and purchases shall be approved by the Department of Public Instruction

Section 2 That section one thousand three hundred and eleven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of ing reorganizing or authorizing the reorganization of certain State Normal Schools or Teachers Colleges abolishing creat-administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined is hereby repealed in so far as it relates to State teachers colleges and the Cheyney Training School for Teachers

All other parts of said act and its amendments inconsistent herewith are hereby repealed

Section 3 This act shall become effective on the first day of June nineteen hundred and thirty three

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174

Andrews,	Gallagher,	McClure,	Shettel,
Baker,	Gartner,	McCreary,	Shortz,
Baldi,	Gillette,	McElwee,	Shreiner,
Barnhardt,	Gorman,	McGinnis,	Simon,
Bechtel,	Green,	McGrail,	Sinwell,
Beech,	Greenstein,	McHenry,	Snyder,
Bennett,	Griffith,	McKinney,	Sowers,
Bernhard,	Habbyshaw,	Meredith,	Spann,
Blumberg,	Haines,	Metzler,	Stank,
Boyd,	Hamilton,	Mohn,	Steedle,
Brancato,	Harmuth,	Moore,	Sterling, P.,
Brennan,	Harris,	Mumford,	Stevens,
Brown, J. E.,	Hart,	Munley,	Stevenson,
Brown, W. L.,	Hefferon,	Negley,	Stiteler,
Brownfield,	Heffner,	Nothnagle,	Stone,
Cannon,	Hester,	O'Connor,	Storb,
Caputo,	Hewitt,	O'Keefe,	Stott,
Carey,	Himes, H. E.,	O'Neill,	Surface,
Carson,	Himes, L. R.,	O'Rourke,	Turner,
Chervenak,	Holmes, J. B.,	Patterson,	Wade,
Conner,	Holmes, J. L.,	Peelor,	Wagner,
Cooke,	Hoopes,	Pennock,	Walker, G. E.,
Cordier,	Hough,	Perry, D. R.,	Wall,
Craig,	Hutton,	Powers,	Wasserman,
Cramer,	Jones,	Rectenwald,	Way,
Dane,	Kane, L. P.,	Reed,	Weidemann,
Davies,	Kinney,	Reilly,	Welsh,
DeFrehn,	Lane,	Rhodes,	Westrick,
Denning,	Laubach,	Rice,	White,
Downey, G. E.,	Lenahan,	Roan,	Wike,
Downey, J.,	Lewis,	Root,	Williams, G. W.,
Duffy,	Long,	Roth,	Williams, J. J.,
Dunmire,	Lord,	Royle,	Wilson, L. M.,
Ederer,	Lose,	Ruby,	Wilson, T. B.,

Emhardt,	Lovett, W. S.,	Sarig,	Witkin,
Eroe,	Lynch, J. R.,	Sautter,	Wood,
Evans,	Lynch, M.,	Schrock,	Woodside,
Fitzgerald,	Male,	Schrope,	Wright,
Flanagan,	Malina,	Schwab,	Yeakel,
Fleisher,	Maloney,	Schwartz,	Yourishin,
Flinchbaugh	Marcks,	Scott,	Zimmerman,
Flynn,	Mason,	Sheffer,	Talbot,
Forrest,	McBride,	Shellenberger,	Speaker.
Furman,	McCandless,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

(MR. HUTTON IN THE CHAIR

PERMISSION GRANTED COMMITTEE ON EDUCATION TO SIT DURING SESSION OF HOUSE

Mr. WILSON asked and obtained permission of the House for the Committee on Education to sit during the session of the House in the anteroom to the left of the rostrum for a period of five minutes.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair is informed that the bills on final passage recalled from the Governor, appearing on page 7 of the calendar are not on file and will therefore be passed over for the present.

The bills on final passage, appearing on page 8 of the calendar are not on file and will be passed over.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2126 (Senate Bill No. 391), as follows:

An Act to amend sections six hundred and fifteen six hundred and sixteen and six hundred and twenty of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended limiting the circumstances under which an operator's license or learner's permit may be suspended providing that an appeal from such action by the secretary shall act as a supersedeas and modifying the penalties for violation of license provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections six hundred and fifteen six hundred and sixteen and six hundred and twenty of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highway peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws seven hundred fifty-one) are hereby further amended to read as follows

Section 615 Suspension of Licenses or Operating Privileges

(a) The secretary may suspend the operating privilege of any person with or without a hearing before the secretary or his representative upon receiving a record of proceedings if any in which such person pleaded guilty entered a plea of nolo contendere or was found guilty by a jury whenever the secretary finds upon sufficient evidence

1 That such person is incompetent to operate a motor vehicle or is afflicted with mental or physical infirmities or disabilities rendering it unsafe for such person to operate a motor vehicle upon the highways

2 That such person has been convicted of a misdemeanor or has forfeited bail upon such a charge in the commission of which a motor vehicle was used

3 That such person has been convicted of manslaughter resulting from the operation of a motor vehicle

4 That such person has attempted by offering a bribe or by other fraud or by substitution of another person in his place to take or pass an examination for an operator's license

(b) The Secretary may suspend the operator's license or learner's permit of any person after a hearing before the secretary or his representative or upon failure of the said person to appear at such hearing whenever the secretary finds upon sufficient evidence

1 That such person has committed any offense for the conviction of which mandatory revocation of license is provided in this act

2 That such person has committed any violation of the motor vehicle laws of this Commonwealth

3 That such person has failed to file a report with the department of a motor vehicle accident as required by this act

4 That such person was operating any motor vehicle involved in an accident resulting fatally to any person

(c) The Secretary may suspend any operator's license turned to the department because of insufficient funds or is not paid on demand and may delegate authority to any department employe or peace officer to lift operator's license or learner's permit card so cancelled

(d) The secretary is hereby authorized to suspend the privilege o fany nonresident to operate a motor vehicle in this Commonwealth for any cause for which the license of a resident operator may be suspended or revoked The secretary is further authorized upon receiving a record of the conviction in this Commonwealth of a nonresident operator of a motor vehicle of any offense under the motor vehicle laws of this Commonwealth to forward a report of such conviction to the motor vehicle administrator in the state wherein the person so convicted is a resident

(e) The Secretary is hereby authorized after a hearing before the secretary or his representatives to suspend the operator's license or learner's permit of any person licensed in this Commonwealth upon receiving notice of the conviction of such person in another state of an offense therein which if committed in this Commonwealth would be grounds for the suspension or revocation of the license of an operator

(f) The Secretary may suspend any operator's license or learner's permit upon certification or request or order of

any court commission duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications requests or orders

(g) The Secretary upon suspending any operator's license or learner's permit shall require that such licenses of any operator whose license or permit is so suspended shall be surrendered immediately to and retained by the department

(h) Whenever the Secretary suspends the operator's license or learner's permit of any person the secretary shall immediately notify such person and afford him an opportunity of a hearing before said secretary or his representative provided such hearing has not already been held and after such hearing the secretary shall either rescind his order of suspension or good cause appearing therefor may suspend the operator's license or learner's permit of such person for a further period excepting however that such person shall have the right of appeal as elsewhere provided in this act

(h) In all cases where an operator or learner has been summoned to appear before a magistrate for a hearing upon a charge of violating the Motor Vehicle Code and forfeits any bail pledged for his appearance at said hearing or remits to the magistrate the minimum fine and costs imposed by this statute for any violation rather than appear for a hearing before the magistrate and the Secretary by reason thereof determines to inquire into the circumstances out of which said charge or charges arose the Secretary or his representative shall notify by registered letter mailed to and received by such operator or permittee at least fifteen days before a day certain fixed in said notic that the said operator or permittee shall appear at an hour certain at some convenient place in the county in which said operator or permittee resides to explain the circumstances of the charges made against him for the purpose of determining whether or not such operator's license or learner's permit shall be suspended or revoked Said notice shall be accompanied with a complete copy of all reports and charges made to the Secretary by the officer complaining to said magistrate and inform said operator or permittee that he may produce any witnesses he may have to testify to matters relating to said charge Said operator or permittee if he wishes may be represented by his attorney or counsel who shall be privileged to examine and cross-examine any or all of said witnesses the same as if said hearing were being conducted by a court of record

Section 616 Right of Appeal to Court from Suspension Any persons whose operator's license or learner's permit has been suspended by the secretary under the provisions of this act shall have the right to file a petition within [thirty (30)] twenty (20) days thereafter for a hearing in the matter in the court of common pleas of the county in which the operator or permittee resides which said appeal when taken shall act as a supersedeas the operator's license or learner's permit to remain with the person or permittee pending the determination in the matter by the said court and such court is hereby vested with jurisdiction and it shall be its duty to set the matter down for hearing upon thirty (30) days' written notice to the secretary and thereupon to take testimony and examine into the facts of the case and to determine whether the petitioner is subject to suspension of operator's license or learner's permit under the provisions of this act

Section 620 Violation of License Provisions It shall be unlawful for any person to commit any of the following acts

(a) To display or cause or permit to be displayed or to have in possession any operator's license or learner's permit knowing the same to be fictitious or to have been cancelled revoked suspended or altered

(b) To lend to or knowingly permit the use of by one not entitled thereto any operator's license or learner's permit issued to the person so leding or permitting the use thereof

(c) To display or to represent as one's own any operator's license or learner's permit not issued to the person so displaying the same

(d) To fail or refuse to surrender to the Department upon demand any operator's license learner's permit registration card registration plates certificate of title or duplicates thereof which have been suspended cancelled or revoked as provided in this act

(e) To make use of or operate any motor vehicle without the knowledge or consent of the owner or custodian thereof

(f) To operate a motor vehicle while under the influence of intoxicating liquor or any narcotic drug or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate any motor vehicle owned by him or in his custody or control

(g) To turn off any or all the lights on a motor vehicle for the purpose of avoiding identification or arrest

(h) To operate any motor vehicle upon the highways of this Commonwealth after operating privilege is suspended or revoked in cases where no appeal is taken as herein required or in cases where appeals are taken after final determination of the matter by the court hearing the same sustaining the action of the secretary

(i) To operate any motor vehicle upon the highways of this Commonwealth after its registration has been suspended by the secretary

(j) To use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or knowingly make a false statement or knowingly conceal a material fact or otherwise commit a fraud in any application

Penalty Any person violating any of the provisions of subsections (a) (b) (c) or (d) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Any person violating any of the provisions of subsections (e) (f) (g) (h) (i) or (j) of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of two hundred ($200 dollars and costs of prosecution or undergo imprisonment for not more than three (3) years or suffer both such fine and imprisonment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130

Andrews,	Harmuth,	Metzler,	Schwartz,
Baker,	Harris,	Mohn,	Scott,
Barnhardt,	Hart,	Moore,	Sheffer,
Bechtel,	Hartman,	Mumford,	Shellenberger,
Beech,	Heffernan,	Munley,	Shenkel,
Bernhard,	Hermansen,	Myers,	Shortz,
Blumberg,	Hester,	Negley,	Shugarts,
Brancato,	Hewitt,	Nothnagle,	Simon,
Brennan,	Himes, H. E.,	O'Keefe,	Sinwell,
Brownfield,	Himes, L. R.,	Patterson,	Sowers,
Caputo,	Holmes, J. B.,	Peelor,	Stank,
Carey,	Holmes, J. L.,	Pennock,	Steedle,
Conner,	Hoopes,	Perry, D. R.,	Stevens,
Cooke,	Horst,	Perry, J. J.,	Storb,
Craig,	Hough,	Peters,	Tahl,
Dane,	Howard,	Powell,	Turner,
DeFrehn,	Jaffe,	Powers,	Walker, W. A.,
Downey, G. E.,	Jones,	Quinn,	Weidemann,
Downey, J. J.,	Kane, J. J.,	Raub,	Welsh,
Dunmire,	Kane, L. P.,	Rectenwald,	Westrick,
Dwyer,	Laubach,	Reed,	Wike,
Eroe,	Lenahan,	Reilly,	Williams, G. W.,
Fitzgerald,	Lose,	Rhodes,	Williams, J. J.,
Flanagan,	Maloney,	Rice,	Wilson, L. M.,
Flinchbaugh,	Mason,	Roan,	Wilson, T. B.,
Flynn,	McBride,	Root,	Wood,
Furman,	McCandless,	Royle,	Yeakel,
Gallagher,	McClure,	Ruby,	Yourishin,
Gartner,	McCreary,	Ruth,	Zimmerman,
Gorman,	McElwee,	Sarig,	Yourishin,
Green,	McGinnis,	Sautter,	Talbot,
Greenstein,	Meredith,	Schrope,	Speaker
Haines,	Merrell,		

NAYS—26

Boyd,	Hoffman,	McKay,	Stevenson,
Brown, J. E.,	Hutton,	O'Connor,	Stiteler,
Carson,	Kinney,	O'Rourke,	Wagner,
Cohen,	Lord,	Price,	Way,
Griffith,	Lovett, J. E.,	Schrock,	Woodside,
Habbyshaw,	Lynch, M.,	Spann,	Wright,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2318 (Senate Bill No. 893), entitled:

An Act to amend section one of the act approved the twenty-sixth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred thirty-six) entitled "An act providing for a separate ballot when constitutional amendments or other questions are submitted to the vote of the people" by providing that such constitutional amendments or other questions may be printed upon a separate ballot

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152

Baker,	Harmuth,	McBride,	Shenkel,
Baldi,	Harris,	McCandless,	Shettel,
Barnhardt,	Hart,	McClure,	Shreiner,
Bechtel,	Hartman,	McElwee,	Shugarts,
Beech,	Heffernan,	McGrail,	Simon,
Bennett,	Hefferon,	McHenry,	Sinwell,
Bernhard,	Heffner,	McKinney,	Snyder,
Blumberg,	Hermansen,	Meredith,	Spann,
Boyd,	Hester,	Metzler,	Steedle,
Brancato,	Hewitt,	Moore,	Sterling, P.,
Brown, J. E.,	Himes, H. E.,	Munley,	Stevens,
Brown, W. L.,	Himes, L. R.,	Negley,	Stiteler,
Cannon,	Hoffman,	O'Connor,	Stone,
Caputo,	Holmes, J. B.,	O'Neill,	Storb,
Chervenak,	Hoopes,	Patterson,	Surface,
Cohen,	Horst,	Pennock,	Tahl,
Cooke,	Hough,	Perry, D. R.,	Terry,
Cordier,	Howard,	Perry, J. J.,	Wade,
Craig,	Jaffe,	Peters,	Wagner,
Cramer,	Jones,	Powell,	Walker, G. E.,
Dane,	Kane, J. J.,	Powers,	Walker, W. A.,
Davies,	Kane, L. P.,	Price,	Wall,
DeFrehn,	King,	Quinn,	Wasserman,
Downey, J.,	Kinney,	Raub,	Way,
Dunmire,	Labar,	Rectenwald,	Welsh,
Ederer,	Lane,	Reed,	White,
Eroe,	Laubach,	Reilly,	Williams, G. W.
Fitzgerald,	Lenahan,	Rhodes,	Williams, J. J.,
Flanagan,	Lewis,	Roan,	Wilson, L. M.,
Flinchbaugh,	Long,	Roth,	Wilson, T. B.,
Flynn,	Lord,	Royle,	Witkin,
Furman,	Lose,	Ruby,	Wood,
Gallagher,	Lovett, J. E.,	Sarig,	Woodside,
Gillette,	Lynch, J. R.,	Sautter,	Wright,
Gorman,	Lynch, M.,	Schwab,	Yeakel,
Green,	Malina,	Schwartz,	Zimmerman,
Greenstein,	Maloney,	Scott,	Talbot,
Habbyshaw,	Mason,	Shellenberger,	Speaker.
Hamilton,			

NAYS—3

Carson,	Peelor,	Yourishin,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 782 (Senate Bill No. 13), entitled:

An Act to amend section two of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended eliminating one of the days required of registry assessors sitting at the polling places.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148

Andrews,	Hart,	McElwee,	Sheffer,
Barnhardt,	Hartman,	McGinnis,	Shellenberger,
Bennett,	Heffernan,	McGregor,	Shenkel,
Bernhard,	Hefferon,	McKay,	Shettel,
Blumberg,	Heffner,	Meredith,	Shortz,
Brennan,	Hermansen,	Metzler,	Shreiner,
Brown, J. E.,	Hester,	Mumford,	Shugarts,
Brown, W. L.,	Hewitt,	Munley,	Simon,
Cannon,	Himes, H. E.,	Negley,	Sinwell,
Caputo,	Himes, L. R.,	O'Keefe,	Snyder,
Carey,	Hoffman,	O'Rourke,	Spann,
Cohen,	Holmes, J. L.,	Patterson,	Steedle,
Conner,	Hoopes,	Peelor,	Stevens,
Cooke,	Horst,	Pennock,	Stiteler,
Cordier,	Hough,	Perry, D. R.,	Storb,
Craig,	Howard,	Perry, J. J.,	Surface,
Dane,	Jaffe,	Peters,	Terry,
Davies,	Jones,	Powell,	Wade,
DeFrehn,	Kane, J. J.,	Powers,	Walker, G. E.,
Denning,	Kane, L. P.,	Price,	Wasserman,
Downey, G. E.,	King,	Quinn,	Weidemann,
Duffy,	Kinney,	Raub,	Welsh,
Dunmire,	Labar,	Rectenwald,	Westrick,
Dwyer,	Laubach,	Reed,	White,
Ederer,	Lenahan,	Reilly,	Wike,
Emhardt,	Long,	Rice,	Williams, G. W.,
Eroe,	Lord,	Roan,	Williams, J. J.,
Evans	Lose,	Root,	Wilson, L. M.,
Flanagan,	Lovett, W. S.,	Roth,	Wilson, T. B.,
Flynn,	Lynch, J. R.,	Royle,	Witkin,
Furman,	Lynch, M.,	Ruby,	Wood,
Gartner,	Maloney,	Ruth,	Woodside,
Gorman,	Mason,	Sarig,	Wright,
Greenstein,	McBride,	Sautter,	Yeakel,
Habbyshaw,	McCandless,	Schrock,	Zimmerman,
Hamilton,	McClure,	Schwartz,	Talbot,
Harmuth,	McCreary,	Scott,	Speaker.
Harris,			

NAYS—5

Boyd,	Carson,	O'Connor,	Yourishin,
Brownfield,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2321 (Senate Bill No. 1033), entitled:

An Act to amend section two of the act approved the twenty-eighth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred two) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or nontidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by requiring such board to be equipped with effective mufflers.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOOPES. Mr. Speaker, I would like to inquire if there is anyone in the House who can explain the provisions of this bill.

The SPEAKER. The gentleman from Berks, Mr. Hoopes, inquires whether there is anyone who can explain the provisons of the bill.

Mr. HEWITT. Mr. Speaker, I will attempt to explain the purpose of the bill.

Mr. HOOPES. Mr. Speaker, I would inquire whether this bill has the approval of the Board of Fish Commissioners.

Mr. HEWITT. In answer to the question of the gentleman from Berks, Mr. Hoopes, I would like to say that this bill has the approval of the Board of Fish Commisisoners, requiring that mufflers be placed under the water.

Mr. HOOPES. Mr. Speaker, I notice that according to the title on our calendar, it requires that the Board of Fish Commissioners be equipped with effective mufflers. I would like to know what kind of mufflers they are going to use.

Mr. HEWITT. I believe they intended to muffle the boats rather than the Fish Commissioners.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—17

Baker,	Kinney,	McKay,	Reilly,
Cohen,	Lynch, J. R.,	Munley,	Rhodes,
Hermansen,	Male,	O'Rourke,	Shellenberger,
Hewitt,	McGregor,	Raub,	Woodside,
Holmes, J. L.,			

NAYS—102

Andrews,	Evans,	Lynch, M.,	Sautter,
Beech,	Fitzgerald,	Maloney,	Schrock,
Bennett,	Flanagan,	McClure,	Schwab,
Blumberg,	Flinchbaugh,	McGinnis,	Shettel,
Boyd,	Furman,	McGrail,	Shugarts,
Brancato,	Gorman,	McHenry,	Simon,
Brown, J. E.,	Green,	Melchiorre,	Sinwell,
Brown, W. L.,	Griffith,	Merrell,	Sowers,
Brownfield,	Hamilton,	Metzler,	Stank,
Cannon,	Harmuth,	Mohn,	Stevens,
Caputo,	Harris,	Moore,	Surface,
Carey,	Hartman,	Myers,	Tahl,
Carson,	Heffernan,	Nothnagle,	Wade,
Chervenak,	Hester,	O'Connor,	Wagner,
Conner,	Himes, L. R.,	O'Keefe,	Walker, W. A.,
Cook,	Hoopes,	Peelor,	Wall,
Cordier,	Hough,	Pennock,	Way,
Craig,	Hutton,	Perry, J. J.,	Welsh,
Denning,	Jones,	Powell,	White,
Downey, G. E.,	Jaffe,	Quinn,	Williams, G. W.,
Downey, J.,	Kane, J. J.,	Rectenwald,	Williams, J. J.,
Duffy,	Kane, L. P.,	Reed,	Wilson, L. M.,
Dunmire,	Lane,	Roan,	Wood,
Dwyer,	Laubach,	Root,	Wright,
Ederer,	Lovett, J. E.,	Roth,	Talbot,
Emhardt,	Lovett, W. S.,	Ruth,	Speaker.
Eroe,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

HOUSE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate April 27, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 897, Printer's No. 537, entitled

An Act authorizing the insurance of script certificates for relief purposes by political subdivisions of this Commonwealth providing for the printing and issuance of script and stamps by the Commonwealth for the creation of a script redemption fund in the State Treasury and for the redemption of script therefrom imposing duties on the State Emergency Relief Board and the State Treasurer appropriating the moneys in the script redemption fund and imposing penalties

be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2323 (Senate Bill No. 1205), entitled:

An Act to amend the act approved the twenty-eighth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred two) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any stream artificial or natural body of water or non-tidal water of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" providing for liability for damages caused by the negligent operation of a motor boat.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132

Baker,	Griffith,	McClure,	Shettel,
Barnhardt,	Haines,	McCreary,	Shortz,
Beech,	Harmuth,	McElwee,	Shreiner,
Bennett,	Hart,	McGinnis,	Simon,
Bernhard,	Heffernan,	McGregor,	Sinwell,
Blumberg,	Hefferon,	McKay,	Snyder,
Boyd,	Hermansen,	Meredith,	Sowers,
Brennan,	Hester,	Metzler,	Spann,
Brown, W. L.,	Himes, H. E.,	Moore,	Steedle,
Cannon,	Himes, L. R.,	Mumford,	Stevens,
Caputo,	Holmes, J. B.,	Munley,	Stiteler,
Carey,	Holmes, J. L.,	Nothnagle,	Storb,
Carson,	Hoopes,	O'Connor,	Stott,
Chervenak,	Horst,	O'Neill,	Tahl,
Cohen,	Hough,	O'Rourke,	Turner,
Conner,	Hutton,	Pennock,	Wade,
Cooke,	Jaffe,	Perry, J. J.,	Wagner,
Cordier,	Jones,	Powell,	Walker, W. A.,
Craig,	Kane, L. P.,	Powers,	Wall,
Cramer,	King,	Price,	Way,
Dane,	Kinney,	Rectenwald,	Weidemann,
Davies,	Labar,	Reed,	Welsh,
Denning,	Lane,	Rhodes,	Westrick,
Downey, G. E.,	Laubach,	Roan,	White,
Downey, J.,	Lewis,	Roth,	Williams, G. W.,
Duffy,	Lord,	Ruby,	Wilson, L. M.,
Dunmire,	Lovett, J. E.,	Sarig,	Woodside,
Dwyer,	Lovett, W. S.,	Schrock,	Wright,
Ederer,	Lynch, J. R.,	Schrope,	Yeakel,
Evans,	Malina,	Schwab,	Yourishin,
Fleisher,	Maloney,	Scott,	Zimmerman,
Furman,	McBride,	Sheffer,	Talbot,
Gillette,	McCandless,	Shellenberger,	Speaker,
Green,			

NAYS—5

Hewitt,	Mason,	Raub,	Wood,
Male,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative,

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 671

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 671.

An Act to amend sections three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen, three hundred sixteen, three hundred seventeen, three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred twenty-one, three hundred twenty-two, three hundred twenty-three, three hundred twenty-four, three hundred twenty-five and three hundred twenty-six, and to repeal section three hundred twenty-seven as added of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating hereto," by changing the amount of contributions to the retirement fund the retirement age, the length of service necessary to entitle members to retirement allowance, upon being totally disabled, and increasing the number of members of the retirement board, and authorizing counties of the second class and the county poor district to make appropriations to an employes retirement fund.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 671

Mr. RECTENWALD. Mr. Speaker, I desire to call up at this time the report of the Committee of Conference on Senate Bill No. 671.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 671, entitled: "An Act to amend sections three hundred eleven three hundred twelve three hundred thirteen three hundred fourteen three hundred fifteen three hundred sixteen three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three three hundred twenty-four three hundred twenty-five and three hundred twenty-six and to repeal section three hundred twenty-seven as added of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by changing the amount of contributions to the retirement fund the retirement age the length of service necessary to entitle members to retirement allowance upon being totally disabled and increasing the number of members of the retirement board and authorizing counties of the second class and the county poor district to make appropriations to an employes retirement fund," respectfully submit the following bill as our report:

JOS. G. ARMSTRONG, JR.,
THADDEUS S. KRAUSE,
WARREN R. ROBERTS,
Committee on the part of the Senate

JOSEPH A. RECTENWALD,
LEONARD P. KANE,
WM. J. McBRIDE.
Committee on the part of the House of Representatives

An Act to amend sections three hundred eleven three hundred twelve three hundred thirteen three hundred fourteen three hundred fifteen three hundred sixteen three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three three hundred twenty-four three hundred twenty-five and three hundred twenty-six and to repeal section three hundred twenty-seven as added of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the amount of contributions to the retirement fund the retirement age the length of service necessary to entitle members to retirement allowance upon being totally disabled and increasing the number of members of the retirement board and authorizing counties of the second class and the county poor district to make appropriations to an employes retirement fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three hundred eleven three hundred twelve three hundred thirteen three hundred fourteen three hundred fifteen three hundred sixteen three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three three hundred twenty-four three hundred twenty-five and three hundred twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classees and revising amending and consolidating the laws relating thereto" are hereby amended to read as follows

Section 311 "County Employe" Defined A county employe for the purpose of this subdivision of this act is any person employed by the county or by the county poor district at a wage or salary payable at stated intervals that is to say semi-monthly monthly quarterly or annually The term [does not] may at their option include any person elected by the vote of the people

Section 312 [Pension] Retirement System and Fund to Be Established Each county of the second class shall provide a [pension system for such] county employes retirement system for such county for employes of the county and the county poor district and shall establish and regulate a [pension] retirement fund in connection therewith

Section 313 [Pension] Retirement Board The [pension] retirement system shall be under the sole direction of a [pension] retirement board hereinafter designated the board which shall consist of the county commissioners the treasurer [and] the controller of the county and two persons elected from among the members of the retirement system one to serve for two years and one for four years Following the completion of the initial terms the stated terms of such members shall be four years A vacancy occurring during the term of any member of the retirement board shall be filled for the unexpired term by the appointment or election of a successor in the same manner as his predecessor A majority of the members of the retirement board shall constitute a quorum for the transaction of any business

Section 314 Treasurer and Secretary of Board The county treasurer shall be the treasurer of the board and shall give such bond for the proper performance of his duties as is required by the board The premium on said bond shall be paid from the [pension] retirement fund on warrants of the board The treasurer shall receive for his services the sum of one hundred dollars ($100.00) per annum from the [pension] retirement fund payable on warrants of the board The county controller shall be the secretary of the board

Section 315 Register of Employes Regulations of Board The board shall keep a register of employes containing the names ages residence nature of employment time of entering the employ of the county or of the county poor district and such other information as the board deems necessary in the performance of its duties The board may adopt amend revise and abolish in its discretion such regulations not inconsistent with law as it deems necessary

Section 316 List of Employes The head of each department or office of the county or of the county poor district shall

file with the board a list of all employes of such department or office with the amount of the salary or wage received by each the age of the employe time of entering the county or county poor district employ and such other information relative to such employes as is required by the board From time to time and whenever requested by the board all dismissals appointments resignations transfers changes in salaries or in employment and other information relative to employes shall be furnished to the board by the head of each such department or office

Section 317 Appropriations to [Pension] Retirement Fund The county commissioners and the directors of the poor district shall [annually January appropriate and pay into the pension fund not less than one-half of one per centum and not more than two per centum of all available moneys received by the county as taxes during the preceding calendar year] prior to February fifteenth of each year appropriate out of county taxes and poor taxes of said county and county poor district a certain sum of money which shall be equal to the amount paid in by employes of said county and county poor district The county and county poor district shall pay into the fund the full amount of their appropriation on or before August fifteenth of each year The portion of such sum to be paid by the county and the county poor district into such fund shall be such part thereof as the amount paid by the employes of such county or county poor district bears to the total amount paid into the retirement fund by the respective employes

Section 318 Payment by Employes Each county employe shall each month pay into the [pension] retirement fund [one] three per centum of the amount received by him or her as salary or wages from the county or the county poor district during the preceding calendar month In no event however paying at a rate greater than eight dollars ($8.00) a month Such amount shall be collected by the county treasurer and by him paid into the [pension] retirement fund No employe shall be entitled to a [pension] retirement allowance who does not make the monthly payment herein required

Section 319 Investment or Deposit of Fund The Board may in its discretion invest the money of the [pension] retirement fund or any part thereof in obligations of the United States or of this State or of any political subdivision of this State or it may deposit such moneys or any part thereof in one or more banks or trust companies of the county selected by the board The banks or trust companies offering to pay the highest rate of interest and that have a paid-in capital and surplus of not less than three hundred thousand dollars shall be selected A contract with a depositary shall be for a period covering the term of the county treasurer No moneys shall be paid to a depositary until it shall have executed to the board a bond for the proper safeguarding of the funds so deposited The bonds shall have such surety as is approved by the court of common pleas No moneys exceeding in the aggregate the amount of the bond shall be paid to any depository

Section 320 Persons Entitled to [Pensions] Retirement Allowances Every person now or hereafter in the employ of the county or the county poor district who has reached the age of sixty years or upwards and who shall have been in the employ of the county or the county poor district during a period of not less than twenty years shall upon application to the board be retired from service and shall thereafter receive during life a [pension] retirement allowance as herein provided for the time spent in the employ of the county or the county poor district need not necessarily have been continuous Provided That when any employe has had twenty or more years of service and has reached the age of fifty years shall have been separated from the service by reason of no cause or act of his own he shall thereafter receive during life a retirement allowance as herein provided for the time spent in the employ of the county or the county poor district need not necessarily have been continuous

Section 321 Exception in Favor of Persons Totally and Permanently Disabled Any employe who has been in the county or county poor district employ for a period of not less than [ten] fifteen years shall be entitled to a [pension] retirement allowance if he or she becomes totally and permanently disabeled even though such employe has not reached the age of sixty years Proof of total and permanent disability shall be by the sworn statement of three practicing physicians of the county designated by the board to the effect that such employe is totally and permanently disabled from performing the duties of his or her position or office

Section 322 Amount of [Pensions] Retirement Payment The [pension] retirement allowance paid under the provisions of this act shall equal annually fifty per centum of the average annual amount received by the employe as salary or wages during the two years immediately preceding the date of retirement of the employe receiving the [pension] retirement allowance except that ten per centum of such amount shall be deducted in equal monthly installments and be paid into the retirement fund as the contribution of the person receiving such retirement allowance to the said fund for such length of time as may be required by the retirement board No [pension] retirement allowance shall exceed the sum of one hundred dollars per month [Pensions] Retirement allowances shall be paid in monthly instalments on warrant on the board

Section 323 [Pension] Retirement Allowance After Leaving County or County Poor District Service If any employe after twenty years in the county or county poor district employ is dismissed or retires voluntarily or is in any other manner deprived of his or her employment before attaining the age of fifty or sixty years as the case may be such employe if he continues to contribute to the [pension] retirement fund monthly a sum equal to the last monthly contribution paid while in the county or county poor district employ shall when he or she reaches the age of fifty or sixty years as the case may be entitled to a [pension] retirement allowance

Section 324 Refund of Contributions If any county or county poor district employe contributing monthly to the [pension] retirement fund shall for any cause cease to be an employe of the county or county poor district before [the expiration of the twenty-year period] he shall receive the benefits of the retirement allowances the total amount of the contributions paid into the [pension] retirement fund desire to be reinstated and again in writing be repaid to him or her or to his or her personal representatives or to such person or persons as are legally entitled thereto out of the fund

Section 325 Reinstatement should any county or county poor district employe who has withdrawn his contribution paid into the [pension] retirement fund by such employe shall upon demand become a beneficiary he or she may do so by the payment in full of the amount withdrawn and by paying the assessments provided for in section three hundred and eighteen of this act

Section 326 [Pension] Retirement Allowance Not Subject to Attachment or Assignment Suspension of Retirement Allowance No [pensions] retirement allowance herein provided for shall be subject to execution or to attachment It shall be payable only to the beneficiary herein provided for and shall not be subject to assignment or transfer If any member of the retirement system is receiving a retirement allowance and he or she shall or may hereafter be employed by the government of the United States or the Commonwealth of Pennsylvania or any political subdivision thereof then the retirement board shall and is hereby given the authority to suspend the retirement allowance to such member of the retirement system during such employment

Section 2 That section three hundred twenty-seven of said act as added by section ten of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred one) is hereby repealed

Section 3 This act shall become effective on the first day of the month next following its final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145

Andrews,	Forrest,	Long,	Scott,
Baker,	Furman,	Lord,	Shenkel,
Baldi,	Gallagher,	Lose,	Shortz,
Barnhardt,	Gillette,	Lynch, M.,	Simon,
Bechtel,	Gorman,	Maloney,	Sinwell,
Beech,	Green,	Mason,	Sowers,
Bennett,	Greenstein,	McCandless,	Spann,
Bernhard,	Griffith,	McCreary,	Stank,
Boyd,	Habbyshaw,	McGinnis,	Steedle,
Brancato,	Haines,	McGregor,	Sterling, R. B.,
Brennan,	Hamilton,	McKay,	Stevens,
Brown, J. E.,	Harmuth,	Melchiorre,	Stevenson,
Brown, W. L.,	Hart,	Merrell,	Stone,

Brownfield,	Hartman,	Mohn,	Stott,
Cannon,	Heffernan,	Mumford,	Surface,
Caputo,	Hefferon,	Myers,	Terry,
Carson,	Hermansen,	Nothnagle,	Wade,
Chervenak,	Hester,	O'Keefe,	Walker, G. E.,
Cohen,	Hewitt,	O'Rourke,	Walker, W. A.,
Conner,	Himes, H. E.,	Patterson,	Wasserman,
Cooke,	Hoffman,	Peelor,	Way,
Cordier,	Holmes, J. L.,	Pennock,	Weidemann,
Craig,	Hoopes,	Peters,	Welsh,
Cramer,	Horst,	Powell,	Westrick,
Dane,	Hough,	Powers,	White,
Davies,	Howard,	Price,	Williams, G. W.
Denning,	Hutton,	Rectenwald,	Williams, J. J.,
Downey, G. E.,	Jaffe,	Reilly,	Wilson, L. M.,
Downey, J.,	Jones,	Rice,	Wood,
Dunmire,	Kane, J. J.,	Roan,	Woodside,
Dwyer,	Kane, L. P.,	Root,	Wright,
Ederer,	King,	Roth,	Yeakel,
Eroe,	Kinney,	Royle,	Yourishin,
Evans,	Lane,	Ruth,	Zimmerman,
Fitzgerald,	Laubach,	Sautter	Talbot,
Fleisher,	Lenahan,	Schrope,	Speaker.
Flinchbaugh,	Lewis,	Schwartz,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2297 (Senate Bill No. 518), entitled:

An Act to amend section one of the act approved the twenty-seventh day of April, one thousand nine hundred twenty-five (Pamphlet Laws three hundred five) entitled "An act fixing the pay of election officers and clerks in counties of the second class," as amended, by fixing the compensation of judges of election for services, mileage and expenses of delivering the primary and election returns and ballots boxes into proper custody, providing compensation to minority inspectors, in certain cases, for services, mileage and expenses of delivering the minority inspector's primary and election returns, if any, and the ballot boxes into proper custody, and repealing inconsistent general, local and special legislation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145

Andrews,	Hoffman,	Nothnagle,	Snyder,
Baker,	Holmes, J. B.,	O'Connor,	Sowers,
Bechtel,	Hoopes,	O'Keefe,	Spann,
Bennett,	Hough,	O'Neill,	Steedle,
Bernhard,	Howard,	O'Rourke,	Sterling, P.,
Blumberg,	Jaffe,	Peelor,	Stevens,
Brennan,	Jones,	Pennock,	Stiteler,
Brown, W. L.,	Kane, J. J.,	Perry, D. R.,	Stone,
Cannon,	Kane, L. P.,	Perry, J. J.,	Stott,
Carey,	Kinney,	Peters,	Surface,
Chervenak,	Labar,	Powell,	Tahl,
Conner,	Lane,	Powers,	Turner,
Cooke,	Lenahan,	Price,	Wagner,
Craig,	Long,	Quinn,	Walker, G. E.,
Cramer,	Lord,	Raub,	Walker, W. A.,
Davies,	Lose,	Rectenwald,	Wall,
Downey, G. E.,	Lovett, J. E.,	Reed,	Wasserman,
Duffy,	Lynch, J. R.,	Reilly,	Way,
Dwyer,	Lynch, M.,	Rhodes,	Weidemann,
Embardt,	Male,	Rice,	Welsh,
Evans,	Maloney,	Roan,	Westrick,
Flanagan,	Marcks,	Roth,	White,
Flinchbaugh,	McBride,	Royle,	Wike,
Forrest,	McCandless,	Ruby,	Williams, G. W.,
Gallagher,	McClure,	Sarig,	Williams, J. J.,
Gartner,	McCreary,	Sautter,	Wilson, L. M.,
Gillette,	McElwee,	Schrock,	Wilson, T. B.,
Green,	McGinnis,	Schrope,	Witkin,
Greenstein,	McGregor,	Schwab,	Wood,
Griffith,	McKay,	Scott,	Woodside,
Haines,	McKinney,	Sheffer,	Wright,
Harmuth,	Melchiorre,	Shellenberger,	Yeakel,
Hart,	Merrell,	Shenkel,	Yourishin,
Heffernan,	Mohn,	Shortz,	Zimmerman,
Heffner,	Moore,	Shreiner,	Talbot,
Hermansen,	Munley,	Shugarts,	Speaker.
Hewitt,	Negley,	Sinwell,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2295 (Senate Bill No. 103), entitled:

An Act to abolish the December assessment and registration of voters and repealing inconsistent legislation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165

Andrews,	Gartner,	McCandless,	Scott,
Baker,	Gillette,	McClure,	Sheffer,
Baldi,	Green,	McCreary,	Shellenberger,
Bechtel,	Greenstein,	McElwee,	Shettel,
Beech,	Griffith,	McGrail,	Shortz,
Bennett,	Habbyshaw,	McGregor,	Shreiner,
Bernhard,	Haines,	McHenry,	Simon,
Blumberg,	Hamilton,	McKay,	Sinwell,
Boyd,	Harmuth,	McKinney,	Snyder,
Brancato,	Harris,	Melchiorre,	Sowers,
Brennan,	Heffernan,	Merrell,	Spann,
Brown, W. L.,	Hefferon,	Metzler,	Sterling, P.,
Brownfield,	Heffner,	Mohn,	Stevens,
Cannon,	Hermansen,	Mumford,	Stevenson,
Caputo,	Hester,	Munley,	Stiteler,
Carey,	Hewitt,	Myers,	Storb,
Carson,	Himes, H. E.,	Nothnagle,	Stott,
Chervenak,	Hoffman,	O'Connor,	Tahl,
Cohen,	Hoopes,	O'Keefe,	Terry,
Conner,	Horst,	O'Rourke,	Wade,
Cooke,	Hough,	Patterson,	Wagner,
Cordier,	Howard,	Peelor,	Walker, W. A.,
Cramer,	Hutton,	Pennock,	Wall,
Dane,	Jaffe,	Perry, D. R.,	Wasserman,
Davies,	Kane, J. J.,	Perry, J. J.,	Way,
DeFrehn,	Kane, L. P.,	Peters,	Weidemann,
Denning,	King,	Powell,	Welsh,
Downey, J.,	Kinney,	Powers,	Westrick,
Duffy,	Lane,	Price,	Wike,
Dunmire,	Laubach,	Quinn,	Williams, G. W.,
Dwyer,	Lenahan,	Reed,	Williams, J. J.,
Ederer,	Lewis,	Rhodes,	Wilson, L. M.,
Emhardt,	Long,	Rice,	Wilson, T. B.,
Eroe,	Lord,	Roan,	Wood,
Evans,	Lose,	Root,	Woodside,
Fitzgerald,	Lovett, W. S.,	Royle,	Wright,
Fleisher,	Lynch, J. R.,	Ruth,	Yeakel,
Flinchbaugh,	Male,	Sarig,	Yourishin,
Flynn,	Malina,	Sautter,	Zimmerman,
Forrest,	Maloney,	Schrock,	Talbot,
Furman,	Marcks,	Schwab,	Speaker.
Gallagher,	Mason,	Schwartz,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2340 (Senate Bill No. 1331), entitled:

An Act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance and navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165

Baker,	Harmuth,	McKay,	Shellenberger,
Barnhardt,	Harris,	McKinney,	Shettel,
Bechtel,	Hart,	McGinnis,	Shreiner,
Beech,	Hartman,	McGrail,	Simon,
Bernhard,	Hefferon,	Metzler,	Sinwell,
Blumberg,	Heffner,	Mohn,	Snyder,
Boyd,	Hermansen,	Moore,	Sowers,
Brennan,	Hester,	Mumford,	Spann,
Brown, J. E.,	Hewitt,	Munley,	Stank,
Brown, W. L.,	Himes, H. E.,	O'Connor,	Sterling, R. B.,
Cannon,	Himes, L. R.,	O'Keefe,	Stevens,
Caputo,	Hoffman,	O'Neill,	Stiteler,
Carey,	Holmes, J. L.,	O'Rourke,	Storb,
Carson,	Hoopes,	Patterson,	Stott,
Chervenak,	Horst,	Peelor,	Surface,
Cohen,	Hough,	Pennock,	Tahl,
Conner,	Howard,	Perry, D. R.,	Terry,
Cooke,	Hutton,	Perry, J. J.,	Wade,
Cordier,	Jaffe,	Peters,	Wagner,
Craig,	Jones,	Powell,	Walker, G. E.,
Dane,	Kane, J. J.,	Powers,	Walker, W. A.,
Davies,	Kane, L. P.,	Price,	Wall,
DeFrehn,	King,	Quinn,	Wasserman,
Denning,	Kinney,	Raub,	Way,
Downey, G. E.,	Labar,	Rectenwald,	Weidemann,
Downey, J.,	Laubach,	Reed,	Welsh,
Duffy,	Lewis,	Reilly,	Westrick,
Dunmire,	Long,	Rhodes,	White,
Dwyer,	Lord,	Rice,	Wike,
Ederer,	Lose,	Roan,	Williams, G. W.,
Emhardt,	Lovett, W. S.,	Root,	Williams, J. J.,
Eroe,	Lynch, J. R.,	Roth,	Wilson, L. M.,
Evans,	Lynch, M.,	Royle,	Wilson, T. B.,
Fitzgerald,	Maloney,	Ruby,	Witkin,
Fleisher,	Marcks,	Ruth,	Wood,
Flynn,	Mason,	Sarig,	Woodside,
Furman,	McBride,	Sautter,	Wright,
Gallagher,	McCandless,	Schrock,	Yeakel,
Gillette,	McClure,	Schrope,	Yourishin,
Gorman,	McCreary,	Schwab,	Zimmerman,
Greenstein,	McElwee,	Schwartz,	Talbot,
Habbyshaw,	McGregor,	Scott,	Speaker.
Hamilton,	McHenry,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2319 (Senate Bill No. 894), entitled:

An Act to repeal an act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws six hundred twenty-seven) entitled "An act providing a method for preventing any elector from depositing in the ballot box, at primary, municipal, general or other elections, any ballot other than that received from the election officer; and imposing penalties."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SARIG. Mr. Speaker and members of the House, this bill repeals the act which was passed here two years ago. I feel that this is a step in the wrong direction. If there be any changes made in the election laws they ought to be in the other direction. Right thinking men and women for many years have tried to improve the election laws of Pennsylvania. I know how difficult it is to draw up an election code that will be water tight, that will prevent fraud, and I doubt whether such a code is possible, but we should at least preserve such safeguards as we have been able to secure during many years of effort. I feel that the ballot box is the fountain head of all free government; it is the fountain head of democracy, and unless we can keep that fountain head pure your government is going to be permeated with the crookedness that arises out of election scandals.

I hope the members of this House will vote down this bill.

MOTION TO POSTPONE

Mr. BLUMBERG. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. BLUMBERG. Mr. Speaker and members of the House as I understand this bill is to repeal the act which provided that the ballots be numbered in the upper left hand corner. We have used this law for two years and we find instead of being a safeguard that it works just the other way.

In the first place every voter after marking his ballot deposits it in the ballot box, and if he does not tear off the perforated left hand corner containing this number, his vote is invalid. Now, that is bad enough, that man has not been able to vote because he failed to tear off the perforation, and it also would under the act lay him open to a penalty.

I don't know what thought was behind the passage of the bill originally. If it was to prevent chain voting, of course, it has not done that. It has only added to the confusion of election boards. We are in favor of safeguards in the City of Philadelphia, but we feel that this bill has caused a great deal of confusion. As a matter of fact I have in my ward a city official who is in charge of election violations, and who himself deposited a ballot in the box without tearing off this stub. When it was called to his attention he said he had no idea that he was compelled to tear it off. For these reasons we felt that this act should be repealed. I don't believe that any great harm can come by restoring the ballot to its original form incapable of identification because there is no number on it. We have thrown safeguards around our elections and we believe there is a minimum of fraud, compatible only with the weakness of human nature. We don't believe that this act helps to purify the election, and therefore, I would ask that the bill be passed.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—39

Bennett,	Habbyshaw,	Maloney,	Sautter,
Blumberg,	Hamilton,	Metzler,	Shreiner,
Brennan,	Harris,	Munley,	Sowers,
Carey,	Hart,	O'Keefe,	Steedle,
Conner,	Jaffe,	O'Neill,	Tahl,
Cooke,	Laubach,	Pennock,	Turner,
Craig,	Lewis,	Powers,	Wike,
Davies,	Long,	Rice,	Woodside,
Denning,	Lovett, W. S.,	Roan,	Talbot,
Gartner,	Malina,	Roth,	Speaker.

NAYS—116

Andrews,	Gillette,,	Male,	Sarig,
Baker,	Gorman,	McCandless,	Schrock,
Barnhardt,	Griffith,	McClure,	Schwab,
Bechtel,	Haines,	McCreary,	Scorza.
Beech,	Harmuth,	McElwee,	Shettel.
Bernhard,	Hartman,	McGrail,	Shugarts,
Boyd,	Hermansen.	McGregor,	Simon,
Brancato,	Hester,	McHenry,	Sinwell,
Brown, J. E.,	Hewitt,	McKay,	Snyder,
Brown, W. L.,	Himes, H. E.,	McKinney,	Stank.
Brownfield,	Himes, L. R.,	Melchiorre,	Sterling, R. B.,
Cannon,	Hoffman,	Merrell,	Stevens,
Caputo,	Holmes, J. B.,	Mohn,	Stevenson,
Carson,	Holmes, J. L.,	Mumford,	Stone,
Chervenak,	Hoopes,	O'Connor,	Wade,
Cohen,	Horst,	Patterson,	Walker, W. A.,
Cramer,	Hough	Peelor,	Wall,
Dane,	Howard,	Perry, D. R.,	Way,
DeFrehn,	Hutton,	Perry, J. J.,	Welsh,
Downey, G. E.,	Jones,	Powell,	Westrick,
Downey, J.,	Kane, J. J.,	Price,	Williams, G. W.
Dunmire,	Kane, J. P.,	Quinn,	Wilson, L. M.,
Ederer,	King,	Raub,	Wilson, T. B.,
Emhardt,	Kinney,	Reed,	Witkin,
Eroe,	Lane,	Rhodes,	Wood,
Evans,	Lenahan,	Root,	Wright,
Fitzgerald,	Lord.	Ruby,	Yeakel,
Flanagan,	Lovett, J. E.,	Ruth,	Yourish'n,
Flinchbaugh,	Lynch, M.,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 1450. (HOUSE BILL No. 2375).

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale transportation and distribution of such beverages imposing license fees and providing for collections and distribution of revenues therefrom restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys legislative bodies of poltical subdivisions of the State and election officers providing penalties and repealing existing acts

Referred to the Committee on Law and Order.

SENATE MESSAGE

AMENDED SENATE BILLS NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 678.

An Act to amend sections four hundred and twenty-two and four hundred and twenty-three of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" removing the expenditure limit within which counties may contribute to the cost of the funerals of deceased service persons

HOUSE INSISTS ON AMENDMENTS NONCONCURRED IN BY THE SENATE

Mr. STEEDLE. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 385

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 385.

An Act providing for the fixing of salaries or compensation of all appointed officers clerks and other employes paid from the county funds in counties of the third fourth fifth sixth seventh and eighth classes and creating salary boards in certain counties

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 385

Mr. WOODSIDE. Mr. Speaker, I desire to call up at this time the report of the Committee of Conference on Senate Bill No. 385, Printer's No. 664.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 385, entitled: "An Act providing for the fixing of salaries or compensation of all appointed officers, clerks and other employes paid from the county funds in counties of the third, fourth, fifth, sixth, seventh and eighth classes, and creating salary boards in certain counties," respectfully submit the following bill as our report:

JOHN S. McCLURE,
JNO. W. HOWELL,
C. W. SONES,
Committee on the part of the Senate

HARRY H. BRENNAN,
THOS. WEIDEMANN,
ROBERT E. WOODSIDE, JR.
Committee on the part of the House of Representatives

An Act providing for the fixing of salaries or compensation of all appointed officers clerks and other employes paid from the county funds in counties of the fourth fifth sixth seventh and eighth classes and creating salary boards in certain counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of the fourth fifth sixth seventh and eighth classes the salaries or compensation of all appointed officers and of all clerks and other employes who are paid out of the county funds whether such salary or compensation is fixed by any other officer or tribunal under existing law shall hereafter be fixed by the salary board of the county Provided That nothing contained in this section shall be con-

strued to authorize said board to fix the salary of any appointee in the office of the district attorney in counties of the third fourth and fifth classes whose salary is now fixed by law

Section 2 In all such counties where no salary board is provided for by existing law a salary board to be composed of the county commissioners and the county controller if there is such an office otherwise the county treasurer is hereby created Whenever any salary or compensation is to be fixed for any appointed officer or employe of any county office court or tribunal the head of such county office court or tribunal shall also be a member of the salary board Any such officer clerk or employe dissatisfied with the amount of salary or compensation allowed by the salary board may appeal from the action of such board to the court of common pleas which court shall after hearing make an order fixing the salaries or compensation of such appointees

Section 3 All acts and parts of acts fixing the salary or compensation of any appointed officer or of any clerk or other employe paid from the county funds in any such counties or providing for the fixing of such salaries or compensation by any other officer or tribunal are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon its final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165

Andrews,	Hamilton,	McHenry,	Shellenberger,
Baker,	Harris,	McKay,	Shortz,
Baldi,	Hart,	McKinney,	Shreiner,
Barnhardt,	Hartman,	Meredith,	Simon,
Bechtel,	Heffernan,	Metzler,	Sinwell,
Beech,	Hefferon,	Mohn,	Snyder,
Bennett,	Heffner,	Moore,	Sowers,
Bernhard,	Hermansen,	Mumford,	Spann,
Blumberg,	Hester,	Munley,	Stank,
Boyd,	Hewitt,	Myers,	Sterling, P.,
Brancato,	Himes, H. E.,	Negley,	Stevens,
Brennan,	Himes, L. R.,	Nothnagle,	Stevenson,
Brown, J. E.,	Hoffman,	O'Connor,	Stone,
Brown, W. L.,	Holmes, J. B.,	O'Keefe,	Storb,
Carey,	Holmes, J. L.,	O'Neill,	Stott,
Conner,	Hoopes,	O'Rourke,	Surface,
Cooke,	Horst,	Patterson,	Tahl,
Cordier,	Howard,	Peelor,	Terry,
Craig,	Hutton,	Pennock,	Turner,
Dane,	Jaffe,	Perry, J. J.,	Wade,
Davies,	Jones,	Peters,	Walker, W. A.,
DeFrehn,	Kane, J. J.,	Powell,	Wall,
Denning,	Kane, L. P.,	Powers,	Wasserman,
Duffy,	King,	Price,	Way,
Dunmire,	Kinney,	Quinn,	Weidemann,
Dwyer,	Labar,	Raub,	Welsh,
Ederer,	Laubach,	Rectenwald,	Westrick,
Emhardt,	Lewis,	Reed,	White,
Evans,	Lord,	Rice,	Williams, G. W.,
Fleisher,	Lose,	Roan,	Williams, J. J.,
Flinchbaugh,	Lovett, W. S.,	Root,	Wilson, L. M.,
Flynn,	Lynch, M.,	Roth,	Wilson, T. B.,
Forrest,	Maloney,	Royle,	Witkin,
Gallagher,	Mason,	Ruby,	Wood,
Gartner,	McBride,	Sarig,	Woodside,
Gillette,	McCandless,	Sautter,	Wright,
Gorman,	McClure,	Schrock,	Yeakel,
Green,	McCreary,	Schwartz,	Yourishin,
Greenstein,	McElwee,	Schwab,	Zimmerman,
Griffith,	McGinnis,	Scott,	Talbot,
Habbyshaw,	McGrail,	Sheffer,	Speaker.
Haines,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 456

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate returning to the Governor House Bill No. 456, Printer's No. 598, without amendments.

GIFFORD PINCHOT.

PERMISSION REQUESTED FOR COMMITTEE TO SIT DURING SESSION OF HOUSE

Mr. HARRY E. HIMES. Mr. Speaker, I ask unanimous consent of the House for the Committee on Law and Order to sit during the session of the House.

Mr. SOWERS. Mr. Speaker, I object unless the House takes a recess.

The SPEAKER. This does not require unanimous consent. Permission is granted by a majority vote of the House.

RECESS

Mr. SOWERS. Mr. Speaker, I move that the House take a recess for ten minutes.

The motion was agreed to, and (at 12.13 P. M.) the House took a recess.

AFTER RECESS

The House reconvened at 12.25 P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PERMISSION GRANTED COMMITTEE ON LAW AND ORDER TO SIT DURING SESSION OF HOUSE

Mr. HARRY E. HIMES. Mr. Speaker, I move that permission be granted the Committee on Law and Order to meet in the House Caucus Room during the session of the House.

The motion was agreed to.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 12.50 P. M. The Chair hears none, and (at 12.26 P. M.) declares a recess until 12.50 P. M.

AFTER RECESS

The House reconvened at 12.50 P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

REPORTS FROM COMMITTEES

Mr. WEIDEMANN, from the Committee on Counties, reported as committed, House Bill No. 1535, entitled:

An Act to further amend section one of the act, approved the twenty-fifth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, seven hundred and seven) entitled "An act fixing the liability of the counties, poor districts, and the Commonwealth for the support of the indigent and partly indigent insane in State institutions," by further defining the procedure for the administration of the act.

Mr. HEWITT, from the Committee on Education, reported as amended, House Bill No. 2374 (Senate Bill No. 1459), entitled:

An Act to amend sections one hundred and twenty-seven, one hundred and twenty-eight, one hundred and twenty-nine, and one hundred and thirty, as added, and to add section one hundred and thirty-one to the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating the creation of union school districts.

Mr. NEGLEY, from the Committee on Law and Order, reported as committed, House Bill No. 2375 (Senate Bill No. 1450), entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale transprotation and distribution of such beverages imposing license fees and providing for collections and distribution of revenues therefrom restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, legislative bodies of political subdivisions of the State and election officers; providing penalties and repealing existing acts.

Mr. McGREGOR, from the Committee on Banking, reported as amended, House Bill No. 2367 (Senate Bill No. 315), entitled:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons and appropriating the Banking Department Fund; authorizing the department of Banking, under certain circumstances, to examine corporations, associations, or person affiliated, or having business transactions, with supervised corporations, associations or persons; authorizing appeals to the supreme court an prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State department, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts.

Mr. HAINES, from the Committee on Agriculture, reported as committed, House Bill No. 2364 (Senate Bill No. 989), entitled:

A Joint Resolution continuing the joint legislative committed created to study the production and marketing of milk.

Mr. SURFACE, from the Committee on Agriculture, re-reported as committed, House Bill No. 1770, entitled:

An Act requiring the licensing of portable grinding mills conferring powers and imposing duties on the Department of Agriculture and prescribing penalties.

BILLS ON FIRST READING

The following bills were read the first time pursuant to resolution presented by the Rules Committee fixing the order of the day.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1535, entitled:

An Act to further amend section one of the act, approved the twenty-fifth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, seven hundred and seven), entilted "An act fixing the liability of the counties, poor districts, and the Commonwealth for the support of the indigent and partly indigent insane in State institutions," by further defining the procedure for the administration of the act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2374 (Senate Bill No. 1459), entitled:

An Act to amend sections one hundred and twenty-seven, one hundred and twenty-eight, one hundred and twenty-nine, and one hundred and thirty, as added, and to add section one hundred and thirty-one to the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating the creation of union school districts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2375 (Senate Bill No. 1450), entitled:

An Act to regulate and restrain the traffic in malt, brewed and vinous and fruit juice beverages as herein defined; providing for the licensing of the sale, and distribution of such beverages; imposing license fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Department of Revenue, quarter sessions courts, district attorneys, proper authorities of political subdivisions of the state and election officers; providing penalties; and repealing existing acts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2367 (Senate Bill No. 315), entitled:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2364 (Senate Bill No. 989), entitled:

A Joint Resolution continuing the joint legislative committee created to study the production and marketing of milk.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RESOLUTION

RECALLING HOUSE BILL No. 1649 FROM THE GOVERNOR

Mr. STEEDLE asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 27, 1933.

Resolved (if the Senate concur), That House Bill No. 1649, Printer's No. 377, entitled "An act to reenact section one and to amend section six of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred nineteen) entitled 'An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies' as amended by reestablishing the Anatomical Board of the State of Pennsylvania and making the board self-sustaining," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1678 FROM THE GOVERNOR

Mr. STEEDLE asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 27, 1933.

Resolved (if the Senate concur), That House Bill No. 1678, Printer's No. 355, entitled "An act to amend the act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled 'A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" providing for the registering of federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bonds holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permitees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act' by establishing the Pennsylvania Alcohol Permit Board and transferring the powers and duties of the board to the Department of Health," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1791 FROM THE GOVERNOR

Mr. CORDIER asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 27, 1933.

Resolved (if the Senate concur) That House Bill No. 1791, Printer's No. 1012, entitled "An act making an appropriation in the Motor License Fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 1009, Printer's No. 857, entitled "An act fixing the minimum salaries of county and assistant county superintendents for the first year of their terms which will begin on the first Monday of July, one thousand nine hundred and thirty-four; providing for the payment of such minimum salaries by the Commonwealth, and temporarily superseding any inconsistent acts and parts of acts," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 24, 1933.

Resolved (if the Senate concur) that House Bill No. 1675, entitled "An act to amend section 1 of the act approved the eighth day of June one thousand nine hundred and twenty-three (Pamphlet Laws six hundred eighty-five) entitled 'An act prescribing the fees for the office of Secretary of the Commonwealth' by increasing the fee to be charged by the Department of State for filing the power of attorney and statement of a foreign corporation" be recalled from the Governor for the purpose of amendment.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1106

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1106, Printer's No. 437, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. HAINES. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. HAINES. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HAINES. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 2 of the title by inserting after the word "[credit]" and before the word "associations" the word: "credit."

Amend section 2, page 2, line 13, by striking out after the letter "(a)" the words: "[Associations incorporated under the pro-]."

Amend section 2, page 2, line 14, by striking out at the beginning of the line before the word "to" the words: "[vision of this act are empowered]"; and inserting in lieu thereof the following: "Each cooperative agricultural credit association shall have power."

Amend section 2, page 2, line 15, by inserting after the word "enable" and before the word "associations" the words: "cooperative agricultural."

Amend section 2, page 2, line 15, by striking out at the end of the line after the word "associations" the words: "[and members and stockholders thereof]."

Amend section 2, page 2, line 16, by striking out after the word "which" and before the word "are" the word: "[associations]."

Amend section 2, page 2, line 16, by striking out after the word "members" and before the word "stockholders" the word: "[of]" and inserting in lieu thereof the word "or."

Amend section 2, page 2, line 16, by inserting at the end of the line after the word "such" the following: "credit association and the members and stockholders of such cooperative agricultural."

Amend section 2, page 2, line 20, by striking out after the word "twenty-three" and before the word "Chapter" the words: "[same being]."

Amend section 2, page 3, line 1, by striking out after the letter "(b)" the words: "[Associations incorporated under the provisions of]."

Amend section 2, page 3, line 2, by striking out at the beginning of the line before the word "to" the words: "[this act are empowered]" and inserting in lieu thereof the words: "Any cooperative agricultural credit association shall have power."

Amend section 2, page 3, line 3 by striking out after the word "of" and before the word "cooperative" the words: "[an agricultural]" and inserting in lieu thereof the word: "a."

Amend section 2, page 3, line 3 by inserting after the word "cooperative" and before the word "association" the word: "agricultural."

Amend section 2, page 3, line 5 by inserting after the word "the" and before the word "association" the words: "cooperative agricultural credit."

Amend section 2, page 3, line 5 by striking out after the word "such" and before the word "cooperative" the word: "[agricultural]."

Amend section 2, page 3, line 6 by inserting after the word "cooperative" and before the word "association" the word: "agricultural."

Amend section 2, page 3, line 11 by inserting at the beginning of the line before the word "collateral" the word: "or."

Amend section 2, page 3, line 14 by inserting after the word "association" the word: "lending."

Amend section 2, page 3, line 14 by striking out at the end of the line after the word "association" the word: "[An association organized under this act]" and inserting in lieu thereof the words: "The cooperative agriculture credit association."

Amend section 2, page 3, line 16 by striking out after the word "Bank" and before the word "with" the words: "[and/or]" and inserting in lieu thereof the word: "or"

Amend section 2, page 3, line 17 by striking out at the end of the line after the word "endorsement" the word: "[An]" and inserting in lieu thereof the following as the beginning of a new paragraph: "(c) A cooperative agricultural credit."

Amend section 2, page 3, line 19 by inserting after the word "States" and before the word "of" the word: "or."

Amend section 2, page 3, line 20 by inserting after the word "Pennsylvania" and before the word "of" the word: "or."

Amend section 2, page 3, line 20 by inserting after the word "in" and before the word "Federal" the words: "obligations of a ."

Amend section 2, page 3, line 21 by striking out after the word "Bank" and before the word "Reconstruction" the word "[and]" and inserting in lieu thereof the words "or of the"

Amend section 2, page 3, line 22 by striking out after the syllable "poration" and before the word "and" the word "[obligations]"

Amend section 3, page 3, line 26 by striking out after the figure "3" and before the word "articles" the word "[The]" and inserting in lieu thereof the following: "To form a cooperative agricultural credit association"

Amend section 3, page 3, line 26 by striking out at the end of the line after the word "association" the words "[of an intended]"

Amend section 3, page 3, line 27 by striking out at the beginning of the line before the word "be" the words "[association must]" and inserting in lieu thereof the word "shall"

Amend section 3, page 3, line 27 by inserting after the word "more" and before the word "persons" the word "qualified"

Amend section 3, page 4 line 15 by striking out at the end of the line after the word "The" the words "[number of its directors for the first year]"

Amend section 3, page 4, line 16 by striking out at the beginning of the line before the word "names" the words "[not less than five the]"

Amend section 3, page 4, line 16 by striking out after the word "residences" and before the word "who" the words "[of those]" and inserting in lieu thereof the words "of not less than five persons"

Amend section 3, page 4, line 17 by inserting after the word "for" and before the word "directors" the words "the first"

Amend section 3, page 4, line 17 by striking out after the word "directors" and before the word "and" the words "[for the first year]"

Amend section 4, page 4, line 19 by striking out after the figure "4" and before the word "intention" the words "[Notice of the]" and inserting in lieu thereof the words "The incorporators shall advertise their"

Amend section 4, page 4, line 19 by striking out at the end of the line after the word "to" the words "[apply for any]"

Amend section 4, page 4, line 20 by striking out at the beginning of the line before the word "in" the words "[such charter shall be inserted]" and inserting in lieu thereof the words "present articles of association to the Governor one time"

Amend section 4, page 4, line 25 by inserting after the word "the" and before the word "principal" the word "initial"

Amend section 4, page 4, line 25 by inserting after the word "business" and before the word "is" the words "of the corporation"

Amend section 4, page 4, line 25 by inserting after the word "is" and before the word "situated" the words "to be"

Amend section 4, page 4, line 25 by striking out at the end of the line after the word "situated" the words "[for one insertion]"

Amend section 4, page 4, line 26 by striking out after the word "of" and before the word "corporation" the word "[said]" and inserting in lieu thereof the word "the"

Amend section 4, page 4, line 27 by striking out at the end of the line after the word "it" the words "[such ad-]"

Amend section 4, page 4, line 26 by striking out at the beginning of the line before the word "shall" the syllable "[vertisement]" and inserting in lieu thereof the word "Advertisements"

Amend section 4, page 4, line 28 by striking out after the word "shall" and before the word "at" the word "[be]" and inserting in lieu thereof the word "appear"

Amend section 4, page 4, line 28 by striking out at the end of the line after the word "the" the syllable "[ap-]"

Amend section 4, page 4, line 29 by striking out at the beginning of the line before the word "the" the words "[plication is laid before]" and inserting in lieu thereof the words "articles of association are presented to"

Amend section 4, page 5, line 7 by striking out at the beginning of the line before the word "articles" the word "[Said]" and inserting in lieu thereof the word "The"

Amend section 4, page 5 by striking out lines 8 to 10 inclusive.

Amend section 4, page 5, line 11 by striking out at the beginning of the line before the word "hereinbefore" the words "[hundred eighty-four)]" and inserting in lieu thereof the words "the advertisement"

Amend section 4, page 5, line 11, by striking out after the word "hereinbefore" and before the word "shall" the words: "[provided to be given]" and inserting in lieu thereof the words: "required by this section."

Amend section 4, page 5, line 13, by striking out at the end of the line after the word "finds" the word: "[it]" and inserting in lieu thereof the word: "them."

Amend section 4, page 5, line 25, by striking out at the end of the line after the word "chosen" the word: "[Said]" and inserting in lieu thereof the word "The"

Amend section 4, page 6, line 1, by striking out after the word "the" and before the word "of" the words: "[said article]" and inserting in lieu thereof the word: "articles."

Amend section 5, page 6, line 4, by inserting after the word "Each" and before the word "association" the words: "cooperative agricultural credit."

Amend section 5, page 6, line 4, by striking out at the end of the line after the word "association" the words: "[so formed under the pro-]."

Amend section 5, page 6, by striking out line 5.

Amend section 5, page 6, by striking out at the beginning of the line before the word "shall" the following: "[its existence as such]."

Amend section 5, page 6, line 6, by striking out at the end of the line after the word "have" the following: "[the following powers]" and inserting in lieu thereof the word: "power."

Amend section 5, page 6, line 24, by striking out after the word "of" and before the word "association" the word: "[said]." and inserting in lieu thereof the word: "the."

Amend section 5, page 6, line 25, by striking out after the word "with" and before the word "law" the word: "[the]."

Amend section 5, page 6, line 28, by inserting at the beginning of the line before the word "To" the figure: "7."

Amend section 5, page 6, line 28 by inserting after the word "for" and before the word "stockholders" the following: "cooperative agricultural associations which are members or stockholders of such credit association and the."

Amend section 5, page 6, line 28, by striking out at the end of the line after the word "members" the words: "[and stock-]."

Amend section 5, page 6, line 29, by striking out at the beginning of the line before the word "the" the words: "[holders of such stockholders]" and inserting in lieu thereof the words: "of such cooperative agricultural associations."

Amend section 6, page 8, line 6 by inserting after the word "Any" and before the word "association" the words: "cooperative agricultural credit."

Amend section 6, page 8, line 8 by striking out after the syllable "poration" and before the word "may" the words: "[and it]" and inserting in lieu thereof the words: "which stock."

Amend section 6, page 8, line 13 by inserting after the word "operative" and before the word "associations" the word: "agricultural."

Amend section 6, page 9, by inserting between lines 11 and 12 the following: "Every cooperative association, which owns common stock issued by an association organized under the provisions of this act, may vote such stock by proxy."

Amend section 7, page 9, line 12 by striking out at the end of the line after the figure "7" the words: "[An association organized under the provisions]."

Amend section 7, page 9, line 13 by striking out at the beginning of the line before the word "may" the words: "[of this act]" and inserting in lieu thereof the words: "Every cooperative argicultural credit corporation."

Amend section 7, page 9, line 20 by striking out at the beginning of the line before the word "board" the word: "[the]" and inserting in lieu thereof the word: "its."

Amend section 8, page 10, line 3 by striking out after the word "as" and before the word "this" the words: "[described in section four of]" and inserting in lieu thereof the words: "heretofore required in."

Amend section 8, page 10, line 3, by striking out at the end of the line after the word "act" the word: "[and]."

Amend section 8, page 10, by striking out lines 4 to 9 inclusive.

Amend section 8, page 10, line 10 by striking out at the beginning of the line before the article "a" the words: "[of the record in the Recorder's Office]."

Amend section 9, page 11, line 9 by inserting after the word "each" and before the word "association" the words: "cooperative agricultural credit."

Amend section 9, page 11, line 10 by striking out at the end of the line after the word "members" the words: "[The directors]" and inserting in lieu thereof the word: "who."

Amend section 9, page 11, line 12 by inserting after the word "stock" and before the word "At" the words: "of the association."

Amend section 9, page 11, line 15 by inserting after the word "elect" and before the word "directors" the word: "the."

Amend section 9, page 11, line 15 by striking out at the end of the line after the word "directors" the words: "[Cooperative associations owning]."

Amend section 9, page 11, by striking out lines 16 and 17.

Amend section 9, page 11, line 18 by striking out at the beginning of the line before the word "Directors" the word: "[proxy]."

Amend section 9, page 11, line 20 by inserting after the word "Vacancies" and before the word "shall" the words: "in the board of directors."

Amend section 9, page 11, line 21 by inserting after the word "by" and before the word "the" the words: "a majority of the remaining members of."

Amend section 9, and 11, line 27 by striking out after the word "the" and before the word "of" the word: "[term]" and inserting in lieu thereof the word: "terms."

Amend section 9, page 11, line 29 by inserting after the word "so" and before the word "regulate" the words: "prescribe and."

Amend section 10, page 12, line 3 by striking out after the word "of" and before the word "association" the word: "[the]" and inserting in lieu thereof the words: "a cooperative agricultural credit."

Amend section 10, page 12, line 4 by inserting after the word "meeting" and before the word "called" the words: "of the stockholders."

Amend section 10, page 12, line 5 by inserting after the word "by" and before the word "vote" the words: "a two-thirds."

Amend section 10, page 12, line 5 by striking out at the end of the line after the word "of" the words: "[not less]."

Amend section 10, page 12, line 6 by striking out at the beginning of the line before the word "Then" the words. "[than two-thirds of the stock voted]" and inserting in lieu thereof the following: "the holders of the outstanding stock entitled to vote at an election of directors."

Amend section 11, page 12, line 15 by inserting after the word "every" and before the word "association" the words: "cooperative agricultural credit."

Amend section 11, page 12, line 19 by striking out at the end of the line after the word "treasurer" the words: "[may be non-]" and inserting in lieu thereof the words: "need not be."

Amend section 12, page 13, line 5 by striking out after the word "of" and before the word "association" the word: "[the]" and inserting in lieu thereof the words: "every cooperative agricultural credit."

Amend section 12, page 13, line 12 by striking out at the beginning of the line before the word "at" the word: "[members]" and inserting in lieu thereof the word: "stockholders."

Amend section 12, page 13, line 22 by striking out at the end of the line after the word "association" the word: "[Abstract summaries under regulations of the Sec-]."

Amend section 12, page 13, by striking out lines 23 to 29 inclusive.

Amend section 12, page 14 by striking out lines 1 to 5 inclusive.

Amend section 13, page 14, line 6 by inserting after the word "association" and before the word "may" the words "of a cooperative agricultural credit association"

Amend section 13, page 14, line 12 by striking out at the beginning of the line before the word "amendment" the words "[A copy of such]" and inserting in lieu thereof the words "Articles of"

Amend section 13, page 14, line 13 by inserting after the word "directors" and before the word "shall" the following: "and setting forth the name and the location of the principal office of the association and the desired amendment"

Amend section 13, page 14, line 15 by striking out after the word "finds" and before the word "in" the word "[it]" and inserting in lieu thereof the words "them to be"

Amend section 13, page 14, line 15 by inserting after the word "form" and before the word "he" the words "and within the provisions of this act"

Amend section 13, page 14, line 16 by striking out after the word "thereon" and before the word "amendment" the word "[Said]" and inserting in lieu thereof the words "The articles of"

Amend section 13, page 14, line 19 by striking out after the word "The" and before the word "amendment" the word "[Said]" and inserting in lieu thereof the words "articles of"

Amend section 14, page 14, line 24 by inserting after the word "corporations" and before the word "are" the words "of the second class"

Amend section 15, page 15, line 6 by striking out at the beginning of the line before the word "of" the words "[Auditor General]" and inserting in lieu thereof the words "Department of Revenue"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Mr. HERMANSEN. Mr. Speaker, I desire to call up at this time House Bill No. 1368, Printer's No. 421, on page 17 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Hermansen,

The House resumed the consideration on final passage of House Bill No. 1368, entitled:

An Act to amend section one thousand nine hundred and seven of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by making city liable for payment of compensation to person injured while employed under a contract executed in violation of provisions of this act.

RECONSIDERATION OF VOTE

Mr. HERMANSEN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HERMANSEN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 1 by striking out the entire said line.

Amend section 1, page 3, line 2 by striking out the words "division of the Commonwealth" and inserting in lieu thereof the following: "city"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Mr. STEEDLE. Mr. Speaker, I desire to call up at this time House Bill No. 2276, Senate Bill No. 962, Printer's No. 557, on page 21 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Steedle.

The House resumed the consideration on final passage of House Bill No. 2276 (Senate Bill No. 962), entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to the various political subdivisions of the Commonwealth for the maintenance of certain streets and roads and in townships of the second class for the maintenance and replacement of certain bridges during the calendar year one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five and providing for certification of mileage of public roads and streets by municipal authorities to the Department of Highways.

RECONSIDERATION OF VOTE

Mr. STEEDLE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. STEEDLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 3, by striking out the brackets before and after the words "and expenditure in."

Amend title, page 1, line 9, by striking out the bracket before the word "suspending."

Amend title, page 1, line 11, by striking out the bracket after the word "years."

Amend title, page 1, line 14, by striking out the bracket before the word "and."

Amend title, page 1, line 15, by striking out the bracket after the word "such."

Amend title, page 2, line 1, by striking out the bracket before the word "political."

Amend title, page 2, line 2, by striking out the bracket after the word "act."

Amend section 1, page 2, line 9, by striking out the brackets before and after the words "and expenditure in."

Amend section 3, page 3, line 6, by striking out the bracket before the word "cities."

Amend section 3, page 3, line 7, by striking out the bracket after the words "second class A."

Amend section 3, page 3, lines 7 and 8, by striking out the words "the Political subdivisions."

Amend section 3, page 3, line 12, by striking out the brackets before and after the word "city."

Amend section 3, page 3, line 12, by striking out the word "subdivision."

Amend section 3, page 3, line 13, by striking out the brackets before and after the word "city."

Amend section 3, page 3, line 13, by striking out the word "subdivision."

Amend section 4, page 3, lines 22 and 23, by removing the strikeout brackets before and after the strike-out bracket before and after the words "and townships of the second class."

Amend section 4, page 3, line 23, by striking out the brackets before and after the word "expended."

Amend section 4, page 3, line 23, by inserting before the word "allocated" the word "or."

Amend section 4, page 3, line 24, by inserting after the word "in" the words "or to."

Amend section 4, page 3, line 24, by inserting after the word "subdivision" the following: "at the option of the proper authorities of such subdivision expressed in writing to the Department of Highways."

Amend section 4, page 4, by inserting between lines 6 and 7 the following paragraph: "Of the amount appropriated to the Department of Highways for use upon streets and roads in townships of the second class, there shall be expended by the Department of Highways in each of such townships of the second class for the repair and maintenance of streets and roads therein not repaired and maintained by the Department of Highways under the provisions of any other law such proportion of the total amount hereinbefore provided for use in townships of the second class as the miles of streets or roads under its jurisdiction within its municipal limits and not maintained by the Department of Highways under the provisions of any other law bears to the total number of miles of such streets or roads within the municipal limits of all townships of the second class.

Amend section 5, page 4, line 7, by removing the strike-out bracket before the word "Section."

Amend section 5, page 4, line 17, by removing the strike-out brackets before and after the words "in case of casualty."

Amend section 5, page 4, line 20, by removing the strike-out bracket after the word "law."

Amend section 5, page 4, line 21, by striking out the figure "5" and inserting in lieu thereof: "6."

Amend section 5, page 4, line 23, by striking out the word "occurred" and inserting in lieu thereof: "incurred."

Amend section 6, page 4, line 27, by striking out the figure "6" and inserting in lieu thereof: "7."

Amend section 7, page 5, line 5, by striking out the figure "7" and inserting in lieu thereof: "8."

Amend section 7, page 5, line 6, by inserting after the word "subdivisions" the following: "and not expended therein by the Department of Highways shall be paid to the political subdivisions to be expended by them for the purposes set forth in this act and."

Amend section 7, page 5, line 7, by striking out the word "their" and inserting in lieu thereof: "the."

Amend section 8, page 6, by placing a strike-out bracket at the end of said line, after the word "highways."

Amend section 10, page 6, line 16, by inserting after the word "municipalities" the following: "in which the money allocated is actually expended by the Department of Highways."

Amend section 10, page 6, line 18, by striking out the word "on" and inserting in lieu thereof: "in."

Amend section 10, page 6, line 29, by inserting after the word "municipality" the following: "The Department of Highways in such cases shall employ for work on such highways, the employes of the municipality or the duly elected road supervisors in townships of the second class theretofore engaged in such work to the greatest extent possible."

Amend section 11, page 7, line 1, by removing the strike-out bracket at the beginning of said line, before the word "Section."

Amend section 11, page 7, line 13, by removing the strike-out bracket at the end of said line, after the word "bridges."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Mr. STEEDLE. Mr. Speaker, I desire to call up at this time House Bill No. 787 (Senate Bill No. 137), Printer's No. 27, on page 16 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Steedle,

The House resumed the consideration on final passage of House Bill No. 787, (Senate Bill No. 137), entitled:

An Act to amend section four hundred and six of the act, approved the eleventh day of July, one thousand nine hundred and twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individual, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," permitting sworn statements of physicians in charge of patients to be admitted in evidence in court proceedings for the discharge of patients from mental hospitals

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—143

Baker,	Hoffman,	Moore,	Shellenberger,
Bennett,	Holmes, J. L.,	Mumford,	Shettel,
Blumberg,	Horst,	Munley,	Shortz,
Brennan,	Hough,	Myers,	Simon,
Brown, W. L.,	Hutton,	Nothnagle,	Snyder,
Carey,	Jaffe,	O'Keefe,	Sowers,
Conner,	Kane, J. J.,	O'Neill,	Spann,
Cooke,	Kane, L. P.,	O'Rourke,	Stank,
Cordier,	King,	Patterson,	Steedle,
Craig,	Kinney,	Peelor,	Sterling, P.,
Davies,	Laubach,	Pennock,	Stevens,
Denning,	Lenahan,	Perry, D. R.,	Stevenson,
Duffy,	Lewis,	Perry, J. J.,	Stiteler,
Emhardt,	Lord,	Peters,	Stott,
Eroe,	Lovett, W. S.,	Powell,	Surface,
Evans,	Lynch, J. R.,	Powers,	Tahl,
Fitzgerald,	Lynch, M.,	Price,	Turner,
Flanagan,	Male,	Quinn,	Wade,
Flinchbaugh,	Maloney,	Raub,	Wagner,
Flynn,	Marcks,	Rectenwald,	Wall,
Forrest,	Mason,	Reed,	Weidemann,
Furman,	McBride,	Reilly,	Westrick,
Gallagher,	McCandless,	Rhodes,	White,
Gillette,	McClure,	Rice,	Wike,
Griffith,	McCreary,	Roan,	Williams, G. W.,
Haines,	McElwee,	Root,	Williams, J. J.,
Hamilton,	McGinnis,	Roth,	Wilson, T. B.,
Harris,	McGregor,	Ruby,	Witkin,
Hart,	McHenry,	Ruth,	Wood,
Hartman,	McKay,	Sarig,	Woodside,
Heffernan,	McKinney,	Sautter,	Wright,
Hefferon,	Melchiorre,	Schrock,	Yeakel,
Heffner,	Meredith,	Schwab,	Yourishin,
Hermansen,	Merrell,	Schwartz,	Zimmerman,
Hester,	Metzler,	Scorza,	Talbot,
Himes, H. E.,	Mohn,	Scott,	Speaker.
Himes, L. R.,			

NAYS—21

Andrews,	Caputo,	Holmes, J. B.,	O'Connor,
Beech,	Carson,	Hoopes,	Shugarts,
Boyd,	Chervenak,	Lane,	Welsh,
Brancato,	DeFrehn,	Lovett, J. E.,	Westrick,
Brown, J. E.,	Dunmire,	McGrail,	Wilson, L. H.,
Brownfield,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

The SPEAKER. If there are no objections on the part of the House the Chair would like to return to bills on final passage recalled from the Governor, which were not on file this morning. The Chair understands that they are now on file. The Chair hears no objection.

The Chair would like to clear the calendar with respect to these bills as well as bills on second reading, and we can then adjourn until Monday night.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 566, as follows:

A Supplement to an act approved May sixth one thousand nine hundred and thirty-one (Pamphlet Laws ninety-nine) entitled "An act to amend section seven of the act approved the fifth day of March one thousand seven hundred and ninety-one (three Smith's Laws six) entitled 'An act to enable the Governor to appoint Notaries Public and for other purposes therein mentioned' prescribing the form of notary seal" by providing that the presence of the arms of this Commonwealth on the seal of a notary public reappointed after the effective date of the act to which this is a supplement and prior to the effective date of this act shall not invalidate said seal or the notarial acts instruments or attestations authenticated by such seal

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the seal of any notary public reappointed after the effective date of the act to which this act is a supplement and prior to the effective date of this act on which seal there is engraved the name surname the words "Notary Public" and the location of the office of the notary using the same shall be a valid and legal seal during the term for which he or she was reappointed notwithstanding the fact that in addition thereto it has engraved thereon the arms of this Commonwealth and all the acts instruments and attestations of such notary authenticated by such seal shall be as valid and binding as though the arms of this Commonwealth were not thereon

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148

Andrews,	Hartman,	McElwee,	Schrope,
Baker,	Hefferon,	McGinnis,	Schwab,
Barnhardt,	Heffner,	McGregor,	Schwartz,
Beech,	Hermansen,	McKay,	Scorza,
Bennett,	Hester,	McKinney,	Scott,
Bernhard,	Himes, H. E.,	Meredith,	Sheffer,
Boyd,	Himes, L. R.,	Metzler,	Shellenberger,
Brancato,	Hoffman,	Moore,	Simon,
Brennan,	Holmes, J. B.,	Mumford,	Sinwell,
Brown, W. L.,	Holmes, J. L.,	Munley,	Sowers,
Carey,	Hoopes,	Myers,	Spann,
Carson,	Horst,	Negley,	Steedle,
Cohen,	Hough,	Nothnagle,	Stevens,
Conner,	Howard,	O'Neill,	Stevenson,
Cooke,	Hutton,	O'Rourke,	Tahl,
Cordier,	Jaffe,	Patterson,	Terry,
DeFrehn,	Kane, J. J.,	Peelor,	Turner,
Duffy,	Kane, L. P.,	Pennock,	Wade,
Dunmire,	King,	Perry, D. R.,	Walker, G. E.,
Dwyer,	Kinney,	Perry, J. J.,	Walker, W. A.,
Ederer,	Labar,	Peters,	Wall,
Emhardt,	Lane,	Powell,	Way
Erne	Laubach,	Price,	Weidemann
Evans,	Lewis,	Raub,	Welsh,
Fitzgerald,	Long,	Rectenwald,	Westrick,
Flynn,	Lord,	Reed,	Wike,
Gallagher,	Lose,	Rhodes,	Williams, G. W.,
Gartner,	Lovett, J. E.,	Rice,	Williams, J. J.,
Gillette,	Lovett, W. S.,	Roan,	Wilson, T. E.,
Gorman,	Lynch, J. R.,	Root,	Witkin,
Green,	Male,	Roth,	Wood,
Greenstein,	Maloney,	Royle,	Woodside,
Griffith,	Mason,	Ruby,	Wright,
Habbyshaw,	McBride,	Ruth,	Yeakel,
Haines,	McCandless,	Sarig,	Zimmerman,
Harris,	McClure,	Sautter,	Talbot,
Hart,	McCreary,	Schrock,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE ON EDUCATION TO MEET DURING SESSION OF HOUSE

Mr. WILSON asked and obtained permission for the Committee on Education to meet during the session of the House.

BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1659, as follows:

An Act to further amend section seventeen of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by increasing certain license fees

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventeen of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" as last amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred fifty-eight) is hereby further amended to read as follows

Section 17 License Fees Amateur Exhibitions and Matches Each applicant for a license shall before a license is issued by the commission and annually thereafter during the life of such license pay to the commission a license fee as follows Corporations or persons in cities of the first class two hundred and fifty dollars in cities of the second class one hundred dollars in cities of the third class and elsewhere twenty-five dollars physicians [ten] twenty-five dollars referees twenty-five dollars judges [five] fifteen dollars timekeepers [five] ten dollars professional boxers [five] ten dollars professional wrestlers [five] fifteen dollars managers forty dollars seconds [five] ten dollars announcers [five] fifteen dollars and matchmakers [ten] twenty-five dollars but the commission may issue without fee licenses to referees or physicians authorizing such referees or physicians to officiate only at boxing sparring or wrestling matches or exhibitions between amateurs and only without receiving any compensation for their services Permits for matches or exhibitions in which only amateurs participate shall be issued without fee and may be issued for a single match or exhibition or a series of matches or exhibitions or for a period not exceeding one year Permits for amateur boxing exhibitions or wrestling matches shall not be issued to any person or persons when such exhibitions or matches are conducted for individual profit Permits for amateur boxinfi exhibitions or wresting matches shall be issued only to bona fide amateur athletic associations as approved by the commission

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158

Andrews,	Haines,	McGinnis,	Shellenberger,
Baker,	Hamilton,	McHenry,	Shortz,
Barnhardt,	Harris,	McKay,	Shreiner,
Bechtel,	Hart,	McKinney,	Simon,
Beech,	Hartman,	Metzler,	Sinwell,
Bennett,	Heffernan,	Mohn,	Snyder,
Bernhard,	Hefferon,	Moore,	Sowers,
Blumberg,	Heffner,	Mumford,	Spann,
Boyd,	Hermansen,	Munley,	Stank,
Brennan,	Hester,	Myers,	Steedle,
Brown, J. E.,	Hewitt,	Negley,	Sterling, P.,
Brown, W. L.,	Himes, H. E.,	Nothnagle,	Stevens,
Cannon,	Himes, L. R.,	O'Keefe,	Stevenson,
Carey,	Holmes, J. B.,	O'Neill,	Stone,
Chervenak,	Holmes, J. L.,	O'Rourke,	Stott,
Cohen,	Hoopes,	Patterson,	Terry,
Conner,	Horst,	Peelor,	Wade,
Cooke,	Howard,	Pennock,	Wagner,
Craig,	Hutton,	Perry, D. R.,	Walker, W. A.,
Dane,	Jaffe,	Perry, J. J.,	Wall,
Davies,	Jones,	Peters,	Wasserman,
DeFrehn,	Kane, L. P.,	Powers,	Weidemann,
Denning,	King,	Price,	Welsh,
Downey, J.,	Kinney,	Quinn,	Westrick,
Dunmire,	Labar,	Raub,	White,
Ederer,	Laubach,	Rectenwald,	Wike,
Emhardt,	Lenahan,	Reed,	Williams, G. W.
Evans,	Long,	Rhodes,	Williams, J. J.,
Fitzgerald,	Lord,	Rice,	Wilson, L. M.,
Flanagan,	Lovett, J. E.,	Roan,	Wilson, T. B.,
Fleisher,	Lovett, W. S.,	Roth,	Witkin,
Flinchbaugh,	Lynch, M.,	Royle,	Wood,
Flynn,	Male,	Ruby,	Woodside,
Gallagher,	Maloney,	Ruth,	Wright,
Gartner,	Marcks,	Sautter,	Yeakel,
Gillette,	Mason,	Schrope,	Yourishin,
Gorman,	McBride,	Schwartz,	Zimmerman,
Greenstein,	McCandless,	Scott,	Talbot,
Griffith,	McClure,	Sheffer,	Speaker,
Habbyshaw,	McElwee,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1107, as follows:

An Act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created and established in every city of the second class in this Commonwealth a fund for the care maintenance and relief of aged retired and disabled firemen in the Bureau of Fire of such city which fund shall be known as the "Firemen's Relief and Pension Fund of the City of ....."

Section 2 Such fund shall consist of and to it shall be transferred

(1) All moneys and securities held by similar boards existing by virtue of any law or ordinance in such city which fund or funds were held for purposes similar to the purpose of the fund created by this act with respect to the city employes covered by the provisions of this act

(2) All fines imposed upon the firemen of such city which by virtue of any law or ordinance referring to such city are required to be paid by the proper authorities to a fund of this nature

(3) All donations of money from whatever source which have been or shall be made to the fund

(4) The income from any and all trust funds which now or may hereafter be established by gift for the benefit of such persons as are eligible to be beneficiaries under the fund

(5) The dues of the members of the fund as hereinafter stipulated

(6) Such moneys as the city shall pay into the fund from time to time as provided by ordinance and as may be necessary to carry out the provisions of this act

Section 3 There is hereby created for the care management and control of such fund a board of managers consisting of twelve members to be known as the "Firemen's Relief and Pension Fund Board of the City of ....." The personnel thereof shall be as follows The mayor or chief executive the president of council the city solicitor the city controller the director of the department of public safety and the chief of the bureau of fire who shall be ex officio members and six elective members from among the following classes of the members and beneficiaries of such fund One member to be elected from among the deputy chiefs battalion chiefs captains and lieutenants three members to be elected from among the other members of the fund and two members to be elected by the beneficiaries of the fund

Section 4 Elections of representatives of the board shall be held annually on the second Monday of December except that a special election of such representatives shall be held within ten days following the effective date of this act the time and place for holding of which special election shall be fixed by the existing board in such city The time and place of holding the annual elections thereafter shall be designated and fixed by the board herein created

If any member of the board shall resign or be dismissed from the service or shall change from the classification under which he was elected he shall immediately cease from being a member of the board

In case of a vacancy caused by whatever means among the elective members of the board such vacancy shall be filled by the board at its next meeting for the unexpired term

Section 5 The director of the department of public safety shall be the president of said board the chief clerk of the department of public safety shall be the secretary of said board for the performance of which services he shall be paid the sum of fifty dollars per month and the city solicitor shall be the attorney and legal counsel of said board but shall receive no additional compensation therefor

Section 6 The president shall preside at all meetings of the board He shall appoint all committees sign all necessary papers approved by the board requiring his signature and perform such other duties as may be required by his office

The secretary shall keep minutes of all meetings of the board receive and receipt for all payments to the fund and keep accurate account between the fund and its members All checks shall be signed by the secretary and countersigned by the president of the board

There is hereby provided an account for the secretary to meet the small expenditures as may arise by the meetings of the board The secretary shall be responsible for the proper disposition of such account

The board shall hold regular monthly meetings at a time and place to be fixed by the board Special meetings of the board shall be called by the president whenever he deems it necessary or upon written request of seven members of the board or twenty-one members or beneficiaries of the fund

Section 7 The board shall designate and choose such bank or banks trust company or trust companies in such city in which the moneys of the fund shall be deposited and such bank or banks trust company or trust companies shall be selected annually after the board shall have received written proposals as to the rate of interest which shall be paid on such deposits and the bank or banks trust company or trust companies offering to pay the highest rate of interest shall be chosen as the depository or depositories of the fund if the board be satisfied of the soundness of such institution or institutions

The board shall create and establish a sinking fund into which shall be paid all moneys remaining to the credit of the fund and the depositories of the fund on the first day of each year and after all claims and running expenses of the prior year have been paid and the money in the sinking fund shall not be used for any purpose excepting by a two-thirds vote of the board but the interest accruing on the moneys in such sinking fund may be used for the payment of the necessary expenses for the operation of the fund

The board may invest the moneys of the fund and of the sinking fund in such State county or municipal bonds of the State of Pennsylvania or in bonds of the United States Government as they may deem to the best interest of the respective funds All such investments shall be made in the name of the respective fund The accounts of the fund shall be audited annually by the city controller or oftener if the board requests the same to be done and a copy of the audit furnished to the council of the city

Section 8 Those eligible to membership in the fund shall be

(1) All uniformed employes of the bureau of fire including the commanding officer and the chief of the bureau

(2) All substitute uniformed employes of the bureau of fire

(3) All persons who are at present members of the existing fund in such city Employes of the bureaus of electricity and building inspection in such city who have entered such service since the first day of July one thousand nine hundred and eighteen shall not be eligible to be members of such fund

Section 9 Any individual eligible to membership in such fund as aforesaid shall be required

(1) To sign an acceptance of the provisions of this act which acceptance shall contain an agreement on the part of the one so signing that upon resignation or dismissal from the employ of said bureau of fire he shall thereby relinquish and forfeit all rights to participate in said fund and no employment shall be granted an applicant to a position which would make him eligible as a member of said fund until such acceptance and agreement is signed by him

(2) To contribute to said fund three per centum of his rated monthly salary or wages which shall be deducted from his salary or wages by the city controller from the payroll for the last half of each month and paid into the fund In addition such member shall contribute the sum of one dollar to the beneficiary of a deceased member of the fund which amount in the case of an active member shall be deducted in the month following the death of such member by the city controller from the payroll for the last half of each month and in the case of a pensioner shall be deducted from the amount paid each pensioner by the Secretary of the fund in the month following the death of such member and paid into the fund

When any member of the fund shall resign or be dismissed from service or shall die while in active service there shall be paid to him or to his executor or administrator if his service has been terminated by death from the fund all dues paid by him into the fund Substitute employes of the bureau of fire shall be credited for pension and pay on the basis of actual days served in the bureau of fire Regular and substitute employes shall serve at least fifteen days in each month and appear on both semi-monthly payrolls of said bureau of fire in said month in order to be credited for one month's service for pension under this act

Section 10 A member of the fund who has severed his connection therewith and has subsequently again become eligible for membership therein shall in addition to a readmission fee of five dollars be required to return to the fund such dues as were repaid to him from the fund when his membership in the fund was severed

Such refund shall be collected from the monthly salary or wages of the reinstated member over the period of a year and full payment thereof shall be a condition precedent to the member being eligible to the benefits of the fund

If however any such reinstated member shall be injured and before the expiration of the one year period and if the disability caused by such injury shall continue beyond the period during which compensation shall be paid to him under the provisions of the Workmen's Compensation Act of Pennsylvania he shall be eligible to pension under this act but any amount to which he shall have been indebted to the fund at the date of his injury shall be repaid if the board in its discretion shall so require in such monthly payments as said board may determine which amounts shall be deducted from his pension as and when monthly payments thereof shall be made

Section 11 Members of the fund shall be eligible to pension under said fund upon written application of such member stating his desire to withdraw from service in said city which application shall show either

(1) That such employe has rendered at least twenty years service to the said city at least one year of which was immediately prior to his application but which does not otherwise necessitate continuous service but that such service shall total twenty years and shall include and may include service in the armed forces of the United States in times of war or active service in the Pennsylvania State Militia when said militia has been mobilized for internal police duty or

(2) That such applicant while a member of the fund was injured in the line of duty and disabled through such injury that such disability continues and that the applicant is no longer entitled to payments from the city under the provisions of the Workmen's Compensation Act and its amendments Upon the approval by the board such member of the fund shall become a beneficiary thereunder

Section 12 Beneficiaries under said fund shall be rated and classified and shall be entitled to receive from the fund per month the amounts indicated in the following table to wit

Classification	Composed of	Monthly Paym'ts
I Chief	Bureau of Fire	$150
Superintendent	Bureau of Electricity	
II Deputy Chiefs	Bureau of Fire	125
Deputy Superintendents	Bureau of Electricity	
III Battalion Chiefs	Bureau of Fire	105
Chief Inspectors	Division of Fire Prevention	
Chief Wiring Inspectors	Bureau of Electricity	
IV Training School Ins'tors	Bureau of Fire	97.50
V Captains	Bureau of Fire	95
Assistant Engineers	Bureau of Electricity	
Supervisors of Construction	Bureau of Electricity	
Fire Alarm Operators	Bureau of Electricity	
VI Lieutenants	Buuear of Fire	90
Engineers	Bureau of Fire	
Pumpmen	Bureau of Fire	
VII Drivers	Buuear of Fire	85
Electric Wiring Inspectors	Bureau of Building Inspection	
VIII Hose and Laddermen	Bureau of Fire	80
Aides	Bureau of Fire	
Assistant Engineers	Bureau of Fire	
Fire Alarm Box Inspectors	Bureau of Electricity	
Police Box Inspectors	Bureau of Electricity	
Instrument Repairmen	Bureau of Electricity	
Battery men	Bureau of Electricity	
Line Foreman	Bureau of Electricity	
Lineman	Bureau of Electricity	
Inspector	Bureau of Fire	
Inspector	Division of Fire Prevention	

No application to become a beneficiary of the fund shall be filed or accepted until thirty days after the effective date of this act It is further provided that any member making such application who thereafter withdraws the same shall not be permitted to file a new application until one year after the date of the first application

Section 13 If any beneficiary of the fund shall be awarded a pension and shall thereafter be convicted of felony or shall become an habitual drunkard or shall cease to care for and support his wife and family then and in any such case the board shall have power by a two-thirds vote to revoke the pension or to suspend the payment thereof or to direct payment of the pension to the family of such beneficiary

Section 14 Any beneficiary of the fund who may obtain employment in the service of the United States Government or the State of Pennsylvania or the county wherein said city is situate or of the city itself shall forfeit his pension from the fund during the time of such employment

Section 15 The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments

Section 16 This act shall take effect on the first day of January one thousand nine hundred and thirty-four

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159

Andrews,	Habbyshaw,	McCreary,	Shenkel,
Baker,	Hamilton,	McElwee,	Shettel,
Barnhardt,	Harris,	McGregor,	Shortz,
Bechtel,	Hart,	McKay,	Shreiner,
Beech,	Heffernan,	McKinney,	Shugarts,
Bennett,	Hefferon,	Meredith,	Simon,
Bernhard,	Heffner,	Metzler,	Sinwell,
Blumberg,	Hermansen	Moore,	Snyder,
Boyd,	Hester,	Mumford	Sowers,
Brancato,	Hewitt,	Munley,	Spann,
Brennan,	Himes, H. E.,	Myers,	Steedle,
Brown, J. E.,	Himes, L. R.,	Negley,	Stevens,
Brown, W. L.,	Hoffman,	O'Keefe,	Stevenson,
Cannon,	Holmes, J. B.,	O'Neill,	Stiteler,
Caputo,	Holmes, J. L.,	O'Rourke,	Stone,
Carey,	Hoopes,	Patterson,	Stott,
Conner,	Horst,	Peelor,	Surface,
Cooke,	Hough,	Pennock,	Tahl,
Cordier,	Howard,	Perry, D. R.,	Terry,
Craig,	Hutton,	Perry, J. J.,	Turner,
Dane,	Jaffee,	Peters,	Wade,
Davies,	Jones,	Powell,	Wagner,
DeFrehn,	Kane, J. J.,	Powers,	Walker, G. E.,
Denning,	Kane, L. P.,	Price,	Walker, W. A.,
Downey, G. E.,	King,	Quinn,	Wall,
Downey, J.,	Kinney,	Raub,	Way,
Duffy,	Labar,	Rectenwald,	Welsh,
Dunmire,	Lane,	Reed,	Westrick,
Ederer,	Laubach,	Reilly,	White,
Eroe,	Lewis,	Rice,	Wike,
Evans,	Lord,	Roan,	Williams, G. W.,
Flanagan,	Lose,	Roth,	Williams, J. J.,
Fleisher,	Lovett, J. E.,	Ruby,	Wilson, L. M.,
Flynn,	Lovett, W. S.,	Sarig,	Witkin,
Forrest,	Lynch, J. R.,	Sautter,	Wood,
Gallagher,	Lynch, M.,	Schrock,	Wright,
Gartner,	Male,	Schrope,	Yeakel,
Gillette,	Maloney,	Schwab,	Yourishin,
Green,	Mason,	Scott,	Talbot,
Greenstein,	McBride,	Sheffer,	Speaker.
Griffith,	McClure,	Shellenberger,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. SPANN. Mr. Speaker, I desire to call up at this time House Bill No. 1338, Printer's No. 965, on page 22 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Spann,

The House resumed the consideration on final passage of House Bill No. 1338, entitled:

An Act to amend sections six and eight of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business, as amended, further regulating the licensing of such real estate brokers and real estate salesmen.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142

Andrews,	Haines,	McBride,	Sheffer,
Baker,	Hamilton	McCandless,	Shellenberger,
Barnhardt,	Harmuth,	McClure,	Shortz,
Bechtel,	Harris,	McCreary,	Shugarts,
Beech,	Hart,	McElwee,	Simon,
Bennett,	Hartman,	McGinnis,	Snyder,
Bernhard,	Heffernan,	McGrail,	Sowers,
Blumberg,	Hefferon,	McKay,	Spann,
Boyd,	Heffner,	Metzler,	Steedle,
Brancato,	Hermansen,	Mohn,	Stevens,
Brennan,	Hester,	Moore,	Stiteler,
Brown, J. E.,	Hewitt,	Munley,	Stone,
Brown, W. L.,	Hoffman,	Negley,	Stott,
Carson,	Holmes, J. B.,	O'Keefe,	Surface,
Chervenak,	Hoopes,	O'Neill,	Tahl,
Cohen,	Horst,	O'Rourke,	Terry,
Conner,	Hough,	Peelor,	Wagner,
Cooke,	Howard,	Pennock,	Walker, G. E.,
Cordier,	Hutton,	Perry, D. R.,	Walker, W. A.,
Craig,	Jaffe,	Perry, J. J.,	Wasserman,
Cramer,	Jones,	Peters,	Way,
Dane,	Kane, J. J.,	Powell,	Welsh,
Davies,	Kane, L. P.,	Powers,	Westrick,
Denning,	King,	Price,	White,
Downey, J.,	Kinney,	Quinn,	Wike,
Ederer,	Labar,	Raub,	Williams, G. W.,
Eroe,	Lane,	Rectenwald	Williams, J. J.,
Evans,	Lewis,	Reed,	Wilson, T. B.,
Flanagan,	Long,	Roan,	Witkin,
Fleisher,	Lord,	Roth,	Wood,
Flynn,	Lose,	Ruby,	Wright,
Gallagher,	Lovett, W. S.,	Sautter,	Yeakel,
Gartner,	Lynch, M.,	Schrope,	Yourishin,
Gillette,	Maloney,	Schwab,	Zimmerman,
Gorman,	Marcks,	Schwartz,	Talbot,
Green,	Mason,	Scott,	Speaker.

NAYS—12

Griffith,	Nothnagle,	Shreiner,	Wall,
Habbyshaw,	Rice,	Stevenson,	Weidemann,
Holmes, J. L.,	Schrock,	Turner,	Woodside,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 731, as follows:

An Act making an appropriation to Mrs. Anna Kinsley of Philadelphia for moneys erroneously and inadvertently paid into the State Treasury

Whereas William Kinsley of the city of Philadelphia was committed as an indigent to the Philadelphia Hospital for Mental Diseases on May twenty-ninth one thousand nine hundred and nineteen and part of his maintenance cost was charged against and borne by the Commonwealth of Pennsylvania and

Whereas The said William Kinsley was the recipient of a Federal Pension and the Commonwealth Insurance and Trust Company of Philadelphia guardian of said William Kinsley paid to said Commonwealth by way of reimbursement on June fourteenth one thousand nine hundred and twenty-three the sum of four hundred and fourteen dollars ($414.00) and

Whereas Anna Kinsley the wife of the said William Kinsley was at the time and is now in needy circumstances and the Commonwealth feels that by reason thereof the payment to it hereinbefore referred to has worked a hardship upon the said Anna Kinsley therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four hundred and fourteen dollars ($414.00) is hereby specifically appropriated to the said Anna

Kinsley wife of William Kinsley of the city of Philadelphia to refund to her moneys which the Commonwealth of Pennsylvania collected from her said husband's estate for maintenance and which the Commonwealth of Pennsylvania afterwards felt and now feels should have been applied by the guardian as aforesaid to the maintenance of the said Anna Kinsley

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1884, as follows:

An Act to amend section one thousand three hundred one and section one thousand three hundred sixteen as amended of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the requirements to obtain teachers' certificates and the qualifications to teach in public senior high schools or to hold official positions of higher rank

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand three hundred one of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 1301 Every teacher in the public schools of this Commonwealth must hold a [provisional professional or] State certificate which shall set forth the branches which its holder is entitled to teach and which shall be issued as herein provided but no teacher shall teach in any public school in this Commonwealth any branch which he has not been properly certificated to teach

On and after the first day of January one thousand nine hundred and thirty-six no State certificate shall be granted to any person unless such person has successfully completed a four year course in a first grade high school or its equivalent followed by a four year course of not less than one hundred and twenty semester hours including professional studies and practice teaching in a State normal school State teachers' college or an accredited liberal arts college or college department of an accredited university as the case may be

Every teacher in the public senior high schools of this Commonwealth and every person holding official positions of higher rank must hold a college permanent certificate or a college provisional certificate Provided That the provisions of this paragraph shall not apply to any person now qualified and teaching in any public senior high school or holding any official position of higher rank who is not the holder of a college permanent certificate or a college provisional certificate

Section 2 Section one thousand three hundred sixteen of said act as amended by section one of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand forty-one) is hereby further amended to read as follows

Section 1316 The Superintendent of Public Instruction may grant a provisional college certificate to every person who presents to him satisfactory evidence of good moral character and of being a graduate of a college or university approved by the College and University Council of this Commonwealth who has completed such work in education as may be approved by the State Council of Education and who in addition thereto shall have devoted one year after such graduation to practice in teaching and school management in high schools of this Commonwealth approved for the purpose by the State Council of Education under the joint supervision and guidance of the principal of such high school and of the education department of the college or university in which the candidate has pursued his undergraduate studies During such period of training each candidate shall be paid such compensation by the school district maintaining such high school as in the opinion of the board of school directors shall be necessary to pay the living expenses of such candidate Provided That until the first day of January one thousand nine hundred and thirty-six provisional college certificates shall be granted as heretofore

The Superintendent of Public Instruction may also grant a provisional college certificate to every person who presents to him satisfactory evidence of good moral character and of being a graduate in music with the degree of bachelor of music of a college or university approved by the College and University Council of this Commonwealth who has during such musical course completed the prescribed number of hours of professional studies which certificate shall entitle him to teach for three annual school terms

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. STEVENSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1588, as follows:

An Act to amend sections one two and three of the act approved the twenty-first day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred forty) entitled "An act directing the county commissioners of the several counties to offer for sale to the Department of Forestry tracts of land which they may have purchased at county treasurers' sales for acceptance or refusal for forestry purposes and to convey to the Commonwealth of Pennsylvania the tracts so offered to be sold if accepted by the department" applying the provisions thereof to the Department of Forests and Waters and extending the provisions thereof to the Board of Game Commissioners

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one two and three of the act approved the twenty-first day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred forty) entitled "An act directing the county commissioners of the several counties to offer for sale to the Department of Forestry tracts of land which they may have purchased at county treasurers' sales for acceptance or refusal for forestry purposes and to convey to the Commonwealth of Pennsylvania the tracts so offered to be sold if accepted by the department" are hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when county commissioners shall have received from the county treasurer a conveyance of lands which shall have been advertised and sold for unpaid taxes in accordance with the several acts of Assembly relating to the sale and conveyance of lands for taxes the said commissioners are hereby directed after the period for redemption of said lands to the Department of [Forestry] Forests and Waters and the Board of Game Commissioners for acceptance or rejection

by said department or commission for forestry or game purposes when required so to do by the Department of [Forestry] Forests and Waters or the Board of Game Commissioners The county commissioners in making such offer shall describe the land by giving the name of its former owner its location warrantee name or number and its adjoiners They shall state the number of acres and perches in each tract so offered and the amount of taxes interest and costs due thereon which shall have been levied and become a lien and accured to the time of making the offer Every such offer shall be accompanied by a draft of the land when required by the department or commission to be prepared by the county surveyor The cost of the preparation of such draft shall be paid by the county commissioners and in no case shall exceed the ordinary and usual amount paid for the making of similar drafts in the course of county business The cost of the draft may be added by the commissioners to the amount of costs accrued against the land which they shall offer the Department of [Forestry] Forests and Waters or the Board of Game Commissioners Where adjoining tracts are so offered they shall be included within one draft and the cost of the draft shall be ratably apportioned among the several tracts in accordance with the area thereof

Section 2 That upon receiving any such offer from the county commissioners which offer shall be made upon blank forms to be prepared by the Department of [Forestry] Forests and Waters or the Board of Game Commissioners and supplied to the commissioners the department or commission shall make an examination and valuation of the land so offered to detrmine whether it is suitable for forestry or game land purposes If found not suitable for forestry or game land purposes the department or commission shal lso notify the commissioners If found to be suitable for [that purpose it] the authorized purposes of either the department or the commission the one desiring such land shall likewise notify the commissioners of its suitability make a conditional acceptance and proceed to examine the title If such examination shall disclose that the title is marketable and of such character as can be safely accepted the department or commission shall prepare a deed to be executed by the commissioners conveying such land to the Commonwealth of Pennsylvania The consideration shall include all taxes levied interest and costs due to date of conveyance but shall in no case exceed the limit of purchase price now or hereafter fixed by law for the purchase of land by the Department of [Forestry for forestry purposes] Forests and Waters or the Board of Game Commissioners for authorized purposes

Section 3 That if the title examination shall disclose incumbrances upon the land or other objections which in the judgment of the Department of [Forestry] Forests and Waters or the Board of Game Commissioners whichever is contemplating the purchase of the land will render the title unmarketable or undesirable for the State to own the county commissioners shall then proceed to remove such objections to title and cure such defects so far as it may be possible to do so or may be required by the practice of the Department of [Forestry] Forests and Waters or the Board of Game Commissioners in the purchase of lands The purchase of said land shall not be further proceeded with until the title shall be rendered acceptable to the [Department of Forestry] department or commission contemplating purchase In case the county commissioners neglect or refuse to remove objections to title when required by the department [the Department] or the commission whichever is contemplating the purchase of the land such agency may after a reasonable time not exceeding six months notify the commissioners that it refuses to consider the further purchase of the land so offered The time for removal of objections may be extended by the department or commission for cause shown

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1031, as follows:

An Act to amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by fixing a minimum monthly compensation for certain retired teachers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fourteen of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the fifteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred fifty-nine) is hereby further amended to read as follows

Section 14 Retirement for superannuation shall be as follows

1 Any contributor who is an employe sixty-two years of age or older may retire for superannuation by filing with the retirement board a written statement duly attested setting forth at what time subsequent to the execution of said application he or she desires to be retired Said application shall retire said contributor at the time so specified or in the discretion of the retirement board at the end of the school term in which the time so specified occurs

2 Each and every contributor who has attained or shall attain the age of seventy years shall be retired by the retirement board for superannuation forthwith or at the end of the school term in which said age of seventy years is attained

Allowance on Superannuation Retirement

3 On retirement for superannuation a contributor who is an employe shall receive a retirement allowance which shall consist of

(a) A teacher's annuity which shall be the acturial equivalent of his or her accumulated deductions and

(b) A State annuity of one one-hundred-sixtieth (1/160) of his or her final salary for each year of service prior to the age of sixty-two years and

(c) In addition thereto if a present employe a further State annuity of one-hundred-sixtieth (1/160) of his or her final salary for each year of prior service as certified to said present employe in the certificate issued to him or her by the retirement board under the provisions of section ten of this act

4 Any person sixty-two years of age or older who was a class-room teacher in the public schools of Pennsylvania for at least twenty years and who separated from school service for any reason prior to the first day of July one thousand nine hundred and nineteen or any person who was a class-room teacher in the public schools of Pennsylvania for at least fifteen years and who separated from school service because of physical or mental disability prior to the first day of July one thousand nine hundred and nineteen and who still is unable to teach because of such disability shall receive a State compensation equal to one-eightieth of his or her final salary for each year of school service but not less than twenty dollars per month if such former teacher shall agree in writing and hold himself or herself ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teacher when able to examine and report on public school work

to visit pupils' homes in the interests of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interests The General Assembly shall from time to time appropriate moneys sufficient to make payments under this subsection Provided That any teacher who is entitled to receive Sttae compensation hereunder and who is receiving a retirement allowance under the provisions of a local teachers' retirement system shall receive from the Commonwealth only the difference between the compensation to which such teacher would otherwise be entitled under the provisions of this subsection and the annual amount received by such teacher from such local teachers' retirement system

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1965, as follows:

An Act to amend sections five hundred and thirty-seven and five hundred and thirty-nine of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended limiting the per capita school tax to persons not paying tax on real property

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections five hundred and thirty-seven and five hundred and thirty-nine of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred eight) are hereby further amended to read as follows

Section 537 In all school districts of the second third and fourth class all school taxes shall be levied and assessed by the board of school directors therein during the month of April or May each year for the ensuing fiscal year and in school districts of the second class shall not exceed twenty mills on the dollar and in school districts of the third and fourth class shall not exceed twenty-five mills on the dollar on the total amount of the assessed valuation of all property taxable for school purposes therein Provided That each school district of the second third or fourth class may also collect a per capita tax on each resident or inhabitant of such district over twenty-one years of age not subject to tax on real property as herein provided

Section 539 In order to enable the board of school directors in all school districts of the second class to levy and assess the necessary school taxes required by such school district each year the city clerk or other proper official shall annually on or before the first day of April in each year at the expense of the city furnish to each school district of the second class for its use to be retained by it a properly certified duplicate of the last adjusted valuation of all real estate personal property and a list of all residents or inhabitants made taxable in such school district of the second class stating the name of each taxable the valuation and kind of property assessed all of which real estate personal property and residents or inhabitants not subject to tax on real property are hereby made taxable for school purposes in each such school district of the second class The properly certified duplicate herein required to be furnished each school district of the second class at the expense of the city shall consist of a bound book printed and indexed according to the form to be submitted by the secretary of the board of school directors of each such school districts to the city clerk or other proper official on or before the first day of January of each year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 755, as follows:

An Act authorizing school districts with the approval of the court of common pleas to negotiate temporary emergency loans for certain purposes during the year one thousand nine hundred thirty-three and under certain circumstances to refund such loans annually for a certain period

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That to meet emergencies occasioned by business depression and wide-spread unemployment it shall be lawful for the board of school directors of any schol district with the approval of the court as hereinafter provided to authorize the creation of one or more temporary loans during the year one thousand nin ehundred thirty-three Such temporary loans shall not exceed in the aggregate sixty per centum of the total amount of the taxes for the year one thousand nine hundred thirty-two and prior years delinquent and uncollected at the date of any loan and against which no prior unpaid emergency loans are outstanding The proceeds of any loan or loans created under the provisions of this section by any school district shall be used only for the payment of the salaries of teachers and other full-time employes

Section 2 Whenever the board of school directors of any school district shall desire to authorize a loan under the provisions of section one of this act they shall direct their solicitor to present to the court of common pleas or a court of common pleas of the county a petition requesting the courts approval of such loan The court shall upon presentation of such petition fix a time for a hearing the same to be at least five days subsequent to such presentation and shall direct that notice of the time and place of hearing be given forthwith by publication in a newspaper of general circulation in the county At the time fixed for hearing it shall be the duty of the solicitor of the school district proposing to make the loan to show to the court that the same is reasonably necessary for the purpose for which it is intended and the court shall hear any taxpayer or taxpayers who shall appear and desire to be heard in opposition to the proposed loan If the court shall be of the opinion that the loan is reasonably necessary for the purpose for which it is intended it shall approve the same otherwise it shall disapprove the loan The decision of the court shall be final

Section 3 The temporary emergency borrowing power hereby granted shall be in addition to the temporary borrowing power if any granted to school districts under existing law Any loans negotiated under the provisions of this act shall be evidenced by notes maturing not later than the end of the year one thousand nine hundred thirty-three and payable out of the income of said year and unless such loans shall be paid within said year they shall be paid out of the receipts of the year one thousand nine hundred thirty-four before ordinary appropriations may be made therefrom or out of the proceeds of a temporary refunding loan made under the following sections of this act

Section 4 (a) If necessary it shall be lawful for the board of directors of any school district which shall have negotiated a temporary emergency loan or loans under the provisions of section one of this act to authorize the creation of one or more temporary loans during the year one thousand nine hundred thirty-four in an aggregate amount not exceeding the total amount of uncollected delinquent taxes against which no prior unpaid emergency loans are outstanding for the year

one thousand nine hundred thirty-three and prior years the proceeds of such loan to be used to refund loans made under section one of this act Such loans shall be evidenced by notes maturing not later than the end of the year one thousand nine hundred thirty-four and payable out of the income of said year and unless such loans shall be paid out of the receipts of said year they shall be paid out of the receipts of the year one thousand nine hundred thirty-five before ordinary appropriations may be made therefrom or out of the proceeds of a temporary refunding loan made under the following subsection

(b) If necessary similar refunding loans may be made during each of the years one thousand nine hundred thirty-five one thousand nine hundred thirty-six and one thousand nine hundred thirty-seven not exceeding however the total amount of the uncollected delinquent taxes against which no prior unpaid emergency loans are outstanding for the years one thousand nine hundred thirty-four one thousand nine hundred thirty-five and one thousand nine hundred thirty-six respectively and all prior years

Section 5 It shall be the mandatory duty of the controller or auditor of any school district upon request of the board of directors to prepare a certificate of the amount of uncollected delinquent taxes owing to the school district for the years specified in the request Such certificates shall be acknowledged and filed with the officers respectively charged with the duty of preserving the official records of such school districts The certificate of the controoller or auditor when filed as hereinbefore provided shall be conclusive for the purpose of determining the amount of any temporary loan authorized by this act should any controller or auditor fail or neglect within five days after any request therefor to file his certificate as hereinbefore required a similar request may be made to the receiver of taxes or other official charged with the duty of collecting such delinquent taxes and his certificate when acknowledged and filed shall have the same force as that of the controller or auditor

Section 6 Temporary loans created for any purpose under the provisions of this act shall not require the approval of the Department of Internal Affairs

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2339 (Senate Bill No. 785), as follows:

An Act to amend section fifty and section two hundred and twenty as amended of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland awters and the boundary lakes and boundary rivers of the Commonwealth" by permitting and regulating the use of eel chutes

Whereas The eel (Anguilla rostrata) is a catadromouns fish going down stream in the fall of the year to spawn in the depths of the ocean and

Whereas It does not feed nor bite at bait while on its downward migration and therefore cannot be caught by any device now legal in Pennsylvania and

Whereas after having left our streams the same eels never return to them thus resulting in a permanent economic loss to our citizens and

Whereas The eels which go with legal protection down our streams and are caught by fishermen in other states and regions below Pennsylvania are shipped back to us at high prices and

Whereas To permit our own fishermen to catch them while on their downward migrations would provide food and occupation for many of our citizens therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fifty of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary ricers of the Commonwealth" is hereby amended to read as follows

Section 50 DEVICES TO CATCH GAME-FISH AND BAIT-FISH No person shall use any device means or method whatso ever except a sin this article otherwise provided for taking fish from the waters within this Commonwealth except the following that is to say for

(a) Game fish two rods and two lines and one hand line with not more than three hooks attached to either line

(b) Bait-fish two rods and two lines with not more than three hooks attached to each line a dip net or minnow seine not over four feet square or four feet in diameter a minnow trap with not more than one opening which shall not exceed one inch in diameter The rods hooks and lines must be under the immediate control of the person using the same

(c) Eels in rivers of this Commonwealth in addition to such rods and lines eel chutes from the first day of August to the last day of November in each year Sundays excepted but only from four o'clock in the afternoon to eight o'clock in the morning on such days when a special license therefor in additino to the regular fishing license has been first secured Eel chutes to be lawful shall not have any wings of netting of any kind or any cloth or wire netting but shall be constructed of wooden slats or lath which shall not be closer than one-half inch in the bottom Eel chutes shall not be more than five feet long and the width of entrance of an eel chute shall not be more than ten feet A metal tag issued at the time the special license is secured shall be scurely fastened to the eel chute in a conspicuous place

No wings walls of stone or other material shall be constructed for more than three-fourths of the distance across any river The heads of no two wing walls when constructed side by side shall be closer together than a distance of twenty feet.

All eel chutes must be kept free of rubbish and all game fish found therein must be immediately returned to the water of the river uninjured

During the hours of each day and on Sunday when the operation and use of eel chutes is not legal under this section a portion of the bottoms of such chutes shall be removed to facilitate the unobstructed passage of fishes

Section 2 That section two hundred and twenty of said act which was amended by section one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred fifty-one) is hereby further amended to read as follows

Section 220 RESIDENT FISHING LICENSE FEES For the purposes of this article every sixteen years of age and upward upon application to any county treasurer within the Commonwealth or to the Department of Revenue and the presentation of proof that he has been a bona fide resident of this Commonwealth for a period of thirty days preceding his application and was born in the United States or was fully naturalized under the laws of the United States shall upon the payment to the county treasurer or the Department of Revenue of a license fee one dollar and fifty cents for the use of the Commonwealth and in the event that the license is issued by a county treasurer a fee of ten cents for the use of the county treasurer be entitled to the license herin referred to as "A resident fishing license"

Upon the making of an application by any person to the Department or county treasurer for a special license to catch eels by the use and operation of eel chutes and the payment of a fee of one dollar for the use of the Commonwealth and tn cents for the use of the county treasurer where application is made to him such person shall be entitled to a special eel chute license and a special metal tag which shall give him the right to use and operate an eel chute in the Susquehanna river below the northern boundary of Berwick on the north branch below the bridge at the Northumberland-Lycoming County line on the west branch in the Juniata River below Mount Union and in the Delaware River below Easton in accordance with the provisions of this act

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 10.

An Act to repeal the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred seventy-eight) entitled "An act creating a nomic social industrial agricultural educational civic and rec-'Greater Pennsylvania Council' for the promotion of the eco-reational welfare of the Commonwealth of Pennsylvania and its citizens prescribing the organization powers and duties of said council and making an appropriation"

HOUSE BILL No. 92.

An Act permitting fishing on Sunday with one rod and two hooks in boundary streams and fixing penalties

HOUSE BILL No. 254.

An Act making an appropriation to the Abington Memorial Hospital, Montgomery County, Pennsylvania.

HOUSE BILL No. 266.

An Act making an appropriation to the Hospital of the Women's Medical College of Pennsylvania, located at Henry Avenue and Abbotsford Road, East Falls, Philadelphia, Pennsylvania.

HOUSE BILL No. 314.

An Act to amend section seven hundred five of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended permitting co-operation only in the manner known as driving in the killing of more than one legal deer 'n one season by a member at a camp or body of men hunting together so long as the number of deer killed by such camp does not exceed six

HOUSE BILL No. 425.

An Act making an appropriation to The Glen Mills Schools for Boys, situate in Delaware County, Pennsylvania.

HOUSE BILL No. 427.

An Act making an appropriation to the Sleighton Farm School For Girls, situate in Delaware County, Pennsylvania.

HOUSE BILL No. 500.

An Act to amend the act, approved the twenty-fifth day of February, one thousand eight hundred and seventy-five (P. L. 4), entitled "A supplement to the act, approved March thirty-first, one thousand eight hundred and sixty, entitled 'An act to consolidate, revise and amend the penal laws of this Commonwealth,' further defining the offence of kidnapping, and affixing additional penalties thereto," by increasing the penalty for kidnapping of children under the age of sixteen years with intent to extort money for restoration.

HOUSE BILL No. 513.

An Act making an appropriation to the Wayne County Memorial Hospital, at Honesdale, Pennsylvania.

HOUSE BILL No. 752.

An Act making an appropriation to the Northern Tier Home, Harrison Valley, Potter County, Pennsylvania.

HOUSE BILL No. 846.

An Act to appropriate money in the Motor License Fund to the Department of Highways for the purpose of paying commissary supplies heretofore furnished said Department.

HOUSE BILL No. 903.

An Act to amend section four hundred and twenty-three of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by requiring application for payment of allowance for burial of widows of certain soldiers, sailors or marines to be made within one year.

HOUSE BILL No. 979.

An Act to amend section five of the act approved the twenty-ninth day of June, one thousand nine hundred and twenty-three (P. L. 944), entitled "An act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks, in counties of the sixth class"; providing that county officers shall be members of the salary board when matters affecting their offices are under consideration.

HOUSE BILL No. 982.

An Act making an appropriation to the Home for Aged Couples of the City of Philadelphia located at seventeen hundred and twenty-three Francis Street Philadelphia Pennsylvania

HOUSE BILL No. 1060.

An act making an appropriation to the Maple Avenue Hospital Association of DuBois, at DuBois, Pennsylvania.

HOUSE BILL No. 1124.

An Act to amend section two hundred and ninety-five of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by limiting the compensation of the clerk to the jury commissioners in counties of the sixth class.

HOUSE BILL No. 1138.

An Act making an appropriation for the purchase of a history of the One Hundred and Ninth Field Artillery of the Pennsylvania National Guard, and providing for the distribution thereof.

HOUSE BILL No. 1140.

An Act to amend paragraph nine of section one as amended and section thirteen of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred fifty-eight) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further extending the time limit for becoming original members of the retirement association and limiting total annuities to five thousand dollars

HOUSE BILL No. 1185.

An Act creating borough and township poor districts in the County of Wyoming to be administered by overseers of the poor and abolishing the county poor district

HOUSE BILL No. 1205.

An Act exempting household furniture and household goods leased, hired or conditionally sold from levy and sale on execution or distress for rent.

HOUSE BILL No. 1383.

An Act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for depositories of county funds in counties of the third class

HOUSE BILL No. 1415.

An Act imposing penalties for improper use of food orders issued by or under the authority of the State Emergency Relief Board or any poor board or other relief agency and improper furnishing of money food and other merchandise thereon

HOUSE BILL No. 1466.

An Act making an appropriation to the Meadville City Hospital, Meadville, Pennsylvania.

HOUSE BILL No. 1550.

A Supplement to the act approved the second day of April, one thousand eight hundred and sixty (P. L. 538), entitled "An act to authorize the erection of a poor house by the township of Wilkesbarre in Luzerne county," authorizing the Central Poor District to create indebtedness.

HOUSE BILL No. 1636.

An Act to validate certain municipal liens in the several cities of the third class of the Commonwealth of Pennsylvania and providing the proceedings for the revival and collection thereof

HOUSE BILL No. 1647.

An Act to amend sections eight and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases

HOUSE BILL No. 1758.

An Act to repeal the act approved the eighth day of July one thousand nine hundred nineteen (Pamphlet Laws seven hundred seventy) entitled "An act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions and providing penalties."

HOUSE BILL No. 1761.

An Act authorizing the county commissioners of certain counties to levy and collect the taxes necessary to pay the interest and principal of any bonds heretofore issued by any one of said counties to repay the money borrowed to maintain and support their poor.

HOUSE BILL No. 1774.

An Act establishing portions of certain highways lying partially within the corporate limits of cities boroughs or incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

HOUSE BILL No. 1779.

An Act to amend section one of the act, approved the eighth day of June, one thousand nine hundred twenty-three (Pamphlet Laws, six hundred eighty-five), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth," by increasing certain fees to be collected by the Secretary of the Commonwealth.

HOUSE BILL No. 1808.

An Act to amend section one thousand eight hundred and six of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the admiinistrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" defining the powers of persons appointed to police State parks.

HOUSE BILL No. 1809.

An Act to amend section forty of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as amended changing the number of trout allowed to be caught in one day.

HOUSE BILL No. 1898.

An Act to further amend section seven hundred fourteen of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts, and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivision, every person, association and corporation, required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further defining deductions in case of reinsurance.

HOUSE BILL No. 1899.

An Act to further amend section three hundred twenty-one of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, six hundred eighty-two), entitled "An act relating to insurance, amending, revising, and consolidating the law providing for the in-

corporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further defining deductions in case of reinsurance.

HOUSE BILL No. 1891.

An Act making an appropriation to the Department of Property and Supplies to erect steps from the Soldiers and Sailors Memorial Bridge to Baum and Linden streets.

HOUSE BILL No. 1897.

An Act to further amend section twenty-four of the act approved the first day of June, Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred twenty), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by further defining deductions in case of reinsurance.

HOUSE BILL No. 2106.

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

HOUSE BILL No. 2156.

An Act to amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifty sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the procedure to create the office of county controller including procedures where decrees have heretofore been entered

HOUSE BILL No. 583.

An Act making an appropriation to the several fire companies of the city of Harrisburg, Pennsylvania.

HOUSE BILL No. 756.

An Act to amend part of section two of the Appropriation Acts of one thousand nine hundred and thirty-one (Act Number fifteen-A page sixteen) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one" amending the appropriation relating to the Coaldale State Hospital.

HOUSE BILL No. 128.

An Act making an appropriation to the Margaret Henry Children's Home, New Castle, Pennsylvania.

HOUSE BILL No. 484.

An Act making an appropriation to the Saint Francis Hospital of the City of Pittsburgh of Pennsylvania.

HOUSE BILL No. 670.

An Act making an appropriation to the New Future Association, located on Sherman Avenue, North Side, Pittsburgh, Pennsylvania.

HOUSE BILL No. 864.

An Act to repeal article twenty-one of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

HOUSE BILL No. 911.

An Act to amend sections four and five of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on non-payment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by providing for the extension of the period during which such taxes shall remain liens on real estate; and authorizing the filing of such liens in the prothonotary's office.

HOUSE BILL No. 1022.

An Act to amend sections one hundred and one and six hundred and one of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," as amended by removing the raccoon from the list of fur-bearing animals.

HOUSE BILL No. 1063.

An Act making an appropriation to the Friendship Home, nineteen hundred thirty-nine North Twenty-second Street, Philadelphia.

HOUSE BILL No. 1125.

An Act fixing the compensation and mileage of jury commissioners in counties of the sixth class

HOUSE BILL No. 1199.

An Act to amend section two hundred and eight of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrains, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, alderman, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garages keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" by providing for the continuance of a lien on motor vehicles where ownership is changed by operation of law or judicial sale, and determining the effect of the issuance of a certificate of title showing a lien or encumbrance.

HOUSE BILL No. 1204.

An Act to abolish the action of account render and to repeal certain acts and parts of acts relating thereto.

HOUSE BILL No. 1206.

An Act to abolish the action of dower, and to repeal certain acts and parts of acts relating thereto.

HOUSE BILL No. 1207.

An Act to abolish the action of detinue.

HOUSE BILL No. 1312.

An Act providing for the filling of vacancies in certain county offices in counties of the first class and fixing the terms of such appointees.

HOUSE BILL No. 1313.

An Act making an appropriation to the Colored Children's Bureau located at seven hundred twenty-two North Forty-third Street Philadelphia Pennsylvania

HOUSE BILL No. 1441.

An Act to amend section one of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 434), entitled, "An act to empower courts of competent jurisdiction to issue writs of execution against property of defendant, and attachment execution or in the nature of attachment execution against trusts, including those commonly known as spendthrift trusts, no matter when such trusts were created, in cases where an order, award, or decree has been made against a husband for the support of his wife or children, or both, making an attachment execution against trusts, a continuing lien and levy for fifty per centum of such money or property until the order, judgment, or decree is paid in full with costs; and abolishing the benefit of the exemption law in such cases," by making such support orders, decrees and judgments liens against real property of the husband.

HOUSE BILL No. 1499.

An Act to amend section three of article five and section three of article six of an act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one), entitled "An act for the better government of cities of the first class of this Commonwealth," by transferring the care, management, administration and supervision of electrical lighting from the Department of Public Safety to the Department of Public Works.

HOUSE BILL No. 1563.

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 883), entitled "An act relating to the proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the execution or process, and relieving the sheriff from liability therefor," by further prescribing procedure upon rules for inter-pleaders.

HOUSE BILL No. 1733.

An Act making an appropriation to Willow Crest for Convalescents, Philadelphia, Pennsylvania.

HOUSE BILL No. 1777.

An Act to amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (Pamphlet Laws, eight hundred twenty-eight), entitled, "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint stock associations and providing the manner of collecting such tax, and prescribing penalties," by extending the exemptions from the tax imposed by the said act.

HOUSE BILL No. 1948.

An Act to amend section one of an act approved the eleventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred thirty-eight) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of the courts of oyer and terminer general jail delivery and quarter session of the peace in counties of this Commonwealth having a population of over eight hundred thousand inhabitants as compared by the last preceding United States census" as amended by extending said act to counties of the second class changing and further fixing the fees to be charged by said clerks

HOUSE BILL No. 2042.

An Act making an appropriation to the Milton Wright Memorial Home of Franklin County Pennsylvania

HOUSE BILL No. 2103.

An Act providing for the reimbursement by the State of counties for costs and the maintenance of prisoners imposed as a result of prosecutions under laws, providing that fines and penalties imposed under such laws or forfeited bail recovered as the result of such prosecutions shall be payable into the State Treasury or any fund thereof; providing for the audit of the accounts of counties by the Auditor General, and for the collection of amounts due from counties, and for appeals by counties to the Board of Finance and Revenue; and imposing powers and duties on the Auditor General and the Department of Revenue and certain duties upon counties repealing inconsistent acts and making an appropriation.

HOUSE BILL No. 1933.

An Act to amend section two of an act approved the twenty-first day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred twenty-seven) entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto" by giving the Governor of this State authority to deliver up certain imprisoned persons for the purpose of trial for murder in the demanding state under certain conditins

HOUSE BILL No. 2009.

An Act exempting the net amount payable under policies of accident and disability insurance from the claims of creditors

HOUSE BILL No. 534.

An Act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties

HOUSE BILL No. 687.

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims of the Commonwealth not paid before the insolvency of the insurance carrier.

HOUSE BILL No. 446.

An Act making an appropriation to the Department of Property and Supplies to be expended by it in payment to the Harisburg Railways Company of the City of Harrisburg of the unpaid balance of the damages occasioned by the erection by the Commonwealth of the Soldiers and Sailors Memorial Bridge.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 27, 1933.

Resolved (if the Senate concur), That House Bill No. 1649, Printer's No. 377, entitled "An act to reenact section one and to amend section six of the act approved the thirteenth day

of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred nineteen) entitled 'An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies' as amended by reestablishing the Anatomical Board of the State of Pennsylvania and making the board self-sustaining," be recalled from the Governor for further consideration.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 27, 1933.

Resolved (if the Senate concur), That House Bill No. 1791, Printer's No. 1012, entitled "An act making an appropriation in the Motor License Fund to the Department of Public Instruction, and providing for the repayment of such moneys from the General Fund," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 27, 1933.

Resolved (if the Senate concur), That House Bill No. 1678, Printer's No. 355, entitled "An act to amend the act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled 'A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" providing for the registering of federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bonds holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permitees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act' by abolishing the Pennsylvania Alcohol Permit Board and transferring the powers and duties of the board to the Department of Health," be recalled from the Governor for further consideration.

ADJOURNMENT

Mr. McGINNIS. Mr. Speaker, I move that this House do now adjourn until Monday evening, May 1, 1933, at 9.00 o'clock.

The motion was agreed to, and (at 1.53 P. M.) the House adjourned until Monday, May 1, 1933, at 9.00 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., MONDAY, MAY 1, 1933 — No. 58

SENATE

MONDAY, MAY 1, 1933

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Almighty God, our Heavenly Father, we thank Thee this glorious May day evening for this day and for all of the blessings of Thy world about us. Bless this Senate tonight. Bless the President and Secretary and Chief Clerk and all who work so hard on committees and as members of the Senate of the State which we all love. Help us to realize that the Commonwealth of Pennsylvania is dearer to our hearts than any one man or number of men, and that we work and are willing to work for Pennsylvania. Bless us all tonight and keep us in Thy fear as in Thy love. We ask in Thy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to rea dthe Journal of the preceding session, when, on motion of Mr. SORDONI, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. FAY asked and obtained leave of absence for the Senator from Fayette, Mr. Bell.

Mr. SCOTT asked and obtained leave of absence for the Senator from Berks, Mr. Norton.

PETITION

FAVORING SENATE BILL No. 1419

The Chair cleared his table and laid before the Senate petition from the Pennsylvania Security League, of Harrisburg, favoring Senate Bill No. 1419.

Which was referred to the Committee on Judiciary General.

MEMORALIZING CONGRESS TO GIVE RELIEF TO THE OIL INDUSTRY

The Chair cleared his table and laid before the Senate resolution adopted by the Legislature of Oklahoma memoralizing Congress to give relief to the oil industry by levying a tax upon imported petroleum.

Which was referred to the Committee on Federal Relations.

FAVORING IMMEDIATE ACTION ON ALL LABOR BILLS

Mr. ARON presented petition from the American Federation of Full Fashioned Hosiery Workers, of Philadelphia, favoring immediate action on all labor bills.

Which was referred to the Committee on Judiciary General.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Represntatives as follows:

House Bill No. 1338 (Senate Bill No. 1495), entitled:

An Act to amend section six and eight of the act approved the first day of May, one thousand nine huidred and twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," as amended, further regulating the licensing of such real estate brokers and real estate salesmen.

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN SENATE BILL No. 787

He also returned to the Senate, Senate Bill No. 787, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and work relief,

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 518

He also returned to the Senate, Senate Bill No. 518, entitled:

An Act to amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws three hundred five) entitled "An act fixing the pay of election officers and clerks in counties of the second class" as amended by fixing the compensation of judges of elections for services mileages and expenses of delivering the primary and election returns and ballot boxes into proper custody providing compensation to minority inspectors in certain cases for services mileage and expenses of delivering the minority inspectors primary and election returns if any and the ballot boxes into proper custody and repealing inconsistent general local and special legislation

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 893

He also returned to the Senate, Senate Bill No. 893, entitled:

An Act to amend section one of the act approved the twenty-sixth day of April, one thousand nine hundred and twenty-nine (P. L. 836), entitled "An act providing for a separate ballot when constitutional amendments or other questions are submitted to the vote of the people" by providing that such constitutional amendments or other questions may be printed upon a separate ballot,

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 1331

He also returned to the Senate, Senate Bill No. 1331

An Act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts.

with the information that the House has passed the same without amendment.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 385

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses in relation to House Bill No. 385, entitled:

An Act providing for the fixing of salaries or compensation of all appointed officers, clerks and other employes paid from the county funds in counties of the sixth, seventh and eight classes; and creating salary boards in certain counties.

SENATE BILL No. 391 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 391, entitled:

An Act to amend sections six hundred and fifteen and six hundred and sixteen and six hundred and twenty of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing of operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds"; as amended limiting the circumstances under which an operator's license or learner's permit may be suspended providing that an appeal from such action by the secretary shall act as a supersedeas and modifying the penalties for violation of license provisions.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 3, line 27 by striking out before the figure "1" the light-faced bracket; also page 4, line 1 by striking out before the word "or" the light-faced bracket; also line 2 by striking out after the word "highways" the light-faced bracket; also line 3 by striking out the figure "2" in light-faced brackets and the figure "1" and inserting in lieu thereof the figure "2"; also line 6 by striking out the figure "3" in light-faced brackets and the figure "2" and inserting in lieu thereof the figure "3"; also line 3 by striking out the figure "4" in light-faced brackets and the figure "3" and inserting in lieu thereof the figure "4"; also line 12 by striking out the light-faced bracket before the letter "(b)"; also line 27 by striking out the letter "(c)" in light-faced brackets and the letter "(b)" and inserting in lieu thereof the letter "(c)"; also page 5, line 4 by striking out the letter "(d)" in light-faced brackets and the letter "(c)" and inserting in lieu thereof the letter "(d)"; also line 15 by striking out the letter "(e)" in light-faced brackets and the letter "(d)" and inserting in lieu thereof the letter "(e)"; also line 23 by striking out the letter "(f)" in light-faced brackets and the letter "(e)" and inserting in lieu thereof the letter "(f)"; also line 25 by striking out the light-faced bracket before the word "or"; also line 27 by striking out after the word "orders" the light-faced bracket; also by striking out after the word "orders" the words "of record"; also page 6, line 1 by striking out the letter "(g)" in light-faced brackets and the letter "(f)" and inserting in lieu thereof the letter "(g)"; also line 6 by striking out the letter "(h)" in light-faced brackets and the letter "(g)" and inserting in lieu thereof the letter "h"; also line 16 by inserting after the word "act" the section following: (h) In all cases where an operator or learner has been summoned to appear before a magistrate for a hearing upon a charge of violating the Motor Vehicle Code and forfeits any bail pledged for his appearance at said hearing or remits to the magistrate the minimum fine and costs imposed by this statute for any violation rather than appear for a hearing before the magistrate and the Secretary by reason thereof determines to inquire into the circumstances out of which said charge or charges arose the Secretary or his representative shall notify by registered letter mailed to and received by such operator or permitted at least fifteen days before a day certain fixed in said notice that the said operator or permittee shall appear at an hour certain at some convenient place in the county in which said operator or permittee resides to explain the circumstances of the charges made against him for the purpose of determining whether or not such operator's license or learner's permit shall be suspended or revoked Said notice shall be accompanied with a complete copy of all reports and charges made to the Secretary by the officer complaining to said magistrate and inform said operator or permittee that he may produce any witnesses he may have to testify to matters relating to said charge Said operator or permittee if he wishes may be represented by his attorney or counsel who shall be privileged to examine and cross-examine and cross-examine any or all of said witnesses the same as if said hearing were being conducted by a court of record"; also line 21 by striking out before the word "days" the following: "ten (10)" and inserting in lieu thereof "twenty (20)"; also page 7, line 21 by striking out after the syllable "ment" the following: "[upon demand] as required" and inserting in lieu thereof the words "upon demand"; also page 8, line 24 by striking out after the word "of" the following: "not less than ten "($10)" dollars nor more than"; also page 9, line 3 by striking out after the word "of" the following: "not less than fifty ($50) dollars nor more than"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Ordered, That the Clerk inform the House of Representatives accordingly.

YEAS—46

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Owlett,	Shapiro,
Baumer,	Gelder,	Parkinson,	Snyder,
Bennett,	Graff,	Pethick,	Sones,
Boyd,	Harris,	Pierson,	Sordoni,
Brandt,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Quigley,	Thompson,
Chapman,	Howell,	Reed,	Trainer,
Clark,	Hunsicker,	Rice,	Williamson,
Coyne,	Krause,	Roberts,	Woodward,
Ealy,	Lanius,	Salus,	Ziesenheim,
Einstein,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 103 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 103, entitled:

An Act to abolish the December assessment and registration of voters; and repealing inconsistent legislation.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line 2, by inserting after the word "assessment" the words "and registration"; also section 1, page 12, line 4, by striking out after the article "the" the word "December" and inserting in lieu thereof the word "annual"; also by inserting after the word "assessment" the words "and registration"; also line 5, by inserting after the word "Commonwealth" the following: "commencing on the first Monday in December and ending on the sixty-first day before the third Tuesday in February"; also line 7, by inserting after the word "assessment" the words "and registration"; also page 2, line 10, by inserting after the word "making" the article "the"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Owlett,	Shapiro,
Baumer,	Gelder,	Parkinson,	Snyder,
Bennett,	Graff,	Pethick,	Sones,
Boyd,	Harris,	Pierson,	Sordoni,
Brandt,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Quigley,	Thompson,
Chapman,	Howell,	Reed,	Trainer,
Clark,	Hunsicker,	Rice,	Williamson,
Coyne,	Krause,	Roberts,	Woodward,
Ealy,	Lanius,	Salus,	Ziesenheim,
Einstein,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 13 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 13, entitled:

An Act to amend section two of the act, approved the thirtieth day of January, one thousand eight hundred and seventy-four (P. L. 31), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended, eliminating one of the days required of registry assessors sitting at the polling places.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 4, line 15, by inserting after the word "first" the words "and second"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Owlett,	Shapiro,
Baumer,	Gelder,	Parkinson,	Snyder,
Bennett,	Graff,	Pethick,	Sones,
Boyd,	Harris,	Pierson,	Sordoni,
Brandt,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Quigley,	Thompson,
Chapman,	Howell,	Reed,	Trainer,
Clark,	Hunsicker,	Rice,	Williamson,
Coyne,	Krause,	Roberts,	Woodward,
Ealy,	Lanius,	Salus,	Ziesenheim,
Einstein,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 1659 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1659, entitled:

An Act to further amend section seventeen of the act approved the fourteenth day of June, one thousand nine hundred and twenty-three (P. L. 710), entitled "Boxing and Wrestling Law," by increasing certain license fees.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line 5, by striking out after the word "entitled" the following: "An act to amend section seventeen of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An" and inserting in lieu thereof the word ""An"; also line 13, by striking out after the word "prescribing" the word "penalties"" and inserting in lieu thereof the word "penalties""; also section 1, page 2, line 6, by striking out after the word "entitled"; the word "AAn" and inserting in lieu thereof theword "An"; also line 11, by striking out ot the beginning of the line "olties"" and inserting in lieu thereof "alties""

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Owlett,	Shapiro,
Baumer,	Gelder,	Parkinson,	Snyder,
Bennett,	Graff,	Pethick,	Sones,
Boyd,	Harris,	Pierson,	Sordoni,
Brandt,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Quigley,	Thompson,
Chapman,	Howell,	Reed,	Trainer,
Clark,	Hunsicker,	Rice,	Williamson,
Coyne,	Krause,	Roberts,	Woodward,
Ealy,	Lanius,	Salus,	Ziesenheim,
Einstein,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 566 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 566, entitled:

A Supplement to an act approved May sixth one thousand nine hundred and thirty-one (Pamphlet Laws ninety-nine) entitled "An act to amend section seven of the act approved the fifth day of March one thousand seven hundred and ninety-one (three Smith's Laws six) entitled 'An act to enable the Governor to appoint Notaries Public and for other purposes therein mentioned' prescribing the form of notary seal" by providing that the presence of the arms of this Commonwealth on the seal of the notary public commissioned after the approval of the effective date of the act to which this is a supplement shall not invalidate said seal or the notarial acts instruments or attestations authenticated by such seal

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line 11, by striking out after the word "of" the article "the" and inserting in lieu thereof the article "a"; also line 12, by striking out the first word of the line "commissioned" and inserting in lieu thereof the word "reappointed"; also by striking out after the word "after" the words "the approval of"; also line 13, by inserting after the word "supplement" the following: "and prior to the effective date of this act"; also section 1, page 1, line 4, by striking out after the word "public" the word "commissioned" and inserting in lieu thereof the word "reappointed"; also page 2, line 1, by inserting after the word "supplement" the following: "and prior to the effective date of this act"; also line 8, by inserting after the word "seal" the following: "during the term for which he or she was reappointed"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Owlett,	Shapiro,
Baumer,	Gelder,	Parkinson,	Snyder,
Bennett,	Graff,	Pethick,	Sones,
Boyd,	Harris,	Pierson,	Sordoni,
Brandt,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Quigley,	Thompson,
Chapman,	Howell,	Reed,	Trainer,
Clark,	Hunsicker,	Rice,	Williamson,
Coyne,	Krause,	Roberts,	Woodward,
Ealy,	Lanius,	Salus,	Ziesenheim,
Einstein,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 1107 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1107, entitled:

An Act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 3, page 3, line 4, by striking out after the word "personnel" the word "hereof" and inserting in lieu thereof the word "thereof"; also section 7, page 5, line 8, by striking out after the word "written" the word "proposal" and inserting in lieu thereof the word "proposals"; also section 8, page 7, line 24, by striking out after the word "of" the word "fine" and inserting in lieu thereof the word "fire"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Owlett,	Shapiro,
Baumer,	Gelder,	Parkinson,	Snyder,
Bennett,	Graff,	Pethick,	Sones,
Boyd,	Harris,	Pierson,	Sordoni,
Brandt,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Quigley,	Thompson,
Chapman,	Howell,	Reed,	Trainer,
Clark,	Hunsicker,	Rice,	Williamson,
Coyne,	Krause,	Roberts,	Woodward,
Ealy,	Lanius,	Salus,	Ziesenheim,
Einstein,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

MOTION TO DISCHARGE COMMITTEE FROM FURTHER CONSIDERATION OF SENATE BILL No. 904 (HOUSE BILL No. 67

Mr. SHAPIRO. Mr. President, I move that the committee on Pensions and Gratuities be discharged from further con-

sideration of House Bill No. 67, Senate Bill No. 904, entitled: "A Joint Resolution proposing an amendment to section seven, article nine of the Constitution of the Commonwealth of Pennsylvania," enacted April 4, 1933, said bill having been in the hands of said committee for more than five days, having been referred on April 5th, 1933.

On the question,

Will the Senate agree to the motion?

Mr. BUCKMAN. Mr. President, I move that the motion, or resolution, be referred to the Committee on Pensions and Gratuities.

Mr. WOODWARD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HARRIS. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his point of order.

Mr. HARRIS. Mr. President, there is no resolution before this body. A motion has been made by Senator Shapiro, and properly seconded, and it is not within the province of the Chair to refer this to a committee. It is not a resolution.

The PRESIDENT. The point is well taken by the Senator from Allegheny, Mr. Harris. The question is on the adoption of the motion made by Mr. Shapiro.

Mr. BUCKMAN. Mr. President, before the Senate votes on this motion I desire to call the attention of the Senate to the effect of the motion. This motion refers to the bill which was referred to the Committee on Pensions and Gratuities, having to do with the question of old age pensions. That bill has been in the Committee, as stated in the motion, since April 5th. The Committee has considered that bill and has held a hearing upon it and has not, as yet, reported it from Committee. During the years, about twenty-four years, that I have been in this Senate, I have never known a motion like this to prevail. If this motion prevails then our form of conducting legislation is wrong. The rules of this Senate provide that all bills shall be referred to committee and by them considered, and if this Senate is going to vote to discharge this committee then our rules are all wrong.

I realize that the merits of this bill are not debatable at this time. I realize that there are a number of members of this Senate who would like to see this bill pass, I also realize that there are a great many members who object to its passage and I submit to the Senate and to each and every member of this Senate that this is not the proper method of legislating a bill of this sort and I ask that the members of this Senate stand by the traditions of this Senate and let us work out these matters in committee and that we do not vote to discharge the committee from further consideration of this bill. I earnestly ask this and I ask each and every member before he casts his vote on this motion to consider the effect of it on future legislation. If we are governed by committees, as we always have been, there is no reason why this rule should be deviated from at this time. I ask the Senators to vote "no" on this motion.

Mr. SALUS. Mr. President, in answer to the Senator from Bucks, Mr. Buckman, I do not want to enter into any discussion of the bill, but I think he made a mistake in one of his statements. In his time, I think a Senate committee was discharged, and that was the committee in charge of the full crew bill. That happended in his time and I think he has overlooked it.

Mr. SNYDER. Mr. President, unfortunately I did not understand the remarks made by Senator Salus but I do have this to say upon the motion which is before the Senate. Necessarily the discussion must be limited to the merits of the motion and it may be unfortunate or fortunate, I cannot agree with one word that was uttered by Senator Buckman. He called our attention to the fact that if this motion carried it would break down the traditions of this Senate, which have been established for a long time. Mr. President and members of the Senate, there are times even in the history of the State Senate of Pennsylvania when traditions must be broken and in that connection with this motion, which is now before us, I believe that such time has arrived. I take issue with the Senator from Bucks, when he states that this is a question of the traditions of the State Senate, I believe it is rather a question of traditions of those that have been in control of the political affairs of the State. It may be true that it has not happened before that such a motion was presented, and yet I have some recollection of a time, I believe in 1911, before my time in the Senate, when such a motion was presented, and as I remember it, favorable action was taken upon such a motion. If I am incorrect in this statement I want to call especial attention to the fact that this is not the ordinary issue before the State Senate. Let me call your attention, my fellow members of the Senate, to the history of old age pensions in Pennsylvania. Those of who were privileged to serve your constitutents in 1923, remember very well what happened then. There was a period of great glorification in the State of Pennsylvania. They tell me that in those days, when that old age pension bill was being considered by the Legislature, there was a great deal of ado about it. I understand there were motion pictures taken, I understand that the Governor of this State at that particular time stated quite definiely that the time had arrived when errors of the past should now be corrected, but in my humble judgment this motion now before us does more than determine the question of referring it back to committee, or even of attempting to discharge the committee. To state this very frankly, I believe that a vote against this motion means nothing more than a vote against old age pensions. I assume that what the public press reports is correct. I do know that hearings were held, or at least a hearing, I do know that the fact upon which this motion was presented has not changed since 1921 in the State of Pennsylvania, nor will they change during this last week, as it is said to be, of the Legislature. I believe that it can be quite earnestly said that even now there is something more important that the mere adherence to the rules of the Senate. There has been much talk recently about a motion of this kind, as to whether or not it is the part of wisdom to put those of us who are privileged to be here, as we say in the parlance of the street, upon the spot, on a matter of such importance. Well, as far as I am concerned I will in my deliberation upon this motion still regard it to be proof—and I will abide by that conviction—that because of the history of these two resolutions in this particular committee, that a vote against is a vote against old age pensions. I say, therefore, that the time has come here when we are not called upon to cling so tenaciously to the rules of this Senate, and I realize too that we have read in the Public Press that there have been demonstrations here and there that men perhaps who were wholeheartedly for the proposition, now find themselves in embarrassment because of this motion. This, my fellow members of the Senate, is not a question of politics, it is not a question of tradition, and I want to say, just as I have said before, whenever the opportunity came along that I would very much regret that any move that I should make in the only term of the State Senate, which I hope to enjoy, that

would break down the regard of any member of this Senate toward me, I would certainly say that in spite of the fact that the Democratic party, both national and in the State, would want this motion to prevail, and if we limited the outcome of this motion to the mere question of partisanship I want you to know that I am so earnestly in favor of doing anything to get rid of the poor house and to establish in this State some system of old age pension, that I would even risk the regard that my own party leaders might have for me, and I say, therefore, that I do not want to be driven to the point where in the deliberation of this motion I would find myself feeling that the outcome of this vote, insofar as I had a share in it, might lessen the regard of other members of this Senate for me because I am standing now, as my distinguished colleague from Bucks would say, against the traditions of the Senate. But if it had to be, gentlement, I would even risk that much in order to do anything to further the cause of old age pensions. I again say that you are delaying that cause, if this motion does not prevail, and I appeal to my fellow members of the Senate to vote in favor of this motion.

Mr. WOODWARD. Mr. President, I believe it is within parliamentary procedure to reply to one of the remarks of the Senator from Lehigh. He said that this was the only term that he expects to enjoy. I want to reinforce that sentiment by calling attention to the fact that when he votes, and if he votes "aye" on the motion to discharge the committee, he is thereby imposing upon the treasury of the State a dollar a day for everyone beyond a certain age, and I am sure if he does that he will not enjoy his next session as much as he has this one. It means a dollar a day out of the treasury, remember.

Mr. SHAPIRO. Mr. President, in my short stay in this session I have enjoyed the friendship of so many of the Senators here that I should hesitate to think that this motion would be considered for a moment as a reflection upon any member of the Senate. I offered that motion because in Philadelphia, at least, we were elected on the platform which calls for an answer to the question whether or not we were in favor of old age pensions, and having been elected on that platform I believe it is my duty to try to get an opportunity to vote on the question. I do not think it is a question of tradition because I think those of us who have our eyes open noticed that we are living in an age when traditions are disregarded and the right of the individual to transcend those traditions is recognized. In this particular situation the Senate and House of Pennsylvania have already voted on this question in one session. This comes up again for action in this session and if we do not vote for it now favorably and approve it it will be five years before this question can be brought up again. As a matter of fact the people have something to say about this and we are their representatives. The people of Pennsylvania want an opportunity to vote on the old age pension question. The adoption of this motion and the passage of this amendment does not of itself create old age pensions. The adoption of this motion will put the bill on the floor and the passage of the bill itself will not create old age pensions but it will give the citizens of the Commonwealth of Pennsylvania the right to vote on the question and certainly those who sent us here to represent them have a right to ask that we give them an opportunity to vote on the quesion which is of vital interest to them, and so I only want to say these few words in explanation of the motion and of the fact that I hesitated a long time before I finally, a young Senator here, offered that motion, but I feel that the obligation that we, at least that I, owe to the people whom I represent in my district, is greater than any personal feeling that I may have in offering the motion. As I say it is not a personal question of entirely or of tradition. It is an important question and one which each and every citizen has a right to be asked to be brought in the foreground and not a question of tradition. Our traditions have nothing to do with this question at all. No matter how reluctant we may be to break down traditions, we were elected on the platform which means representation irrespective of tradition, and, therefore, I ask favorable consideration of this motion.

Mr. HARRIS. Mr. President, I have heard a lot of discussion about tradition and Senatorial courtesy, of the ethics of the Senate, and I just wondered if the members of this Senate know exactly how this resolution has been treated. It was the Sowers resolution presented in the House. It was sent to the proper committee and when it became obvious that the members of this committee were in favor of reporting out this bill there were added to this committee six new members, and each and every one of the six members absolutely opposed the resolution. I ask the members of the Senate if that is Senatorial or legislative courtesy, if there is anything fair or just about action of that kind. I repeat again about Senatorial courtesy, that I have been a member here for six sessions and I want to say on the floor now what I said during the special session last summer, that I have never seen this, except on one occasion on this floor, when I insisted on a meeting of the Appropriations Committee. The last three sessions not a meeting of the Appropriation Committee has been held. Now I ask you if there was any courtesy in that.

Now again about tradition: These are the days of new deals and new times and everything new and we can say very truthfully that tradition does not teach us to do things that are unfair and if they are unfair then we can overlook tradition. Senator Shapiro has called this a resolution. There is a wide distinction between a resolution and a bill. Senator Shapiro has explained very splendidly that this bill was voted upon, this resolution, was voted upon in the 1931 session. Forty-four members of the fifty voted for this resolution, the same resolution, not the change of a word or the crossing of a "t" or the dotting of an "i" has been changed. Forty-four members, many of them who are still here. Then a number of them during the last campaign made very definite and positive promises that they would support old age pensions and I have on my desk here the signed pledge and promise of many of the members that they would support old age pensions and I think that signing a pledge is binding on them to vote tonight to discharge this committee so that this body will have an opportunity to give these men a chance to make good on their pledges.

Mr. McCLURE. Mr. President, this is not an ordinary bill which is before the Senate tonight. This bill is not one that becomes effective when signed by the Governor or effective on the first day of September. This bill is a constitutional amendment, submitting the question to the vote of the people. I am a Republican and proud of it, but I would not want to see my party make the mistake of denying the right to the people to vote for or against old age pensions. I am not one of those men who signed any pledge concerning this bill or made any promises but I have given this bill most careful consideration and I think it would be a mistake for these Republican members of this body to defeat this motion which has been offered. I have in mind at the same time Senatorial courtesy. Ordinarily I would not vote for the discharge of any committee of this Senate, nevertheless, this committee has no right to withhold from the people their judgment on old age pension, whether it be in the affirmative or the negative. Because of the good feeling and goodwill that has prevailed in

this Senate ever since I have been a member of the Sena. I am respectfully going to ask Senator Shapiro, who presented this motion, to withdraw it and at the same time ask a recess of thirty minutes to give this committee time to report this bill to the floor.

Mr. SALUS. Mr. President, I do not know what the parliamentary procedure is, but you have two motions on the floor now and before we go into it any further as to your disposing of this procedure, I would like to make this one statement: Senator Woodward was very much perturbed as to the expense that would be incurred by this bill. I want to bring to the Senator's attention and to the attention of the rest of the members of the Senate this one thought: This is a matter which must be considered or not to be considered by the voters of the State of Pennsylvania. It is for them to finally decide whether they want to stand the burden, if it is a burden, of supporting the old age pension. A lot of persons that have looked this matter up contend this will not be an expense on the State of Pennsylvania but will be a saving. That is a question that will be argued pro and con when the matter comes up for a vote, and this, like every other problem in the present day, ought to be put out before the public and each individual should have the right to cast his vote and if a majority of the people of Pennsylvania, even though they think it is a burden, are willing to "pay the freight," that is their business, and if they decide that they are willing to assume this burden it is their business. I think every man ought to have a right to decide that for himself. So far as I am concerned it would be a pleasure for me to bear my share of the burden.

Mr. SHAPIRO. Mr. President, I am perfectly satisfied if the committee wants to act to give the committee an opportunity to consider the matter. Therefore, I am satisfied, that the motion be laid on the table a half hour to give the committee time to act.

Mr. HARRIS. Mr. President, may I suggest to Senator Shapiro that the request be granted predicated on a promise from the Chairman of the Committee on Pensions and Gratuities that there will be called a meeting of the committee.

Mr. HARVEY. Mr. President, the resolution is still in the hands of the sub-committee. I have just asked the sub-committee if they are ready to report and they say they are not.

Mr. SHAPIRO. Mr. President, I then ask for a roll call on the motion.

The PRESIDENT. The question is on the motion for the discharge of the committee.

Mr. BUCKMAN. Mr. President, I move that the motion be laid on the table.

Mr. FAY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I object. There is nothing in order but the calling of the roll.

The PRESIDENT. The motion of the Senator from Bucks, Mr. BUCKMAN, is that the motion be laid on the table.

Mr. HARRIS. Mr. President, that motion was not made until the presiding officer decided on a roll call.

The PRESIDENT. On the question on the motion to discharge the committee the Clerk will call the roll.

Mr. HARRIS. Mr. President, I would like to know which motion we are voting on.

The PRESIDENT. The question on the motion to discharge the Committee on Pensions and Gratuities from further consideration of Senate Bill No. 904. On this question, the Clerk will call the roll.

Mr. SHAPIRO. Mr. President, I ask for an explanation of the vote.

The PRESIDENT. Those who vote "aye" vote for the discharge of the committee and those who vote "no" vote for the continuance of the consideration of the bill by the committee.

The yeas and nays were required by Mr. Shapiro and Mr. Harris and were as follows, viz:

YEAS—20

Armstrong,	Harris,	Miller,	Shapiro,
Baumer,	Hunsicker,	Reed,	Snyder,
Brandt,	Lanius,	Rice,	Staudenmeier,
Einstein,	Mansfield,	Roberts,	Thompson,
Frazier,	McClure,	Salus,	Trainer,

NAYS—27

Batchelor,	Ealy,	Krause,	Scott,
Bennett,	Fay,	Owlett,	Snyder,
Boyd,	Gelder,	Parkinson,	Sordoni,
Buckman,	Graff,	Pethick,	Williamson,
Chapman,	Harvey,	Pierson,	Woodward,
Clark,	Homsher,	Prince,	Ziesenheim,
Coyne,	Howell,	Quigley,	

So the question was determined in the negative.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency the Governor of the Commonwealth which were read as follows and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office Harrisburg, May 1, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Dorothy E. Allen, Pittsburgh.

CENTRE COUNTY

Musser W. Gettig, Bellefonte.

CHESTER COUNTY

Thomas B. Worrall, Kennett Square.

DELAWARE COUNTY

Miss Eleanor A. Bolton, Media.

MONTOUR COUNTY

Miss Bertha M. Gaskins, Danville.

NORTHAMPTON COUNTY

James D. Caporaso, Pen Argyl.

PHILADELPHIA COUNTY

Miss Anna R. Kirschner, Philadelphia.
Charles Weinberg, Philadelphia.

SULLIVAN COUNTY

L. T. Connolly, Dushore.

GIFFORD PINCHOT.

MEMBERS OF THE MINE INSPECTORS' EXAMINING BOARD FOR THE BITUMINOUS COAL MINES OF PENNSYLVANIA

Commonwealth of Pennsylvania,
Governor's Office Harrisburg, May 1, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

John E. Struble, of Connellsville, Fayette County, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified (reappointment).

J. William Wetter, of Philipsburg, Centre County, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified (reappointment).

Richard T. Todhunter, of Johnstown, Cambria County, vice William Lamont, of Elmora, whose term expired, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

Carl F. Keck, of Greensburg, Westmoreland County, vice James Craig, of Yatesboro, whose term expired, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF THE MOTHERS' ASSISTANCE FUND OF PHILADELPHIA COUNTY

Mrs. Celia B. Nicholson, of Philadelphia, Philadelphia County, vice Mrs. Lucia A. Shoemaker, of Philadelphia, resigned, until June 1, 1937, and until her successor is duly appointed and qualified.

JUSTICES OF THE PEACE

W. H. McCrea, Jr., of Newville, Cumberland County, as Justice of the Peace in the Borough of Newville, Cumberland County, until the first Monday in January, 1934.

William H. Raymond, of Chester, Delaware County ,as Justice of the Peace in the Township of Chester, Delaware County, vice Joseph H. Czekay, removed from office by Decree of Court, until the first Monday in January, 1934.

Louis Geier, of Prospect Park, Delaware County, as Justice of the Peace in the Borough of Prospect Park, Delaware County, vice John H. Hand, deceased, until the first Monday in January, 1934.

William F. Anderson, of Mahanoy City, Schuylkill County, as Justice of the Peace in the Borough of Mahanoy City, Schuylkill County, vice John J. Foley, deceased, until the first Monday in January, 1934.

Joseph B. Ritchey, of Youngwood, Westmoreland County, as Justice of the Peace in the Township of Hempfield, Westmoreland County, vice J. H. Snyder, resigned, until the first Monday in January, 1934.

GIFFORD PINCHOT.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILL No. 294

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, April 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 294, Printer's No. 476, entitled "An act to amend section five of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws seventy-eight) entitled 'An act to regulate nomination and election expenses and to require accounts of nomination and election expenses to be filed and providing penalties for the violation of this act' as amended by requiring the treasurers of political committees concerned in the nominations of candidates to file accounts of election expenses."

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL No. 65

Commonwealth of Pennsylvania,
Governor's Office Harrisburg, May 1, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 65, Printer's No. 517, entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto."

GIFFORD PINCHOT.

APPROVAL OF RESOLUTION CONTINUING LEGISLATIVE COMMITTEE ON FINANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have thsi day approved and signed a resolution of the Senate and House of Representatives continuing the Legislative Committee on Finance authorized under concurrent resolution approved April 30, 1929, and previously continued by concurrent resolution approved April 22, 1931, and providing that a further report be submitted to the General Assembly of 1935.

GIFFORD PINCHOT.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 897.

Commonwealth of Pennsylvania,
Governor's Office Harrisburg, May 1, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 897, Printer's No. 527, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL No. 1383 (HOUSE BILL No. 1586)

Mr. HUNSICKER. Mr. President, I move to reconsider the vote by which Senate Bill No. 1383 (House Bill No. 1586), entitled:

An Act to amend section seven of the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring certificates of death to show certain information pertaining to military service if any of decedents.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. HUNSICKER. Mr. President, I voted "aye."

Mr. SHAPIRO. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SHAPIRO. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. HUNSICKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. HUNSICKER. Mr. President, I voted "aye."

Mr. SHAPIRO. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SHAPIRO. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL RECOMMITTED

Mr. HUNSICKER. Mr. President, I move that Senate Bill No. 1383 (House Bill No. 1586) be recommitted to the Committee on Public Health and Sanitation.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF SENATE BILL No. 1433 (HOUSE Bill No. 933)

Mr. SCOTT. Mr. President, I move to reconsider the vote by which Senate Bill No. 1433 (House Bill No. 933), entitled:

An Act reducing the salaries and compensation of certain county city borough town township and poor district officers and employes and requesting and urging public officers of counties cities boroughs towns townships and poor districts now in office to agree to voluntary reductions of salaries.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye."

Mr. EALY. I second the motion.

Mr. PRESIDENT. How did the Senator vote?

Mr. EALY. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. SCOTT. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye."

Mr. EALY. Mr. President, I second the motion.

Mr. PRESIDENT. How did the Senator vote?

Mr. EALY. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SCOTT. Mr. President, I ask unanimous consent to amend section 1, page 2, line 8, by striking out the word "twenty" and insert in lieu thereof "ten"; also line 8, by striking out the figure "(20%)" and insert in lieu thereof "(10%)"; also line 10, by striking out the word "twelve" and insert in lieu thereof "ten"; also line 10, by striking out the figure "($1,200)" and insert in lieu thereof "($1,000)"; also line 12, by striking out the word "twenty" and insert in lieu thereof "ten"; also line 12, by striking out the figure "(20%)" and insert in lieu thereof "(10%)"

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

RECONSIDERATION OF SENATE BILL No. 1019 (HOUSE BILL No. 1487)

Mr. KRAUSE. Mr. President, I move to reconsider the vote by which Senate Bill No. 1019 (House Bill No. 1487), entitled:

An Act to protect the public health; defining and providing for the licensing of bakeries and regulating the inspection, maintenance and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale and offering for sale of baker products; conferring powers on the Department of Agriculture; and providing penalties.

was defeated on final passage.

The PRESIDENT. How did the Senator vote?

Mr. KRAUSE. Mr. President, I voted "no."

Mr. COYNE. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. COYNE. Mr. President, I voted "no."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,		

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECONSIDERATION OF SENATE BILL No. 1329 (HOUSE BILL No. 1803)

Mr. WILLIAMSON. Mr. President, I move to reconsider the vote by which Senate Bill No. 1329 (House Bill No. 1803), entitled:

An Act relating to Sunday music; permitting musicians to receive compensation for services rendered on Sunday; authorizing pay concerts to be given and broadcast on Sunday under certain circumstances; and allowing school and certain public buildings and parks to be used therefor; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties.

was defeated on final passage.

The PRESIDENT. How did the Senator vote?

Mr. WILLIAMSON. Mr. President, I voted "no."

Mr. BAUMER. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BAUMER. Mr. President, I voted "no."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. REED. Mr. President and members of the Senate, last week this bill was defeated. I can see no reason for the Senate's changing its position at this time. This bill is simply an opening wedge to break down the Blue Laws of Pennsylvania. It can have no other explanation in itself. The bill is innocent enough, but it is a bill to really break down the ancient Blue Laws of Pennsylvania; and, representing the people of Dauphin County, as I know I do on this measure, I again protest against this bill, and I hope it will again be defeated.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Armstrong,	Frazier,	Owlett,	Snyder,
Baumer,	Harris,	Quigley,	Sordoni,
Boyd,	Harvey,	Rice,	Staudenmeier,
Buckman,	Howell,	Roberts,	Trainer,
Coyne,	Hunsicker,	Salus,	Williamson,
Ealy,	Krause,	Scott,	Woodward,
Einstein,	McClure,	Shapiro,	Ziesenheim,

NAYS—18

Batchelor,	Gelder,	Miller,	Prince,
Bennett,	Graff,	Parkinson,	Reed,
Brandt,	Homsher,	Pethick,	Sones,
Chapman,	Lanius,	Pierson,	Thompson,
Clark,	Mansfield,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORTS FROM COMMITTEES

Mr. WOODWARD, from the Committee on Finance, reported as amended, Senate 979 (House Bill No. 1665), entitled:

An Act to repeal sections six and eight of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 450) entitled "An act relating to fires and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties."

Also from the Committee on Finance, reported as committed, Senate Bill No. 1493, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section twenty.

Mr. WILLIAMSON (for Mr. Howell) from the Committee on Finance, reported as committed, Senate Bill No. 42, entitled:

An Act to amend sections two hundred and twelve, two hundred and thirteen, two hundred and fourteen, seven hundred and one, and seven hundred and nine of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, commissons shall be determined," by exempting the Department of Internal Affairs from the provisions of said section.

Also from the Committee on Finance, reported as committed, Senate Bill No. 1489 (House Bill No. 2906), entitled:

An Act imposing a State tax, payable by those herein defined as manufacturers and distributors, on non-intoxicating alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale of non-intoxicating alcoholic beverages at retail or wholesale; and providing penalties.

Mr. OWLETT, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1365 (House Bill No. 870), entitled:

An Act relating to the redemption of real estate purchased by counties at tax sales.

Mr. MANSFIELD, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 1285 (House Bill No. 2010), entitled:

An Act establishing a court of record in the county of Allegheny for control care guidance treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for the detention facilities making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor and providing penalties.

BILLS INTRODUCED

Mr. McCLURE read in his place and presented to the Chair, Senate Bill No. 1496, entitled:

An Act to amend section two hundred and two, paragraphs (i) and (j); and sections seven hundred and eleven, seven hundred and twelve and eight hundred and seven of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collections, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth or any agency thereof, and all receipts of appropriation from the Commonwealth and imposing penalties; effecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation re-

quired to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth."

Which was committed to the Committee on Finance.

Mr. SORDONI read in his place and presented to the Chair, Senate Bill No. 1497, entitled:

An Act to define the obligation of newspaper employes when called upon to testify.

Which was committed to the Committee on Judiciary General.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 679

Mr. SCOTT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 679, Printer's No. 525, entitled "An act to amend section twenty-nine of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authoritly over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' by relieving townships of the duty to contribute towards the maintenance of certain State-aid highways and discharging certain existing obligations therefor."

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 48

Mr. SCOTT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 48, entitled "An Act to amend sections nine hundred and one and one thousand and eighty-one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' providing for the appointment of the county treasurer as tax collector in certain cases," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 102

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 102, entitled "An act authorizing county treasurers to make execute acknowledge and deliver deeds of seated lands sold by them for delinquent taxes under the provisions of an act of assembly of the Commonwealth of Pennsylvania approved the ninth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred eighty-four) entitled 'An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assessed on such seated lands by authority of any county borough town township school district and poor district are delinquent and remain unpaid and fixing penalties for such delinquency authorizing county commissioners to purchase such lands under certain circumstances' prior to its repeal notwithstanding that said deeds were not made issued acknowledged or delivered and surplus bond not given prior to said repeal and authorizing the making execution acknowledgment and delivery of said deeds by said county treasurers after the expiration of term of office or by their successors in office and confirming the title to lands so sold where the deeds have been made executed and delivered and the surplus bonds filed since the repeal of said act and whether the said deeds were made executed or delivered by the county treasurer who made said sale during the term of his office or after its expiration or by his successor in office."

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 77

Mr. PETHICK offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 77, entitled "An Act to amend the act approved the eleventh day of June one thousand eight hundred and seventy-nine (Pamphlet Laws one hundred forty-eight) entitled 'An act to require all magistrates and other officials in cities of the first second and third class authorized to take acknowledgments and administer oaths to perform such service free of charge for soldiers and widows of soldiers when making affidavit to papers for the purpose of drawing pen-

sions' extending the provisions of the act to all officers taking oath and to papers other than those connected with pension."

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House House of Representatives for concurrence.

RESOLUTION RELATIVE TO STUDENTS AT UNIVERSITY OF PENNSYLVANIA

Mr. WILLIAMSON offered the following resolution, which was twice read and referred to the Committee on Military Affairs.

In the Senate, May 1, 1933.

Students in some class or department at the University of Pennsylvania in Philadelphia, an outstanding institution of learning in the Nation, have voted, by a substantial majority, that they will "under no circumstances bear arms or go to war." This appears from an editorial in the Philadelphia Record of Wednesday, April 26th, 1933. Said editorial in part is as follows to-wit:—

"Penn students have voted, 322 to 222, that they will 'under no circumstances bear arms or go to war.'"

Without qualifications of any kind they admit willingness to see the Nation that has furnished them with the advantages and opportunities they now enjoy, overrun and destroyed by enemies.

They renounce any obligation to defend the parents who gave them existence, or keep safe and inviolate the homes in which they were reared.

Thy have freely received all they now possess because of the patriotism, bravery, courage and unselfishness of those who thought less of self and more of service to others; and their lives have been made secure through the heroic sacrifices of those in whose veins flowed no yellow blood and who knew no fear.

We hesitate to believe that so many of the future citizens of this Nation would so easily admit a cowardice and a lack of patriotism that is both astounding and degrading, but prefer to believe that the vote was only an expression of immature and childlike judgment.

The public expression of these students should not, however, go unnoticed, and if any among those who voted that in "no case" would they bear arms, are now beneficiaries of the Commonwealth to whom they have publicly renounced allegiance then such benefits should be withdrawn and bestowed upon other more appreciative of the benefits of government and more willing to defend it when endangered, therefore be it

Resolved, That an effort be made at once by the proper officials of the University of Pennsylvania to ascertain if any of those who voted against the honorable defense of home and country are now enjoying a scholarship in that institution through the benevolence of the Commonwealth, and, if any are so found, that the Senator who awarded such scholarship shall forthwith recall the same and award it to one more worthy, and be it

Resolved, That a copy of this resolution be at once forwarded by the Secretary of the Senate to the trustees of the University of Pennsylvania, with the request that the Senate be furnishd with the names of those who denied home and country by voting against the defense of either, and be it further

Resolved, That immediately upon the receipt of any information containing the names of these students so voting, that the Secretary of the Senate advise the Senators at whose request such scholarships were awarded, and that thereafter the scholarships of such non-patriots shall be withdrawn by such Senators.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 183

Mr. MANSFIELD offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 183, entitled "An Act to amend sections fifty-one and sixty as amended and section one hundred and four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by fixing the time at which the terms of elected county officers shall begin and the time for the county commissioners to organize,"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 458

Mr. THOMPSON offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 458, Printer's No. 132, entitled "An act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments and claims,"

be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 629

Mr. BRANDT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 629, entitled "An act to prohibit the employment by the Commonwealth and by counties cities boroughs towns townships departments boards commissions and by certain corporations hospitals homes and institutions of aliens who entered the United States unlawfully and providing penalties,"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 746

Mr. OWLETT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 746, entitled "An act to amend section two hundred and four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by providing that the coroner shall act in case the sheriff resigns,"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 478

Mr. McCLURE offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 478, Printer's No. 316, entitled "An act to amend paragraph two of section four as amended and paragraph two of section six as amended and paragraph one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand forty-three) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by providing for the payment of [administration] administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two,"

be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 903

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Reprsntativs, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 903, Printer's No. 413, entitled: "An Act to amend section four hundred and twenty-three of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1[illegible]3), entitled "General County Law," by requiring application for payment of allowance for burial of widows of certain soldiers, sailors or marines to be made within one year,"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 756

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to.

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 756, Printer's No. 1013, entitled: "An Act to amend part of section two of the Appropriation Acts of one thousand nine hundred and thirty-one (Act No. 15-A, p. 16), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one"; amending the appropriation relating to the Coaldale State Hospital,"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1383

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1383, Printer's No. 433, entitled: "An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," by providing for depositories of county funds in counties of the third class,"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1240

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1240, Printer's No. 176, entitled: "An Act creating a presumption of reasonableness of certain contracts for counsel fees made by the next friend or guardian of a minor, provided the same be evidenced by writing,"

be recalled from the Governor for further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 380

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 380, Printer's No. 109, entitled: "An Act to amend section three of the act approved the fifth day of March, one thousand nine hundred and six (P. L. 63), entitled "Personal Registration Law, 3rd Class Cities;" as amended, by changing the hours when registrars are to sit,"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1636

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1636, Printer's No. 612, entitled: "An Act to validate certain municipal liens in the several cities of the third class of the Commonwealth of Pennsylvania; and providing the proceedings for the revival and collection thereof."

be recalled from the Governor for further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency the Governor of the Commonwealth, which was twice read as follows:

APPROVAL OF SENATE BILL No. 321

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 321, Printer's No. 514, entitled "An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the expenses of government defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation."

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL No. 897

Mr. McCLURE. Mr. President, I move to reconsider the vote by which Senate Bill No. 897, entitled:

An Act authorizing the issuance of scrip certificates for relief purposes by political subdivisions of this Commonwealth; providing for the printing and issuance of scrip and stamps by the Commonwealth, for the creation of scrip redemption fund in the State Treasury and for the redemption of scrip therefrom; imposing duties on the State Emergency Relief Board and the State Treasurer; appropriating the moneys in the scrip redemption fund and imposing penalties.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. McCLURE. Mr. President, I voted "aye."

Mr. FAY. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FAY. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. McCLURE. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. McCLURE. Mr. President, I voted "aye."

Mr. FAY. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FAY. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. McCLURE. Mr. President, I ask unanimous consent to amend page 1, line1 of the title by striking out after the word "of" and before the word "for" the words: "[script certificates]" and inserting in lieu thereof the word: "scrip"; also line 3 of the title by striking out at the end of the line after the word "of" the word: "[script]" and inserting in lieu thereof the word: "scrip"; also line 5 of the title by striking out after the article "a" and before the word "redemption" the word: "[script]" and inserting in lieu thereof the word: "scrip"; also line 6 of the title by striking out after the word "of" and before the word "therefrom" the word: "[script]" and inserting in lieu thereof the word: "scrip"; also line 8 of the title by striking out at the end of the line after the article "the" the word: "[script]" and inserting in lieu thereof the word: "scrip"; also line 9 of the title by striking out after the word "fund" and before the word "imposing" the word: "[and]"; also line 9 of the title by inserting after the word "penalties" and before the word "[and]" the following: "for counterfeiting and otherwise tampering with scrip certificates or stamps and making an appropriation"; also section 1, page 1, by striking out line 4 and inserting in lieu thereof the following: "when used in this act the folowing words and phrases shall have the meanings respectively ascribed to them in this section except where the context clearly indicates a different meaning"; also page 2, line 4 by striking out at the beginning of the line before the word "of" the word: "[denominations]" and inserting in lieu thereof the words: "the denomination"; also page 2, line 4 by striking out after the word "of" and before the word "two" the word: "[one]"; also line 4 by striking out after the word "two" and before the word "cents" the words: "[and three]"; also line 4 by inserting after the word "cents" and before the word "issued" the word: "each"; also line 5 by striking out after the word "to" and before the word "certificates" the word: "[script]" and inserting in lieu thereof the word: "scrip"; also line 10 by striking out after the word "negotiable" and before the word "to" the words: "[script certificates]" and inserting in lieu thereof the word: "scrip"; also section 3, page 2, line 15 by striking out at the beginning of the line before the word "under" the words: "[script certificates]" and inserting in lieu thereof the word: "scrip"; also line 16 by striking out after the article "the" and before the word "in" the word: "[board]" and inserting in lieu thereof the word: 'Board"; also line 17 by striking out after the article "the" and before the words "shall require" the word: "[board]" and inserting in lieu thereof the word: Board"; also line 17 by striking out after the article "the" and before the words "shall be" the word: "[board]" and inserting in lieu thereof the word: "Board"; also line 19 by striking out after the word "issue" and before the word "in" the words: "[script certificates]" and inserting in lieu thereof the word: "scrip"; also line 20 by striking out after the article "the" and before the word "may" the word: "[board]" and inserting in lieu thereof the word "Board"; also section 4, page 2, line 22 by striking out after the word "All" and before the word "certificates" the word: [script] and inserting in lieu thereof the word: "scrip"; also line 24 by striking out after the word "in" and before the word "one" the words: "[three denominations namely]" and inserting in lieu thereof the words: "the denomination of"; also line 24 by striking out at the end of the line after the word "dollar" the words: "[fifty cents]"; also line 25 by striking out at the beginning of the line before the word "and" the words: "[and twenty-five cents]" and inserting in lieu thereof the word: "each"; also line 25 by striking out at the end of the line after the article "the" the word: "[board]" and inserting in lieu thereof the word: "Board"; also line 26 by striking out after the word "Each" and before the word "certificate" the word: "[dollar]"; also line 26 by striking out at the end of the line after the word "contain" the following: "[thirty-]"; also line 27 by striking out at the beginning of the line before the word "spaces" the word: "[six]" and inserting in lieu thereof the following: "fifty-two (52)"; also line 28 by striking out at the end of the line after the word "date" the following: "[as here-]"; also page 2 by striking out line 29 and inserting in lieu thereof the following: "one week later than the preceding space"; also section 5, page 3, line 1 by striking out after the figure "5" and before the word "certificates" the word: "[Script]" and inserting in lieu thereof the word: "Scrip"; also line 4 by striking out after the word "with" and before the word "emergency" the word: "[thirty-six]" and inserting in lieu thereof the following: "fifty-two

(52)"; also line 5 by striking out at the beginning of the line before the word "affixed" the words: "[of three cents each]"; also line 5 by striking out after the word "each" and before the word "certificate" the word: "[dollar]"; also line 5 by striking out at the end of the line after the word "certificate" the word: "[and]"; also by striking out lines 6 to 8 inclusive; also section 6, page 3, line 9 by striking out after the word "any" and before the word "certificate" the word: "[script]" and inserting in lieu thereof the word: "scrip"; also line 11 by striking out at the beginning of the line before the word "to" the words: "[of proper denomination]"; also section 7, page 3, line 14 by striking out after the article "the" and before the word "may" the word: "[board]" and inserting in lieu thereof the word: "Board"; also section 7, page 3, line 16 by striking out after the word "stamps" and before the word "municipalities" the word: "[to]" and inserting in lieu thereof the word: "in"; also line 17 by striking out after the word "issue" the words: "[script certificates and sell stamps only]"; also page 3 by striking out line 18 and inserting in lieu thereof the words: "script and elsewhere"; also section 8, page 3, line 19 by striking out at the end of the line after the word "shall" the words: "[sell stamps only]" and inserting in lieu thereof the following: "have authority to appoint agents for the sale of emergency relief stamps and may deliver stamps to such agents for sale. However, no stamps shall be delivered to any such agent other than a State bank or a trust company, until the agent shall have furnished bond satisfactory to the State Treasurer in an amount equal to the face value of the stamps to be delivered, or shall have deposited with the State Treasurer securities of the same kind and in the same amount as is now required by law to be furnished by depositories of State Funds.

Section 9. Agents for the sale of emergency relief stamps shall keep all moneys received from such sales separate and apart from all other moneys and shall deposit them in State banks or trust companies only, in separate accounts in the name of the Commonwealth. All agents shall remit the proceeds of stamp sales in each month within five days after the end of the month to the State Treasurer, after deducting two per centum of the gross amount of sales, which shall be retained by the agents as their compensation. Section 10. All moneys paid into the State Treasury as proceeds of the sale of emergency relief stamps shall constitute a special fund to be known as the "Scrip Redemption Fund," and all moneys which shall be credited to said fund or so much thereof as shall be necessary, are hereby expressly appropriated to the State Treasurer for the redemption of scrip issued under this act, and for the payment into the General Fund of the cost of preparing and distributing scrip certificates and emergency relief stamps, provided that not more than two per centum of the face value of stamps sold may be used for payment of such cost. Section 11. All municipalities are hereby authorized to accept scrip certificates issued under this act, when properly stamped, in payment of taxes and any other debts due to the municipality. Section 12. Any person who shall counterfeit, raise or alter or who shall conspire with others to counterfeit, raise or alter any scrip certificate authorized by this act or any emergency relief stamp, or who shall utter or transfer any such certificate or stamp with knowledge or notice that it is counterfeit or has been raised or altered, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100) and not exceeding one thousand dollars ($1,000) and to undergo imprisonment for not more than two (2) years, in the discretion of the court"; also page 3 by striking out lines 20 to 29 inclusive; also page 4 by striking out lines 1 to 29 inclusive; also page 5 by striking out lines 1 to 28 inclusive; also page 6 by striking out lines 1 to 29 inclusive; also page 7 by striking out lines 1 to 29 inclusive; also page 8 by striking out lines 1 to 29 inclusive; also section 17, page 9, line 1 by striking out the bracket at the beginning of the line before the word "Section"; also line 1 by striking out after the word "[Section]" and before the word "The" the figure "[17]" and inserting in lieu thereof the figure "13"; also line 1 by inserting after the word "of" and before the word "dollars" the words "twenty-five thousand"; also line 5 by striking out the bracket at the end of the line after the word "act"; also line 6 by striking out after "Section [18]" and before the word "All" the figure "[17]" and inserting in lieu thereof the figure "14"; also section 18, page 9, line 8 by striking out after "Section [19]" and before the word "This" the figure "[18]" and inserting in lieu thereof the figure "15"

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 625, as follows:

An Act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorder of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

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ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Building and Loan Code"

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Articles" includes the original articles of incorporation any or all amendments thereto articles of merger or consolidation and also what have herefore been designated by law as certificates of incorporation or charters

"Assets" includes all the property and rights of every kind of association

"Association" includes any building and loan association organized under this act or heretofore organized under or by virtue of any other law of this Commonwealth

"Authorized Capital" means the sum of the par value of the shares authorized to be issued by an association

"Corporation" means a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Department" means the Department of Banking of this Commonwealth

"Incorporator" means a signer of the original articles of incorporation

"Mortgage Loans" means loans which are secured pursuant to the provisions of this act by the bond of the borrower by a mortgage on real property and by installment shares

"Person" means an individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals

"Shares" means the units into which the shareholders' rights to participate in the control of a building and loan association are divided

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the corporation or person therein named is the registered owner of the shares therein described it also includes the term "certificate of stock" as used in existing laws

"Share Loans" means loans which are secured pursuant to the provisions of this act by the note of the borrower and by prepaid or installment shares

"Shareholder" means a registered owner of shares in a building and loan association

"Subscriber" means one who subscribes for shares in a building and loan association whether before or after incorporation

"Written" includes printed typewritten engraved lithographed telegraphed cabled radiogramed photographed photostated telephotographed or other form of recorded or transmitted message

B The singular snall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 3 Applicability of Act Every association heretofore organized and incorporated under the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" its amendments and supplements and every association heretofore created by any special act or formed under any general act which has accepted in any manner whatsoever the Constitution of Pennsylvania and which if not existing would be required to incorporate under this act shall hereafter be subject to the provisions of this act without formal reorganization hereunder and shall be deemed to exist under this act Except as herein otherwise specifically provided the provisions of this act shall govern all such associations heretofore incorporated in this Commonwealth

Section 4 Saving Clause A The provisions of this act in so far as they are the same as those of existing acts shall be construed as a continuation of such acts and not as new enactments The repeal by this act of any existing act or of any part thereof shall not be construed to revive any act or part of any act heretofore repealed or superseded

B Except as otherwise specifically provided in this act the provisions of this act shall not affect any act done liability duty or obligation incurred or right accrued prior to the effective date of this act nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any act repealed or superseded by this act

C The repeal of any act by this act shall not affect the corporate existence of any association heretofore created under any law of this Commonwealth

D Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term subject to the conditions attached to such office prior to the passage of this act

E All resolutions regulations and rules made pursuant to any act repealed by this act shall unless inconsistent with any provision of this act continue with the same force as if such act had not been repealed

Section 5 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 6 Construction of References Article and Section Headings A Any reference in this act to any act by title otherwise shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

B Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act as well as those then in existence

C Article and section headings shall not be construed to affect in any manner the scope or meaning of any article or section of this act

Section 7 Jurisdiction of Courts Except where otherwise specifically provided the provisions of this act shall not be deemed to curtail in any manner whatsoever the equity jurisdiction and powers of the courts of this Commonewalth

Section 8 Notices to Corporations and Persons Unless expressly provided otherwise all written notices required by this act to be given to any corporation or person shall be (1) served in the manner writs of summons except that such service need not be made by the sheriff or (2) mailed or sent by telegram charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation organized under the laws of this Commonwealth to its principal office and (c) in the case of a corporation incorporated under the laws of some other state to its registered office in Pennsylvania or if it has no registered office in Pennsylvania to its home office in the state of incorporation or in any other state

If a notice is sent by mail or by telegraph such notice shall be deemed to have been given to the corporation or person addressed when it is deposited in the United States mail or with a telegraph office for transmission to such corporation or person

Section 9 Advertisement or Notice in Newspapers A Unless expressly provided otherwise any advertisement or notice in a newspaper of general circulation required by this act shall be published in a newspaper of general circulation in the county as defined by the Newspaper Advertising Act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four) its supplements and amendments in which the place of business of the association is or in the case of a proposed institution will be located and which is published in the city borough or township in which such place of business is or will be located

If there is no newspaper of general circulation published in the city borough or township then the advertisement or notice shall be inserted in a newspaper of general circulation in the county published at the county seat If no newspaper of general circulation in the county is published at the county seat then such advertisement or notice shall be inserted in the newspaper of general circulation published nearest to the city borough or township in which the place of business of such association is located and within the county If there is no newspaper of general circulation published within the county then the advertisement or notice shall be inserted in the newspaper of general circulation published nearest to such city borough or township in an adjoining county

B Unless expressly provided otherwise any advertisement or notice in a legal newspaper required by this act shall be published in the legal newspaper published within the county as defined by the Newspaper Advertising Act in which the place of business of the association is or in the case of a proposed association will be located

C Unless expressly provided otherwise if this act requires advertisement or notice to be made both in a newspaper of general circulation and in a legal newspaper and if there is no legal newspaper published within the county in which the place of business of the association is or in the case of a proposed association will be located the advertisement shall be made in two newspapers of general circulation in the county except that if two newspapers of general circulation are not published in the county then such advertisement or notice shall be made in only one newspaper of general circulation published in the county or if none is published there then in one newspaper published in an adjoining county as provided by this section in any case in which a newspaper of general circulation is not published in the county

D Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act

E Any notice or advertisement in a newspaper required by this act shall be construed to refer to a newspaper published in the English language

Section 10 Waiver of Notice A Any notice required by this act or by the articles or by-laws of any association governed by the provisions of this act to be given to any corporation or person may be waived by such corporation or person either before or after the day prescribed for the giving of such notice Such waiver shall be in writing and signed by such corporation or person

B Except in the case of a special meeting neither the business to be transacted at nor the purpose of the meeting need be specified in the waiver of notice of such meeting

C. Attendance of a director or of a shareholder in person or by proxy or of any other person at any meeting shall constitute a waiver of notice of such meeting except where he attends such meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called

Section 11 Fees Except as otherwise specifically provided any prothonotary or recorder of deeds and any State department board commission or officer shall be entitled to receive for services performed as required by this act such fees as are or may be lawfully charged for such or similar services

Section 12 Powers of Department of State The Department of State shall have the power and authority reasonably necessary to enable it to perform the duties imposed upon it by this act All articles papers and other documents required by this act to be filed with the Department of State shall be prepared in such form as shall be prescribed by the Department of State

Section 13 Certificates and Certified Copies of Certain Documents to be Received in Evidence All certificates issued by the Department of State in accordance with the provisions of this act and all copies of articles papers and other documents filed with Department of State in accordance with the provisions of this act when certified by the Secretary of the Commonwealth shall be taken and received by all courts public offices and official bodies as prima facie evidence of the facts therein stated A certificate by the Department of State under the seal of the Commonwealth as to existence or non-existence of facts relating to corporations which would not appear from any of the foregoing documents or certificates shall be taken and received by all courts public offices and official bodies as prima facie evidence of the existence of non-extence of facts therein stated

ARTICLE II

NAMES AND PLACES OF BUSINESS OF ASSOCIATIONS

Section 201 Association Name Change of Name A The name of an association may be in any language but it shall be expressed in English letters or characters It shall contain the words "building and loan association" The name of an association shall not contain the words "trust" "bank" "deposit" "discount" or any other word which may deceptively lead to the conculsion that it is authorized to perform any act or conduct any business which is forbidden to it by law by its charter or otherwise The name of the association shall not contain the words "Pennsylvania" "Commonwealth" "State" "Government" "Official" "Federal" "National" or "United States"

The name of an association shall not be the same as or deceptively similar to that of any other corporation authorized to transact business in this Commonwealth or the name of any unincorporated body whatsoever voluntarily registered with the Department of State under any act unless such other corporation or unincorporated body is about to change its name or to cease doing business or is being wound up or in the case of a foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the Department of State and with the Department of Banking

B The provisions of this section shall not apply to any name which is in existence upon the effective date of this act However if the association bearing this name shall desire to change its name in any manner whatsoever pursuant to the provisions of this act the new name shall comply in every detail with the requirements of this section A change in name shall be effected in the regular manner provided by this act for amending its articles

C This section shall not be construed to abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principles of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

D The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the Court of Common Pleas of Dauphin County may upon application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth or the court of common

pleas of the county in which the association has its place of business may upon the application of any corporation or person adversely affected enjoin the association from using or continuing to use a name assumed in violation of this section

Section 202 Reservation of Association Name The exclusive right to the use of a name may be reserved (1) by any person intending to organize an association or (2) by any association intending to change its name Such reservation shall be made by filing with the Department of State an application to reserve a specified name executed by the applicant If the Department of State shal find that such name is available it shall send a copy of such applicationto the Department of Banking If the Department of Banking decides that such name is satisfactory to it it shall forthwith give its written assent to the Department of State The Department of State shall then reserve the name for the exclusive use of such applicant for a period of sixty days The right to the exclusive use of a specified name so reserved may be transferred to any corporation or person who except for such prior reservation would be entitled under the provisions of this act to reserve such name Such transfer may be made by filing with the Department of State a notice of such transfer which notice shall be executed by the applicant for whom such name was reserved and shall specify the name and address of the transferee The Department of State shall send a copy of such notice to the Department of Banking

Section 203 Place of Business Change of Place of Business A An association shall not hold any of the regular meetings of its directors grant any loans or transact any business except at the place of business designated in its by-laws but the collection of dues by any corporation or person authorized by the association to make such collection at any place other than the place of business of the association and the holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section In the event that the place of business designated in the by-laws becomes unavailable the directors may specify another place within the city borough or township as a temporary place of business

B An association may change its place of business to any place within the city borough or township named in its articles in the manner provided in its by-laws An association upon changing its place of business shall forthwith give notice of such change to the Department of Banking and the Department of State

Section 204 Branch Offices and Sub-agencies An association shall not establish maintain or operate either directly or indirectly any branch association branch office agency suboffice sub-agency or branch place of business within this Commonwealth for the holding of the regular meetings of its directors the granting of any loans or the transaction of any part of its business but all of the business of such association shall be carried on solely and exclusively at its place of business The collection of dues by any corporation or person authorized by the association to make such collection at any place other than the place of business of the association and the holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section

ARTICLE III

FORMATION ORGANIZATION AND GENERAL CORPORATE POWERS OF ASSOCIATIONS

Section 301 Formation An association may be formed pursuant to the provisions of this act by fifteen or more incorporators Such incorporators shall be natural persons of full age and of either sex married or single All of them shall be residents of this Commonwealth and at least two-thirds of them shall be citizens of the United States or of its territories or possessions

Section 302 Prohibition upon Payment of or Contract for Promoters' Fees It shall be unlawful (1) for any fee commission or compensation to be paid to any corporation or person for the promotion or organization of an association or (2) for any part of the money collected from subscribers or shareholders to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such association whether such fee commission or compensation is provided for by the contract with the proposed association with the promoters with the subscribers or otherwise This prohibition shall not be construed to affect reasonable counsel fees paid or agreed to be paid to an attorney at law

In any case in which there has been a violation of this section the Department shall have the power to disapprove the articles upon this ground alone

Section 303 Articles of Incorporation Articles of incorporation shall be signed by each of the incorporators and acknowledged by at least five of them before any officer within this Commonwealth authorized to take acknowledgments

The articles shall set forth in the English language

(1) The name of the proposed association

(2) The city borough or township in which it will establish its place of business

(3) A precise and accurate statement of the purpose or purposes for which it is organized as well as a statement that it is organized under the provisions of this act

(4) The term for which it is to exist which may be perpetual

(5) The par value of its shares

(6) The name occupation citizenship place of residence and post office address of each incorporator

(7) The name occupation citizenship place of residence post office address and term of office of each of the first directors and the number of shares to which he has subscribed

(8) Any provision not inconsistent with law which the incorporators may choose to insert for the regulation of the business and the internal affairs of the association

Section 304 Advertisement of Articles The incorporators shall advertise their intention to file articles with the Department of State one time in a newspaper of general circulation and one time in a legal newspaper Advertisements shall appear at least three days prior to the day the articles are to be filed with the Department of State and shall set forth briefly

(1) The name of the proposed association

(2) A statement that the proposed association is to be organized under the provisions of this act and

(3) The time when the articles will be filed with the Department of State

Section 305 Filing of Articles Payment of Fees or Charges A The incorporators shall deliver or cause to be delivered to the Department of State a proof of publication of the advertisement of their intention to file articles of incorporation the articles required by this act and an affidavit stating all expenses connected with the organization of the association and the procuring of subscriptions including any counsel fee to an attorney at law and including a declaration that no fee commission or compensation of any other kind has been or is to be paid to any corporation or person for the promotion or organization of the association or for the procuring of subscriptions or the sale of its shares

B The Department of State shall examine the proof of publication and the articles to determine whether they contain all the information and are in the form required by this act and whether the name of the proposed assocation is the same as one already adopted or reserved by any other corporation or person or is so similar thereto that it is likely to mislead the public

C After all the fees and charges established by law have been paid the Department of State shall if the proof of publication and the articles contain the information and are in the form required by this act and if the name of the proposed association does not violate any provision of this act forthwith but not prior to the day specified in the advertisement of the intention of the incorporator to file the articles endorse its approval thereon and transmit them to the Department of Banking

D If the Department of State shall disapprove the articles pursuant to the provisions of this act it shall forthwith give notice thereof to the proposed incorporators stating in detail its reasons for doing so and indicating how the incorporators can remedy their nonconformance with the provisions of this act Upon remedying the defect the incorporators may in the same manner file the same or amended articles whichever the particular case may require

Section 306 Approval of Articles by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles from the Department of State conduct such investigation as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the proposed association is likely to mislead the public as to its character or purpose

(2) Whether the convenience and advantage of the public will be served by the proposed incorporation and whether the density of the population in the neighborhood designated

for the place of business of such proposed association and in the surrounding country affords reasonable promise or adequate support for the enterprise

(3) Whether the responsibilty character and general fitness for the business of the incorporators and directors named in the articles are such as to command the confidence of the community and to warrant the belief that the business of the proposed association will be honestly and efficiently conducted in accordance with the intent and purpose of this act

(4) Whether any fee commission or compensation other than a reasonable counsel fee has been paid to any corporation of such association or whether any part of the money collected or to be collected from subscribers or shareholders has been or is to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such association whether such fee commission or compensation is provided for by contract with the proposed association or by contract with the subscribers to the shares

B Within thirty days after the receipt of the articles from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove the articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles it shall endorse its approval thereon and shall return them to the Department of State

C If the Department of Banking disapproves the articles it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the proposed incorporators of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The proposed incorporators may within thirty days after the Department of State gives them notice of the disapproval of their articles appeal from such disapproval to the Governor who shall hear such appeal promptly and within thirty days thereafter decide the matter and certify his decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to any review The Department of Banking shall act in accordance therewith

Section 307 Issuance of Certificate of Incorporation Immediately upon receipt of the approved articles of an association from the Department of Banking the Department of State shall file the articles and shall issue to the incorporators or their representative a certificate of incorporation to which shall be attached a copy of the approved articles The Department of State shall also send a copy of the approved articles to the Department of Banking The articles upon being approved by the Department of State and the Department of Banking and filed by the Department of State shall constitute the charter of the association

Section 308 Effect of Issuance of Certificate of Incorporation Upon the issuance of the certificate of incorporation of any association by the Department of State the corporate existence shall begin The certificate of incorporation shall be conclusive evidence of the fact that the accociation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate an association which should have been formed under some other act or which has been formed without a substantial compliance with the conditions prescribed by this act

Section 309 Fees for Investigation by Department of Banking In addition to any other fees or charges provided by law in the case of any corporation the incorporators of an association shall pay to the Depratment of State at the time they file their articles such reasonable fees as shall be established by rule and regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act to determine whether the articles should be approved Such fees shall be paid by the Department of State through the Department of Revenue into the Banking Department Fund

Section 310 Organization Meetings A After the issuance of the certificate of incorporation of an association the first meeting of the shareholders shall be held within this Commonthwealth at the call of the shareholders who were the incorporators or a majority of them for the purpose of adopting such by-laws as this act or the articles of incorporation provide shall be adopted by the shareholders and for such other purposes as shall be stated in the notice of the meeting If the by-laws adopted at such meeting of the shareholders the shareholders shall proveed immediately to elect such officers The persons calling the meeting shall give at least tent days' written notice thereof to each shareholder which notice shall state the time place and purpose or purposes of the meeting

B After the issuance of the certificate of incorporation of an association an organization meeting of the board of directors named in the articles shall be held within this Commonwealth at the call of a majority of the directors for the purpose of adopting such by-laws if any as the articles authorize the directors to adopt for the purpose of electing such officers if any as the by-laws provide shall be elected by the directors and for the transaction fsuch other business as may come before the meeting The directors calling the meeting shall give at least five days' written notice of the time and place of the meeting to each director named in the articles

Section 311 Power of Legislature to Alter or Revoke Charters The General Assembly may revoke or annul the charter of any association formed under this act as provided by Article XVI Section 10 of the Constitution

Section 312 General Powers Subject to the limitations and restrictions contained in this act or in its articles every association shall have power

(1) To continue as an association for the time specified in its articles subject to the power of the General Assembly under the Constitution of this Commonwealth

(2) To sue and be sued complain and defend in its corporate name

(3) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile of it to be impressed or affixed or in any manner reproduced

(4) To make after amend and repeal by-laws not inconsistent with its articles or with law for the administration and regulation of the affairs of the association

(5) To elect or appoint and remove officers and agents of the association and to define their duties and fix their compensation

(6) To have and exercise all of the powers and means necessary to effect the purpose or purposes for which the association is organized

(7) To dissolve and wind up

The powers herein enumerated shall not be construed as limiting or enlarging any grant of authority specifically granted elsewhere in this act or as limiting the purpose or purposes for which an association may be organized as set forth in its articles It shall not be necessary to set forth in the articles of any of the powers enumerated in this section Except as otherwise provided in this act in the articles or in the by-laws of a particular association the powers herein enumerated shall be exercised by the board of directors of the association

Section 313 By-Laws Adoption Amendment or Repeal Approval by Department A Except as herein otherwise provided the shareholders shall have the power to make alter amend and repeal the by-laws of an association The authority to make by-laws may be expressly vested by the articles in the board of directors subject to the power of the shareholders to change or repeal such by-laws but the board of directors shall not make or alter any by-laws fixing their qualifications classification term of office or compensation or any by-laws regulating the proportion of the profits of the association or the rate of interest paid to a withdrawing shareholder Unless the articles or by-laws otherwise provide the by-laws shall be adopted altered amended and repealed by a majority vote of the board of directors or of the shareholders entitled to vote thereon as the case may be at any regular or special meeting duly convened after notice to the shareholders or directors of that purpose

B The by-laws of an association may contain any provision for the regulation and management of the affairs of such association not inconsistent with law or the articles

C Immediately upon the adoption of the by-laws or of any additions thereto or any alteration amendment or repeal thereof notice of such fact and a copy of such by-law or such alteration amendment or repeal shall forthwith be sent to the Department of Banking The Department of Banking shall have the power to disapprove for any reasonable cause stated in writing any such by-law or any such alteration amendment or repeal thereof but such by-law alteration amendment or repeal shall be effective until the Department actually disapproves it and gives notice thereof to the association

Section 314 Parties Bound by By-Laws Execution of Instruments A The by-laws of an association shall operate merely as regulations among the shareholders of the association and shall not affect contracts or other dealings with other corporations or persons unless such corporations or persons have actual knowledge of such by-laws or unless the association has given to such corporations or persons a copy of such by-laws

B Any form of execution provided in the by-laws to the contrary notwithstanding any note mortgage evidence of indebtedness contract or other instrument of writing or any assignment or endorsement thereof executed or entered into between an association and any other corporation or person when signed by the president or vice-president and by the secretary or treasurer of such association shall be held to have been properly executed for and in behalf of the association

ARTICLE IV

DIRECTORS AND OFFICERS

Section 401 Number and Election of Directors Executive Committee Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors of an association may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

(1) A director shall be elected for a term of one year

(2) The number of directors shall be the same as that stated in the articles

(3) Vacancies in the board of directors shall be filled by the remaining members of the board though less than a quorum and each person so elected shall be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto

(4) The regular meetings of the board of directors shall be held at the place of business of the association but special meetings may be held at such place within this Commonwealth as a majority of the directors may from time to time designate

(5) A majority of all the directors in office shall be necessary to constitute a quorum for the transaction of business and except as otherwise provided in this act or in the articles or by-laws of a particular association the acts of a majority of the directors who are present at a meeting at which a quorum is present shall be the acts of the board of directors

(6) The board of directors may by resolution passed by a majority of the whole board delegate three or more of its number to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority of the board over the ordinary operations of the business of the association between the dates of the monthly meetings of the board Every such committee shall keep full minutes of all business transacted by it and shall present detailed reports of all such transactions at each monthly meeting of the board

Section 402 Term of Office and Qualification of Directors A The business and affairs of every association shall be managed by a board of at least five directors Except as otherwise provided by this act or by the articles or by-laws of the association such board of directors shall exercise all the powers and fulfill all the duties granted to or imposed upon the association by this act

B Each director shall hold office for the term for which he is elected and until his successor shall have been duly elected and qualified The names and terms of office of the first directors shall be stated in the articles Except as otherwise provided in this act for the filling of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders

C Every director shall during his term of office be a citizen of the United States and a bona fide resident in this Commonwealth Ever director shall own in his own name and of any lien or encumbrance at least five shares of the association but the number of shares required to be owned by any person who is a director of an association upon the effective date of this act shall be the same as was required by the articles or by-laws of such association prior to the effective date of this act so long as such director shall serve continuously The share certificates or the passbook or other receipt for the minimum number of shares which each director is required to own free of any lien or encumbrance shal be filed unendorsed unpledged and unassigned by him with the treasurer of the association Such shares shall remain in the custody of the treasurer during the term of office of such director

Any director who during his term of services pledges assigns or in any manner ceases to be the owner in his own name of the number of shares which he is required to own free of any lien or encumbrance shall forthwith cease to be a director of the association and his office shall be vacant Any vacancy thus occurring shall be filled in the regular manner for filling vacancies in the board

Section 403 Classification of Directors If the by-laws of an association so provide the directors may be classified in respect to the time for which they shall severally hold office In such case each class shall be as nearly equal in numebr as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for a shorter period than one year or for a longer period than four years At each ensuing election of directors after such classification only the number of directors equal to the number of the class whose terms expire at the time of the election shall be elected and such directors shall be elected for the longest term for which any class may have been elected as provided in this section

Section 404 Meetings of Board of Directors Notice Thereof A The Board of Directors of every association shall hold a regular meeting at its place of business at least once in each month Meetings of the board of directors shall be held upon such notice as the by-laws may prescribe Unless the by-laws provide otherwise written notice of any special meeting of the board of directors shall be given to each director When any regular or special meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

B The board of directors shall require the secretary of the association to keep complete records of their proceedings in a minute book kept for that purpose When a director shall request it the vote of each director upon a particular question shall be recorded in the minutes

Section 405 Compensation of Directors The directors of an association shall be entitled to such compensation for their services as directors as is provided in its articles or by-laws A director may also be a salaried officer of the association

Section 406 Examination and Report by Board of Directors A The board of directors of every association shall once in each year make or cause to be made by at least three of the members of the board or by an accountant or accountants employed for the purpose a detailed examination of the books papers securities and affairs of the association and the loans thereof and into such other matters as the Department may require The board of directors shal have the power to employ such an assistant or assistants as they may deem necessary to make such examination

B As soon as such examination is completed a detailed written report thereof signed under oath or affirmation by the directors or certified to by the accountant or accountants making such examination shall be sent to the Department A copy thereof shall be placed on file with the association and properly noted on its minutes.

Section 407 Communications from Department of Banking Every official communication directed by the Department to an association or to any officer thereof shall be transmitted by the officer receiving it to the board of directors at the next meeting of such board and shall be duly noted in the minutes of such meeting

Section 408 Disqualification of Directors If a director of an association shall for six successive months or such shorter period as is established by the by-laws fail to attend any of the regular meetings of the board of directors of such association without having been during such period excused by the board for such failure to attend his office may forthwith be declared vacant by the board of directors but he shall be eligible for reelection

Section 409 Removal of Directors A The entire board of directors or any individual director may be removed from office by a majority vote of the holders of the outstanding shares entitled to vote at an election of directors In case the board or any one or more directors be so removed new directors may be elected at the same meeting Unless the entire board be removed no individual director shall be removed in case the votes of a suffcient number of shares are cast against the reso-

lution for his removal which if cumulatively voted at an election of the full board would be sufficient to elect one or more directors

B The board of directors may declare vacant the office of a director if he be declared of unsound mind by an order of court or convicted of felony or if within sixty days or such other time as the by-laws may specify after notice of his election he does not accept such office either in writing or by attending a meeting of the board of directors and fulfill such other requirements or qualifications as the by-laws may specify

C The court of common pleas of the county where the place of business of the association is located may at the suit of any shareholder or shareholders holding at least ten per cent of the outstanding shares remove from office any director or directors in case of fraudulent or dishonest acts or gross abuse of authority or discretion with reference to the association and may bar from reelection any director so removed for a period prescribed by the court The association shall be made a party to such actions

Section 410 Officers of Associations Removal Compensation A Every association shall have a president a vice-president a secretary and a treasurer and may have such additional officers as shall be provided for in the by-laws Any two or more offices may be held by the same person except that the same person shall not at the same time be holder of more than one of the following offices president vice-president secretary treasurer and solicitor in addition when an association has a conveyancer the president vice-president secretary or treasurer of such association shall not at the same time be the conveyancer of the association

B The officers of an association shall be selected at least annually by the board of directors unless the by-laws provide a different method The president vice-president and secretary of an association shall be required to be members of the board of directors of the association

C Unless specifically provided otherwise in the by-laws the board of directors shall fix the compensation of all officers

D Any officer may be removed by the board of directors whenever in its judgment the best interests of the association will be served thereby but such removal shall be without prejudice to the contract rights if any of the person so removed

E Unless specifically provided otherwise in the by-laws the board of directors shall have the power to fill any vacancies created by the death removal resignation or otherwise of any officer

F The officers as between themselves and the association shall have such authority and perform such duties as shall be specified by the by-laws

Section 411 Bonds of Officers and Employes A The officers and employes of every association as well as any directors who are authorized to receive payments of moneys or to handle negotiable securities on behalf of such association shall before entering upon the performance of their duties furnish to it bonds in such amount as is specified with such corporate surety as is approved by the directors Such bond shall be conditioned upon the faithful performance of the duties of such officers directors or employes The cost of such bonds may be paid by the association

B The Department shall have the power to require any such officer employe or director at any time during his term of office or employment to furnish a bond in an amount greater than that required by the board of directors or it may require new or additional corporate surety

Section 412 Women May Be Directors or Officers Women married or single may serve as officers or directors of an association

Section 413 Power of Attorney to Make Entries of Record A Every association shall by power of attorney filed of record in the office of the recorder of deeds in any county in which it may have occasion or in which it may be required to enter acknowledgement of payments assignment extension postponement release or satisfaction of or to take any other action affecting the lien of any mortgage which appears upon the records in such office designate a person or persons who shall be authorized in the name of such association to make such entries The officer or employe of an association who has custody of the mortgage papers of such association shall not be designated to make such entries

B Such recorded of deeds shall not permit any person other than the person or persons so designated to make such entries for such association

Section 414 Acceptance of Fee or Commission by Director Officer Solicitor or Employe A A director an officer a solicitor a conveyancer or an employe of an association shall not directly or indirectly stipulate for or agree or assent to receive or receive any money or other thing of value as a fee commission or gift from any corporation or person for procuring or for endeavoring to procure for such corporation or person or for any other corporation or person or for performing any service in connection with any loan from or any investment by such association

B Any director officer solicitor conveyancer or employe of an association who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to a fine not exceeding a sum equal to three times the amount of the value of the property which he receives as such fee commission or gift In addition he shall be disqualified from acting as a director officer solicitor conveyancer or employe of any association within this Commonwealth for a period of five years after the date of such conviction

Section 415 Purchases from and Sales to Directors Officers Solicitors or Employes A An association shall not contract for or purchase from any of its directors officers solicitors or employes any securities or other property unless such purchase is made in the regular course of business upon terms not less favorable to the association than those offered to any other corporation or person unless such purchase could not be made from another reliable source at a more favorable price or upon more favorable terms and unless such purchase is authorized by the vote of at least two-thirds of all the members of the board of directors of such association who are not interested in such transaction except in their capacity as directors of the association

B An association shall not sell securities or other property owned or held by it to any of its directors officers solicitors or employes unless such sale is made in the regular course of business upon terms not less favorable to the association than those offered to any other corporation or person unless such sale could not be made elsewhere at a more favorable price or upon more favorable terms and unles such sale is authorized by the vote of at least two-thirds of all the members of the board of directors of such association who are not interested in such transaction except in their capacities as directors of the association

C For the purpose of this section a purchase from or a sale to a corporation of which any director officer solicitor or employe described in this section owns ten per centum or more of the outstanding shares or a purchase from or a sale to an unincorporated association of which any such director officer solicitor or employe is a member shall be considered a purchase from or a sale to such director officer solicitor or employe

D Any director officer solicitor or employe of an association who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to an imprisonment not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine equal to any profit which he shall have made upon the transaction

ARTICLE V

MEETING RIGHTS AND LIABILITIES OF SHAREHOLDERS

Section 501 Meetings of Shareholders A Meetings of the shareholders of an association shall be held within this Commonwealth at such place as may be provided in the by-laws of the association Unless the by-laws provide otherwise all meetings of the shareholders shall be held at the place of business of the association In the event that the place of business or the place designated in the by-laws becomes unavailable for the holding of a meeting of the shareholders the directors may upon notice to all shareholders specify another place within the city borough or township as a temporary meeting place

B The by-laws may provide for the number and the time of meetings of shareholders but at least one regular meeting of the shareholders shall be held in each calendar year for the election of directors at such time as shall be provided in the by-laws If the annual meeting shall not be called and held within one month after the designated time any share-

holder shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting

C Special meetings of shareholders may be called at any time by the president or the board of directors or the holders of not less than one-fifth of all the shares outstanding and entitled to vote at the particular meeting or by such other officers or persons as may be provided in the articles or by-laws At any time upon written request of any person entitled to call a special meeting it shall be the duty of the secretary of the association to call a special meeting of the shareholders to be held at such time as the secretary of the association may fix not less than ten or more than sixty days after the receipt of the request If the secretary shall neglect or refuse to issue such call the person or persons making the request shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting

D Any annual or special meeting may be adjourned for any period of time but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected

Section 502 Notice of Meetings of Shareholders In the case of all special meetings of the shareholders and in the case of any regular meeting the time and the place of which are not stated in the by-laws written notice of such meeting shall be given by or at the direction of the person authorized to call the meeting to each shaeholder of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act If the time and the place of a regular meeting of the shareholders are stated in the by-laws it shall be sufficient in addition to any other notice if any required by the by-laws to post a notice at the place of business of the association during the two months immediately preceding the date of such meeting The notice required by this section shall specify the place day and hour of the meeting and in the case of a special meeting the general nature of the business to be transacted When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at the adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

Section 503 Quorum of Shareholders A shareholders' meeting duly called shall not be organized for the transaction of business unless a quorum is present Unless otherwise specifically provided in this act in the articles or in the by-laws

(1) The presence in person or by proxy of the holders of a majority of the outstanding shares entitled to vote shall constitute a quorum

(2) The acts of the holders of a majority of the shares represented at any meeting at which a quorum is present shall be the acts of the shareholders

(3) If a meeting cannot be organized because a quorum has not attended those present may adjourn the meeting to such time and place as they may determine but in the case of any meeting called for the election of directors those who attend the second of such adjourned meetings although less than a quorum as fixed in this section or in the articles or by-laws shall nevertheless constitute a quorum for the purpose of electing directors

Section 504 Shareholders May Vote in Person or by Proxy Except as otherwise specifically provided in this act every shareholder of record of an association shall have the right at every shareholders' meeting to one vote for every share standing in his name on the books of the association Every shareholder may vote either in person or by proxy Every proxy shall be executed in writing by the shareholder or by his duly authorized attorney in fact and field with the association A proxy unless coupled with an interest shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary but the revocation of a proxy shall not be effective until notice thereof has been given to the association No unrevoked proxy shall be valid after eleven months from the date of its execution unless coupled with an interest A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised written notice of such death or incapacity is given to the association A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value

Section 505 Election of Directors Cumulative Voting Unless otherwise provided in the by-laws elections for directors need not be by ballot except upon demand made by a shareholder at the election and before the voting begins In all elections for directors every shareholder entitled to vote shall have the right in person or by proxy to multiply the number of votes to which he may be entitled by the number of directors to be elected and he may cast his whole number of such votes for one candidate or he may distribute them among any two or more candidates The candidates receiving the highest number of votes up to the number of directors to be chosen shall be elected

Section 506 Voting by Trustees and Pledges Shares of an association held in a fiduciary capacity by a fiduciary appointed by last will and testament or by decree of the orphans' court shall be voted by such fiduciary either in person or by proxy in the manner and under the circumstances provided by law Shares standing in the name of a fiduciary other than one appointed by last will and testament or by decree of the orphans' court or shares held by an assignee for the benefit of creditors or by a receiver may be voted by such fiduciary assignee or receiver either in person or by proxy A shareholder whose shares are pledged to anyone other than the association shall be entitled to vote thereon in person or by proxy until the shares have been transferred on the books of the association to the pledgee or nominee and thereafter the pledgee or nominee shall be entitled to vote the shares in person or by proxy A shareholder whose shares are pledged to the association shall be entitled to vote such shares in person or by proxy

Section 507 Voting by Joint Holders of Shares Where shares of an association are held jointly or as tenants in common by more than one corporation or person the will of the majority of such holders shall control the manner of voting or the giving of a proxy If the shares are held jointly or as tenants in common by two or any other even number of corporations or persons and they are equally divided up the manner of voting the shares held by them the vote of such shares shall be divided equally among such persons If only one or more of such holders are present in person or by proxy he or they shall have the right to vote all such shares and all of the shares standing in the names of such corporations or persons shall be deemed to be represented for the purpose of determining a quorum Except as hereinafter provided the same shall be true in the case of fiduciaries other than those appointed by last will and testament or by decree of the orphans' court unless such fiduciaries have been appointed under an instrument or a decree of court which directs otherwise Where in any case such fiduciaries are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court of common pleas upon petition filed by any of the fiduciaries or by any beneficiary to direct the voting of such shares in the manner which in the opinion of the court will be for the best interests of the parties beneficially interested in the shares

Where shares of an association are held jointly in a fiduciary capacity by two or more fiduciaries appointed by last will and testament or by decree of the orphans' court they shall be voted in the manner and under the circumstances provided by law

Section 508 Voting Shares Held by a Corporation An association or other corporation owning shares in an association or in any other corporation may vote them by its president or by proxy appointed by him unless some other person by resolution of its board of directors shall be appointed to vote such shares in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution

Section 509 Determination of Shareholders of Record A Unless the by-laws otherwise provide the board of directors of an association may fix a time not less than ten or more than forty days prior to the date of any meeting of shareholders as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting In such case only such shareholders as shall be shareholders of record on the date so fixed shall be entitled to notice of and to vote at such meeting notwithstanding any transfer of any shares on the books of the association after any record date

fixed as aforesaid The board of directors may close the books against transfers of shares during the whole or any part of such period and in such case written notice thereof shall be given at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the association or supplied by him to such association for the purpose of notice While the stock transfer or other books of such association are closed no transfer of shares shall be made thereon Unless a record date is fixed by the by-laws or the board of directors for the determination of shareholders entitled to receive notice of or to vote at a shareholders' meeting transferees of shares which are transferred on the books of the association within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting

B Holders of matured shares or holders of shares which have been voluntarily or involuntarily withdrawn or holders of shares who have not assented to or have dissented from a merger or a consolidation shall be entitled to notice of and to vote at any meeting of shareholders until they shall have been paid in full the amount lawfully due them on account of their shares The exercise of such right to vote at a meeting shall not constitute waiver of or in any way affect any rights granted by law to such shareholders by virtue of the maturing of their shares or of their withdrawal from the association either voluntarily or involuntarily or of their failure to assent to or their dissent from a plan of merger or consolidation

C Shareholders whose shares have been issued less than sixty days prior to the date of a meeting shall not be permitted to vote such shares at any meeting of the association

Section 510 Judges of Election A In advance of any meeting of shareholders of an association the board of directors may appoint a judge or judges of election who need not be shareholders to act at such meeting or any adjournment thereof If a judge or judges of election be not appointed the chairman of any such meeting may and on the request of any shareholder or his proxy shall make such appointment at the meeting The number of judges shall be one or three If appointed at a meeting on the request of one or more shareholders or proxies the majority of shares present and entitled to vote shall determine whether one or three judges are to be appointed No person who is a candidate for office shall act as a judge

B In case any person appointed as judge fails to appear or fails or refuses to act the vacancy may be filled by appointment made by the board of directors in advance of the convening of the meeting or at the meeting by the person acting as chairman

C The chairman of the meeting or if a judge or judges of election have been appointed then such judge or judges shall determine the number of shares outstanding the voting power of each the shares represented at the meeting the existence of a quorum the authenticity validity and effect of proxies receive votes or ballots hear and determine all challenges and questions in any way arising in connection with the right to vote count and tabulate all votes determine the result and do such acts as may be proper to conduct the election or vote with fairness to all shareholders The judges of election shall perform their duties impartially in good faith to the best of their ability and as expeditiously as is pratical If there be three judges of election the decision act or certificate of a majority shall be effective nn all respects as the decision act or certificate of all

D On request of the chairman of the meeting or of any shareholder or his proxy the judge or judges if any shall make a report in writing of any challenge or question or matter determed by them and execute a certificate of any fact found by them If a judge or judges have not been appointed the chairman on request of any shareholder or his proxy shall make such report or certificate made by the judge or judges or the chairman as the case may be shall be prima facie evidence of the facts stated therein

Section 511 Informal Action by Shareholders Except for the action required by this act for increasing the capital of an association any action required by this act to be taken at a meeting of the shareholders may be taken without a meeting if a consent in writing setting for the action so taken shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the association

Section 512 Immunity of Shareholders A shareholder of an association shall not merely by reason of his ownership of shares be personally liable for any debt or liability of the association

ARTICLE VI

CREATION TRANSFER WITHDRAWAL AND MATURITY OF SHARES

Section 601 Authorized Capital Par Value of Shares and Change Therein A Unless specifically otherwise provided in the articles of an association the number of shares which it may issue shall be unlimited

B The shares of an association shall have a par value of not less than one hundred dollars each nor more than two hundred dollars each but every share issued by an association shall have the same par value as every other share This provision shall not affect the right of any association which prior to the effective date of this act has issued shares of a par value less than one hundred dollars or more than two hundred dollars to continue issuing shares of such par value nor shall it affect the right of any association which upon the effective date of this act has issued and outstanding shares of more than one par value to continue to issue such shares

Any association may by amending its articles in the manner prescribed by this act change the par value of its shares but such change shall not be to an amount less than one hundred dollars each nor more than two hundred dollars each Whenever such change in par value is made every holder of a share for which a share certificate has been issued shall return such share certificate to the association and upon the surrender and cancellation of such share certificate the association shall issue to such shareholder the proper number of share certificates at the new par value

C An association may issue fractional shares

Section 602 Issuances of Shares Series A The shares of an association may be issued in a single series they may be issued in any number of series or they may be issued nonserially at such times and in such manner as shall be stated in the articles or by-laws of the association Except as otherwise specifically provided in the articles or by-laws of an association the number of shares which it may issue in a single series shall be unlimited

B Except as otherwise specifically provided in the articles or by-laws of an association the issuance of shares of a new series shall operate to close the prior series and the association shall operate to close the prior series and the association shall not thereafter issue any share in such prior series

C Except as otherwise specifically provided in the articles or by-laws of an association shares which have been withdrawn whether voluntarily or involuntarily or shares which have been cancelled whether because of failure to pay dues installments fines premiums or for any other reason shall not after the holders of such shares have received full payment or credit due them on such shares be reissued nor new shares issued in their stead

Section 603 Prohibition on Preferred Shares Shares as Personal Property A An association shall not issue preferred shares

B Shares of an association shall be deemed personal property

Section 604 Membership or Withdrawal Fees Other Charges An association shall not levy upon any shareholder or upon any corporation or person intending to become a shareholder a membership or withdrawal fee or any other charge not specifically permitted by this act

Section 605 Payments for Installment Full-Paid and Prepaid Shares An association may issue shares under any or all of the following plans of payment

(1) Shares the par value of which is to be paid in part by periodical payments in cash at such times and in such amounts as shall be established by the articles or by-laws and in part by accrual of earnings on such shares Such periodical payments shall be known as dues and such shares shall be known as installment shares

(2) Shares the par value of which has been paid by a single cash payment at the time of their issuance Such shares shall be known as full-paid shares

(3) Shares the par value of which has been paid in part by a single cash payment at the time of their issuance and in part by accrual of earnings on such shares Such shares shall be known as prepaid shares

Section 606 Lien on Shares Every share shall be subject to a lien for the payment of any indebtedness or charges due to the association The by-laws may prescribe the manner of enforcing such lien

Section 607 Share Certificates Issuance and Preservation A Every association shall furnish to each holder of record of an installment share a copy of the by-laws of the association and of all amendments thereto and a receipt by pass book or otherwise for all dues premiums fines or other payments made to the association by him but an association shall not be required to issue a share certificate to any holder of an installment share

B Every association shall furnish to each holder of record of a prepaid or a full-paid share a copy of the by-laws of the association and of all amendments thereto and a share certificate upon which the name of the association shall be printed and which shall state

(1) That the association is incorporated under the laws of this Commonwealth

(2) The name of the registered holder of the shares represented thereby

(3) The date of issuance of the shares

(4) The type of shares which the certificate represents that is whether they are prepaid or full-paid

(5) The number of shares which the certificate represents

(6) The par value of each share represented and in the case of prepaid shares the amount of the single cash payment made on each share by the shareholder

C Every share certificate shall be signed by the president or vice-president and the secretary or treasurer or by such officers as the by-laws may provide and sealed with the corporate seal In case any officer who has signed any share certificate shall have ceased to be such officer because of death resignation or otherwise before the certificate is issued it may be issued with the same effect as if the officer had not ceased to be such at the date of its issue

D Share certificates shall bear printed consecutive numbers and shall be issued from a bound share certificate book containing a stub for each certificate Each stub shall bear the same number as the share certificate which was attached to it the name and address of the person in whose name the share certificate is issued the number of shares represented by the certificate and the date of the issuance of the certificate The president or vice-president and the secretary or treasurer or such officers as the by-laws provide shall certify on each stub that the information contained thereon is correct and in accordance with the share certificate bearing the same number

E Upon the withdrawal of prepaid or full-paid shares and upon payment by the association the certificate representing such shares shall be surrendered to the association and preserved by it indefinitely Likewise any share certificate for which the association has issued a substitute certificate or which for any other reason has been surrendered to the association shall be preserved by it indefinitely

Section 608 Shares Held in Name of Minor Any association may issue shares in the name of any minor not less than sixteen years of age and shall pay the dividends or earnings thereon as well as the withdrawal or maturity value of such shares to such minor without the assent of his parent or guardian The receipt acquittance or other action required by the association to be taken by the minor shall be a valid release to the association The parent or guardian of such minor shall not in his capacity as parent or guardian have the power to attach or in any manner transfer any shares issued to or in the name of such minor

Section 609 Shares Held in Name of Two or More Persons A Whenever shares of an association shall be issued in the names of two or more persons the association shall not pay any dividends or earnings thereon or the withdrawal or maturing value thereof except upon proper receipt acquittance or other action as the case may be of all of such persons unless at the time of subscribing to the shares or at a subsequent time all the parties agree to a different arrangement and give the association written notice thereof

B Whenever shares of an association shall be issued in the names of two or more persons and such shares shall have been subscribed for under an arrangement with the association whereby the dividends or earnings thereon or the withdrawal or maturity value therof may be paid upon receipt acquittance or other action as the case may be of either or any of such persons the association may pay such dividends earnings withdrawal value or maturity value upon such receipt acquittance or other action as the case may be of either or any of such persons pursuant to the arrangement provided for in this section nothwithstanding the fact that one or more of the other persons may be dead and the association has notice thereof

C This section shall not be construed to affect shares in the names of a husband and his wife

Section 610 Death of One Holding Shares as Trustee Whenever shares of an association shall be issued to any person describing himself in subscribing for such shares as trustee for any person and no other notice of the existence and terms of a valid trust than such description shall have been given to the association the dividends or earnings on such shares as well as the withdrawal or maturity value of such shares shall in the event of the death of the person so described as trustee be paid to the person for whose benefit the shares were stated to have been subscribed if at the time of such death such beneficiary is over sixteen years of age. If he is a minor not less than sixteen years of age such payment shall be made to him under the same conditions as in the case of shares originally subscribed for by such minor

Section 611 Transfer of Shares A Installment shares for which share certificates have not been issued shall be transferable in the manner provided by the by-laws of the association provided such by-laws are not inconsistent with law

B Except as otherwise specifically provided in this act the transfer of shares for which share certificates have been issued and the share certificates representing them may be regulated by the by-laws provided such by-laws are not inconsistent with the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) its amendments and supplements

Section 612 Voluntary Withdrawals A Any shareholder may upon giving written notice to the association withdraw any shares whether full-paid prepaid or installment which are not pledged to the association as security for a mortgage loan granted by it The secretary or other officer designated by the by-laws of the association shall endorse on the written notice of an intention to withdraw required by this section the date of its receipt by the association and shall record such notice and the date of its receipt by the association in a book to be used solely for the recording of notices of withdrawals

B The association shall pay to a shareholder who has withdrawn his shares the amount paid to the association by him on such shares less all fines or other indebtedness or charges due by him plus such proportion of the earnings of the association or such rate of interest as may be prescribed by the by-laws of the association minus the loss properly apportionable to such shares but the board of directors may by general rule or regulation and with the prior written consent of the Department change such proportion of earnings or such rate of interest The amount payable to a shareholder who has withdrawn his shares shall be known as the withdrawal value of his shares Except as herein otherwise specifically provided a withdrawal shall become effective thirty days after presentation by the shareholder of the written notice required by this section at a meeting of the association or if not presented by him at a meeting then thirty days after the first meeting of the association held after the receipt of such notice at the place of business of the association

Section 613 Involuntary Withdrawal of Prepaid or Installment Shares A An association may at or before maturity compel withdrawal of prepaid or installment shares which are not pledged to the association as security for mortgage loans granted by it but it shall not have the power to compel withdrawal of any prepaid or any installment share as the case may be unless it shall have on hand sufficient funds to pay such withdrawals immediately and until all prepaid or all installment shares respectively issued prior to the date of isuuance of such share have first been voluntarily or involuntarily withdrawn In the case of installment shares issued in series such compulsory withdrawal shall be pro rata among the shares of the same series

B The association shall pay on each prepaid share thus involuntarily withdrawn the full amount of the cash payment made thereon by the shareholder at the time of the issuance of such share plus the full portion of the accumulated earnings of such association properly apportionable to such share

C The association shall pay on each installment share thus involuntarily withdrawn the full amount of the dues paid thereon by the shareholder plus the full portion of the accumulated earnings of such association properly apportionable to such share

Section 614 Involuntary Withdrawal of Full-Paid Shares An association may compel withdrawal of full-paid shares which have been issued at least two years prior to the date of such involuntary withdrawal but it shall not have the power to compel withdrawal of any full-paid share unless it shall have on hand sufficient funds to pay such withdrawals immediately and until all full-paid shares issued prior to the date of issuance of such share have first been voluntarily or involuntarily withdrawn The association shall pay on each share thus involuntarily withdrawn the same amount as it would be required by this act to pay if such shares were voluntarily withdrawn

Section 615 Matured Shares A An installment or pre-paid share shall be declared matured by the board of directors of an association whenever in the case of a prepaid share the cash payment made thereon by the shareholder at the time of the issuance of such share or in the case of an installment share the dues paid thereon by the shareholder plus the full portion of the accumulated earnings of such association properly apportionable to such prepaid or installment share as the case may be after deducting the reserve for contingent losses created pursuant to the provisions of this act equal the par value of the share Notice of such maturity shall forthwith be given to the holder of such share

B If the shares thus declared matured have not been pledged to the association as security for a loan the association shall before making payment deduct an amount equal to any delinquent fines or other charges due it such shareholder

C If the shares thus declared matured have been pledged to the association as security for a loan which is secured also by a mortgage upon real property then the mortgage shall be forthwith satisfied upon the payment of any delinquent fines or other charges due the association and upon the payment of a fee not in excess of three dollars for the satisfaction of the mortgage

D If the shares thus declared matured have been pledged to the association pursuant to a loan upon which the sole security is such shares the note shall be forthwith cancelled and the amount of the loan together with the amount of any delinquent fines or other charges due the association shall be deducted from the matured value of such shares The balance shall be payable to such shareholder in the same manner as provided by this act in the case of shares which have been declared matured which are not pledged to the association as security for a loan

E The holder of a share which has been declared matured pursuant to the provisions of this section shall be entitled to interest upon any unpaid portion of the par value thereof at the rate of four per centum per annum from the date of the declaration of maturity but the rate of such interest shall not in any event exceed the rate of earnings apportioned during such period to installment or prepaid shares which have not been declared matured

Section 616 Order of Payment and Funds to be Used to Pay Matured or Withdrawn Shares Power to Sue A Withdrawn or matured shares shall be paid in the order in which the withdrawals become effective or the maturities are declared but withdrawals which become effective or maturities which are declared upon the same day shall be paid on a pro rata basis However the board of directors may at any time either authorize payment of withdrawn or matured shares on a pro rata basis or with the consent of the Department fix a maximum amount to be paid periodically on such shares The action of the board of directors in authorizing payment to be made on a pro rata basis or in fixing a maximum amount to be paid periodically shall also apply to unpaid withdrawals which became effective or to unpaid maturities which were declared prior to the date on which such action was taken by the board of directors

B At least two-thirds of the funds in the treasury of an association shall be applied to the payment of matured or withdrawn shares whenever such amount is necessary for this purpose but the association shall first deduct such amount as shall be necessary to pay current expenses and interest or dividends on full-paid shares to protect or preserve the assets of the association and to make proper provisions for meeting such obligations as it may reasonably be expected to be compelled to pay Whenever two-thirds of the funds in the treasury other than such amounts as are required by this section to be deducted are insufficient to pay in full all matured or withdrawn shares one-third of such funds shall be applied to the payment of matured shares and one-third to the payment of withdrawn shares but if less than one-third of such funds shall be sufficient to pay in full all matured shares the balance of such one-third shall be applied to pay withdrawn shares and conversely if less than one-third of such funds shall be sufficient to pay in full all withdrawn shares the balance of such one-third shall be applied to pay matured shares

C Whenever funds are not available in the manner hereinbefore provided to pay any matured or withdrawn share upon which payment has been due for a period in excess of six months all the funds in the treasury other than such amounts as are required by this section to be deducted shall be applied to the payment of matured or withdrawn shares Whenever all of the funds in the treasury other than such amounts as are required by this section to be deducted are insufficient to pay in full matured or withdrawn shares one-half of such funds shall be applied to the payment of matured shares and one-half to the payment of withdrawn shares If less than one-half of such funds shall be sufficient to pay in full all matured shares the balance of such one-half shall be applied to pay withdrawn shares and conversely if less than one-half of such funds shall be sufficient to pay in full all withdrawn shares the balance of such one-half shall be applied to pay matured shares

D Whenever matured or withdrawn shares have not been paid by an association for a period of six months after the maturities have been declared or the withdrawals have become effective owing to the fact that the funds in the treasury which under this act are to be applied to the payment of such shares are insufficient to pay them in full so much of the bonds or other obligations of the United States or the Commonwealth of Pennsylvania or of a Federal Home Loan Bank owned by the association as shall be necessary to pay such matured or withdrawn shares shall be sold and the proceeds paid into the treasury of the association to be used to pay such shares

E For the purposes of this section the words "funds in the treasury" shall be construed to include all moneys received by the association from any source whatsoever except money borrowed from the Federal Home Loan Bank

F The holders of matured or withdrawn shares shall not have the power to sue for the amount due them by virtue of such maturity or such withdrawal until such time as under the provisions of this section such matured or such withdrawn shares should have been paid

Section 617 Fines A Any association may impose fines upon its shareholders for failure to pay dues interest or premiums but a fine shall not exceed one per centum per month of the amount of the dues interest or premiums which are in arrears for the period during which they have been in such arrears Such fines may be deducted from or charged against the earnings of the association properly apportionable to the shares in the association on account of which such defaults are made but fines for a longer period than six months shall not under any circumstances be deducted from or charged against the dues paid by the shareholders upon such shares

B An association shall not impose fines upon the shares of a deceased shareholder for defaults incurred after his death unless his legal representative makes a payment upon such shares in which case fines may be levied against such shares for all defaults after the date of such payment

C Fines levied pursuant to the provisions of this act shall not be deemed usurious

Section 618 Restrictions on Dividends on Full-Paid Shares The cash dividend or periodical interest paid on full-paid shares during any year shall not exceed the net rate of dividends earned during such year on all the outstanding shares of the association less the amount thereof if any set aside as a reserve for contingent losses

Section 619 Cancellation of Shares by Association An association may cancel the installment shares of a shareholder for failure to pay dues upon them for a period of six months In the event of such cancellation by such association the shareholder shall be entitled to all the rights of a withdrawing shareholder

Section 620 Reserve for Contingent Losses Every association shall set aside each year not less than five per centum

and not more than fifteen per centum of its net profits for such year unless the Department in writing approves the setting aside of a lesser or a greater amount as a reserve for contingent losses until the total amount of such reserve shall equal at least five per centum and not more than ten per centum of the assets of such association unless the Department in writing approves the creation of a total reserve of a lesser or a greater amount The Department may at any time require any association to set aside such additional amount as the Department shall deem necessary to safeguard the interests of the shareholders of such association Such reserve for contingent losses may be loaned or invested in the same manner as is authorized by this act in the case of other funds of the association

If due to a reduction of the assets of an association or due to any other cause whatsoever the reserve for contingent losses shall exceed ten per centum of the assets of the association or if the Department has authorized or directed the creation of a reserve for contingent losses in excess of such ten per centum and such reserve exceeds such amount authorized or directed by the Department the amount above such ten per centum or such other amount as has been authorized or directed by the Department shall be transferred at the next regular meeting of the board of directors to the general profit account of the association

Section 621 Reduction of Liability to Shareholders Whenever the losses of any association resulting from a depreciation of its securities or otherwise exceed its accumulated profits and its reserve for contingent losses so that the fair value of its assets is less than the total amount due its creditors and shareholders the court of common pleas of the county in which the place of business of the association is located may upon the petition of the association approved by a majority of all its directors and by the Department order a reduction of its liability to its shareholders in such manner as to distribute the loss equitably among such shareholders Such petition shall be advertised at least once in a newspaper of general circulation

ARTICLE VII

AMENDMENT OF ARTICLES

Section 701 Amendment of Articles Authorized An association may in the manner hereinafter provided in this article amend its articles of incorporation from time to time in any manner whatsoever provided that the articles as so amended would be authorized by this act as original articles of incorporation

Section 702 Proposal of Amendments to Articles Every amendment to the articles of an association shall first be proposed by the board of directors by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to a vote of the shoreholders entitled to vote thereon at a designated meeting which may be either an annual or a special meeting of the shareholders entitled to vote on the amendment The resolution shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

Section 703 Adoption of Amendments Every proposal of an amendment to the articles of an association made by its board of directors shall be adopted at the shareholders' meeting designated for that purpose pursuant to the provisions of this act upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote at such meeting unless the articles require a greater number Any number of amendments may be submitted to the shareholders at one meeting

Section 704 Notice of Meeting to Adopt Amendments to Articles Written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering any proposed amendment to the articles of an association be given to each shareholder of record except that written notice of any proposed amendment for increasing the authorized capital stock of the association shall be given to each shareholder of record at least sixty days before such meeting Such notice shall state the place the day and the hour of the meeting and shall set forth the proposed amendment or a summary of the changes to be effected thereby

Section 705 Articles of Amendment After an amendment to the articles of an association has been adopted in the manner provided by this act the articles of amendment shall be executed under the seal of the association and verified by two duly authorized officers of the association and shall set forth

(1) The name and location of the place of business of the association

(2) The Act of Assembly under which the association was formed and the date when and the place where the original articles were recorded or filed

(3) The time and place of the meeting of the shareholders of the association at which the amendment was adopted and the kind and period of notice given to such shareholders

(4) The number of shares outstanding the number of shares entitled to vote on the amendment and the number of shares voted for and against such amendment

(5) The amendment adopted which shall be set forth in full

Section 706 Advertisement The association shall advertise its intention to file articles of amendment with the Department of State in a manner similar to the heretofore prescribed in this act in the case of the formation of an association Advertisements shall appear at least three days prior to the day upon which the articles of amendment are to be presented to the Department of State and shall set forth briefly

(1) The name and location of the place of business of the association

(2) A statement that the articles of amendment are to be filed under the provisions of this act

(3) The nature and character of the proposed amendment

(4) The time when the articles of amendment will be filed with the Department of State

Section 707 Filing of Articles of Amendments Payment of Fees Approval by Department of State A The articles of amendment and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B The Department of State shall examine such articles of amendment and such proof of publication to determine whether they contain all the information and are in the form required by this act After all the fees taxes and other charges have been paid as required by law except for the costs of any examinations made by the Department of Banking pursuant to the provisions of this act to determine whether to approve the amendment or any other charges made by the Department of Banking the Department of State shall if the articles of amendment and the proof of publication contain the information and are in the form required by this act forthwith but not prior to the day specified in the advertisement of the intention of the association to file the articles endorse its approval thereon and shall forthwith transmit them to the Department of Banking

C If the Department of State shall disapprove the articles of amendment pursuant to the provisions of this act it shall forthwith give notice thereof to the association stating in detail its reasons for doing so and stating how such association can remedy the nonconformance with the provisions of this act Upon remedying the defect such association may in the same manner file the same or amended articles whichever the particular case may require

Section 708 Approval of Articles of Amendment by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles of amendment from the Department of State conduct such examination as it may deem necessary to ascertain from the best sources of information at its command whether such amendment or amendments will be lawful not injurious to the community and in accordance with the purposes of the articles of incorporation The costs of such examination and any other charges of the Department of Banking bearing upon the filing of articles of amendment shall be assessed upon the association in the manner provided by law for assessments by the Department of Banking of costs of examinations or other charges

B Within thirty days after the receipt of the articles of amendment from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of amendment it shall endorse its approval thereon and shall return them to the Department of State

C If the Department of Banking disapproves the articles of amendment it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the association of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The association may within thirty days after the Department of State sends it notice of the disapproval of its articles of amendment appeal from such disapproval to the Governor who shall hear such appeal promptly and wtihin thirty days thereafter decide the matter and certify his decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to review The Department of Banking shall act in accordance therewith

Section 709 Issuance of Certificate of Amendment Immediately upon receipt of the approved articles of amendment of an association from the Department of Banking the Department of State shall file articles and shall issue to the association or its representatives a certificate of amendment to which shall be attached a copy of the approved articles A copy of the approved articles of amendment shall be sent by the Department of State to the Department of Banking

Section 710 Effective Date of Amendment Upon the issuance of the certificate of amendment by the Department of State the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any existing cause of action in favor of or against the association or any pending suit in which such association shall be a party or the existing rights of persons other than shareholders and in the event the corporate name shall be changed by the amendment no suit brought by or against the association under its former name shall be abated for that reason

ARTICLE VIII

SPECIFIC POWERS AND LIMITATIONS UPON POWERS OF ASSOCIATIONS

Section 801 Powers of Associations In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to an association elsewhere in this act an association shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To issue full-paid prepaid and installment shares

(2) To borrow money and in the case of the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than a national bank to pledge collateral therefor

(3) To grant loans to its shareholders

(4) To make investments.

(5) To became a member of the Federal Home Loan Bank or of any other corporation or agency established under the authority of the United States Government and to comply with any of the provisions required for membership in the Federal Home Loan Bank or in such other corporation or agency provided the association is authorized to do so by resolution of its board of directors

(6) To become a member of a league or leagues organized to protect and promote the interests of building and loan associations and to pay dues to or a proportionate share of the expenses of such league or leagues.

(7) To purchase improve or lease real property for its accommodation

Section 802 Power to Borrow Money Issuance of Notes Pledging of Collateral A An association may by resolution of its board of directors borrow money at a rate of interest not exceeding six per centum per annum to a total amount not exceeding thirty-five per centum of the amount paid in by shareholders on account of shares which have not on the date of such borrowing been matured or for which notice of withdrawal has not on such date been given

B An association shall issue to any corporation or person from whom it borrows money except the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than a national bank a note for the amount borrowed All such notes shall be issued in the following manner and in the following form only

(1) Each such note shall have the corporate title of the association printed thereon

(2) A copy of the resolution of the board of directors of such association authorizing the loan certified by the secretary of such association or by such other officer as shall be determined by the by-laws shall be permanently attached to such note and each such resolution shall state the borrowing capacity of the association and the amount then owing by the association for borrowed money

(3) Each such note shall be signed on behalf of the association by the president or vice-president and by the secretary or treasurer thereof or by any other two or more officers designated in the by-laws

(4) Such notes shall bear printed consecutive numbers and shall be issued from a bound notebook containing for each note a stub bearing a number corresponding to the number on such note The stub shall also bear the name and address of the payee of the note the date on which the note was issued the date of maturity the amount of the note and the rate of interest

(5) The officers of such borrowing association who signed the note on behalf of the association shall certify on the stub that information contained thereon is correct and is in accordance with the note bearing the same number

An association shall issue to the Federal Home Loan Bank or to any other agency or instrumentality of the United States Government from which it borrows money other than a national bank its bond obligation or note in such form as is prescribed by the Federal Home Loan Bank or by such other agency or instrumentality of the United States Government

Upon the repayment of such borrowed money the note or the bond obligation or note as the case may be shall be surrendered to the association and shall be cancelled and preserved for a period of not less than seven years

C An association shall not have power to pledge or hypothecate any of its assets for money borrowed by it except in the case of money borrowed from the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than a national bank An association may pledge or hypothecate to the Federal Home Loan Bank or to any other agency or instrumentality of the United States Government other than a national bank for money borrowed its bonds and mortgages or other assets including the shares pledged with the association as security and it shall not be required to secure the consent of the owner of the mortgaged real property or of the shares in order to make such pledge

D An association shall not grant any mortgage loan if the amount of borrowed money owed by it to any corporation or person except the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than national banks exceeds ten per centum of the amount paid in by shareholders on account of shares which have not been matured or for which notice of withdrawal has not been given but this provision shall not be construed to affect the right of an association to readjust or otherwise re-finance any mortgage loan which it has granted

Section 803 Authorized Investments A Except as otherwise specifically provided in this act an association shall not make any investments except as follows

(1) Bonds or other interest-bearing obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged

(2) Bonds or debentures issued by a Federal Home Loan Bank under the provisions of the Federal Home Loan Bank Act approved the twenty-second day of July one thousand nine hundred thirty-two its amendments and supplements

(3) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania or those for the payment of principal and interest on which the faith and credit of this Commonwealth is pledged

B An association shall not at any one time without the written approval of the Department have more than twenty-five per centum of the amount paid in by its shareholders on account of shares invested in the bonds debentures or other interest-bearing obligations authorized by this section as investments for associations

Section 804 Restriction on Ownership or Holding of Real Property by an Association A Except as otherwise provided in this act an association shall not purchase own or hold any real property except as follows

(1) Such real property as it occupies pursuant to the provisions of this act for its accommodation in the transaction

of its business or such real property as it partly so occupies and partly leases to others pursuant to the provisions of this act

(2) Such as it shall purchase at sales under judgments decrees or mortgages held by it or as it shall otherwise acquire in good faith and in satisfaction of debts previously contracted to it or in order to protect an interest it may otherwise have lawfully acquired in such property

B An association shall not own or hold any real property other than such real property as it occupies for its accommodation in the transation of its business or such longer than five years after the acquisition of such real propreal property as it partly so occupies and partly leases to others pursuant to the provisions of this act for a period erty or five years after the effective date of this act but the Department may upon application of an association grant to it in writing the power to hold such real property for a longer period.

C An association shall not permit title to any real property of which it is in fact the owner to be carried in the name of any other corporation or person

Section 805 Limitation on Building Owned or Leased Furniture and Fixtures Therein A The cost of the real property including the building or buildings thereon which an association owns and occupies for the transaction of its business or partly so occupies and partly leases to others together with the cost of furniture and fixtures therein which belong to the association shall not at any time exceed in the aggregate five per centum of the amount paid in by its shareholders on account of shares However an association shall not purchase any real property or erect any building for its occupancy in the transaction of its business without the prior written approval of the Department

B An association shall not without the prior written approval of the Department expend for the alteration repair or improvement of premises occupied but not owned by it an amount which together with all prior alterations repairs or improvements on the same premises exceeds five thousand dollars in the case of an association the assets of which are not more than five million dollars and ten thousand dollars in the same case of an asscociation the assets of which are more than five million dollars The cost of such alterations repairs or improvements shall be amortized during the term of such lease or occupancy

C The foregoing provisions of this section shall not affect any real property and building or buildings owned or leased and occupied or any furniture and fixtures owned and used by an association upon the effective date of this act for the transaction of its business but such association shall not add to such real property and shall not alter repair or improve leased premises if the cost of such additions alterations repairs or improvements together with any real property and building or buildings owned or any real property and building or buildings owned or furniture and fixtures owned and used or alterations repairs and improvements of leased premises aggregate more than the maximum amount authorized by this section

D An association may lease to any other association or to any other corporation or person for offices or for any other legitimate purpose premises which it owns or occupies for the transaction of its business

Section 806 Protection against Loss on Previous Loan or Investment The restrictions imposed by this act shall not be construed to prevent an association in order to protect itself from loss upon a loan or investment previously made from acquiring ownership of or otherwise taking and holding any kind of property or security whether real or personal Except as otherwise provided by this act any property so acquired unless of the character and nature by this act authorized to be purchased or held by such association shall be sold by it within five years but the Department may upon application of an association grant to it in writing the power to hold such property for a longer period

Section 807 Property Acquired before Effective Date of this Act This act shall not be construed to render unlawful the continued ownership or holding by an association of any loans investments or other real or personal property lawfully acquired prior to the effective date of this act However such loans and investments or such other real or personal property shall be computed in determining the power under this act of an association to grant any additional loans or make any additional investments of the same or different kinds

Section 808 Segregation of Dues upon Order of Department A Whenever it shall appear to the Department that the affairs of an association are in such condition that the action hereinafter provided in this section is justified the Department may by written order issued in the manner provided by law direct that all payments of dues made on account of installment shares which have not been transferred and pledged to the association as security for loans shall be segregated from the other assets of the association and that the association shall not grant any further loans issue any new shares or make any payments on account of withdrawn or matured shares until such order is revoked in writing by the Department Such order of the Department shall be known as an order of segregation Such segregated moneys shall either be kept on deposit in a depository selected in the manner provided by this act or invested in the bonds designated by this act as authorized investments for associations The moneys so segregated and the bonds in which such moneys are invested shall be known as the segregated fund

If an association at any time after an order of segregation has become effective has no liability except to its shareholders arising from the ownership of shares it may with the written consent of the Department transfer to the segregated fund a portion or all of any cash which it may have on hand and bonds if any designated by this act as authorized investments Cash and bonds so transferred shall become a part of the segregated fund the same as though paid into the segregated fund by the shareholders whose shares are not pledged to the association as security for loans in proportion to the amounts paid in on account of their shares on the date that the order of segregation was issued Such segregated fund shall not be subject to any attachment issued on a judgment obtained by any creditor or shareholder of the association

During the period of segregation the segregated fund shall be available exclusively for the benefit of the shareholders who made such payments or for whose benefit the transfer of cash and bonds was made and may be withdrawn during such period of segregation upon thirty days' written notice

B All dues paid in during the period of segregation by shareholders whose shares are pledged to the association as security for loans shall be known as segregated credits and shall be applied as credits against the principal of any loans so secured which are repaid during the period of segregation

When any transfer of cash and bonds is made to the segregated fund the shareholders whose shares are pledged to the association as security for loans shall be entitled to segregated credits which shall bear the same relation to the amounts paid in by them on account of their shares prior to the effective date of the order of segregation as the amount of cash and bonds so transferred bears to the total amount paid in on account of shares prior to the effective date of the order of segregation by shareholders whose shares are not pledged as security for loans

If at any time during the period of segregation the segregated credits on shares pledged for a loan exceed the amount of the loan for which such shares are pledged all payments made by the borrower thereafter shall be segregated in the same manner as payments made by shareholders whose shares have not been pledged to the association as security for loans

C If the Secretary of Banking shall in the manner provided by law take possession of the business and property of an association while an order of segregation is in force or if a liquidating trustee or liquidating trustees shall pursuant to a plan of voluntary dissolution take possession of the business and property of such association while such order is in force the amount in the segregated fund shall be paid only to the shareholders whose payments were segregated or for whose benefit the transfer of cash and bonds was made and only to the extent that they can be paid from the segregated fund or from the proceeds of the sale of the bonds in which such segregated fund has been invested and the shareholders whose shares have been transferred and pledged as security for loans shall receive credit on account of the principal of their loans for the full amount of their segregated credits

D If an association while an order of segregation is in force shall enter into an agreement of merger or consolidation with another association or with other associations the shareholders whose shares have not been pledged to the association as security for loans shall receive credit in full for

their interest in the segregated fund on account of the shares of the surviving or new association into which their shares are converted and the shareholders whose shares have been pledged to the association as security for loans shall receive in full for their segregated credits on account of the shares of the surviving or new association into which their shares are converted

E If while an order of segregation is in force the liability of an association to its shareholders shall be reduced by order of the court of common pleas pursuant to the provisions of this act the interest of the shareholders in the segregated fund and the segregated credits of shareholders shall not be reduced by the order of court but such shareholders shall receive credit in full on account of their shares for such interest in the segregated fund or for such segregated credits

F The Department may revoke an order of segregation whenever it shall appear that the condition of an association justifies such action In such event the association may exercise all the powers it could have exercised prior to the issuance of such order It shall treat all payments on account of shares or otherwise made by shareholders during the period of segregation and all segregated credits in the same manner as all other payments on account of shares whenever made

Section 809 Limitation on Loans and Investments An association shall not have the power to grant any loans or make any investments except such loans or invesments as are specifically authorized in this act

Section 810 Limitation of Power to Make Deposits An association shall not deposit any of the moneys received by it in any bank bank and trust company savings bank or private bank unless such institution is specifically approved by the board of directors of the association as a depository for the funds of the association

Section 811 Prohibition upon Accepting Deposits or Discounting Commercial Paper A An association shall not receive money on deposit but this provision shall not be construed to affect the right of an association to receive payments on account of shares payments on account of payments of fire insurance premiums taxes municipal claims or water rent on real property mortgaged to the association payments on account of interest or principal of prior liens on such property or any other payments authorized by this act

B An association shall not purchase or discount any note bill of exchange draft or other commercial paper

ARTICLE IX

LOANS TO SHAREHOLDERS

Section 901 Method of Granting Loans to Shareholders Premiums A Mortgage loans may be granted by an association pursuant to the provisions of this act at any regular or special meeting of the board of directors The directors may lend funds of the association either with or without charging the borrower a premium for the privilege of being granted such loan but an association shall not charge any premium unless borrower agrees in writing to pay such premium If such premium is deducted by the association in advance it shall not exceed ten per centum of the amount of the loan or if paid by the borrower in installments one per centum per annum of the amount of the loan

B A premium paid pursuant to the provisions of this section by a borrower from an association shall not be deemed usurious although it exceeds the legal rate of interest or when added to any interest paid upon such loan it exceeds the legal rate of interest

C Share loans may be granted by an association pursuant to the provisions of this act in the manner provided by this section for the granting of mortgage loans or in any other manner provided by its articles or by-laws

Section 902 Application for Mortgage Loan Preservation of Application Penalty A An association shall not grant a mortgage loan unless it shall first have obtaind a writtten application signed by the person for whose benefit the loan is to be made which shall set forth

(1) The name address age and occupation of the applicant for the loan

(2) The name and address of the employer of the applicant if the applicant is employed

(3) The location of the real property and the character of the improvements thereon

(4) The name and address of the owner in fee of the real property at the time the application is made to the association

(5) How and when title to the real property was acquired by the applicant the actual cost of the real property and the actual cost of any permanent improvements made thereon after the applicant acquired title or if applicant does not have title at the time application is made the date of the agreement of sale or option and the actual consideration to be paid for such real property

(6) Whether any money or other thing of value has been or is to be paid to any corporation or person other than the association as a fee commission or gift for procuring or for endeavoring to procure such loan from the association or for services in making searches of title of read property offered to the association as security or in drawing papers incident to the loan for which such real property is given as security or for any other reason whatsoever and if so the amount or value of such fee commission or gift and to whom it has been or is to be paid

(7) Whether in fact the applicant is the beneficial owner of the real property and if not who is the beneficial owner

B If the loan is granted by the association such application shall be carefully preserved among the records of the association until the loan is fully repaid to it

C Any person who shall knowingly make any false or misleading statement in the application required by this section or who shall knowingly conceal any material fact of facts required to be given in such application or who shall falsify or mutilate any such application after it has been signed and delivered to the association or who shall abstract any such application from the records of the association or who shall cause or induce any other person to make any such statement conceal any such fact or facts falsify mutilate or abstract any such application in the manner just described shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding three years or a fine not exceeding one thousand dollars or both

Section 903 Security for Mortgage Loan A An association shall grant mortgage loans to its shareholders or to any person intending to become a shareholder upon the following security only

(1) The bond of the borrower secured by the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of the loan and further secured by a mortgage upon real property which belongs to the borrower such mortgage being for at least the full amount of the loan A loan secured in this manner shall be known as share-mortgage loan and the mortgage securing such loan as a share mortgage

(2) The bond of the borrower secured by a mortgage upon real property which belongs to the borrower such mortgage being for an amount not to exceed one-half of the amount of the loan such portion of the loan to be known as the straight-mortgage portion of the loan and a bond for the remainder of the loan secured by the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of such remainder of the loan and further secured by a mortgage upon such real property for an amount equal to such remainder of such loan such remainder of such loan to be known as the share-mortgage portion of the loan A loan secured by both a straight mortgage and a share mortgage in this manner shall be known as a split-mortgage loan A split-mortgage loan may also be in the form of a single bond and mortgage which meets all the requirements of this section

The straight-mortgage portion of a split-mortgage loan shall not be secured by shares and an association shall not charge fines upon such portion of the loan

An association shall not demand payment of the straight-mortgage portion of a split-mortgage loan except in case of a default by the borrower in the terms of the loan until the share-mortgage portion of such loan has been repaid in full by the maturing of the shares assigned or pledged as securty therefor or by any other method Upon such payment of the share-mortgage portion of a split-mortgage loan an association shall either demand and enforce payment of the straight-mortgage portion of the loan or to convert such loan to a share-mortgage loan upon the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of such loan

B An association shall not grant any mortgage loan unless the mortgage securing such loan (1) is a first lien upon un-

encumbered improved real property or upon real property upon which a building is in the process of construction situated anywhere within the Commonwealth or where it is not a first lien upon such property every equal or prior lien is owned by the association and (2) does not together with any other lien held by such association upon such property exceed eighty per centum of the fair market value of such real property plus the amount paid to the association prior to or upon the day of the granting of such loan upon shares to be assigned or pledged to the association as security for such loan An association shall not take any lien upon real property as security for a mortgage loan if such lien is equal to any lien owned by any other corporation or person

The provisions of this subsection shall not be construed to apply to a purchase money mortgage taken by an association upon real property owned by it nor to the readjustment or refinancing in any other manner of a mortgage loan owed to the association upon the effective date of this act

Nothwithstanding the provisions of this subsection an association may prior to the first day of June one thousand nine hundred thirty-five grant a loan upon improved real property encumbered by a mortgage not owned by the association provided that the prior encumbrance not owned by the association does not exceed forty per centum of the fair market value of such real property and will not together with the mortgage securing such loan exceed sixty per centum of the fair market value of such real property

C An association shall not directly or indirectly grant to any one corporation or person mortgage loans to a total amount exceeding five per centum of the amount paid in by its shareholders on account of shares but any association may grant to any one corporation or person mortgage loans to a total amount of ten thousand dollars

In computing the total mortgage loans made by an association to an individual there shall be included all mortgage loans made by the association to a partnership or other unincorporated association of which he is a member all mortgage loans made either for his benefit or for the benefit of such partnership or other unincorporated association and all mortgage loans to or for the benefit of a corporation of which he owns twenty-five per centum or more of the capital stock

In computing the total mortgage loans made by an association to a partnership or other unincorporated association there shall be included all mortgage loans to its individual members all mortgage loans made for the benefit of such partnership or other unincorporated association or of any member thereof and all mortgage loans to or for the benefit of any corporation of which the partnership or unincorporated association or any member thereof owns twenty-five per centum or more of the capital stock

In computing the total mortgage loans made by an association to a corporation there shall be included all mortgage loans made for the benefit of the corporation and all mortgage loans to or for the benefit of any individual who owns twenty-five per centum or more of the capital stock of such corporation

A mortgage loan shall be deemed to be made for the benefit of a corporation or person to the extent that the proceeds of such loans are credited or transferred to such corporation or person

D An association shall not upon the security of any one piece of real property grant mortgage loans totalling

(1) More than twenty-five thousand dollars if the amount paid in by its shareholders on account of shares exceeds five hundred thousand dollars but does not exceed one million dollars

(2) More than thirty-five thousand dollars if the amount paid in by its shareholders on account of shares exceeds one million dollars but does not exceed five million dollars

(3) More than fifty thousand dollars if the amount paid in by its shareholders on account of shares exceeds five million dollars

Section 904 Charges for Services in Connection With Mortgage Loans A An association may levy a reasonable charge upon any corporation or person applying for a mortgage loan for its services in making searches of title and appraising the real property offered to the association as security in drawing any papers incident to the loan for which such real property is given as security and in taking any other action permitted or required by law with respect to such loan

B An association may likewise levy a reasonable charge upon any corporation or person which has been granted a mortgage loan for any services performed by the association with respect to reducing the amount of such loan extending the period of its maturity or otherwise readjusting or refinancing it and for any other action by the association permitted or required by law with respect to such loan

Section 905 Limitation upon Disposal of Mortgages Except as otherwise specifically provided in this act an association which is not in the possession of a liquidating trustee or liquidating trustees pursuant to a plan of voluntary dissolution shall not except with the written consent of the owner of the real property upon which a share mortgage is secured sell transfer or assign such mortgage and it shall not sell transfer or assign any mortgage or other encumbrance until every subsequent mortgage or encumbrance owned by it upon such real property shall have been paid in full The corporation or person to whom such transfer sale or assignment is made shall not have the power to charge fines or premiums unless such corporation is a building and loan association

Section 906 Reduction and Extension of Mortgage Loans by Application of Withdrawal Value A borrower may with the consent of the association have the withdrawal value of shares which have been pledged as security for a mortgage loan credited on account of the principal of such mortgage loan provided that the pledges or assigns to the association in lieu of the shares so withdrawn or applied other shares in the association of an aggregate par value of not less than the amount to which such loan is reduced

Section 907 Interest Reduction Loans A borrower with the consent of the association may have the periodical installments of dues on his shares credited on account of the principal of the mortgage loan at such times as shall be provided in the mortgage and also in its accompanying bond or other obligation if any and the interest and the premium if any thereon shall be computed on the balance of the principal of the loan in each case when the dues have been so credited The borrower in such case may agree that the subsequent dues on his shares shall become automatically increased by the amount of the reduction of interest and of premium if any in each case when the dues have been so credited so that the total of each monthly installment of dues and interest and premium if any shall remain the same until the loan has been paid in full but the right to have the dues on the shares credited on account of the principal of the loan as well as the agreement if any that the dues on the shares shall become automatically increased as herein provided shall be set forth in the mortgage and also in its accompanying bond or other obligation if any

The borrower shall have the right with the consent of the association when the dues so credited on account of the principal of the loan shall equal the par value of one or more shares to have the number of shares reduced to such number that their aggregate par value shall not be less than the reduced amount or balance of the principal of the loan still remaining unpaid The periodical installments of dues on the shares thus reduced as well as the interest on the reduced principal of the loan and premium thereon if any shall be payable after the date of such reduction the same as if the shares had been originally issued in such reduced number as of such date and such loan made for such reduced amount

When the dues on the shares are credited on account of the principal of the loan as herein provided such shares shall not participate in the profits of the association nor be subject to losses When the loan has been paid in full by the crediting of the dues thereon as herein provided the borrower shall be entitled to have his mortgage satisfied upon the payment of a fee not exceeding three dollars for the satisfaction of the mortgage

Section 908 Foreclosure on Mortgage for Non-Payment of Dues Interest Premiums or Fines In the case of a default in the payment of dues interest premiums or fines due on a mortgage loan an association if there be no other default shall not have the power to enforce payment of the principal of such loan by legal proceedings unless in the case of a mortgage which is a first lien upon real property dues or interest owing for six months has not been paid or in the case of a mortgage which is not a first lien upon real property dues or interest owing for three months has not been paid

Section 909 Credit for Withdrawal value of Shares in Foreclosure If the amount recovered by an association through foreclosure of a mortgage securing a mortgage loan plus the

withdrawal value of the shares of the borrower and minus the expenses incurred by the association in foreclosing upon such mortgage shall exceed the amount which the borrower would have been required to pay in order to have repaid such loan voluntarily pursuant to the provisions of this act such excess shall be repaid to the borrower

Section 910 Security for Share Loans An assocation may grant share loans to any of its shareholders upon the following security only the note of the borrower secured by the transfer and pledge to the association of installment or prepaid shares which have not previously been transferred or pledged to anyone other than the association the amount paid in on account of such shares prior to or at the time of the granting of any loan upon the security of such shares shall be at least equal to the total amount of all loans granted thereon

Section 911 Repayment of Loans before Maturity A A borrower shall have the right to repay a loan to an association at any time before the maturity of the shares securing such loan unless the by-laws of an association provide that such repayment can be made only at a regular meeting of the board of directors of such association

B When a borrower repays a loan to an association before the maturity of the shares securing such loan he may

(1) Pay the amount of the principal of the loan in cash and have the shares securing such loan re-transferred to him by the association or

(2) In the case of a mortgage loan apply the withdrawal value of the shares securing such loan against the principal of such loan and pay the balance in cash or

(3) In the case of a share loan take credit for the withdrawal value of the shares securing such loan up to the amount of the principal of the loan and as to any balance remaining acquire the rights of a withdrawing shareholder

C Upon paying a loan to an association in the manner provided in this section a borrower shall be entitled in the case of a mortgage loan to the satisfaction of his mortgage upon the payment of a fee not exceeding three dollars for the satisfaction of the mortgage and in the case of a share loan to the return of his note

D If a borrower shall repay a loan upon which the association has deducted the premium in advance such proportion of the premium as the by-laws shall determine shall be refunded to such borrower unless the same amounts to two per centum or less of the amount of such loan in which case no such refund need be made but if the premium exceeds two per centum of the amount of such loan the association shall not retain more than one one-hundredth of such premium for each calendar month that has expired since the date of the meeting upon which the loan was granted

Section 912 Demand by Association of Payment of Mortgage or Share Loan A When the title to any real property upon which an association holds a mortgage as security for a loan is sold or otherwise transferred and the grantee does not within thirty days after demand has been made upon him by the association assume liability for the amount of the loan secured by the mortgage by giving the association his personal bond the association shall have power to enforce payment of the full amount of the loan

B Except as otherwise provided in this section an association which is not in the possession of the Secretary of Banking as receiver or of a liquidating trustee or liquidating trustees shall not except upon a default by the borrower have the power to demand payment of any mortgage loan or share loan until the shares transferred and pledged to it as security for the loan have matured

C The prohibition of this section shall apply despite any provision to the contrary in the note or in the bond and mortgage respectively upon which such loan is made

Section 913 Method of Collecting Premiums or Interest A Any premium which is agreed to be paid to an association pursuant to the provisions of this act may either be deducted in full by the association at the time of the granting of the loan or may be paid by the borrower in equal periodical installments extending over the period of the loan If the premium is paid in installments amount not exceeding the amount of the first such payment shall be due in advance of or upon the day of the granting of the loan and the remaining installments shall each be payable upon the same day as the dues upon the shares securing such loan

B Interest upon a loan granted by the association shall not be charged or deducted in advance whether such interest is charged in lieu of premiums or otherwise but it shall be paid in equal periodical installments extending over the period of the loan

C If the Secretary of Banking shall take possession of an association as receiver for the purpose of liquidating its business and property or if a liquidating trustee or liquidating trustees shall take possession pursuant to a plan of voluntary dissolution a borrower upon whose loan the association has deducted the premium in advance shall be entitled upon the repayment of such loan to the association to receive the same credit for such premium as he would have been entitled to receive had he repaid the loan voluntarily on the day possession of the association was taken by the Secretary of Banking as receiver or by a liquidating trustee or liquidating trustees However a borrowed shall not after such taking of possession by the Secretary of Banking as receiver or by liquidating trustees be entitled to any credit for premiums paid in periodical installments except in the case of periodical installments which had been paid prior to but which were not yet due upon the day on which such possession was taken by the Secretary of Banking as receiver or by a liquidating trustee or liquidating trustees

ARTICLE X

MERGER AND CONSOLIDATION

Section 1001 Merger and Consolidation Authorized Any two or more associations may in the manner hereinafter provided in this act be merged into one of such associations hereinafter designated as the surviving association or consolidated into a new association to be formed under this act

Section 1002 Approval of Joint Plan of Merger or Consolidation A The board of directors of each of the associations which desire to merge or consolidate shall by resolution adopted by at least a majority of all the members of each board approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and the mode of carrying the same into effect the manner and basis of converting the shares of each association into shares or other securities or obligations of the surviving or new corporation as the case may be and such other details and provisions as are deemed necessary

B The board of directors of each association upon approving such plan of merger or plan of consolidation in accordance with the provisions of this act shall by resolution direct that the plan be submitted to a vote of the shareholders of such association entitled to vote thereon at an annual or special meeting of the shareholders Written notice shall not less than fifteen days before such annual or special meeting be given respectively to each shareholder of record unless the plan of merger or plan of consolidation contemplates an increase in the authorized capital of the constituent associations in which event sixty days' notice of such meeting shall be given to each shareholder The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice

C The plan of merger or consolidation shall be ratified upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating associations

Section 1003 Articles of Merger or Consolidation Upon the approval pursuant to the provisions of this act of the plan of merger or the plan of consolidation by the shareholders of the associations desiring to merge or consolidate articles of merger or articles of consolidation as the case may be shall be executed under the seal of each association and verified by two duly authorized officers of each association and shall set forth

(1) The name of the surviving or new association

(2) The time and place of the meeting of the directors at which the plan of merger or consolidation was proposed and the time and place of the meeting of the shareholders of each association at which the plan of merger or consolidation as the case may be was ratified the kind and period of notice given to the shareholders and the total vote by which the plan was adopted

(3) In the case of a merger any changes desired to be made in the articles of the surviving association or in the case of a consolidation all of the statements required by this act to be set forth in the original articles in the case of the formation of an association

(4) The number names and addresses of the persons to be the first directors of the surviving or new association

(5) The plan of merger or consolidation

Section 1004 Advertisement The association shall advertise its intention to file articles of merger or articles of consolidation as the case may be with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of an association Advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly

(1) The name and the location of the principal place of business of each of the associations intending to merge or consolidate

(2) The name and the location of the principal place of business of the surviving or new association

(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(4) The purpose or purposes of the surviving or new association

(5) The time when the articles of merger or consolidation will be delivered to the Department of State

Section 1005 Filing of Articles of Merger or Consolidation Payment of Fees Approval by Department of State A The articles of merger or articles of consolidation as the case may be and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B The Department of State shall examine such articles of merger or articles of consolidation and such proof of publication to determine whether they contain all the information and are in the form required by this act and also whether the name of the surviving or new association as the case may be conforms with the requirements of law for the name of such an association or if the name is not the same as either or any of the merging or consolidating associations whether it is the same as one already adopted or reserved by another corporation or person or is so similar thereto that it is likely to mislead the public

After all the fees taxes and other charges have been paid as required by law except for the costs of an examination made by the Department of Banking pursuant to the provisions of this act to determine whether to approve the merger or consolidation or any other charges made by the Department of Banking the Department of State if the articles or merger or articles of consolidation and the proof of publication contain the information and are in the form required by this act shall forthwith but not prior to the day specified in the advertisement of the intention to file the articles endorse its approval thereon and shall forthwith transmit them to the Department of Banking

C If the Department of State shall disapprove the articles of merger or the articles of consolidation pursuant to this act it shall forthwith give notice thereof to the association stating in detail its reasons for doing so and stating how such association can remedy the nonconformance with the provisions of this act Upon remedying the defect such association may in the same manner file the same or amended articles whichever the particular case may require

Section 1006 Approval of Articles of Merger or Consolidation by Department of Banking A The Department of Banking shall immediately upon the receipt from the Department of State of the articles of merger or articles of consolidation conduct such examination as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the surviving or new association is likely to mislead the public as to its character or purpose

(2) Whether the consolidation or merger is made for legitimate purposes

(3) Whether the interests of the shareholders or creditors are adequately protected

(4) Whether the surviving or new association meets all the requirements of this act and violates none of its prohibitions

The cost of such examination and any other charges of the Department of Banking bearing upon the filing of the articles of merger or articles of consolidation shall be assessed upon the associations in the manner provided by law for assessments by the Department of Banking of costs of examinations or other charges

B Within thirty days after the receipt of the articles of merger or articles of consolidation from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of merger or articles of consolidation it shall endorse its approval thereon and shall return them to the Department of State

C If the Department of Banking disapproves the articles of merger or the articles of consolidation it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the associations desiring to merge or consolidate of the action of the Department of Banking and of the reasons therefor as stated to it by that Department Such corporations may within thirty days after the Department of State sends them notice of the disapproval of their articles of merger or articles of consolidation appeal from such disapproval to the Governor who shall hear such appeal promptly and shall within thirty days thereafter decide the matter and certify his decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to review The Department of Banking shall act in accordance therewith

Section 1007 Issuance of Certificate of Merger or Certificate of Consolidation Immediately upon receipt of the approved articles of merger or articles of consolidation of an association from the Department of Banking the Department of State shall file the articles and shall issue to the association or its representative a certificate of merger or a certificate of consolidation A copy of the approved articles of merger or articles of consolidation shall be sent by the Department of State to the Department of Banking

Section 1008 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several associations parties to the plan of merger or consolidation shall be a single association which in the case of a merger shall be that association designated in the plan of merger as the surviving association and in the case of a consolidation shall be the new association provided for in the plan of consolidation The separate existence of all associations parties to the plan of merger or consolidation shall cease except in the case of a merger that of the surviving association The surviving or any new association as the case may be shall not thereby acquire authority to engage in an ybusiness or exercise any right which cannot be acquired by or which is forbidden to any association which is incorporated under this act All the property real personal and mixed of each of the associations parties to the plan of merger or consolidation and all debts or obligations due to any of them including subscriptions to shares and other choses in action belonging to either or any of them shall be taken and deemed to be transferred to and vested in the surviving or new association as the case may be without further act of deed The surviving or new association shall thenceforth be responsible for all the liabilities and obligations of each of the associations so merged or consolidated but the liabilities of the merging or consolidating associations or of their shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such associations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such associations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new association may be proceeded against or substituted in its place In the case of a merger the articles of incorporation of the surviving association shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporation of associations formed under this act shall be deemed to be the articles of incorporation of the new association

Section 1009 Rights of Dissenting Shareholders A If any shareholder of an association which becomes a party to a plan of merger or consolidation shall file with such association prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder within twenty days after the merger or consolidation was effected shall make written demand on the surviving or new association for the payment of the fair value of his shares as of the day prior to the date

on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new association shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or other evidence of his shares The demand of the shareholder shall state the number and kind of the shares owned by him Any shareholder failing to file such written objection or to make demand within the twenty-day period shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon by the dissenting shareholder and the surviving or new association payment thereof shall be made in cash within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or other evidence of his shares Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the association

B If within such period of thirty days the shareholder and the surviving or new association do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the place of business of the surviving or new association is situated for appointment by the court of three disinterested persons to appraise the fair market value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them when confirmed by the court shall be final and conclusive The cost of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be assesed either upon the new or surviving association or upon the dissenting shareholder or upon both in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new association of the share certificate or certificates representing the shares of the dissenting shareholder If the award shall not be paid by the surviving or new association within thirty days after the award was made by the appraisers the amount of the award shall be a judgment against the surviving or new association as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new association Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof The right of the dissenting shareholder to be paid the fair value of his shares as herein provided shall cease if and when the association shall abandon the merger or consolidation

Section 1010 Effective Date of Merger or Consolidation Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving association except as against the Commonwealth

ARTICLE XI

VOLUNTARY DISSOLUTION OF ASSOCIATION

Section 1101 Voluntary Dissolution by Incorporators A The incorporators of an association which has not issued any shares of commenced business may effect the dissolution of the association by filing articles of dissolution with the Department of State The articles of dissolution shall be executed under the seal of the association signed and verified by a majority of the incorporators and shall set forth

(1) The name of the association

(2) The city borough or township in which it was to have its place of business

(3) The date of its incorporation

(4) That the association has not issued any shares or otherwise commenced business

(5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

(6) That no debts of the association remain unpaid

(7) That two-thirds of the incorporators elect that the association be dissolved

B The articles of dissolution shall be delivered to the Department of State If the Department of State finds that the articles conform to law it shall endorse its approval thereon and when all fees and charges required by law have been paid it shall forthwith transmit them to the Department of Banking which if it shall approve the granting of the certificate of dissolution shall endorse its approval on them It shall forthwith return the articles to the Department of State The Department of State shall then issue a certificate of dissolution to the incorporators or their representative Upon the issuance of the certificate of dissolution the existence of the association shall cease The Department of State shall send a copy of the articles of dissolution to the Department of Banking

Section 1102 Voluntary Dissolution Permitted Limitation Any association which has commenced business and which has issued shares may elect to dissolve voluntarily and wind up its affairs in the manner and under the circumstances hereinafter provided by this act However if it shall appear to the Department upon an examination of the business assets and affairs of the association that its assets will probaly be insufficient to pay in full its shareholders and creditors it may in its discretion take possession of the business and property of the association in which case the Secretary of Banking shall simultaneously and by operation of law take over possession and serve as receiver in the manner provided by law

Section 1103 Proposal and Ratification of Plan of a Voluntary Dissolution Election of Liquidating Trustees A A plan to dissolve voluntarily the affairs of an association shall be proposed by resolution adopted by affirmative vote of two-thirds of all the directors of the association Such resolution shall direct that the question of dissolution be submitted to a vote of the shareholders at a meeting which may be either an annual meeting or a special meeting of the shareholders Written notice stating that the purpose or one of the purposes of such meeting is to discuss the desirability of voluntarily dissolving the association shall be given to each shareholder of record entitled to vote at such meeting within the time and in the manner provided in this act for the giving of notice for a meeting of shareholders If such meeting be an annual meeting such purpose shall be included in the notice of the annual meeting

B The plan of voluntary dissolution proposed by the directors shall set forth in detail the number of liquidating trustees which shall be one three or five to be elected by the shareholders the amount of the bond which shall be supplied by each of them and the powers duties and compensation of such liquidating trustees

C The resolution shall be declared adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on the resolution If the resolution is adopted the shareholders shall forthwith proceed to elect the number of liquidating trustees provided for in the plan of voluntary liquidation If more than one liquidating trustee is to be elected each shareholder shall have the right in person or by proxy multiply the number of votes to which he may be entitled by the number of liquidating trustees to be elected and he may cast his whole number of such votes for one candidate or her may distribute them among any two or more candidates The candidates receiving the highest number of votes up to the number of liquidating trustees to be chosen shall be elected

Section 1104 Certificate of Election to Dissolve Voluntarily A Upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of an association pursuant to the provisions of this act a certificate of election to dissolve shall be executed under the seal of the association signed and verified by at least two duly authorized officers of the association which shall set forth

(1) The name of the association

(2) The exact location of its place of business

(3) The names and respective addresses including the street and number if any of its officers

(4) The names and respective addresses including street and number if any of its directors

(5) The number of directors voting for and the number voting against the proposed plan of voluntary dissolution

(6) The number of shares outstanding the number of shares entitled to vote in respect to the dissolution of the association and the number of shares voted for and the number voted against the proposed plan of voluntary dissolution

(7) The names and addresses of the proposed liquidating trustees who were elected at the shareholders' meeting and the number of votes received by every candidate for the position of liquidating trustee

(8) The amount of the bond required to be supplied by each trustee

(9) The signed statement under oath or affirmation of each of the proposed liquidating trustees that he is willing to serve as liquidating trustee subject to the provisions of this act and to the terms of the proposed plan of voluntary dissolution that he will so far as the duty devolves upon him diligently and honestly liquidate the affairs of the association and will not knowlingly violate or permit to be violated any of the provisions of this act or of the proposed plan of voluntary dissolution

(10) The proposed plan of voluntary dissolution

B The certificate of election to dissolve shall be delivered to the Department of Banking The Department of Banking shall then conduct an examination or an investigation or take such other action as it deems necessary to determine whether to approve the plan of voluntary dissolution

Section 1105 Approval by Department of Banking of Certificate of Election to Dissolve Voluntarily Filing Commencing of Liquidation If the Department of Banking shall approve the certificate of election to dissolve it shall endorse its approval thereon and shall send it to the Department of State for filing The Department of State shall forthwith send a copy of the certificate to the Department of Banking and a copy to the association or its representative Upon the filing by the Department of State of the certificate of election to dissolve the association shall cease to transact its business and the liquidating trustee or trustees as the case may be shall commence the liquidation of the association The liquidating trustee or trustees shall thereafter be authorized to carry out in his own name or in their own names as liquidating trustee or trustees of the association the powers granted to him or to them by the plan of voluntary liquidation

Section 1106 Notice to Creditors and Shareholders A After the Department of State has transmitted to the association the copy of the certificate of election to dissolve the liquidaing trustee or trustees as the case may be shall forthwith give notice to all corporations or persons who appear upon the books or other records of the association as or who are otherwise known to the liquidating trustee or trustees to be creditors or shareholders of the association Such notice shall be sent to or given at the address which appears upon the books or other records of the association for the particular corporation or person or if no address appears there then to the last known address of such corporation or person

The notice to each shareholder shall state the amount which the books or other records of the association show to be due to such shareholder It shall also state that unless such shareholder shall present his claim under oath or affirmation within three months from the date of the giving of such notice the amount shown to be due by the books of the association will be conclusively presumed to be correct

The notice to each creditor other than a shareholder shall inform such creditor that he must present his claim under oath or affirmation within three months from the date of the giving of such notice or else be barred from claiming an amount exceeding the amount shown to be due him on the books or other records of the association and that he must present his claim under oath or affirmation within six months from the date of the giving of the notice or else be forever barred from sharing in any distribution of the assets of the association

B The liquidating trustee or trustees as the case may be shall also forthwith advertise once a week for three successive weeks in a newspaper of general circulation and in a legal newspaper if any that the association is being liquidated pursuant to a plan of voluntary liquidation that all shareholders must present their claims under oath or affirmation within three months after the date specified in such advertisement which shall not be earlier than the first day on which advertisement was made either in the newspaper of general circulation or in the legal newspaper or be bound by the amount shown by the books or other records of the association to be due them or if a shareholder does not appear upon the books or other records of the association to be a shareholder that he must present his claim under oath or affirmation within six months from such date or else be permanently barred from sharing in the distribution of the assets of the association and that any creditor other than a shareholder must present his claim under oath or affirmation within three months from the date specified in the advertisement which shall not be earlier than the first day on which advertisement was made either in the newspaper of general circulation or in the legal newspaper or else be barred from claiming an amount exceeding the amount shown to be due him on the books or other records of the association and that he must present his claim under oath or affirmation within six months from such date or else be forever barred from sharing in any distribution of the assets of the association

C After the expiration of three months from the date of giving notice to creditors who appear as creditors upon the books or other records of the association other than shareholders the liquidating trustee or trustees as the case may be shall forthwith send a notice by registered mail to each creditor who has not yet presented his claim under oath or affirmation stating that unless he presents his claim under oath or affirmation within six months from the date upon which he was given the first notice required by this section he will be forever barred from sharing in any distribution of the assets of the association Such notice shall be sent to the address which appears for such creditor upon the books or other records of the association or if no address appears there to his last known address

D The first insertion of an advertisement in the newspaper of general circulation or in the legal newspaper shall in so far as possible be made on the same day as the giving of notice to shareholders and creditors

Section 1107 Prohibition upon Allowance of Claims The liquidating trustee or trustees as the case may be shall not allow any of the following claims

(1) The claim of a shareholder who appears upon the books or other records of the association as a shareholder for an amount in excess of the amount which the books or other records show to be due to him as a shareholder unless he has presented such claim under oath or affirmation within three months after the giving of notice to him

(2) The claim of a shareholder who does not appear upon the books or other records of the association as a shareholder unless he has presented such claim under oath or affirmation within six months after the date of the publication of the first advertisement required by this act

(3) The claim of any creditor other than a shareholder for an amount in excess of the amount shown to be due him on the books or other records of the association unless he has presented such claim under oath or affimration within three months after the giving of notice to him or any claim at all of such creditor unless he has presented such claim under oath or affirmation within six months after the giving of notice to him

(4) The claim of any creditor other than a shareholder who does not appear upon the books or other records of the association as a creditor unless he has presented such claim under oath or affirmation within six months after the date of the publication of the first advertisement required by this act

Section 1108 Bonds of Liquidating Trustees Before any liquidating trustee shall enter upon his duties he shall furnish to the association a bond in such amount as is specified in the certificate of election to dissolve or in such greater amount as is required by the Department with such corporate surety as is approved by the Department conditioned upon the faithful performance of his duties as liquidating trustee The Department may grant a reduction of such bond whenever it shall appear to it that as a result of partial liquidation or a decrease in the value of the assets of the association such reduction is justified The cost of the bond of a liquidating trustee may be paid out of the assets of the association Such bond shall be filed with the Department

Section 1109 Death or Resignation of Liquidating Trustees A In any case in which a plan of voluntary dissolution provides for one liquidating trustee and such liquidating trustee dies resigns or for any reason becomes unable to perform the duties of a liquidating trustee the Department shall forthwith appoint a liquidating trustee to take his place

B In any case in which a plan of voluntary dissolution provides for three or five liquidating trustees and one or more

of such liquidating trustees die resign or for any reason become unable to perform the duties of liquidating trustees the remaining liquidating trustees if they constitute a majority of the whole number of liquidating trustees provided by the plan of voluntary dissolution shall by a majority vote select a liquidating trustee or liquidating trustees to take the place of such dead resigned or incapacitated liquidating trustee or trustees If the number of liquidating trustees remaining does not constitute a majority of the whole number of liquidating trustees provided by the plan of voluntary dissolution or if the number of remaining liquidating trustees constitutes such majority but they are equally divided in their votes for a new liquidating trustee or trustees the Department shall forthwith appoint a liquidating trustee to take his place

C Any liquidating trustee appointed pursuant to the provisions of this section shall have the same powers and shall be subject to the same duties as the liquidating trustee whose place he takes

Section 1110 Examination by Department Taking Possession by Department A The Department shall have the same power to examine or investgiate the affairs of an association which is in the process of voluntary dissolution and to assess the cost of such examination or investigation upon such association as is provided by law in the case of associations which are not in the process of voluntary dissolution

B The Department shall have the power to take possession of an association which is in the proceess of voluntary dissolution and the Secretary of Banking automatically and by operation of law to take over such possession as receiver whenever it shall appear to the Department that the best interests of the creditors and shareholders of the association will be served by such action

Section 1111 Approval of Department before Payment of Dividend A liquidating trustee or trustees as the case may be shall not distribute any of the assets of the association in the form of dividends to shareholders without the prior written approval of the Department

Section 1112 Order of Preference in Distribution A The following shall be the order followed by the liquidating trustee or trustees as the case may be in the distribution pursuant to the provisoins of this act of the assets of any association which is being liquidated in pursuance of a plan of voluntary dissolution

First Any reasonable expense incurred by the liquidating trustee or trustees as the case may be in the management liquidation or distribution of the assets and affairs of the association any fee or other debts owing to the Department for examinations or other services rendered or penalties incurred any other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Second Any claim of a creditor of the association other than the claim of a shareholder arising from his ownership of shares

Third Any claim of a shareholder whether or not reduced to a judgment arising from his ownership of shares whether such shares be installment full-paid prepaid matured or any other type The amount of the claim arising from each share shall be the amount actually paid in on account of such share less any amount lawfully deductible therefrom by the association except in the case of a lawfully and properly matured share in which case the amount of the claim shall be the actual par value of the share less any payment received on account thereof from the association and less any other amount lawfully deductible therefrom by the association

B Every claim enumerated above shall have the same rank and priority as every other claim in the same numbered paragraph regardless of the order in which such claims are enumerated

C All claims provided for in this section shall be construed to refer only to claims presented to the liquidating trustee or trustees in the manner provided in this act and approved by him or them in accordance with the plan of dissolution

Section 1113 Articles of Dissolution A When the liquidating trustee or trustees as the case may be have completely liquidated and distributed the assets of an association in the manner provided by this act articles of dissolution shall be executed under the seal of the corporation signed and verified by the liquidating trustee or trustees as the case may be which shall set forth

(1) The name of the association

(2) The address including the street and number if any of the place of business of the association

(3) A statement that the assocation has heretofore delivered to the Department of Banking a certificate of election to dissolve and the date on which the certificate was approved by the Department of Banking

(4) A statement that all the assets of the association have been liquidated and the distribution of the proceeds made in the manner provided by this act

(5) A statement that there are no suits pending against the association in any court

B The articles of dissolution shall be delivered to the Department of Banking If the Department of Banking shall approve the articles it shall endorse its approval thereon and shall send them to the Department of State which shall issue to the association or its representative a certificate of dissolution Upon the issuance of the certificate of dissolution the existence of the association shall cease The Department of State shall forthwith send a copy of the articles of dissolution to the Department of Banking

ARTICLE XII

FORFEITURE OF CHARTER GENERAL CRIMINAL PROVISIONS

Section 1201 Books Records and Accounts of Associations Reports Prohibitions Penalty A The total liabilities of each association to shareholders or creditors shall be set out in full upon the books or other records of the association and in all reports required by law It shall be unlawful for any association to reduce such liabilities for the purposes of concealing unadjusted losses expense charges loans or for any other purpose All such losses expense charges loans or other items shall be set up in separate accounts on the books or other records of the association until adjusted or charged off They shall not be charged in any manner whatsoever against dues or other payments made on account of shares or other credits for which the association may be liable

B Whenever an association shall pledge or assign assets as security for any money borrowed by it the amount of money borrowed together with the assets pledged or assigned therefor shall be set out in full on the books or other records of the association and in all reports required by law

C An association shall not conceal any of its assets in any manner whatsoever upon its books or other records or in any report required by law but an accurate and complete record shall be kept of the same An association shall not be any system of accounting or any device of bookkeeping directly or indirectly enter any of its assets upon its books in the name of any other corporation or person or under any title or designation that is not truly descriptive thereof

D An association shall not except with the written approval of the Department enter or at any time carry on its books any real or personal property owned by it at a valuation exceeding its actual cost to such association

E An association shall preserve in such form and manner that they may be readily produced upon proper demand all its records of original or final entries for a period of seven years from the date of making the last entry on the same

F An officer director or employe of an association who knowingly violates any provision of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment not exceeding one year or a fine not exceeding one thousand dollars or both

Section 1202 Repledging of Collateral A Except as otherwise specifically provided in this act an association shall not repledge any property held by it in pledge or as collateral

B Any officer director or employe of an association who knowingly repledges any property held by an association in pledge or as collateral in any manner except as specifically authorized by this act shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both

Section 1203 Relationship of Association with Employes of Department A An association shall not grant or give any sum of money or other property whether as a gift credit loan or otherwise either directly or indirectly to the Secretary of Banking or to any deputy examiner clerk or other employe of the Department However any association may grant a loan to the Secretary of Banking or any deputy examiner

clerk or other employe of the Department if such loan is secured by a mortgage upon his own home which meets all the terms and conditions provided by this act for mortgage loans and which in addition meets any additional conditions imposed and followed by such association in granting such loan

B Any officer director or employe of an association who knowingly violates the provisions of this section or who on his own behalf grants or gives any sum of money or other property whether as a gift credit loan or otherwise either directly or indirectly to the Secretary of Banking or to any deputy examiner clerk or other employe of the Department shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount of the gift credit loan or other sum of money or the value of any other property given in violation of this section

Section 1204 Forfeitures of Articles of Incorporation A The articles of incorporation of an association shall be automatically forfeited by operation of law when

(1) It has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation within two years after the issuance thereof

(2) It has formerly exercised any of the powers conferred upon it by its articles but for a period of two years it has not exercised at least one of its powers

(3) The Secretary after having taken possession of the business and property of an association as receiver has completely liquidated its assets

(4) The Secretary after having taken possession of the business and property of an association as receiver has surrendered possession to the association itself because he was without funds to liquidate the business and property

(5) The Secretary after having taken possession of the business and property of an association as receiver has surrendered to the association itself or to any other corporation or person the assets of the association in order to permit the carrying out of a special plan of liquidation

(6) Liquidating trustees pursuant to a plan of voluntary dissolution have completely liquidated its assets and have not filed the articles of dissolution pursuant to the provisions of this act

B Whenever it shall appear to the Department that any of the conditions shall under the provisions of this section effect the forfeiture of the articles of an association it shall except as otherwise specifically provided in this section issue a certificate of forfeiture of the articles of incorporation which shall be filed with the Department of State The Department of State shall send a copy of such certificate to the last known address of the association and a copy to the Department of Banking

C If the articles of incorporation of an association have been forfeited in the manner provided by this section the corporate powers may whenever necessary to effect the liquidation and winding up of the business and property of such association continue for a period of three years but they shall not be considered in existence for any other purposes whatsoever

Section 1205 Prohibition upon Doing of Business by Foreign Corporations A Foreign corporation shall not transact the business of a building and loan association within this Commonwealth nor maintain an office within this Commonwealth for the purpose of transacting such business It shall be unlawful for any person to engage in the business of soliciting or receiving within this Commonwealth subscriptions to the shares of such corporation or payments therefor or of granting loans within this Commonwealth on behalf of such corporations or soliciting applications therefor or of receiving within this Commonwealth on behalf of such corporation interest fees fines or permiums upon the shares or loans of such corporation or of transacting in any other manner business within this Commonwealth on behalf of such corporation

B Any individual who shall violate the prohibitions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both. He shall also be subject to a further fine equal to any moneys received by him within this Commonwealth in violation of this section The corporation which such individual represents shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of five thousand dollars such corporation shall be subject to a further fine equal to the amount of any moneys received by such corporation or by its agent in violation of this section

Section 1206 Perjury Anyone who shall wilfully and corruptly make a false statement under any oath or affirmation provided for in this act or anyone who shall by any means procure or suborn any other person to do so shall be guilty of the crime of perjury and upon conviction thereof shall be subject to the same punishment as is or may be provided by law for perjury

Section 1207 Statute of Limitations for Violation of Act Any prosecution for the commission of any criminal offense under the provisions of this act may be commenced at any time within six years after the date upon which the alleged offense shall have been committed However if the person against whom such prosecution is brought shall not have been an inhabitant of this Commonwealth or a usual resident therein during the term for which he shall be subject to prosecution then such indictment may be commenced and prosecuted against such person at any time with a similar space of time during which he shall be an inhabitant of or usual resident within this Commonwealth

ARTICLE XIII

EFFECTIVE DATE AND REPEALER

Section 1301 Effective Date This act shall become effective on the third day of July one thousand nine hundred thirty-three

Section 1302 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed

The act approved the twenty-eighth day of March one thousand eight hundred twenty (Pamphlet Laws one hundred sixty-nine) entitled "An act to regulate proxies" in so far as it relates to associations

The act approved the sixth day of February one thousand eight hundred thirty (Pamphlet Laws forty-two) entitled "A supplement to an act entitled 'An act to incorporate the owners and occupiers of the Wicacoa and Moyamensing meadows in the county of Philadelphia for the sole purpose of keeping the banks dams sluices and floodgates in repair and to raise a fund to defray the expenses thereof' passed twelfth April eighteen hundred and twenty-eight and for other purposes" in so far as it relates to associations

The act approved the seventh day of March one thousand eight hundred fifty-three (Pamphlet Laws one hundred fifty-five) entitled "An act relative to land and building associations" absolutely

The act approved the third day of May one thousand eight hundred fifty-five (Pamphlet Laws four hundred twenty-three) entitled "An act relating to Corporations" in so far as it relates to associations

The act approved the ninth day of April one thousand eight hundred fifty-six (Pamphlet Laws two hundred ninety-three) entitled "Supplement to the acts relating to incorporations by the Courts of Common Pleas" in so far as it relates to associations

The act approved the eighth day of May one thousand eight hundred fifty-seven (Pamphlet Laws four hundred thirty-seven) (Number four hundred ninety-eight) entitled "A supplement to an act relative to Investments by Building Associations approved May eighth one thousand eight hundred and fifty-five" absolutely

The act approved the twelfth day of April one thousand eight hundred fifty-nine (Pamphlet Laws five hundred forty-four) entitled "An act to confer on certain Associations of the citizens of this Commonwealth the powers and immunities of corporations and bodies politic in law and to confirm charters heretofore granted" absolutely

The act approved the twenty-seventh day of November one thousand eight hundred sixty-five (Pamphlet Laws one thousand eight hundred sixty-six page one thousand two hundred twenty-eight) entitled "An act relating to the organization and meetings of certain corporations incorporated under the laws of this Commonwealth" in so far as it relates to associations

The act approved the thirty-first day of March one thousand eight hundred sixty-eight (Pamphlet Laws fifty) entitled "An act to authorize incorporated companies to invest and reinvest surplus funds in mortgages stock and other securities and fixing the time for holding elections for directors" in so far as it relates to associations

The act approved the fifteenth day of April one thousand eight hundred sixty-nine (Pamphlet Laws twenty-nine) entitled "An act requiring a majority of the directors or managers of corporations to constitute a quorum" in so far as it relates to associations

The act approved the fourth day of April one thousand eight hundred seventy-two (Pamphlet Laws forty) entitled "An act supplemental to an act entitled 'A supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" in so far as it relates to associations

The act approved the fourth day of April one thousand eight hundred seventy-two (Pamphlet Laws forty-six), entitled "An act for the appointment of a receiver in cases where corporations have been dissolved by judgment of ouster upon proceedings of quo warranto" in so far as it relates to associations

The act approved the twentieth day of April one thousand eight hundred seventy-four (Pamphlet Laws one hundred ten) entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations" in so far as it relates to associations

The act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" and its amendments in so far as it relates to associations

The act approved the fourteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws one hundred forty-six) entitled "An act relative to service of process upon the stockholders of corporations in actions brought to charge the stockholders for debts of the corporation or for unpaid instalments upon their stock" in so far as it relates to associations

The act approved the fifteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws one hundred eighty-six) entitled "An act to authorize corporations to increase the security of their bonded indebtedness" in so far as it relates to associations

The act approved the seventeenth day of April one thousand eight hundred seventy-six (Pamphlet Laws thirty) entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations" and its amendments in so far as it relates to associations

The act approved the seventeenth day of April one thousand eight hundred seventy-six (Pamphlet Laws forty-one) entitled "An act to confirm conveyances of lands made by savings fund building and loan associations after expiration of the term of their chartered existence" absolutely

The act approved the twenty-fifth day of April one thousand eight hundred seventy-six (Pamphlet Laws forty-seven) entitled "An act supplementary to the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini eighteen hundred and seventy-four extending its provisions to all who may have the right to vote at elections for directors managers or trustees" in so far as it relates to associations

The act approved the twenty-second day of May one thousand eight hundred seventy-eight (Pamphlet Laws ninety-six) entitled "An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold" in so far as it relates to associations

The act approved the twenty-fifth day of May one thousand eight hundred seventy-eight (Pamphlet Laws one hundred fifty-five) (Number two hundred) entitled "An act to prevent and punish the re-hypothecation of stocks bonds or other securities pledged for money lent or borrowed" in so far as it relates to associations

The act approved the seventeenth day of June one thousand eight hundred seventy-eight (Pamphlet Laws two hundred fourteen) entitled "An act to confirm the purchase and sale of real estate by building and loan associations and to authorize the disposal of the unsold portion thereof" absolutely

Sections one two three four five six and nine of the act approved the tenth day of April one thousand eight hundred seventy-nine (Pamphlet Laws sixteen) (Number fourteen) entitled "An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of re-payment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to the associations of the bonus tax and registry laws for corporations" absolutely

The act approved the thirteenth day of May one thousand eight hundred seventy-nine (Pamphlet Laws fifty-seven) entitled "An act to authorize corporations to borrow money to redeem previous loans authorized by special laws and limiting the rate of interest and terms thereof and providing for the payment of mechanics' liens" in so far as it relates to associations

The act approved the tenth day of June one thousand eight hundred eighty-one (Pamphlet Laws one hundred seven) (Number one hundred eighteen) entitled "A supplement to an act entitled 'An act to prevent and punish the re-hypothecation of stocks bonds or other securities pledged for money lent or borrowed' approved the twenty-fifth day of May Anno Domini one thousand eight hundred seventy-eight" in so far as it relates to associations

The act approved the twenty-second day of May one thousand eight hundred eighty-three (Pamphlet Laws forty-one) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-second day of May Anno Domini eighteen hundred and seventy-eight" in so far as it relates to associations

The act approved the thirteenth day of June one thousand eight hundred eighty-three (Pamphlet Laws one hundred twenty-two) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charters of corporations of the second class and authorizing the incorporation of traction motor companies" in so far as it relates to associations

The act approved the twenty-fifth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred seventy-eight) entitled "An act to amend an act entitled 'An act to enable the officers of dissolved corporations to convey real estate held by such corporations' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders" in so far as its relates to associations

The act approved the twenty-sixth day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred seventy-four) entitled "A supplement to an act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twenty-second day of May Anno Domini one thousand eight hundred and eighty-three" in so far as it relates to associations

The act approved the thirty-first day of May one thousand eight hundred eighty-seven (Pamphlet Laws two hundred eighty-one) entitled "An act permitting the stockholders of corporations to determine the number of directors and the time for holding annual elections of officers" in so far as it relates to associations

The act approved the seventeenth day of June four thousand eight hundred eighty-seven (Pamphlet Laws four hundred eleven) entitled "A further supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the further regulation of such corporations" in so far as it relates to associations

The act approved the twenty-fifth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws two hundred seventy-three) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four amend-

ing the twelfth section of said act and thereby relieving full paid capital stock from liability to further assessment" in so far as it relates to associations

The act approved the seventh day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred two) (Number one hundred eight) entitled "An act defining evidence of stock ownership in corporations and for determining the right to vote thereon" in so far as it relates to associations

The act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-seven) entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' amending the thirteenth section thereof" in so far as it relates to associations

The act approved the fifteenth day of April one thousand eight hundred ninety-one (Pamphlet Laws fifteen) entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations' authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders" approved the twenty-fifth day of June one thousand eight hundred and eighty-five" authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders or their legal representatives whenever requested so to do" in so far as it relates to associations

The act approved the fourteenth day of May one thousand eight hundred ninety-one (Pamphlet Laws sixty-one) entitled "An act to amend the fifth section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four defining the officers of corporations and allowing certain officers receiving salaries to be directors and receive compensations" in so far as it relates to associations

The act approved the twentieth day of May one thousand eight hundred ninety-one (Pamphlet Laws one hundred one) (Number seventy-seven) entitled "An act authorizing salaried officers of private or business corporations to concurrently serve as directors therein" in so far as it relates to associations

The act approved the second day of June one thousand eight hundred ninety-one (Pamphlet Laws one hundred seventy-four) entitled "A supplement to an act entitled 'An act to provide for the incorporation of certain corporations approved the twenty-ninth day of April one thousand eight hundred and seventy-four' so far as it relates to section thirty-seven relating to building and loan associations" absolutely

The act approved the twenty-sixth day of April one thousand eight hundred and ninety-three (Pamphlet Laws twenty-six) (Number twenty-two) entitled "An act providing for the appointment of a receiver in cases where corporations have been dissolved by judgment of ouster upon proceedings of quo warranto" in so far as it relates to associations

The act approved the eleventh day of May one thousand eight hundred and ninety-three (Pamphlet Laws forty-two) (Number forty) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" in so far as it relates to associations

The act approved the eighteenth day of May one thousand eight hundred and ninety-three (Pamphlet Laws eighty-eight) entitled "An act to revive and continue in force provisions of an act entitled 'An act to extend the time during which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and eighty-seven" in so far as it relates to associations

The act approved the twenty-sixth day of May one thousand eight hundred and ninety-three (Pamphet Laws one hundred forty-one) entitled "An act amending an act entitled 'An act defining evidence of stock ownership in corporations and for determining the right to vote thereon' approved May seventh one thousand eight hundred and eighty-nine further defining evidence of stock ownership and the right to vote thereon" in so far as it relates to associations

The act approved the eighth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred fifty-one) entitled "An act to provide for the manner of reducing the capital stock of corporations" in so far as it relates to associations

The act approved the eighth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred fifty-five) entitled "An act to regulate the change of location of the principal office the place of annual and other meetings of stockholders and the time of such annual meetings of corporations of this Commonwealth" in so far as it relates to associations

The act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred seventeen) (Number three hundred sixteen) entitled "An act to authorize corporations to increase their capital stock for corporate purposes" in so far as it relates to associations

The act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred fifty-eight) (Number one hundred seventy-two) entitled "An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth" in so far as it relates to associations

The act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred three) entitled "An act amending an act entitled 'A supplement to an act entitled "An act to provide for the incorporation of certain corporations" approved the twenty-ninth day of April one thousand eight hundred and seventy-four so far as it relates to section thirty-seven relating to building and loan associations' approved June second one thousand eight hundred and ninety-one giving such associations the right when a series of stock has matured or when applications for loans by the stockholders thereof shall exceed the accumulations in the treasury to make temporary loans" absolutely

The act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred sixty-nine) (Number two hundred sixty-one) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four further amending the twelfth section thereof so as to permit corporations organized thereunder either for the purpose of carrying on any manufacturing business or for the supply of water or for the manufacture or supplying of light to purchase bonds or stock of other corporations of the same character or to guarantee the payment of interest and principal of such bonds or either principal or interest or to lease and operate corporate property" in so far as it relates to associations

The act approved the twentieth day of April one thousand eight hundred and ninety-seven (Pamphlet Laws twenty-eight) (Number twenty-three) entitled "An act to revive and continue in force provisions of an act entitled 'An act to extend the time which corporations may hold and convey the title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the eighteenth day of May Anno Domini one thousand eight hundred and ninety-three" in so far as it relates to associations

The act approved the ninth day of February one thousand nine hundred and one (Pamphlet Laws three) entitled "An act to provide for increasing the capital stock and indebtedness of corporations" in so far as it relates to associations

The act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty) (Number fifty-one) entitled "An act to regulate the number of directors in corporations chartered under the laws of this Commonwealth" in so far as it relates to associations.

The act approved the eleventh day of May one thousand nine hundred and one (Pamphlet Laws one hundred fifty-three) entitled "An act regulating foreign mutual savings fund or building and loan associations doing business within this Commonwealth and prescribing an annual license fee to be paid by such associations" absolutely

The act approved the twenty-ninth day of May one thousand nine hundred and one (Pamphlet Laws three hundred twenty-six) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four authorizing formation of corporations

for profit by voluntary association of three or more persons one of whom at least must be a citizen of this Commonwealth" in so far as it relates to associations

The act approved the twenty-ninth day of May one thousand nine hundred and one (Pamphlet Laws three hundred forty-nine) entitled "An act supplementary to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four providing for the merger and consolidation of certain corporations" in so far as it relates to associations

The act approved the fourth day of June one thousand nine hundred and one (Pamphlet Laws four hundred three) entitled "An act conferring upon mutual savings fund or building and loan associations now incorporated or hereafter to be incorporated the right to receive in writing bids of premium for priority and making valid all such bids heretofore accepted" absolutely

The act approved the seventh day of June one thousand nine hundred and one (Pamphlet Laws five hundred thirty) entitled "An act to amend the forty-fifth section of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth doy of April Anno Domini one thousand eight hundred and seventy-four providing for the publication in separate pamphlet form of a certified list of all charters of incorporation" in so far as it relates to associations

The act approved the second day of July one thousand nine hundred and one (Pamphlet Laws six hundred three) (Number two hundred ninety-eight) entitled "An act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation" in so far as it relates to associations

The act approved the second day of July one thousand nine hundred and one (Pamphlet Laws six hundred six) (Number three hundred two) entitled "An act authorizing corporations organized under the laws of Pennsylvania to increase or diminish the par value of the shares of their capital stock" in so far as it relates to associations

The act approved the fifth day of March one thousand nine hundred and three (Pamphlet Laws fourteen) (Number seventeen) entitled "An act concerning proxies authorizing representation and voting of shares of capital stock of corporations at meetings and elections thereof" in so far as it relates to associations

The act approved the twenty-fourth day of March one thousand nine hundred and three (Pamphlet Laws fifty) (Number fifty-two) entitled "An act relating to the taking of stock votes upon subjects presented to stockholders of corporations of this Commonwealth for their action" in so far as it relates to associations

The act approved the fifteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred) (Number one hundred forty-five) entitled "An act to revive and continue in force the provisions of an act entitled 'An act to extend the time during which corporations may hold and convey title to real estate heretofore bought under execution or conveyed to them in satisfaction of debts and now remaining in their hands unsold' approved the twentieth day of April Anno Domini one thousand eight hundred and ninety-seven" in so far as it relates to associations

The act approved the twenty-second day of April one thousand nine hundred and three (Pamphlet Laws two hundred fifty-one) entitled "An act regulating the change of corporate titles" in so far as it relates to associations

The act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred seventy-two) entitled "An act to amend the first section of an act entitled 'A supplement to an act entitled "An act to provide for the incorporation and regulation of certain corporations approved April twenty-nine one thousand eight hundred and seventy-four" authorizing the formation of corporations for profit by voluntary association of three or more persons one of whom at least must be a citizen of this Commonwealth' said supplement approved the twenty-ninth day of May one thousand nine hundred and one and to extend the provisions of said act to all corporations for profit embraced within corporations of the second class defined in section two (2) and the various supplements to section two (2) of the act of April twenty-ninth one thousand eight hundred and seventy-four and confirming all charters granted under the said supplements to corporations which have been formed under the various supplements to the said section two (2) of the act of April twenty-ninth one thousand eight hundred and seventy-four by the association of three or more persons one of whom at least was a citizen of this Commonwealth" in so far as it relates to associations

The act approved the sixteenth day of March one thousand nine hundred and five (Pamphlet Laws forty-two) (Number twenty-six) entitled "An act providing for the voting of shares of stock in corporations in this Commonwealth held by executors administrators guardians and trustees and the manner of voting the same" in so far as it relates to associations

The act approved the thirty-first day of March one thousand nine hundred and five (Pamphlet Laws ninety-three) entitled "An act amending the third section of a supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-nine one thousand eight hundred and seventy-four 'providing for the improvement amendment and alteration of the charters of corporations of traction motor companies' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three requiring corporations to file a certificate with the Governor of the Commonwealth setting forth that all reports required by the Auditor General of the Commonwealth have been duly filed and that all taxes due the Commonwealth have been paid before the improvement amendment or alteration of the charter of any corporation" in so far as it relates to associations

The act approved the thirty-first day of March one thousand nine hundred and five (Pamphlet Laws ninety-five) entitled "An act to amend section three of a supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four providing for the merger and consolidation of certain corporations approved the twenty-ninth day of May one thousand nine hundred and one requiring the filing of all reports required by the Auditor General and the payment of all taxes due the Commonwealth of Pennsylvania by corporations before merger or consolidation" in so far it relates to associations

The act approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred sixty-four) (Number one hundred eighty-three) entitled "An act to amend the first section of an act entitled 'An act to provide for the manner of reducing the capital stock of corporations' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three (1893) extending the provisions of the said act to all corporations created by general or special law and repealing all acts or parts of acts inconsistent therewith" in so far as it relates to associations

The act approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred eighty) entitled "An act to amend section one of the act entitled 'An act to provide for increasing the capital stock and indebtedness of corporations" approved the ninth day of February Anno Domini one thousand nine hundred and one authorizing corporations to increase their capital stock and indebtedness and secure the payment of principal and interest of their indebtedness" in so far as it relates to associations

The act approved the twelfth day of June one thousand nine hundred and seven (Pamphlet Laws five hundred twenty-five) entitled "An act requiring banks trust companies savings funds societies building and loan associations bond and investment companies provident associations and all other corporations under supervision of the Commissioner of Banking to furnish receipt in full to each depositor or investor for moneys received which shall also be entered in full on books of the company statement of liabilities to be set out in full in all reports to Commissioner of Banking or other supervisory authorities statement of all moneys borrowed to be placed in full as liabilities on books of the company violation of provisions of this act a misdemeanor and penalty therefor" in so far as it relates to associations

The act approved the twenty-ninth day of April one thousand nine hundred and nine (Pamphlet Laws two hundred eighty-nine) (Number one hundred eighty-five) entitled "An act to prevent any individual from holding at the same time more than one of the offices of president vice-president secretary treasurer or solicitor of any building and loan association incorporated under the laws of this Commonwealth and providing a penalty for the breach thereof" absolutely

The act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws four hundred eight) entitled "An act authorizing the merger and consolidation of certain corporations" in so far as it relates to associations

The act approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred thirty-six) (Number two hundred twenty-two) entitled "An act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid" in so far as it relates to associations

The act approved the fourteenth day of May one thousand nine hundred thirteen (Pamphlet Laws two hundred five) (Number one hundred forty-four) entitled "An act enlarging the powers of mutual savings fund or building and loan associations authorizing them to accumulate a reserve fund to pay contingent losses and validating such funds heretofore accumulated to permit members to secure the repayment of one-half of their loans by a straight bond and mortgage for a fixed term and authorizing said associations to so secure loans authorizing said associations to make loans in certain cases upon a stipulated premium and further authorizing them to loan money to other like associations under certain conditions and repealing all laws inconsistent with this act" absolutely

The act approved the sixth day of June one thousand nine hundred thirteen (Pamphlet Laws four hundred fifty-nine) (Number three hundred five) entitled "An act to confirm conveyances of lands made by Building and Loan Associations after expiration of the term of their chartered existence" absolutely

The act approved the twenty-ninth day of April one thousand nine hundred fifteen (Pamphlet Laws two hundred five) entitled "An act to amend the third section of an act entitled 'An act authorizing the merger and consolidation of certain corporations' approved the third day of May Anno Domini one thousand nine hundred and nine" in so far as it relates to associations

The act approved the second day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred twenty-four) (Number three hundred thirty-three) entitled "An act to amend section twenty-three of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled 'A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all the reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corporation before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth" in so far as it relates to associations

The act approved the seventeenth day of May one thousand nine hundred seventeen (Pamphlet Laws two hundred twenty-eight) entitled "An act to authorize the payment by corporations to their directors of compensation for services rendered by them" in so far as it relates to associations

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred seventy-five) entitled "An act to amend section five of an act approved the tenth day of April one thousand eight hundred and seventy-nine entitled 'An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the nonapplication to these associations of the bonus tax and registry laws for corporations" absolutely

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred eighty) entitled "An act to amend section one of an act approved the twenty-ninth day of April one thousand nine hundred nine entitled 'An act to prevent any individual from holding at the same time more than one of the offices of president vice-president secretary treasurer or solicitor of any building and loan association incorporated under the laws of this Commonwealth and providing a penalty for the breach thereof' by prohibiting the president vice-president secretary or treasurer from holding the office of conveyancer" absolutely

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred eighty-one) (Number two hunderd forty-eight) entitled "An act permitting corporations to invest their surplus funds in bonds of the United States issued for war purposes" in so far as it relates to associations

The act approved the fifth day of July one thousand nine hundred seventeen (Pamphlet Laws six hundred ninety-eight) (Number two hundred fifty-eight) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to continue the salaries of employes enlisting or enrolling in any branch of the military or naval service of the United States or other protective organization" in so so far as it relates to associations

The act approved the eighteenth day of April one thousand nine hundred and nineteen (Pamphlet Laws sixty-seven) entitled "An act to give to women married and single the same right as men to be corporators and in furtherance of their interests as stockholders to serve as directors and officers of corporations for profit" in so far as it relates to associations

The act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred eight) entitled "An act permitting building and loan associations to make temporary loans and to secure payment by pledge of bonds of the United States issued for war purposes" absolutely

The act approved the thirtieth day of March one thousand nine hundred and twenty-one (Pamphlet Laws fifty-four) (Number twenty-eight) entitled "An act permitting corporations to change the date of their annual meeting as fixed by its charter" in so far as it relates to associations

The act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred eighty) entitled "An act to amend section thirty-seven clause nine of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' increasing the powers of building and loan associations to purchase and hold real estate" absolutely

The act approved the twenty-fourth day of May one thousand nine hundred twenty-one (Pamphlet Laws one thousand seventy-one) entitled "An act requiring banks banking corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void" in so far as it relates to associations

The act approved the fifteenth day of March one thousand nine hundred twenty-three (Pamphlet Laws ten) entitled "An act relating to the recording of certificates of incorporation of domestic corporations providing for the recording of certified copies thereof in certain cases validating the recording of such certified copies heretofore recorded and making the record of such certified copies competent evidence for all purposes" in so far as it relates to associations

The act approved the twelfth day of July one thousand nine hundred twenty-three (Pamphlet Laws one thousand eighty-three) entitled "An act authorizing corporations to issue stock at a price in excess of the par value thereof" in so far as it relates to associations

The act approved the first day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred two) entitled "An act to amend section one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and seventy-one) entitled 'An act requiring banks banking corporations copartnership or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies saving s institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain du-

ties on recorders of deeds and declaring certain entries void' by extending its provisions to all corporations copartnerships and associations" in so far as it relates to associations

The act approved the seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred eighty-three) entitled "An act providing that certificates of association and articles of incorporation or of any improvements amendments or alterations thereto may be acknowledged and sworn or affirmed to before a notary public or justice of the peace validating such acknowledgments made prior to the approval of this act" in so far as it relates to associations

The act approved the thirtieth day of April one thousand nine hundred and twenty-five (Pamphlet Laws four hundred three) entitled "An act relating to the dissolution of corporations and imposing certain duties on the Secretary of the Commonwealth and the prothonotaries" in so far as it relates to associations

The act approved the twelfth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred fifteen) entitled "An act pertaining to corporations organized or doing business within the Commonwealth limiting the operation of their by-laws and providing for the execution of contracts notes mortgages et cetera by such corporations" in so far as it relates to associations

The act approved the thirteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred seventy-nine) (Number three hundred sixty-eight) entitled "An act authorizing corporations to issue stock to their employes and to employes of their subsidiaries at par value or at a price in excess of par value" in so far as it relates to associations

The act approved the twenty-ninth day of March one thousand nine hundred twenty-seven (Pamphlet Laws seventy) entitled "An act to amend section one of the act approved the twenty-fifth day of April one thousand eight hundred and seventy-six (Pamphlet Laws forty-seven) entitled 'An act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini eighteen hundred and seventy-four extending its provisions to all who may have the right to vote at elections for directors managers or trustees' regulating the manner of voting in first class corporations" in so far as it relates to associations

The act approved the fifth day of April one thousand nine hundred twenty-seven (Pamphlet Laws one hundred ten) entitled "An act prescribing a uniform method for the issuance of full paid stock by building and loan associations prescribing a maximum periodical rate of dividend that may be paid thereon providing for the withdrawal and transfer thereof" absolutely

The act approved the eighth day of April one thousand nine hundred twenty-seven (Pamphlet Laws one hundred seventy-nine) entitled "An act to amend section one of an act approved the fourteenth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and five) entitled 'An act enlarging the powers of mutual savings fund or building and loan associations authorizing them to accumulate a reserve fund to pay contingent losses and validating such funds heretofore accumulated to permit members to secure the repayment of one-half of their loans by a straight bond and mortgage for a fixed term and authorizing said associations to so secure loans authorizing said associations to make loans in certain cases upon a stipulated premium and further authorizing them to loan money to other like associations under certain conditions and repealing all laws inconsistent with this act' permitting building and loan associations to have contingent funds not in excess of fifteen per centum of their assets" absolutely

The act approved the twenty-second day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred fifty-three) (Number two hundred eighteen) entitled "An act to amend subdivision three of section three of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' by regulating the weekly advertisements for corporate charters" in so far as it relates to associations

The act approved the twenty-first day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred thirty-three) entitled "An act prescribing a uniform method of issuing notes by building and loan associations for money borrowed" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (Pamphlet Laws four hundred four) (Number two hundred fifty-nine) entitled "An act making it unlawful for building and loan associations to charge a withdrawal or membership fee in excess of a certain amount and requiring a receipt to be given in case a membership fee is charged and providing for such membership fees to be charged to the general profit account" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred four) (Number two hundred sixty) entitled "An act prohibiting corporations from pleading usury as a defense" in so far as it relates to associations

The act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred five) (Number two hundred sixty-one) entitled "An act authorizing building and loan associations to issue stock to minors providing for the withdrawal thereof and providing also for the withdrawal of stock in certain cases by the beneficiary in the event of the death of the trustee' absolutely

The act approved the sixth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws eight hundred twenty-eight) (Number four hundred seventeen) entitled "An act to further amend the second paragraph of the fifth section of an act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations" in so far as it relates to associations

The act approved the twenty-seventh day of March one thousand nine hundred and twenty-nine (Pamphlet Laws seventy-four) entitled "An act amending section one of an act entitled 'An act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation' approved the second day of July Anno Dominin one thousand nine hundred and one (Pamphlet Laws six hundred and three) so as to include corporations either public or private of this or any other State or of the United States of America or of any territory or dependency thereof or of any foreign country or any subdivision or agency thereof and to validate all purchases sales assignments transfers mortgages pledges or other disposition thereof at any time heretofore made" in so far as it relates to associations

The act approved the tenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred eighty) entitled "An act to amend section one of the act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred fifty-eight) entitled 'An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth' by authorizing the counter-signatures of assistant treasurers thereon by permitting the signatures counter-signatures and seals thereon in facsimile printed or engraved and validating certificates of stock heretofore so executed and issued" in so far as it relates to associations

The act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-four) entitled "An act to amend the act approved the second day of July one thousand nine hundred and one (Pamphlet Laws six hundred three) entitled "An act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation' by extending the provisions thereof so as to apply to all corporations and validating past transactions of such character" in so far as it relates to associations

The act approved the sixteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred twenty-seven) (Number two hundred twenty-eight) entitled "An act regulating loans by building and loan associations" absolutely

The act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred sixty-six) entitled "An act regulating the granting of loans by building and loan associations where the security

in whole or part is to be a mortgage or lien on real estate providing penalties and fixing the time during which indictments under this act may be found and prosecuted" absolutely . The act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred one) entitled "An act to amend section four of the act approved the tenth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws sixteen) entitled 'An act relating to mutual saving fund building and loan asociations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations'" absolutely

The act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred three) entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting" in so far as it relates to associations

The act approved the eighth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred forty-seven) (Number five hundred twelve) entitled "An act to amend the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred four) entitled 'An act prohibiting corporations from pleading usury as a defense" in so far as it relates to associations

The act approved the seventeenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand eight hundred two) entitled "An act providing that when all or a majority of the outstanding shares of the capital stock of any corporation now or hereafter created under the laws of this Commonwealth are owned by a corporation created under the laws of any other State the owner or owners of not less than one-fifth of the total number of the outstanding shares of the capital stock of such foreign corporation shall have the right to investigate and inquire into the affairs management and operations of such domestic corporation and to institute maintain and prosecute actions or proceedings against or in behalf of such domestic corporation for any purpose to the same extent in the same manner with the same force and effect and with the same rights and remedies as if he or they were the owner or owners of shares of the capital stock of such domestic corportaion and prescribing the conditions upon which a bond may be required in any such action or proceeding" in so far as it relates to associations

The act approved the twentieth day of March one thousand nine hundred and thirty-one (Pamphlet Laws four) entitled "An act to amend section one of the act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred fifty-eight) entitled 'An act relating to and regulating the issue and transfer of certificates of stock by companies incorporated under the laws of this Commonwealth' as amended by permitting the signatures counter-signatures and seals thereon in facsimile printed or engraved when the certificate is signed by a transfer agent or assistant transfer agent and registrar and permitting the use of certificates bearing the signature or counter-signature or facsimile signature or counter-signature of any officer who has ceased to to be such when the certigcate is issued" in so far as it relates to associations

The act approved the twenty-sixth day of March one thousand nine hundred and thirty-one (Pamphlet Laws ten) (Number eight) entitled "An act to amend subdivision three of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled 'An act to provide for the incorporation and regulation of certain corporations' as amended by regulating the advertising of application of charters for corporations of the first class" in so far as it relates to associations

The act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred four) (Number one hundred sixty-one) entitled "An act authorizing building and loan associations to permit borrowers to have the dues on the stock credited on account of the principal of the loan and providing for the reduction of the stock in certain cases and defining the duties of the secretary of the association in respect thereto and providing also for the increase of the subsequent dues on the stock in certain cases and providing further that the stock shall not be subject to losses except for the profits in certain cases" except in so far as it relates to the appropriation of shares to reduce mortgage loans which were granted by associations prior to the effective date of this act

The act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred sixty-one) entitled "An act to amend section twenty-three of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) as amended by an act entitled 'An act to amend section twenty-three of an act entitled "An act to provide for the incorporation and regulation of certain corporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regultaion of certain additional corporations" approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all the reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corportaion before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth' approved June second one thousand nine hundred and fifteen (Pamphlet Laws seven hundred twenty-four) providing that in the case of the sale assignment disposition or conveyance by certain building and loan asociations of their franchises and property to certain other building and loan associations in lieu of the advertisement required by section nineteen of the act first mentioned notice of the time place and object of the meeting of stockholders therein mentioned shall be published once a week for two weeks prior to such meeting in at least one newspaper published in the county city or borough wherein the place of business of the building and loan association so selling assigning disposing or conveying is situate" in so far as it relates to associations

The act approved the twenty-eighth day of July one thousand nine hundred thirty-two (Pamphlet Laws eleven) entitled "An act to increase the powers of building and loan associations by empowering them to join the Federal Home Loan Bank or any other corporation or agency established under the authority of the United States Government and to empower them to borrow money from the Federal Home Loan Bank the Reconstruction Finance Corporation or any other corporation or agency established under the authority of the United States Government except National banks and to assign their bonds and mortgages and other property including the right to repledge the shares of stock pledged as collateral security without securing the consent of the owner thereto as security for the repayment of their indebtedness as evidenced by any bond note or obligation they may give therefor" absolutely

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Section 1303 General Repeal of Acts All other acts or parts of acts inconsistent herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	Mansfield,	Salus,
Batchelor,	Frazier,	McClure,	Scott,
Baumer,	Gelder,	Miller,	Shapiro,
Bennett,	Graff,	Owlett,	Snyder,
Boyd,	Harris,	Parkinson,	Sones,

Brandt,	Harvey,	Pethick,	Sordoni,
Buckman,	Homsher,	Pierson,	Staudenmeier,
Chapman,	Howell,	Prince,	Thompson,
Clark,	Mansfield,	Quigley,	Trainer,
Coyne,	Hunsicker,	Reed,	Williamson,
Ealy,	Krause,	Rice,	Woodward,
Einstein,	Lanius,	Roberts,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 512, as follows:

An Act to amend clause twenty-five as amended and renumbered clause eighteen of and to add clause twenty to section three hundred and two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State Government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State Depository and every debtor or creditor of the Commonwealth" by establishing the State Parks Fund and transferring certain revenues from the State School Fund to the State Parks Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause twenty-five of Section three hundred and two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three, entitled "An Act relating to the finances of the State Government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" which was amended and renumbered clause eighteen by the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eighteen) is hereby further amended to read as follows:

18 State School Fund All moneys received by the Treasury Department from the Department of Revenue arising from the net receipts and proceeds derived in any way from or on account of the forest reservations except such as are derived from the rental of permanent camp sites and from the maintenance and operation of Cook Forest Park and other recreational facilities on lands under the jurisdiction of the Department of Forests and Waters together with all water powers and water rights belonging to this Commonwealth in the streams rivers lakes or other waters of this Commonwealth from all real estate owned by this Commonwealth which is not used for State or other public purposes for all escheated estates in this Commonwealth and from all other property or money which shall in any way accrue to such fund whether by devise gift or otherwise shall be credited to the State School Fund

Section 2 That section three hundred and two of said act is hereby further amended by adding thereto clause twenty as follows

20 State Parks Fund All moneys received by the Treasury Department from the Department of Revenue arising from the net receipts and proceeds derived in any way from or on account of the rental of permanent camp sites and from the maintenance and operation of Cook Forest Park and other recreational facilities on lands under the jurisdiction of the Department of Forests and Waters shall be credited to the State Parks Fund

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 710 (House Bill No. 183), as follows:

An Act to amend sections twenty-five and thirty-eight of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred thirty-seven) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" clarifying the ground for divorce where the respondent has been convicted of certain crimes providing for the amendment of libels to include additional grounds for divorce and providing for service of notice of hearing on corespondents

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of

the same That sections ten twenty-five thirty-eight and forty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred and thirty-seven) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising ond consolidating the law relating thereto" are hereby amended to read as follows

2 When a marriage has been heretofore or shall hereafter be contracted and celebrated between two persons within the prohibited degrees of consanguinity or affinity according to the tables established by law it shall be lawful for either of said parties to obtain a divorce from the bond of matrimony in the manner hereinafter provided or

3 If any spouse upon any false rumor in appearance well founded of the death of the other when such other has been absent for the space of two whole years hath married or shall marry again the party who has not remarried may at his or her return have his or her own marriage dissolved by divorce on the grounds of bigamy leaving the other party to remain with the second husband or wife Any such action shall be instituted within six months after such return

Section 25 Presentation of Libel Contents Affidavit Any spouse may have his or her petition or libel in divorce presented to the court of common pleas when in session or during vacation to a judge thereof at chambers The petition or libel shall set forth therein particularly and specifically the cause of his or her complaint and shall be accompanied with an affidavit on oath or affirmation taken before one of the said judges or the prothonotary or clerk of the court of common pleas or any person in any county of the Commonwealth legally authorized to take acknowledgments that the facts contained in said petition or libel are true to the best of his or her knowledge and belief and that the said complaint is not made out of levity or by collusion between the said husband and wife and for the mere purpose of being freed and separated from each other but in sincerity and truth for the causes mentioned

In cases where the respondent is a hopeless lunatic or non compos mentis the fact of lunacy of the respondent and such circumstances as may be sufficient to satisfy the mind of the court as to the truth of the allegation shall be set forth in the petition or libel and affidavit required by this section shall be taken by the petitioner

In cases where the libellant is a minor the libel shall be presented by a relative or next friend and the affidavit thereto shall be taken by such minor libellant

The court may allow any libel to be amended so as to include additional grounds or causes for divorce including such as arose subsequent to the awarding of the subpoena Notice of any such amendment shall be served on the respondent in such manner as the court may direct in its order allowing the amendment

Section 38 Notice to Corespondent In any case for divorce on the ground of adultery the libellant shall cause to be served personally or by registered mail addressed to the last known post office address a notice on any corespondent named and identified in the libel and where such corespondent is named and identified first in the testimony then such notice shall be given before the testimony is closed and an opportunity afforded such correspondent to be heard A notice sent by registered mail addressed to the last known post office address of the corespondent shall be equivalent to personal service of the notice Such notice shall set forth that such person was named in the porceedings as corespondent and designate the time and place of hearing and shall be served at least ten days previous to the hearing Proof of the personal service of such notice or the mailing of such notice to the last known post office address of the corespondent shall be filed in the office of the prothonotary

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Armstrong,	Fay,	McClure,	Shapiro,
Batchelor,	Frazier,	Miller,	Snyder,
Baumer,	Gelder,	Owlett,	Sones,
Bennett,	Graff,	Parkinson,	Sordoni,
Boyd,	Harris,	Pethick,	Staudenmeier,
Brandt,	Harvey,	Pierson,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Clark,	Howell,	Rice,	Williamson,
Coyne,	Hunsicker,	Salus,	Woodward,
Ealy,	Krause,	Scott,	Ziesenheim,
Einstein,	Mansfield,		

NAYS—5

Chapman,	Lanius,	Prince,	Reed,
Roberts,			

A majority of all the Senators having voted "aye' 'the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1235 (House Bill No. 1033), as follows:

An Act to amend section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that the records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them

Section 1 Be it enacted by the Senate and House of Represesentatives of the Commonwealth of Pennsyvania in General Assembly met and it is hereby enacted by the authority of the same That section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees

and miscellaneous receipts making an appropriation and providing for refunds" which was amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws seven hundred fifty-one) is hereby further amended to read as follows

Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles trailers and semitrailers owned and used by (a) the Federal Government (b) any state other than Pennsylvania which issues titles or registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania(d) any city borough incorporated town township county poor or school district of this Commonwealth (e) any duly authorized volunteer fire force hospital humane society or anti-cruelty society in this Commonwealth (f) by the American Red Cross (g) by churches (h) Girl Scouts of America (i) Boy Scouts of America (j) Salvation Army (k) duly chartered Post or Organization of the American Legion Veterans of Foreign Wars or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaux [(k)] (1) mine industrial ambulances [(1)] (m) ambassadors ministers consular representatives and other diplomatic representatives who are entitled to exemption under the terms of a treaty but all such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semitrailers

(b) No fee shall be required when a certificate or assigned certificate of title is returned to the department for cancellation

(c) No fee shall be charged for replacement or substitution of registration card registration plates operators license card learners permit card or certificate of title when satisfactory proof is furnished the secretary of loss of same in the mails

(d) No fee shall be charged for certified copies or certified photostatic copies of any department record furnished to Federal State county or municipal authorities

(e) No fee shall be charged for special hauling permits issued to the Commonwealth of Pennsylvania any city borough incorporated town township county poor or school district of this Commonwealth

(f) No fee shall be charged for transfer of registration for the succeeding year when such transfer has been received and completed by the department prior to January first of such succeeding year

(g) No fee shall be charged for a certificate of junk issued to any person

(h) No fee shall be charged a manufacturer jobber or dealer for a certificate of title to a motor vehicle when assignement of certificate of title accompanies the application for certificate of title

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1270 (House Bill No. 1780), as follows:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws Five Hundred Ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing certain routes and adding certain new routes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following routes established by the Act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws Five Hundred Ninety-four) entitled "An Act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" are hereby amended to read as follows

Route 01047 Beginning at a point in [Huntingdon] Huntington Township on the Adams-Cumberland County line about .5 of a mile east of the Tyrone-[Huntingdon] Huntington Township line thence southwestwardly through [Huntingdon] Huntington Township to a point [intersecting] on Route 01006 thence eastwardly through [Huntingdon] Huntington Township by way of Idaville and Gargol [to a point intersecting Route 342 at the York Spring Borough line] intersecting Route 41 at Idaville to a point on the western boundary line of York Springs Borough in Adams County a distance of about 6.4 miles

Route 02002 Beginning at a point on Route 742 in Penn Township [at] near the Penn-Wilkins Township line and extending easterly thence northerly to a point on the Frankstown Road Route [288] 228 about 0.3 of a mile west of Rodi in Allegheny County a distance of about [1.5] 1.43 miles

Route 02017 Beginning at a point in Penn Township on the Saltsburg Road Route 228 and extending in a southerly and southeasterly direction by way of the Stolter Road to an intersection with [Frankstown Road] County Universal Road near the property of Jacob Berg in Allegheny County a distance of about [1.7] 1.69 miles

Route 02018 Beginning on the Coraopolis-Cliff Mine Road near [McClarence] McClaran's Mill thence in a general northeasterly direction to an intersection with Route 02006 thence beginning on Route 02006 and running in a northeasterly direction across the Beaver Grade Road thence in a northerly direction to an intersection with the Coraopolis and Carnot Road about .25 of a mile [east] west of its intersection with the Hassam Road State-aid Application 2386 in Allegheny County a distance of about [2.9] 2.97 miles

Route 02030 Beginning at a point on [Route 02022] the county Oakdale-Thomas Run Road near Beechmont thence in a northwardly and an eastwardly direction to an intersection with the Noblestown Road [about .25 of a mile west of] near Rennerdale in Allegheny County a distance of about [1 mile] 1.38 miles

Route 02032 Beginning at the [Washington County] McDonald Borough line about .25 of a mile [south] southeast of the [borough of McDonald] Noblestown Road thence northeasterly and easterly along the Ridge Road south of the Noblestown Road to an intersection with Route 681 in Allegheny County a distance of about [2.2] 1.78 miles

Route 02034 Beginning at State-aid Application 4624 about 5 of a mile west of the village of Federal thence in a southeasterly direction along the Ridge Road to an intersection with

Route 397 [thence in a southwesterly direction to an intersection with Route 545 near Sygan] in Allegheny County a distance of about [3.4] 2.64 miles

Route 02044 Beginning at a point in Penn Township on the Hulton Road [about 300 feet south of] near its intersection with the Old Coal Road and extending in a southwesterly direction on the [Poketa] Puketa Road to a point where it intersects the [Arona] Verona Road [at] near the property of W Hansell in Allegheny County a distance of about 1.1 miles

Route 02046 Beginning at [a point on Route 545 near its intersection with Route 681] an intersection with Route 02049 near a public school about .2 of a mile south of Route 545 in in the village of Traveskyn thence in a southeasterly direction to an intersection with Route 108 about one mile north of the Washington County line thence [a point near Mayview] beginning on Route 108 near the same point and running in a southeasterly direction to Boyce Station thence in a southeasterly direction to an intersection with Route 02057 about .5 of a mile north of the Washington County line beginning on Route 02057 near the same point thence in an easterly direction to an intersection with the county McMurray Road about .25 of a mile north of Jewel in Allegheny County a distance of about [5.6] 5.83 miles

Route 02050 Beginning at a point [on] near the Washington Pike [near] on the Bridgeville Borough line thence in an easterly direction to an intersection with the Clifton-Bridgeville Road thence in a [northerly] northeasterly direction to a point [near] on the county road at the village of Beadling thence beginning on the county road near the Mount Lebanon-Upper Saint Clair Township line and running in a northwesterly direction to an intersection with the Bower Hill Road [about .25 of a mile from the Mount Lebanon Township line] in Allegheny County a distance of about [4.2] 3.91 miles

Route 02052 Beginning on the Clifton-Bridgeville Road about .75 of a mile west of [Clinton] Clifton thence in a westerly direction to an intersection with Route 02054 near Morrow farm in Allegheny County a distance of about [1.2] 1.11 miles

Route 02066 Beginning at a point on the Library Road extension near Piney Forks thence in a southeasterly direction along a branch of the Baltimore and Ohio Railroad to a point [in Jefferson Township near the Heath farm] on the Washington County line about 1 mile east of the Snowden-Jefferson Township line thence to an intersection with Route 02087 in Washington County also beginning on Route 02087 about 1 mile northeast of the Washington County line thence in a southeasterly direction to an intersection with the Dravesburg Road about .25 of a mile north of the Washington County line in Allegheny County a distance of about [5.8] 5.51 miles and in Washington County a distance of about .07 mile

Route 02071 Beginning at a point on the Lovedale Road about .25 of a mile [south] southwest of its intersection with the [Portview] Port Vue and Lovedale Road and extending in a general northerly direction to an intersection with [the Portview Road about .5 of a mile north of an] Route 687 near its intersection [of] with the [Portview] Port Vue and Lovedale Road [and Route 687] in Allegheny County a distance of about [2] 1.52 miles

Route 02074 Beginning at the end of the improved section of the New England Road thence [northwesterly along Pine Run] westerly to an intersection with Route 376 near the end of Route 02113 in Allegheny County a distance of about [1] 0.6 of a mile

Route 02078 [Beginning at a point on the Air Port Boulevard near the Union Railroad crossing thence in a general northwesterly direction to a point on the Streets Run Road thence along Street Run to a point on the Pittsburgh City Line in Allegheny County a distance of about 1.6 miles] Beginning at a point on the Duquesne City line near Kennedy Avenue thence in southwesterly disection to a point on the Dravosburg Borough line near Amity Avenue in Allegheny County a distance of aboue 1.6 miles

Route 02082 [Beginning at a point on the Homestead Park extension road near the Pittsburgh-McKeesport Boulevard thence in an easterly direction across the Homestead-Duquesne Road to a point near Thompson Run thence in a northeasterly direction toward Kennywood Park to a point on the Duquesne City Line in Allegheny County a distance of about 4.2 miles] Beginning at a point on the Pittsburgh City line near the end of the West Run Road thence in an easterly direction across the Homestead-Duquesne Road to a point near the Mifflin Township Municipal Building thence in an easterly direction to a point on the Duquesne City line in Allegheny County a distance of about 3.2 miles

Route 02084 [Beginning at the end of Homeville improved road at Route 02185 thence in a southerly direction across Route 02082 near Thompson Run thence in an easterly direction to an intersection with the Homestead and Duquesne Road near the Duquesne City line in Allegheny County a distance of about 2.5 miles] Beginning at a point on the McKeesport Boulevard near Bettis Field thence in an easterly direction to a point on the Homestead-Duquesne Road in Allegheny County a distance of about 1.5 miles

Route 02088 Beginning at a point [near Broadway on Route 392 at] on the East McKeesport Borough line on Broadway thence in a southerly direction], via Delaware Avenue to Washington Avenue thence along Washington Avenue to Fifth Avenue] to an intersection with Route 392 near the Greer property in Allegheny County a distance of about [1.1 miles] .85 of a mile

Route 02093 Beginning at a point on the Brentwood Borough line about .25 of a mile south of the Glass Run Road thence in a southeasterly direction to an intersection with the Streets Run Road]; thence northeasterly along Streets Run to an intersection with Route 02078] in Allegheny County a distance of about [2.2] 1.66 miles

Route 02095 Beginning at a point on [Route 02097 and extending in a southwesterly direction to an intersection with Route 02099 the Provost-Millers Grove Road] the line between Allegheny and Beaver Counties at the end of Route 04067 thence southeasterly southwesterly and southeasterly to an intersection in Findley Township with the county road known as Spring Run Road about .2 of a mile south of the intersection of the said Spring Run Road with the line between Findley and Moon Townships in Allegheny County a distance of about [1] .81 of a mile

Route 02099 Beginning at the Streets Run Road near [Millers Grove] Willock thence in a northwesterly direction to [Route 330] the Brentwood Borough line near the South Hills Country Club in Allegheny County a distance of about [1.4] 1.23 miles

Route 02101 [Beginning at a point on the New England Road about .5 of a mile southeast of New England thence in a north and northwesterly direction to a point on the Lebanon Church Road Route 376 near the County Air Port in Allegheny County a distance of about 2.2 miles] Beginning at a point on the River Road near Camden thence in a northwesterly direction to a point on the Lebanon Church Road near the County Air Port in Allegheny County a distance of about 2.2 miles

Route 02110 Beginning at a point on Route 679 near the Deer Creek Bridge [,] and extending in a general easterly and southeasterly direction across Long Run thence to an intersection with [the Little Deer Creek Road near] Route 02156 about .5 of a mile west of Rural Ridge in Allegheny County a distance of about [3.2] 2.34 miles

Route 02116 Beginning at a point [on] near the Spring Garden Road [near] on the Pittsburgh City line [;] and extending along William Street to a point [near the new East Street Bridge] on the Pittsburgh City line in Allegheny County a distance of about [.5] .18 of a mile

Route 02128 Beginning at a point [on] near the Babcock Boulevard [near] on the southern Boundary of North Park [;] and extending in a [Southeasterly and] southwesterly direction to an intersection with Route 02126 about .25 of a mile northeast of [the Ferguson Road] State-aid Application 3756 in Allegheny County a distance of about [2] 1.05 miles

Route 02145 Beginning at a point in Penn Township on the Coal Hollow Road Route 02172 [about 250 feet south of] near the Verona Road [;] and extending in an easterly direction to a point on [the Hulton Road] Route 228 [at] near Rodi in Allegheny County a distance of about [1.7] 1.55 miles

Route 02150 Beginning at a point on Route 72 near the end of [the Gibsonia Road] State-aid Application 3581 and extending in a general [easterly] southeasterly direction [to the] along the west branch of Deer Creek to a point on the county Middle Road Extension thence beginning on Route 02148 near the same point and running in a northeasterly direction to an intersection [of] with the Bairsford Road in Bairsford in Allegheny County a distance of about [3.5] 3.81 miles

Route 02152 Beginning at a point about .25 of a mile north of Russelton on the [Bull Creek] Little Deer Creek Valley

Road thence in a westerly and northerly direction to an intersection with the Dorseyville-Culmerville Road near the end of the Bairsford Road in Allegheny County a distance of about [1.9] 1.97 miles

Route 02154 Beginning at a point on the county Bailey Run Road [near its intersection with Days Run Road] about .5 of a mile north of Creighton thence northwesterly along Days Run [to an intersection with the Tarentum and Culmerville improved road] to a road intersection about .7 of a mile east of the West Deer Township line thence westerly to an intersection with the county Baily Run Road near the Little Deer Creek Road in Allegheny County a distance of about [4.6] 4.50 miles

Route 02181 Beginning at a point [about .25 of a mile north of] near the intersection of the Babcock Boulevard and [Duncan Avenue] State-aid Application 3756 thence in a westerly direction to an intersection with the Perry Highway Route 246 in Allegheny County a distance of about [1.2] 1.09 miles

Route 02194 Beginning on [Penn Avenue at Markle Street] old Route 120 at the east end of the bridge over Turtle Creek thence [southwesterly to Versailles Avenue thence along Versailles Avenue] in a westerly and southerly direction to the East Pittsburgh and McKeesport Boulevard in Allegheny County a distance of about [.6 of a mile] 1.11 mile

Route 02196 Beginning at a point in Penn Township on the [Hunter Road about 250 feet east of] Verona Borough line near Plum Creek [;] and extending easterly and southeasterly over Hunter Road to a point where it intersects Hamil or Ryan Road Route 02165 also from a point on the Hamil or Ryan Road about .3 of a mile east of the first intersection and extending in a southerly direction to intersect the Hulton Road in Allegheny County a distance of about [2.2] 2.46 miles

Route 02199 Beginning at a point, [at] on the Universal Road near Clarksville in Penn Township about .3 of a mile [north] south of the intersection of [Frankstown] Universal Road and the [Clarksville Road] Route 228 and extending northeasterly by way of Main Street to a point on [the Saltsburg Road] Route [288] 228 in Allegheny County a distance of about [.6] .53 of a mile

Route 05018 Beginning at the West Kittanning Borough line [,] thence [southwest] southwesterly through East Franklin and North Buffalo Townships by way of Foster Dairy farm], to bridge crossing Glade Run at] and bridge crossing Glade Run to the Pony farm in Armstrong County a distance af about [2.5] 2.60 miles

Route 03028 Beginning at a point on Route 214 at D Aureli's thence in a general northwesterly direction in Brady's Bend Township to a point on the Brady's Bend-Perry Township line and continuing in a general [northerly] northwesterly direction in Perry Township past Criswell [Schoolhouse] schoolhouse to an intersection with the Fredericksburg-Queenstown Road [approximately .75 of a mile northeast of Fredericksburg] at Fredericksburg In Armstrong County a distance of about [4.3] 3.65 miles

Route 03089 Beginning at a point on the Eddyville-Timblin Road at McWilliams and extending in a [northeasterly] northwesterly direction in Red Bank Township to a point on the Armstrong-Clarion Connty line at Oak Ridge Bridge in Armstrong Connty a distance of about [4.6] 4.37 miles

Route 03090 Beginning at a point on the [southwest] southeast borough line of South Bethlehem in a general easterly direction [in Mahoning Township] to a point on the Mahoning-Red Bank Township line and continuing easterly and southeasterly in Red Bank Township to an intersection with the Oak Ridge-McWilliams Road at a point adjacent to Mudlick Church in Armstrong County a distance of about [4.5] 4.08 miles

Route 04021 Beginning at a point on Route [354] 265 about .5 of a mile north of the Darlington Borough line [;] . in Darlington Township and extending in an easterly and northerly direction to a point on the south borough line of New Galilee Borough in Beaver County a distance of about [1.5] 1.65 miles

Route 04024 Beginning at a point near Bellton on Route 04005 and extending in [an easterly] a southeasterly direction to an intersection with the Ellwood City-New Brighton Road [State-aid Application 125] in Beaver County a distance of about [1 mile] 1.11 miles

Route 04072 Beginning at Route 04043 near the Raccoon Creek crossing in Center Township thence in a [northerly] northeasterly and [easterly] southeasterly direction [toward] to the Aliquippa Borough line in Hopewell Township [and] near the County Green Garden Road near Halls Hill in Beaver County a distance of about [2.0] 2.34 miles

Route 04073 Beginning at the [east Rochester] Freedom Borough line about [.5 of a mile west of the Freedom Borough line] in Rochester Township thence [northerly] northeasterly to an intersection with Route 04065 near the New Sewickley Township line in Beaver County a distance of about [0.5 mile] 1.63 miles

Route 04063 Beginning at a point on Route [04089] 04068 near Hoult in Raccoon Township and extending northerly to an intersection with Route 115 near the Potter farm in Potter Township in Beaver County a distance of about [1.0 mile] 1.33 miles

Route 04085 Beginning at a point on Route 78 about .25 of a mile north of the Rochester Township line in Daugherty Township thence in a southeasterly direction [along] across old Route 78 in Rochester Township to [a road] an intersection with Route 04073 near the New Sewickley Township line thence in a northeasterly direction to an intersection with the Sun Flower improved road about .25 of a mile southeast of Sunflower on Spur Route 78 in Beaver County a distance of about [3.0] 3.49 miles

Route 05018 Beginning at a point on Route 329 approximately 2.75 miles southeast of the borough line of Rainsburg in Southampton Township Bedford County thence northerly through Southampton Township to a point on the Southampton-Monroe Township line thence northeasterly through Monroe Township to [the village of Steckman] an intersection with Route 05023 at Black Valley Church thence [northerly] northeasterly to a point on the Monroe-West Providence Township line thence northeasterly through West Providence Township to a road intersection approximately 0.25 of a mile southeast of the borough of Everett in Bedford County a distance of about [12.9] 12.27 miles

Route 05023 Beginning at a road intersection with Rural Route 05016 approximately 0.50 of a mile west of the village of Clearville in Monroe Township Bedford County thence northwesterly through Monroe Township to [a road intersection approximately 0.50 of a mile north of] the village of Steckman thence northwesterly to a road intersection with Route 05018 at Black Valley Church in Bedford County a distance of about [2.7] 2.79 miles

Route 05025 Beginning at a point on Route 49 in the village of West End in Juniata Township Bedford County thence southeasterly through Juniata Township to [the West End School thence easterly to a point on the Juniata-Londonderry Township line thence easterly through Londonderry Township to a point on the Londonderry-Harrison Township line thence northeasterly] a road intersection at Little Wills Creek approximately .50 of a mile south of West End School thence easterly along Little Wills Creek to the village of Straub thence southeasterly along Little Wills Creek to the village of Rockville thence easterly to a point on the Juniata-Harrison Township to a point on Route 356 in the village of Bard in Bedford County a distance of about [6.1] 6.04 miles

Route 05034 Beginning at [Lincoln Highway at west end of] a point on the southern Everett Borough line West Providence Township Bedford County thence [south] south southerly through West Providence Township to [intersect road between Ashcom and Route 286] a road intersection on Rural Route 05039 approximately .25 of a mile east of Rural Route 05018 in Bedford County a distance of about [0.2] .06 of a mile

Route 05053 Beginning at a road intersection approximately 0.25 of a mile north of the Moore School on the road between Schellsburg and Springhope through Napier Township Bedford County thence northwesterly through Napier Township to a road intersection on Chestnut Ridge thence northerly for a distance of approximately .25 of a mile thence northwesterly to a point on [the east borough line of New Paris] Route 356 approximately .02 of a mile south of the borough of New Paris in Bedford County a distance of about [2.4] 2.5 miles

Route 05060 Beginning at a point on Route 47 approximately 0.125 of a mile north of the village of Cessna in East Saint Clair Township Bedford County thence northwesterly through East Saint Clair Township to a road intersection approximately 0.75 of a mile northeast of Fishertown Railroad Station thence northwesterly to [a point on] the eastern end of Route 222-A in the village of Reynoldsdale beginning again at a point approximately 40 feet west of the eastern end of Route 222-A in the village of Reynoldsdale thence northeasterly to a point on [Route 47] the East Saint Clair-King Township line thence

northerly through King Township to a point on Route 380 in the village of Osterburg in Bedford County a distance of about [6.4] 6.61 miles

Route 05075 Beginning at a point on Route 380 [at] approximately .25 of a mile south of Osterburg Railroad Station in [East Saint Clair] King Township Bedford County thence westerly through [East Saint Clair] King Township to a point on the King-East Saint Clair Township line thence northwesterly through East Saint Clair Township to a road intersection [at] near Union School thence northwesterly to a point on the East Saint Clair-King Township line thence northwesterly through King Township to a point on Route 380 approximately 0.25 of a mile south of the village of Weyant in Bedford County a distance of about [3.4] 3.47 miles

Route 03078 Beginning at a point on Route 222 approximately 1.50 miles west of the borough line of Pleasantville Alum Bank Post Office in West Saint Clair Township Bedford County thence northwesterly through West Saint Clair Township to a point on the West Saint Clair-Lincoln Township line thence northeasterly through Lincoln Township to a road along the West Branch of Georges Creek thence southeasterly along the West Branch of Georges Creek to a road intersection [at a church approximately .0625 of a mile east of Georges Creek] in the village of Lovely in Bedford County a distance of about [5.8] 6.28 miles

Route 06059 Beginning at a point on Route 146 in Amity Township and about [.8] 0.25 of a mile [northeast of Monocacy Station of the Reading Railroad] east of Monocacy Creek thence northerly northwesterly and northerly through Amity Township to a point on State-aid Application 954 [at] about 1.25 miles west of Weavertown in Berks County a distance of about [2.7] 3.10 miles

Route 06125 Beginning at a point on the eastern boundary line of Hamburg Borough and about .7 of a mile north of the southeastern corner of Hamburg Borough thence easterly and northeasterly through Windsor Township intersecting Route 06128 thence southeasterly through Windsor and Perry Townships via Windsor Castle to a point of road intersection in Perry Township about .6 of a mile southeast of Windsor Castle thence [southeasterly] easterly through Perry Township to a point of road intersection in Perry Township about [2 miles] .4 of a mile northwest of [Moselem] Virgenville thence [easterly and northeasterly] southeasterly through Perry and Richmond Townships to a point of road intersection at [Virginville] Virgenville thence southeasterly through Richmond Township to a point of [road[intersection with Route 06124 about .9 of a mile northwest of Moselem Springs in Berks County a distance of about [10.7] 9 miles

Route 06126 Beginning at a point of road intersection in Perry Township about two miles northwest of Moselem thence northwesterly through Perry Township to a point of road intersection about [1.2 miles] .6 of a mile southeast of Windsor Castle in Berks County a distance of about [1.47] 1.7 miles

Route 06132 Beginning at a point in Albany Township on Route 285 [near Station 514] near Albany Station thence northeasterly through Albany Township for a distance of about .2 of a mile to a point of road intersection thence southeasterly and easterly through Albany Township to a point on the Lehigh-Berks County line about [7.5] .3 of a mile northwest of the intersection of said county line with the Albany-Greenwich Township line in Berks County a distance of about [5.1] 5.3 miles

Route 06141 Beginning at a point on the eastern boundary line of Kutztown Borough at about .5 of a mile southwest of the northeastern corner of Kutztown Borough thence of the northeastern corner of Kutztown Borough thence easterly [and] southeasterly and southerly through Maxatawny [and Longswamp Township] Township to a point [of road intersection] on Route 06119 about [.3 of a mile] 1.3 miles [southeast of the intersection of Maxatawny Rockland and Longswamp Township lines] northeast of Lyons Borough in Berks County a distance of about [3.3] 3.6 miles

Route 07017 Beginning at the village of South Lakemont on Route 55 thence northeasterly through Logan Township [.2 of a mile] approximately 750 feet to Leslie Street thence southeasterly by way of [Logan Township School .5 of a mile] Leslie Street to Elm Street approximately 300 feet thence northeasterly by way of Elm Street to First Avenue approximately 160 feet thence southeasterly by way of First Avenue to Spruce Street approximately 1550 feet thence southwesterly [.2 of a mile] by way of Logan Township School approximately 1515 feet over Spruce Street to Route 55 in Blair County a distance of about [.9] .81 of a mile

Route 07021 Beginning at a point on [Route 260 approximately one-half mile east of the village of Canoe Creek] the county road in the village of Wallstown in Frankstown Township Blair County thence northerly through Frankstown Township to a point approximately one-quarter of a mile west of the stream named Canoe Creek thence southwesterly to a road intersection 1.5 miles thence south .9 of a mile to intersection Route 260 about one mile northwest of the village of Canoe Creek in Blair County a distance of about [5.4] 5.81 miles

Route 08020 Beginning at a point on [State Highway Route 13 in Asylum Township just west of the Terry Township line thence westerly] Route 08021 about 0.5 of a mile south of Spring Lake thence northwesterly through Terry and Asylum [Township] Townships past Ackley's Pond to the intersection with Route 08019 about 2 miles south of Durell in Bradford County a distance of about [3.5] 3.58 miles

Route 08026 Beginning at a point on State Highway Route 241 in Standing Stone Township about 1.5 miles west of Rummerfield thence northerly intersecting Route 08106 in Standing Stone Township thence northerly through Standing Stone and Wysox Townships intersecting Route 08027 [to] at the village of Mercur [;] in Wysox Township thence easterly through Wysox Standing Stone and Herrick Townships [to the intersection with] crossing Route 08025 at Herrickville thence easterly through Herrick Township to East Herrick thence southeasterly through Herrick and Pike [and Stevens] Townships [to the crossing of State Highway Route 343 about 1.0 miles south of the Pike Township line] to the Pike-Stevens Township line thence southeasterly through Stevens Township about two miles thence southerly through Stevens Township to the intersection [of] with State Highway Route 14 [about 2.0 miles west of the Susquehanna County line] at Stevensville in Bradford County a distance of about [15.2] 14.2 miles

Route 08031 Beginning at a point on State Highway Route 14 at Merryall thence easterly through Wyalusing and Tuscarora Townships to Hurds Corners thence northeasterly to an intersection with Route 08032 at Snyders Corners beginning against on Route 08032 at Spring Hill thence easterly through Tuscarora Township to the intersection with State Highway Route 539 at Silvara in Bradford County a distance of about [6.2] 5.9 miles

Route 08036 Beginning at a point on the western boundary of Canton Borough thence [northerly] northwesterly along Mill Creek through Canton and Armenia Townships to an intersection with Route [08037] 58078 on the Bradford-Tioga County line in Bradford County a distance of about [4.65] 1.56 miles

Route 08045 Beginning [at the intersection with State Highway Route 212] at a point on the eastern boundary of Sylvania Borough thence along the northern bank of Sugar Creek through Columbia and Troy Townships to the [intersection with State Highway Route 20 at the] northern boundary of Troy Borough in Bradford County a distance of about [4.3] 4.06 miles

Route 08048 Beginning at a point on the Tioga-Bradford County line about 3.0 miles [southwest] southeast of Roseville in Tioga County thence southeasterly through Columbia Township to the intersection with Route 08046 at Austinville in Columbia Township Bradford County a distance of about [2.8] 2.63 miles

Route 08062 Beginning at a point on State Highway Route 385 about 1.25 miles north of West Franklin thence northeasterly through Grantville and Franklin Townships to the southern boundary of West Burlington Township thence northerly through West Burlington Township about 2.5 miles thence southwesterly through West Burlington Township to a road intersection about 0.25 of a mile east of Vroman Hill thence [northwesterly] northerly and westerly through West Burlington Township to the intersection with Route 08053 about 0.25 of a mile south of West Burlington in Bradford County a distance of about [7.0] 6.68 miles

Route 08091 Beginning at a point on Route 08090 [at] about 0.75 of a mile west of Orwell thence northeasterly through Orwell and Warren Townships to the intersection with State Highway Route 699 at West Warren in Bradford County a distance of about [4.6] 4.34 miles

Route 09016 Beginning at a point on the northwestern boundary line of Perkasie Borough thence northwesterly through

East Rockhill Township to a point on a road known as the Three Mile Run Road about 0.4 of a mile northeast of Route [156] 153 in East Rockhill Township in Bucks County a distance of about [0.6] .45 of a mile

Route 09029 Beginning at a point [the intersection of Route 281 and the western] on the northern borough line of [South Langhorne] Hulmeville Borough thence northerly through Middletown Township to a point on Route [252-Spur near Station 2690] 281-Spur about .2 of a mile west of the western borough line of Langhorne Borough in Buck County a distance of about [1.3] 2 miles

Route 09034 Beginning at Churchville at a point the intersection of the Upper Southampton-Northampton Township line and the county road thence northerly on a road known as line and the county road thence northerly on a road known as Southampton Northampton and Warminster Townships Ivyland Borough Warwick and Warrington Townships and crossing Route 155 at Hartsville to a point the intersection of said Bristol Road with teh Warrington-Warwick Township line thence through Warrington Township crossing Route 151 at Warrington to a point the intersection of the said Bristol Road with the Warrington Doylestown Township line thence along the said line and road northwesterly to a point the intersection of the said Bristol Road and township line with the New Britain Township line thence northwesterly through New Britian Township to the southeastern borough line of Chalfont Borough thence northwesterly along the Chalfont Borough-New Britain Township line to the New Britain Borough line in Bucks County a distance of about [13.3] 12.23 miles

Route 09042 Beginning at a point on the eastern borough line of Ivyland Borough thence northeasterly on a road through Warminster and Northampton [Newtown] Townships [by way of] to Jacksonville [,] : [Richboro] thence southeasterly [crossing] to a point on Route [326] 362 [near Station 400] about .3 of a mile north of Richboro thence easterly crossing Route 326 near Newtown Borough to a point [and] on the western borough line of Newtown Borough in Bucks County a distance of about [8.6] 8.17 miles

Route 09052 Beginning at a point on a road about 1.2 miles southwest of Wrightstown in Wrightstown Township thence northerly and easterly through Wrightstown and Upper Makefield Township crossing Route 152 [near Station 559] at Wrightstown to a point [in] on Route 500 [near Station 40] about .3 of a mile [east] southwest of Taylorsville in Upper Makefield Township in Bucks County a distance of about [7.3] 6.90 miles

Route 09104 Beginning at a point on the Bucks-Montgomery County line about one mile north of the northwestern boundary of West Telford Borough thence northeasterly through [East] West Rockhill Township and crossing the northeast branch of the Perkiomen Creek [at] continuing northeasterly to a point on the southwestern boundary of Sellersville Borough in Bucks County a distance of about [2.6] 2.55 miles

Route 10036 Beginning at a point on [State-aid Application 4544 at West Winfield] Route 10034 at Denny's Mills about .7 of a mile northwest of West Winfield and extending [in a northerly direction] northeasterly and northwesterly in Winfield Township to a point on the Winfield-Clearfield Township line thence northwesterly in Clearfield Township past the forks at Edward Swartzlander's [;] . [thence in a generally northerly direction crossing State Route 71 at Coyleville Crossroads] to a point of intersection with Route 71 at Greene thence [continuing] northerly through the crossroads at Fenelton to a point on the Clearfield-Donegal Township line thence in a generally northerly direction in Donegal Township on what is known as the Fenelton Road to [an] a point of intersection with [the Chicora-Craigsville Road adjacent to] the south borough line of [Chicora] Millerstown Borough in Butler County a distance of about [11.7] 11.64 miles

Route 10077 Beginning at a point on [Route 251 south of] East Main Street at the Petrolia Borough line [easterly to John Jameson's] thence in a general [northeasterly] easterly direction in Fairview Township on the East Brady and old Petrolia-Queenstown [Road] Roads t oa point on the Butler-Armstrong County line in Butler County a distance of about [1.5] 1.34 miles

Route 10078 Beginning at [the intersection at John Jameson's southeasterly] a point on Route 251 approximately 0.2 of a mile south of the Petrolia Borough line thence easterly in Fairview Township to an intersection at John Jameson's thence southeasterly towards Kaylor to a point on the Butler-Armstrong County line in Butler County a distance of about [1.5] 1.77 miles

Route 11003 Beginning at a [road intersection] point on the Cambria-Somerset County line approximately [one-quarter] one-sixteenth of a mile [west] north of the village of Kring [Railroad Station] in Richland Township Cambria County thence [southeasterly in] northerly through Richland Township to a road intersection approximately one-quarter of a mile north of the county line thence southeasterly to the village of Walsall thence easterly to the intersection with Route 11001 approximately one and one-half miles east of Walsall in Cambria County a distance of about [2.4] 2.96 miles

Route 11060 Beginning at a point on Route [276-Spur] 383 approximately one mile west of the village of Blandburg in Reade Township Cambria County thence northerly through Reade Township to the village of Mountaindale thence northerly to a point on Route 276 in the village of Glasgow in Cambria County a distance of about [1.9] 2 miles

Route 11081 Beginning at a point on Route 32067 on the Cambria-Indiana County line approximately [one mile north of the village of Crip] 0.25 of a mile south of Douglass Run in Susquehanna Township thence northeasterly through Susquehanna Township [to a point on Route 62 in] by way of the village of Greenwich Emmons Post Office to a road intersection thence southerly to an intersection with Route 62 at Garman's Mills in Cambria County a distance of about [2.6] 1.5 miles

Route 11065 Beginning at [West Edge of Westmont Borough thence northwesterly through Upper Yoder Township to Lower Yoder Township line] a point on the Westmont Borough-Lower Yoder Township line near Saint Clair Run thence [northerly] northeasterly through Lower Yoder Township along Saint Clairs Run [2.4 miles to Morrellville] to a point on the Lower Yoder Township-Johnstown City line in Cambria County a distance of about [2.9] 2.2 miles

Route 13019 Beginning at a point on State Highway Route 550 near Christmans Penn Forest Township thence northwesterly through Penn Forest Township to a [point where it connects a secondary township road approximately three miles northwest of Christmans] road approximately .85 o fa mile from Christmans thence southwesterly to Unionville in Carbon County a distance of about 3 miles

Route 15035 Beginning at a point of road intersection at the north end of the bridge at Williams Corner in Schuylkill Township thence northwesterly through Schuylkill and East Pikeland Township crossing Route 202 about .4 of a mile [southeast] southwest of the [southeastern] southwestern boundary line of Phoenixville Borough to a point on Route 270 in East Pikeland Township and about .6 of a mile west of the western boundary line of Phoenixville Borough in Chester County a distance of about [2.5] 2.38 miles

Route 15039 Beginning at a point on the Pennsylvania-Delaware State line about 1.75 miles [southeast] southwest of its intersection with Route 134 thence northwesterly through Kennett Township crossing State-aid Application 245 at Clifton Mill to a point of road intersection at Five Points about .3 [to] of a mile south of the Kennett Square Borough line in Chester County a distance of about [3] 2.81 miles

Route 15040 Beginning at a point on the Pennsylvania-Delaware State Line about [.3 of a mile southwest of its intersection with the Pennsbury-Kennett Township Line thence northwesterly about .9 of a mile to a road intersection] .03 of a mile east of its intersection with the Pennsbury-Kennett Township Line and in Pennsbury Township thence in a general northwesterly direction through Pennsbury and Kennett Townships to a road intersection for a distance of approximately 1.13 miles thence northeasterly through Kennett and Pennsbury Township to a point on Route 134 near Station 558 at Fairville in Chester County a distance of about [1.9] 2.34 miles

Route 15110 Beginning at a point on Route 541 at Gum Tree Store in Highland Township thence in a northerly direction by way of the properties of William Coates Albert Reynolds and Joseph Donnelly to a point on township road at Charles Ash farm thence westerly by way of the property of Charles Ash thence [northeasterly] westerly and northwesterly through Highland Township by way of Harmony School [and continuing to Marvin Irwin farm thence northerly to] to a point of intersection on a road known as the Highland Road [at George Scott's property thence northerly through Highland East Fallowfield and Sadsbury Townships along Highland Road by way of Russell's Mill to a point on State-aid Applica-

tion 3001 in Sadsbury Township in the village] said point being in Highland Township and about 1 mile south of Stottsville in Chester County being a distance of about [3] 3.27 miles

Route 16003 Beginning at the Armstrong-Clarion County line at the county bridge in Lawsonham thence through Lawsonham and thence running in a northerly direction to a point on the dividing line between [Madison and Toby Townships thence northwest by Toby Township to a point on the dividing line between Rimersburg Borough and Toby Township] Madison Township and Rimersburg Borough in Clarion County being a distance of about [3.4] 3.54 miles

Route 16051 Beginning at the intersecting roads in Hueffner and running westerly in Knox Township to a point on the dividing line between Knox and [Elk] Washington Townships thence [northwest] northwesterly in [Elk] Washington Township to a point on State Route 92 in Clarion County being a distance of about [4.6] 4.32 miles

Route 18001 Beginning at a point on the Karthaus-Keating road about [seven] ten and a half miles northeast of the Clearfield-Clinton County line thence northeast through [West Keating and] East Keating [Townships] Township to intersect Route 105 near Keating in Clinton County a distance of about [7.25] 3.75 miles

Route 18009 Beginning at a point on Route 359 [about one mile] near the northwest [of the] Beech Creek Borough line thence [east] easterly via Quay School House Bitner School House and Laurel Run Church through Beech Creek Bald Eagle and Allison Townships to the Lock Haven City line in Clinton County a distance of about [9.5] 10.5 miles

Route 19004 Beginning at a point on Route 19002 at Kreischer's Store thence northwesterly through Cleveland Township to a point on the dividing line between Cleveland and Franklin Townships about 0.75 of a mile southwest of the Catawissa Township line thence northwesterly through Franklin Township to its intersection with State Highway Route 283 about [2.5] miles southwest of Catawissa] 0.3 of a mile northwest of the Cleveland Township line in Columbia County a distance of about [5.0] 4.4 miles

Route 19012 Beginning at a point on Route 19011 approximately 0.75 of a mile east of the Montour County line thence southeasterly southerly and easterly through Franklin Township to the intersection with State Highway Route 283 and Rural Route 19004 [approximately 2.5 miles southwest of Catawissa Borough] in Columbia County a distance of about [2.2] 3.8 miles

Route 19014 Beginning at a point on the eastern boundary of Catawissa Borough at the end of Church Street thence northeasterly through Catawissa and Main Townships along Catawissa Creek to the intersection with State Highway Route 415 about 1.5 miles northwest of Mainville in Columbia County a distance of about 4.1 miles

Route 19023 Beginning at a point at the end of the river bridge in Mifflinville thence [southeasterly] southerly and easterly through Mifflin Township via the properties of Thomas Law S P Slusser J E Creasy L M McMurtie and Mary A. Creasy to Hetlerville thence southeasterly through Mifflin Township to the Luzerne County line about 1.0 mile north of Beaver Township line in Columbia County a distance of about [5.1] 5.9 miles

Route 19060 Beginning at a point on State Highway Route 249 approximately 2.5 miles north of Rohrsburg in Greenwood Township thence northerly through Greenwood and Jackson [Township] Townships via Green Creek schoolhouse and along Green Creek to Waller thence northerly through Jackson Township to the intersection with State Highway Route 321 at Divide in Columbia County a distance of about [7.0] 7.5 miles

Route 19063 Beginning at a point on Route 19030 approximately 1.0 mile west of Orangeville Borough thence northerly through Orange and Greenwood Townships to the crossing of State Highway Route 249 about 2.5 miles west of Rohrsburg thence northerly approximately 1.5 miles thence northwesterly approximately 1 mile to the intersection with Route 19064 thence northeasterly through Greenwood Township to the Jackson Township line thence northerly in Jackson Township about 0.75 of a mile thence easterly in Jackson Township to the intersection with Route 19060 about [0.5] 0.25 of a mile north of the Greenwood Township line in Columbia County a distance of about [10.4] 11.65 miles

Route 20002 Beginning at a point on the Pennsylvania-Ohio State line about .5 of a mile north of the southwest corner of West Shenango Township thence east in West Shenango Township .4 of a mile to McLelland Corners thence northeasterly in West Shenango Township, [via] to Route 208 near Turner Station [and Turnersville to a point on the west line of South Shenango Township at the Shenango River bridge] beginning again in South Shenango Township at the northeastern end of the road constructed across the Pymatuning Reservoir dam by the Water and Power Resources Board thence northwesterly and northeasterly in South Shenango Township by way of McLain's Corners to a point on Route 238 at [Ferr's] Kerr's Corners in Crawford County a distance of about 5 miles

Route 20007 Beginning at [a point on the Pennsylvania-Ohio State line one mile west of] the intersection of a township road and the eastern end of the roadway now being constructed across the Pymatuning Reservoir by the Water and Power Resources Board at or near Fenkel's Corners thence east in North Shenango Township by way of [Fenkel's Corners] Espyville and Elliott Corners to a point on the Linesville-Hartstown Road at Stewartsville Corners in Crawford County a distance of about [4.9] 3.9 miles

Route 20020 Beginning at the north line of Geneva Borough (near Geneva Station) thence northerly in Greenwood Township to the south line of Union Township at Outlet Creek thence northeasterly in Union Township to [Scowden Corners] Route 20021 thence easterly [in Union Township to Houser's Corners thence] and northerly by way of Scowden Corners in Union [Township to a point in the south line of Vernon Township near Kebhar's Corners thence northeasterly in] and Vernon [Township] Townships crossing Route 213 to Reamore Corners thence easterly in Vernon Township to the Geneva Road Corners on old State Route 213 in Crawford County a distance of about [4.9] 4.5 miles

Route 20021 Beginning at [Scowden Corners in the western part of Union Township] a point on Route 20020 thence northerly in Union Township to the south line of Vernon Township thence northerly in Vernon Township to Watson Run Station thence westerly in Vernon Township to Collum Corners thence northerly in Union Township to Watson Run Church Corners thence northwesterly and northerly to a point on State Route 82 about .25 of a mile east of Watson Run and known as Brown's Corners in Crawford County a distance of about [3.9] 3.7 miles

Route 21009 Beginning at a point in Dickson Township intersecting Route 21008 at Montsera thence northerly to a point intersecting Route 35 at Mooredale thence easterly following the old York Road through Dickinson and South Middleton Townships by way of Craighead intersecting Route 41 to a point intersecting [Route 507] Route 21008 in the village of Boiling Springs thence northerly to a point intersecting county road about .15 of a mile north of Route 507 in Cumberland County a distance of about [10.4] 10.7 miles

Route 21015 Beginning at a point in East Pennsboro Township [on the northern boundary line] about 0.2 of a mile north of Camp Hill Borough intersecting with Route 708 thence northerly by way of Oysters Mill to a point intersecting Route 569 at Lantz's Schoolhouse in Cumberland County a distance of about [3.7] 3.31 miles

Route 21039 [Beginning at a point in East Pennsboro Township intersecting Route 21015 about one-eighth mile north of the northern borough line of Camp Hill Borough thence easterly through East Pennsboro Township to a point intersecting Route 21021 about one-eighth mile north of the northern boundary line of Camp Hill Borough in Cumberland County a distance of about .6 of a mile] Beginning at a point on Route 21016 at or near Good Hope Mills thence in a northerly direction through Hampden Township to an intersection with Route 569 at or near Mount Zion in Cumberland County a distance of about 1.75 miles

Route 21049 Beginning at a point in Southampton Township on the boundary line between Cumberland and Franklin Counties about [one-quarter] .25 of a mile south of Southampton-Shippensburg Township line thence northerly through Southampton and Shippensburg Townships to a point on the [southern boundary of Shippensburg Borough] boundary line of Cumberland and Franklin Counties about .2 of a mile south of Shippensburg Borough thence from a point on the northern boundary line of Shippensburg Borough through Shippensburg Township to a point (intersecting Route 2148 at the Shippensburg Borough line) on the boundary line of Shippensburg Borough about .03 of a mile west of Route 21048 in Cumberland County a distance of about [1.1 miles] .87 of a mile

Route 22001 Beginning at a point [in Upper Paxton Township] on Route 1 [near the northern boundary line of Millersburg Borough] at the Millersburg Borough-Upper Paxton Township line thence in an easterly direction along the Millersburg Borough-Upper Paxton Township line thence in a northerly and eastwardly direction through Upper Paxton and Mifflin Townships intersecting Route 336 about [one-half] .50 of a mile north of Berrysburg Borough [thence from] beginning again at a point on Route 236 about [one-half] .50 of a mile south of Uniontown Borough thence eastwardly through [Mifflin and] Lykens [Townships] Township to a point on the boundary line between Dauphin and Schuylkill Counties about one mile southeast of the Dauphin-Northumberland County line in Dauphin County a distance of about [17.71] 17.00 miles

Route 2208 Beginning at a point in Susquehanna Township in the east boundary line of Penbrook Borough thence easterly along the Penbrook Borough-Susquehanna Township line thence easterly through Susquehanna and Lower Paxton Townships to a point on Route 22018 about one and one-half miles north of Lower Paxton-Swatara Township line beginning again at a point on Route 22018 about .1 of a mile north of the last named intersection thence easterly through Lower Paxton and South Hanover Townships by way of Union Deposit to a point in South Hanover Township [intersecting] on Route 22007 at Sand Beach in Dauphin County a distance of about [12.07] 11.08 miles.

Route 22015 Beginning at a point in Londonderry Township [intersecting] on Route 407 about two miles south of Royalton Borough thence northeasterly through Londonderry Township t oa point [intersecting] on Route 129 [thence from] beginning again at a point in Londonderry Township [intersecting] on Route 624 about one mile east of the Londonderry Lower Swatara Township line thence northerly through Londonderry and Derry Townships by way of Waltonville to a point on the southern boundary line of Hummelstown Borough thnece along the Hummelstown Borough-Derry Township line to a point where the route enters the borough [thence from] beginning again at a point on northern boundary line of Hummelstown Borough thence northerly through South Hanover Township to a point intersecting Route 2208 about 1|1 miles east of the Lower Paxton-South Hanover Township line thence northerly through South Hanover and West Hanover Townships to a point in West Hanover Township [interestcing] on Route 140 about one and one-half miles [west] east of the West Hanover-Lower Paxton Township line in Dauphin County a distance of about [14.08] 13.47 miles

Route 22017 Beginning at a point in Lower Swatara Township [intersecting] on Route 22019 about one mile north of Highspire Borough thence easterly and northeasterly through Lower Swatara and Derry Townships intersecting Route 618 to a point on the southern boundary line of Hummelstown Borough thence along the Hummelstown Borough-Derry Township line to a point on the Hummelstown Borough line where the route enters the borough in Dauphin County a distance of about [6.95] 6.53 miles

Route 22043 Beginning at a point in Susquehanna Township intersecting the Harrisburg City line on Herr Street thence eastward along the Harrisburg City-Susquehanna Township line on Herr street thence through Susquehanna Township on Herr Street to a point intersecting the Penbrook Borough line in Dauphin County a distance of about [0.4] .67 of a mile

Route 23073 Beginning at a point on Route 420 about Station 23 in Darby Township and extending in a northerly direction through Darby Township to a point on the boundary line between Darby Township and Sharon Hill Borough beginning again on Route 420 thence over Magazine Lane to an intersection with Tribett Avenue in Delaware County a distance of about [.25] .88 of a mile

Route 23092 Beginning at a point at [the intersection of Fairview and Michigan Avenues in Ridley Township] the intersection of Michigan Avenue with the southeasterly boundary line of Swarthmore Borough and extending in an easterly direction through Ridley Township to a point on Route 751 [about Station 94] near Rutledge Borough in Delaware County a distance of about [.9] .33 of a mile

Route 25010 Beginning at a point on the north line of Crawford County being the Pageville-Crossingville Road thence northwesterly in Elk Creek Township through Pageville to a point on Route 709 [at Murphys Corners] about [one mile] two miles northwest of Pageville in Erie County a distance of about [2.2] 3.3 miles

Route 25054 Beginning at a point on State-aid Application 179 at Johnsons Corners near the north line of the city of Corry thence north in Wayne Township on the Scioto Road to the Bemus Road at Scioto Church thence northeasterly on the Spirit Hill Road to the New York State line thence east along the State line a distance of about .25 of a mile to a point where the road crosses the State line in Erie County a distance of about [4.0] 5.0 miles

Route 25056 Beginning at a point on the east line of Waterford Borough thence easterly in Waterford Township via Waterford Station to the Donotion Road at Hoods Corners thence northerly along the Donation Road in Waterford Township to Bonnell School thence east in Waterford Township about .3 of a mile to Cosgrove farm thence northeasterly along the west Green Road in Waterford Township to the south line of Green Township thence northeasterly in Greene Township through Yaple Corners to the Lake Pleasant Road at Weeds Corners at the south end of the Barton Road thence northerly along the Barton Road in Green Township [across] to Route 88 [continuing north via Cook School to the south line of Harbor Creek Township at Townline Road thence northerly in Harbor Creek Township to the Station Road at a point about .5 of a mile west of Owen School] in Erie County a distance of about [12.8] 6.8 miles

Route 25068 Beginning at Phillipsville at the junction with Rural Route 25060 in Venango Township thence north and northwesterly across Route 88 at Corbins Corners by way of Rose Corners to a point on the east line of Green Township at Wales School thence northwesterly in Greene Township to a point on the south line of Harbor Creek Township thence northerly in Harbor Creek Township to a point on the Station Road at Owen School thence north in Harbor Creek Township via Cass Corners to the junction of the Davison and Harbor Creek Roads thence northwesterly in Harbor Creek Township along the Harbor Creek Road via Runser Corners and Wells Corners to a point on Route 87 .25 of a mile south of the village of Harbor Creek in Erie County a distance of about [4.3] 10.7 miles

Route 26001 Beginning at the end of the county improved road near Rush Run thence in a southwesterly direction along the Monongahela River to the [north] south end of Route 977 [and] ; beginning again at the [improved township road .75 of a mile east of East Millsboro and extending in a northerly direction to the concrete road near LaBelle thence in a northeasterly direction to the end of Route 977] north end of Route 977 and extending in a westerly direction along the Monongahela River to a point about .25 of a mile west of LaBelle thence southerly to a point on Route 26095 about 1.25 miles southeast of East Millsboro in Fayette County a distance of about [4.9] 5.23 miles

Route 26010 Beginning [near Edenborn] at a point of road intersection about .15 of a mile south of the intersection of Route 26062 and Route 26089 and extending in [an easterly] a southerly direction by way of Leckrone[;] and Ross School to a point of road intersection with a county road near High House beginning again at a point on said county road near High House thence in a general southeasterly direction [by way of Ross School High House and Grove Baptist Church] to Route 116 in Fayette County a distance of about [7.1] 8.54 miles

Route 26014 Beginning at the village of Perryopolis and extending in an easterly direction thence in a northwesterly direction along the Youghiogheny River to Whitsett[,] ; thence in the same direction to Route 288 about .5 of a mile south of Wick Haven in Fayette County a distance of about [3.1] 3.31 miles

Route 26015 Beginning at the Fayette-Westmoreland County line near Jacobs Creek [;] and extending in a [southeasterly] southwesterly direction through Banning thence in a southeasterly direction to the intersection with [county road] Application 10 about .75 of a mile northeast of Dawson in Fayette County a distance of about [8.7] 8.97 miles

Route 26018 Beginning [near the end of the county brick road] at Route 26012 at Kenneth thence in a northeasterly direction to [an intersection with State Route 247 near] the south end of an improved county road at the Jefferson-Washington Township line about .5 of a mile southwest of Gillespie in Fayette County a distance of about [2] 1.5 miles

Route 26021 Beginning at a point on Route 26030 near [Searight] Keister and extending in a southeasterly direction by way of Ross School and Jennings Run to Route 113 [at the] about .25 of a mile west of the Fayette County Home in Fayette County a distance of about [4.4] 4.84 miles

Route 26035 Beginning at a point [in Fairchance] of road intersection on the northeastern borough line of Fairchance and extending in a northwesterly direction along said borough line for a distance of about .4 of a mile thence continuing northwesterly through Georges Township to Collier [;] and thence extending in a general northerly direction to [the end of improved road at Continental Number 3] an intersection with Route 26038 near the Walnut Hill Methodist Episcopal Church thence in a westerly direction to the intersection with [county road] a township concrete road about one mile [north] northeast of High House in Fayette County for a distance of about [4.6] 4.72 miles

Route 26037 Beginning at Route 117 about .7 of a mile north of the city line of Connellsville [:] and extending in a [general west] westerly direction by way of Poplar Grove School to road intersection near the Evangelical Church thence in a [and] southwesterly direction to [improved county road at city line Jacobs Creek] intersection with city line of Connellsville at end of Pittsburgh Street near Mounts Creek in Fayette County for a distance of about [1] .99 of a mile

Route 26038 Beginning at Route 26035 [;] about 800 feet northwest of Walnut Hill Methodist Episcopal Church and extending in an easterly direction [by way of Methodist Episcopal Church] to a township concrete road in Fayette County for a distance of about [.3] .78 of a mile

Route 26039 Beginning at [a point on State Road 116 near] southern borough line of [Point Marion] Point Marion [Borough] about .41 of a mile from Route 116 [thence] and extending in a southeasterly direction to a point on the West Virginia State line in Fayette County a distance of about [1.4] 1.17 miles

Route 26044 Beginning at Route 26051 near the village of [White] Buchanan and extending in a northwesterly direction by way of Stauffers School to intersection with Route 26050 near [Haines] Mines School thence in a southerly direction by way of [Hemminger Mills] Pleasant Valley School and Breakneck School to the intersection of Route 117 [at] near the north city line of Connellsville in Fayette County for a distance of about [10.6] 11 miles

Route 26047 Beginning at the old Connellsville Road about two miles northeast of the city limits of Uniontown [:] and extending by way of Lamont Furnace Mount Braddock and Ferguson to the borough of Dunbar thence in a general southeasterly direction by way of Dunbar Creek and [Sandy Flat Schoolhouse] Hughes schoolhouse to the Dunbar-Stewart Township line in Fayette County a distance of about [13.5] 12.68 miles

Route 26050 Beginning at Route 26044 [:] and extending in a [northwesterly] westerly direction by way of Wooddale [to intersection with State-aid route about one mile northeast of Everson] and crossing State-aid Application 4898 to the county road at Prittstown in Fayette County for a distance of about [3.1] 3.37 miles

Route 26054 Beginning at the Westmoreland-Fayette County line [about .7 of a mile north of United Brethren Church and extending] near Bridgeport thence in a southerly direction through the village of Hammondville to forks of road [about .7 of a mile south of] near the United Brethren Church thence in a [southeasterly] easterly direction to intersection with [township road about one-half mile northwest of Haines School] Route 26056 near Mudd School in Fayette County for distance of about [2.5] 2.19 miles

Route 26066 Beginning at the intersection of State Route 113 about .25 of a mile southeast of Brownsville [:] and extending in a northwest direction to the [county road to Albany] Brownsville Borough line in Fayette County a distance of about [1.5 miles] .46 of a mile

Route 26070 Beginning at a point on the [southern] western line of Dunbar Borough thence [in a general southwesterly direction] westerly by way of Pechin Hill farm to an intersection with State Route 117 about one mile [southwest] southeast of Monarch in Fayette County a distance of about [1.8 miles] .89 of a mile

Route 26071 Beginning at [State Route 366 near] the borough line of Ohiopyle [:] about 2000 feet west of Route 366 and extending in a northwesterly direction to cross roads near Kentucky School in Fayette County for a distance of about [1.2] 1.27 miles

Route 26093 Beginning at [an] intersection [with Route 117 at] of West Crawford Avenue with the city line of Connellsville thence in a general westerly and southwesterly direction by way of Trotter to a point about .25 of a mile east of Leisenring thence in a southeasterly direction to an intersection with Route 117 in Fayette County a distance of about [3.2] 3.10 miles

Route 26100 Beginning at the intersection [with county road] of Route 26102 and Route 26034 at [Butte] Bute thence extending in a general northeasterly direction [along the county road] by way of Bute School to a point [about .8 of a mile southwest of Graham's Crossing] of intersection with the western terminus of county road said point being about 1 mile west of Monarch in Fayette County a distance of about [3.7] 2.44 miles

Route 26109 Beginning at a point on Route 113 [one-half] about .8 of a mile northwest of Searight [:] and extending [east one mile] in a general easterly direction to an intersection with [county road one-half] State-aid Application 741 about .4 of a mile north of Searights in Fayette County a distance of [one mile] about 1.22 miles

Route 30007 Beginning at the Washington and Greene County line at Burdetts Bridge thence southeasterly through Richhill Township to [the Graysville Borough line] the Richhill-Gray Township line via Owens Run thence southeasterly through Gray Township to an intersection with Route 30070 at its intersection with Route 256 in Gray Township in Green County a distance of about [3.5] 4.5 miles

Route 30010 Beginning at the line between [New] Freeport [Borough] and Gilmore [Township] Townships thence easterly southeasterly and easterly through Gilmore Township by way of Pleasant Hill Church and Jollytown to a point near Dennis Maighan farm[,] : thence northerly and easterly to Pine Bank[,] : thence southeasterly and easterly to [the line between] meet Route 30045 at the Gilmore- [and] Wayne [Townships] Township line [thence to intersect Route 30045 just east of the Gilmore-Wayne Township line] in Greene County a distance of about [10] 10.91 miles

Route 30019 Beginning at Route 268 near Greene County Country Club thence northwesterly through Morgan and Washington [and Morris] Townships [by the way of] along Ruff's Creek crossing Route 325 near the village of Ruff Creek to the Washington-Greene County line near Dunn's Station in Greene County a distance of about [9.6] 9.99 miles

Route 30053 Beginning on Route 256 near Sayers [Schoolhouse] schoolhouse thence in a southeasterly direction by way of Younkin farm to an intersection with Route 30003 in [Center] Richhill Township about .35 of a mile west of the Richhill Center Township line in Greene County a distance of about [2.8] 2.14 miles

Route 30067 Beginning at [the Graysville Borough line] a point on Route 30007 at Orndorff's Corners in Gray Township thence northerly through Gray Township to the Gray-Richhill Township line thence northerly via Huffman Grinage Ross and Robert Martin farms to a point near Time on Route 30040 in Greene County a distance of about [2] 2.75 miles

Route 30070 [Beginning at a point on the Graysville Borough-Morris Township line] Beginning at a point in the village of Graysville on Route 256 about one mile east of the Richhill-Gray Township line thence northwestwardly through Gray Township to the Gray-Morris Township line thence northerly and northwesterly through Morris Township to the intersection of Route 109 near Buelah Church in Greene County a distance of about [4] 5.75 miles

Route 31023 Beginning at a road intersection approximately two and three-quarter miles south of the village of Cora in Cromwell Township Huntingdon County thence easterly along Old Woman's Run in Cromwell Township to a [point on Route 121 approximately one-half mile north of the borough line of Orbisonia] road intersection approximately one-fifth of a mile east of Augwick Creek thence southerly to the northern line of Rockhill Borough in Huntingdon County a distance of about [2.6] 3.0 miles

Route 31032 Beginning at a road intersection approximately one mile east of the village of Entriken in Lincoln Township Huntingdon County thence northeasterly through Lincoln Township to a point on the Lincoln-Penn Township line thence northeasterly through Penn Township to a point on the Penn-Juniata Township line [at a school] thence northerly through Juniata Township to the village of [Hanns] Hauns Bridge thence northerly along Snyders Run to a point on the Juniata-Smithfield Township line thence northerly through Smithfield Township to a point on State-aid Application [135] 9 approximately one mile southeast of the borough line of Huntingdon in Huntingdon County a distance of about 16.6 miles

Route 31059 Beginning at a point on Route 31032 at a road intersection about three-quarters of a mile east of [Grantville] Grantsville in Penn Township thence in a southerly and southeasterly direction [to a road intersection thence in a southeasterly direction] through Penn Township across the Raystown Branch of the Juniata River to a road intersection [,] with State Forest road approximately one and one-quarter miles west of the Penn-Tod Township line in Huntingdon County a distance of about [1.3] 1.6 miles

Route 32032 Beginning at a point on Route 228 approximately .75 of a mile north of the village of Clarksburg in Young Township Indiana County thence northeasterly through Young Township along Hooper Run to [a road] an intersection with Route 32033 in Young Township approximately [one mile] 1.6 miles north of the village of McIntyre in Indiana County a distance of about 5.6 miles

Route 32033 Beginning at a point on the northern borough line of Jacksonville in Young Township Indiana County thence northwesterly through Young Township to the village of McIntyre thence northwesterly to a point on the Young-Armstrong township line approximately [.75 of a mile] .3 of a mile south of Route 188 thence [northerly through Young and Armstrong Townships to a point on the Young-Armstrong Township line approximately .25 of a mile south of Route 188 thence northerly through Armstrong Township to a point on Route 188 approximately one-eighth of a mile east of the Armstrong-Young Township line in Indiana County] north and northwesterly in Armstrong Township to the Young-Armstrong Township line about .1 of a mile south of Route 188 thence northwesterly in Young Township to a point on Route 188 approximately .10 of a mile west of the Armstrong-Young Township line in Indiana County a distance of about [4.3] 4.5 miles

Route 32052 Beginning at a point on Route 54 about [.2] 1.7 [mile] miles east of Clymer Borough thence southwesterly through Cherryhill Township by way of lands of J. M. Dick Elmer Barnett J. W. Acherson to [Rich Hill-Penn Run Road crossing Penn Run-Diamondville Road by way of lands of David Brown and Nannie Dinwiddie to an intersection with Route 32051 about .8 of a mile northeast] Application 4597 in the village of Penn Run in Cherryhill Township in Indiana County a distance of about [2.4] 3.11 miles

Route 32067 Beginning at a road intersection with Route 32066 approximately .5 of a mile east of the village of Spruce in Green Township Indiana County thence easterly through Green Township to a point on the Indiana-Cambria County line approximately .25 of a mile [north] south of Douglass Run in Indiana County a distance of about 1.6 miles

Route 32096 Beginning at a road intersection approximately .5 of a mile east of the village of Rosemoyne in South Mahoning Township Indiana County on Route 189 approximately 1.125 miles [southeast] southwest of the village of Georgeville in South Mahoning Township thence easterly to a point on the South Mahoning-East Mahoning Township line thence easterly through East Mahoning Township to a point on Route 63 approximately .5 of a mile north of the village of Hamill in Indiana County a distance of about [3.4] 4.1 miles

Route 33017 Beginning on Route 33010 near where this route crosses Little Sandy Creek into Ringgold Township thence southeast and east through Beaver Township to Northville [then] thence northeasterly and northerly from Werthville through Beaver and Oliver Townships to intersect Route 63 about [one mile due west] 1.75 miles northwest of Cool Spring in Jefferson County a distance of about [3.4] 5 miles

Route 35001 Beginning at a point on [the intersection of Spring Brook-Covington Townships and Moscow Borough lines] Route 35009 at Maple Lake thence [south] to a point intersecting Route 168 near Dalerville [439 at Yostville] in Lackawanna County a distance of about 2.5 miles

Route 35002 Beginning at a point on State Highway Route 168 about one mile south of Daleville in Covington Township thence northeasterly through Covington [Township intersecting Route 35003 thence through] and Madison [Township] Townships to Jubilee intersecting Route 35004 thence northeasterly to a point on the dividing line between Wayne County and Lackawanna County in Lackawanna County a distance of about [5.30] 5.01 miles

Route 35007 Beginning at a point on State Highway Route 439 in [Sprinbrook] Spring Brook Township approximately [2.5 miles southwest of Maple Lake intersecting Route 35009 thence easterly through Springbrook Township to] .5 of a mile north of Rockdale thence northeasterly through Spring Brook Township intersecting Route 35009 near Maple Lake thence northeasterly to a point on the dividing line between Moscow Borough and [Springbrook] Spring Brook Township in Lackawanna County a distance of about [4.10] 4.36 miles

Route 35008 Beginning at a point on Isaac's Road Route 35009 in Roaring Brook Township approximately [1.25 miles west of Elmhurst Borough line] one half mile northwest of the line dividing the townships of Springbrook and Roaring Brook thence northeasterly and easterly through Roaring Brook Township to a point on the dividing line of Elmhurst Borough and Roaring Brook Township in Lackawanna County a distance of about [2.42] 2.97 miles

Route 35009 Beginning at a point on Route 35007 in Springbrook Township [at] east of Maple Lake thence northerly and northwesterly via Blumer farm to intersect Isaac's Road thence along Isaac's Road through Springbrook and Roaring Brook Townships [intersecting Route 35008 thence northwesterly] to a point on the dividing line of [Scranton City and] Roading Brook Township and Dunmore Borough at Lake Scranton in Lackawanna County a distance of about [7.53] 6.24 miles

Route 35030 Beginning at a point on the dividing line [of] between La Plume Borough and North Abington Township thence in an easterly direction crossing State Highway Route 365 Spur at Wellsville in [North Abington] Benton Township thence easterly to a point intersecting State Highway Route [648] 322 at East Benton in Lackawanna County a distance of about 5.16 miles

Route 36009 Beginning at a point in Little Britain Township intersecting Route 345 at Fairmount thence northeasterly through Little Britain and Colerain Townships by the way of [Kingsbridge] Kings Bridge intersecting Route 527 about one mile northwest of Kirkwood thence northeasterly through Colerain Bart and Sadsbury Townships by way of Bartville and Nine Points to the the southern boundary line of Christiana Borough thence from a point in [Sadsburg] Sadsbury Township intersecting Route 344 about one and one-half miles west of Christiana Borough northerly through Sadsbury and Salisbury [Township] Townships to a point intersecting Route [215] 698 about one-half mile [south] west of Gap thence from a point in Salisbury Township intersecting Route 215 about one-half mile west of Gap northwesterly through Salisbury and Leacock Townships by way of Buyerstown to a point in Leacock Township intersecting Route 142 at Intercourse thence from a point in Leacock Township again intersecting Route 142 about one-fourth mile west of Intercourse northwesterly through Leacock and Upper Leacock Townships to a point intersecting State-aid Application [145] 390 thence from a point in Upper Leacock Township again intersecting State-aid Application [145] 390 at Monterey westerly through Upper Leacock Township to a point intersecting Route 148 about one and one-half miles south of Mechanicsburg thence from a point in Upper Leacock Township intersecting Route 148 at Mechanicsburg northwesterly through Upper Leacock and Manheim Townships to a point intersecting State-aid Application 50 about one-half mile east of Oregon in Lancaster County a distance of about [31.14] 29.97 miles

Route 36031 Beginning at a point in East Lampeter Township [intersecting] on Route 215 about one-half mile northwest of Soudersburg thence northerly through East Lampeter Leacock and Upper Leacock Townships by way of Ronk and Bird-in-Hand intersecting Route 142 to a point [intersecting] on State-aid Application [145] 390 at Monterey [thence from] beginning again at a point in Upper Leacock Township [intersecting] at the northern limits of State-aid Application 69-145[,] ; thence northerly to a point [intersecting] on Route 244 at Leola in Lancaster County a distance of about [4.92] 4.24 miles

Route 36053 Beginning at a point in Caernarvon Township at Narvon thence northerly through Caernarvon Township intersecting Route 137 near Beartown to a point [intersecting] on Route 244 about one mile west of Churchtown [thence from] beginning again at a point [again intersecting] on Route 244 about one-half mile west of Churchtown[,] ; thence northwesterly through Caernarvon and East Earl Townships intersecting Route 518 to a point on the [western] eastern boundary line of Terre Hill Borough in Lancaster County a distance of about [7.25] 6.95 miles

Route 36060 Beginning at a point in Warwick Township [intersecting] on State-aid Application [183] 83 about [one] .50 of a mile east of Rothville thence northeasterly through

Warwick and Ephrata Townships intersecting Route 148 about one mile southwest of Ephrata Borough [thence from] beginning again at a point [again intersecting] on Route 148 about [three-quarters] .75 of a mile southwest of Ephrata Borough [,] ; thence northeasterly through Ephrata Township intersecting Route 137 to a point [intersecting] on Route 36046 about one mile southwest of Stevens in Lancaster County a distance of about [6.55] 6.29 miles

Route 36061 Beginning at a point in Warwick Township intersecting Route 36060 about one-half mile [west] south of Millway thence northerly through Warwick and Ephrata Townships intersecting Route 36046 about two miles west of Lincoln in Lancaster County a distance of about [2.57] 2.46 miles

Route 36062 Beginning at a point in [Elizabeth] Warwick Township intersecting State-aid Application [183] 83 about one mile east of Lititz Borough thence northerly through Warwick Township to a point [intersecting] on Route 36011 at Brunnerville in Lancaster County a distance of about [2.04] 1.94 miles

Route 36076 Beginning at a point in Ephrata Township intersecting Route 36060 approximately 0.60 of a mile northeast of the Warwick-Ephrata Township line thence in a southeasterly direction in Ephrata Township to the northwest boundary line of Akron Borough beginning again at a point Ephrata Township on the eastern boundary line of Akron Borough thence easterly through Ephrata and West Earl Townships to apoint intersecting Route 36030 [about one-fourth mile west of] at Diamond Springs in Lancaster County a distance of about [.57 mile] 1.03 miles

Route 36078 Beginning at a point in Salisbury Township [intersection] on Route 142 [at] near Gap thence southerly to a point intersecting Route 215 near Gap [thence from] beginning again at a point [again intersecting] on Route 215 about [one] .50 of a mile south of Gap[,] ; thence southeasterly through Salisbury and Sadsbury [Township] Townships to a point on the Lancaster-Chester County line about one mile north of Christiana Borough in Lancaster County a distance of about [2.50] 2.32 miles

Route 36083 Beginning at a point in Sadsbury Township at the intersection of Route 215 [near] on the Christiana Borough line thence easterly and northerly [through] on the Sadsbury Township-Christiana Borough line and through Sadsbury Township to the intersection of Route 36078 about one and one-half miles southeast of Gap in Lancaster County a distance of about [1.25] 1.33 miles

Route 37003 Beginning at a point on the Ohio-Pennsylvania State line approximately 2.5 miles south of the Mahoning-North Beaver Township line and extending in North Beaver Township [East] easterly through [Small's Ferry and] Mount Jackson [Crossroads] Crossroad to Route 265 in Lawrence County a distance of about [3.5] 3.51 miles

Route 37019 Beginning at a point on the Lawrence-Beaver County line approximately 2.5 miles west of the Butler County line and extending in a [northerly] northeasterly and northwesterly direction in Perry Township to [the] an intersection with Route 350 [at] near Red Barn Hill approximately [one-quarter] .25 of a mile [east] southwest of Pleasant Hill Grange Hall in Lawrence County a distance of about [2.4] 2.17 miles

Route 37020 Beginning at a point on the Lawrence-Beaver County line approximately 1.1 miles west of the Butler County line extending north in Perry Township [through Brinton's Corners] to Route 37021 thence east to Pyle's Mills and continuing northeasterly to the Butler-Lawrence County line in Lawrence County a distance of about [2] 2.53 miles

Route 37021 Beginning at the intersection of Pleasant Hill Grange Hall on Route 350 thence extending southeasterly in Perry Township to [Brinton's Corners] Route 37020 in Lawrence County a distance of about [1.5] 1.33 miles

Route 37046 Beginning at a point on State Route 614 [immediately east of bridge over Neshannock Creek] at the intersection of the first road north of the stream known as Potter Run extending [northeasterly] easterly in Washington Township to an intersection with Route 246 about one mile south of the Lawrence-Mercer County line in Lawrence County a distance of about [1.1] 2.0 miles

Route 38002 Beginning at a point in Heidelberg Township on the boundary line between Lebanon and Lancaster Counties about two miles southwest of the Heidelberg-Mill Creek Township line thence northerly and westerly through Heidelberg [,] and Jackson[,] Townships to the southern boundary line of Meyerstown Borough by way of Kleinfeltersville Schaefferstown and Reistville thence from a point on Route 38002 about 0.02 of a mile south of the Myerstown Borough line westerly and northerly through Jackson South Lebanon North Lebanon and Bethel Townships by way of "Kleinfeltersville Schaefferstown Reitsville and] Prescott and intersecting Route 149 to a point in Bethel Township intersecting Route 149 to a point in Bethel Township intersecting State-aid Application 3582 about one-half mile north of the Bethel-North Lebanon Township line thence from a point in Bethel Township intersecting State- aid Application 3582 at Mount Zion northerly through Bethel Township by way of Hamlin to a point on the Lebanon-Berks County line about [three] two and one-half miles northwest of the Bethel-Jackson Township line in Lebanon County a distance of about [19.1] 19.65 miles

Route 38006 Beginning at a point in Heidelberg Township [intersecting] on Route 38002 about one mile west of Schaefferstown thence westerly to a point [intersecting] of intersection with the eastern limits of State-aid Application 2212 [thence from] beginning again at a point on the South Lebanon-Heidelberg Township line at the western limits of State-aid Applicatiaon 2212 thence northwesterly and northeasterly through South Lebanon [Township] and Heidelberg Townships by way of Iona to a point on the southern limits of State-aid Application 4047 [thence from] beginning again at a point in South Lebanon Township on the northern limits of State-aid Application 4047[,] : thence northerly to a point [intersecting Route] at the intersection of Routes 38017 and 38002 at Prescott in Lebanon County a distance of about [3.5] 3.40 miles

Route 38007 Beginning at a point in North Lebanon Township on the northern boundary line of Lebanon Independent Borough thence northerly to a point [intersecting] on State-aid Application 1368 at Bustontown [thence from] beginning again at a point on [the North Lebanon-Bethel Township line intersecting State-aid Application 1368] the North Lebanon-Swatara Township line at the northern limits of State-aid Application 1368 thence northerly through Swatara Township to a point on the Swatara-Bethel Township line about .25 of a mile northwest of the North Lebanon-Swatara-Bethel Township line thence northerly along the Swatara-Bethel Township line to a point about .5 of a mile northwest of the North Lebanon-Swatara-Bethel Township line thence northerly and easterly through Bethel and Jackson Townships by way of Mount Zion and intersecting State-aid Application 3583 to a point on Route 423 near the Lebanon-Berks County line about three miles southeast of the Bethel-Jackson Township line in Lebanon County a distance of about [8.0] 8.09 miles

Route 38012 Beginning at a point in Heidelberg Township intersection Route 38002 in Schaefferstown thence northeasterly through Heidelberg and Mill Creek Townships to a point [intersecting] on Route 425 about one-quarter of a mile west of Millbach [thence from] beginning again at a point in Mill Creek Township [intersecting] on State-aid Application 119 about one-fourth mile south of Millbach[,] ; thence southwardly through Mill Creek [Township] and Heidelberg Townships to a point on Route 607 [at] in Heidelberg Township near the [Mill Creek-Heidelberg Township] Lebanon-Lancaster County line in Lebanon County a distance of about [7.5] 7.49 miles

Route 38020 Beginning at a point in Bethel Township [intersecting] on Route [39002] 38002 at Hamlin thence easterly through Bethel Township to a point on the Lebanon-Berks County line about two miles northwest of the Bethel-Jackson Township line in Lebanon County a distance of about [0.8] .66 of a mile

Route 38025 Beginning at a point in North Annville Township intersecting Route 651 about one mile north of the North Annville-Annville Township line thence eastwardly through North Annville Township to a point on the western boundary line of Cleona Borough thence from a point on the northern boundary line of Cleona Borough eastwardly through North Lebanon Township to a point intersecting Route 141-A about one-half mile south of Ebenezer thence southwardly through North Lebanon and West Lebanon Township and eastwardly through West Lebanon Township to a point on the [western boundary line of] Lebanon City-West Lebanon Township line thence southerly along the Lebanon City-East Lebanon Township line to an intersection with Route 132 at the intersection of the Lebanon City-West Lebanon Township-North Cornwall Township lines in Lebanon County a distance of about [4.9] 5.35 miles

Route 38026 Beginning at a point in North Cornwall Township on the southern boundary line of Cleona Borough thence easterly through North Cornwall Township to point on the [western boundary line of] Lebanon City-North Cornwall Township line thence northerly along the Lebanon City-North Cornwall Township line to an intersection with Route 139 at the intersection of the Lebanon City-North Cornwall Township-West Lebanon Township lines in Lebanon County a distance of about [2.5] 2.57 miles

Route 38030 Beginning at a point in South Annville Township intersecting Route 38004 about one-half mile west of the South Annville-North Cornwall Township line thence northeasterly through South Annville and North Cornwall Townships to a point on the [southern] Lebanon City-North Cornwall Township line thence northeasterly along the Lebanon City-North Cornwall Township line to a point on the western boundary line of Lebanon City in Lebanon County a distance of about [4.0] 4.04 miles

Route 38031 Beginning at a point in West Cornwall Township intersecting Routes 501 and 138 at Quentin thence southeasterly through West Cornwall and North Cornwall Townships to a point [intersecting Route 280 about one-fourth mile south of the] on the southern boundary line of Lebanon City [line] in Lebanon County a distance of about [3.7] 3.31 miles

Route 38032 Beginning at a point in South Londonderry Township on the Lebanon-Lancaster County line about three miles southwest of the South Londonderry-West Cornwall Township line thence northerly through South Londonderry Township by way of Colebrook [intersecting Route 995] to a point intersecting Route 280 about [one-half] .5 of a mile north of Colebrook in Lebanon County a distance of about [1.7] 1.82 miles

Route 39007 Beginning at a point on Route 39001 at Vera Cruz in Upper Milford Township thence easterly through Upper Milford and Lower Milford Townships [crossing] intersecting Route 39002 thence easterly through Lower Milford and Upper Saucon Townships intersecting Route 39011 thence easterly through Upper Saucon Township [crossing] intersecting State Highways Routes 153 and 153-Spur thence easterly through Upper Saucon Township to apoint on the division line between Lehigh and Bucks Counties approximately [one mile] 1.75 miles from the Northampton County line in Lehigh County a distance of about [8.9] 8.6 miles

Route 39055 Beginning at a point on Route 39057 in Heidelberg Township approximately 1.75 miles northwest of Newside thence northerly through Heidelberg and Washington Townships crossing Route 39054 thence to a point where it intersects State-aid Application 745 [near Slatedale] at Lehigh Furnace in Lehigh County a distance of about [2.9] 2.75 miles

Route 40017 Beginning at a point on Route 40016 in Nescopeck Township approximately .6 of a mile east of Columbia County line thence northerly through Nescopeck Township [touching the southerly boundary line of Nescopeck Borough] thence westerly to the Luzerne-Columbia County line in Luzerne County a distance of about [2.7] 2.85 miles

Route 40028 Beginning at a point on the Columbia-Luzerne County line approximately two miles north of Berwick thence northeasterly through Salem Township intersecting Route 40029 thence easterly through Salem Township to a point where it intersects State Highway Route 4 approximately three miles south of Shickshinny in Luzerne County a distance of about [2.6] 6.03 miles

Route 40030 Beginning at [a point on State Highway Route 635 in Conyngham Township approximately .3 of a mile north of Pond Hill Station thence northeasterly] the east end of the bridge across the North Branch of the Susquehanna River at Mocanaqua in Conyngham Township thence southeasterly to the northern end of State Highway Route 655 thence easterly through Conyngham Township along Turtle Run via Lee Station to a point where it connects [county road at the Slocum Township line approximately one mile south of] with Route 40031 on the Conyngham-Newport Township line in Luzerne County a distance of about [2.8] 3.4 miles

Route 40040 Beginning at a point on county road in Dennison Township approximately one mile north of White Haven Boro thence northwesterly through Dennison [Township thence northeasterly through Dennison Township] and Wright townships to a point where it intersects county road [approximately 3.5 miles north of White Haven Borough] near the southeast corner of Wright Township in Luzerne County a distance of about 4.3 miles

Route 40045 Beginning at a point on county road in [Bear Creek] Plains Township [approximately .75 of a mile east of Laurel Run Borough] near the Lehigh Valley Railroad underpass in Plains Township thence [northwesterly] westerly through [Bear Creek] Plains [Townships] Township crossing State Highway Route 515 thence northwesterly through Plains Township to the city line of Wilkes-Barre in Luzerne County a distance of about [2.8] 2.5 miles

Route 40058 Begining at a point on the northerly borough line of [Plymouth thence northerly through Plymouth Township thence northeasterly through Jackson Township] Larksville thence northwesterly through Jackson Township crossing Route 40059 at Chase thence northwesterly through Jackson Township to a point where it intersects State Highway Route 361 at Huntsville in Luzerne County a distance of about [4.4] 2.67 miles

Route 40064 Beginning at a point on State Highway Route 361 at Meeker in Lehman Township thence northwesterly through Lehman and Lake Townships intersecting Route 40065 thence northwesterly and westerly through Lake Township to a point where it intersects State Highway Route 177 [at Loyalville] about .3 of a mile north of Route 369 in Lake Township in Luzerne County a distance of about [3.5] 3.34 miles

Route 41003 Beginning at a point on the Union County line [on the Old State Road from Uniontown to Montmogery] at the end of Route 59029 thence northerly [through Brady Township to the end of the Loyalsock Gap Turnpike at the Clinton Township line thence] and northeasterly through Brady and Clinton [Township] Townships to its intersection with Route 41005 about .75 of a mile distant from State-aid Application 1381 at Hulsizer's Garage in Lycoming County a distance of about 2.6 miles

Route 41037 Beginning at the end of Route 41006 in Armstrong Township [at the end of the road called the Loyalsock Gap Turnpike which was formerly a county road] thence southeasterly [over the Loyalsock Gap Turnpike] through Armstrong and Clinton Townships to [the end of the Loyalsock Gap Turnpike and the] an intersection with Route 41003 [at the Brady Township line] in Lycoming County a distance of about 6.3 miles

Route 42008 Beginning at a point on Route 42006 near Lafayette and thence northeast in Lafayette Township by way of Irishtown [to connect with the southern end of Route 97-Spur] and Big Shanty to the southern boundary line of Lewis Run Borough in McKean County a distance of about [4.6] 5.66 miles

[Route 43013 Beginning at a point on the dividing line between Lawrence and Mercer Counties and running northeast in Springfield Township to State Route 246 at Leesburg being known as the Volant-Leesburg Road in Mercer County a distance of about 1.4 miles]

Route 43015 Beginning at a [point on] road intersection about 600 feet northwest of the Hilltop School near the Lawrence-Mercer County line [at Number 2 Mine] and running northwest in Springfield Township to point of intersection with the Leesburg-Grove City Road at Schollard's Crossing in Mercer County a distance of about [2.2] 2.16 miles

Route 44001 Beginning at a point in Wayne Township on the eastern boundary line of Newton Hamilton Borough [intersecting Route 33-spur] thence northeasterly through Wayne and Oliver Townships by way of Atkinson Mills intersecting Route 33 to a point [intersecting] on State-aid Application 2764 about [one and one-half] 1.5 miles north of McVeytown Borough thence from a point [intersecting] to the northern limits of State-aid Application 2764 northeasterly through Oliver Oranville and Derry Townships to a point [intersecting Route 29] on the western boundary line of Burnham Borough in Mifflin County a distance of about [27.23] 24.61 miles

Route 44005 Beginning at a point in Union Township about .25 of a mile south of Belleville thence northerly to a point intersecting Route 192 at Belleville [thence from] beginning again at a point intersecting Route 192 about one mile east of Belleville [,] ; thence northerly and northeasterly through Union Brown and Armagh Townships by way of [Barr] Barrville and intersecting Route 29 to an intersection with Route 29 Spur at Thompsons Store in Milroy Mifflin County a distance of about [12.2] 11.42 miles

Route 44018 Beginning at a point in Wayne Township [at] on the road leading to the Juniata River Bridge opposite the Community Hall and Store near Kistler Borough [and] thence leading along the northern line of Kistler Borough in a south-

easterly [,] and [then in a] northeasterly direction through Wayne Township to a point on the western boundary line of Newton Hamilton Borough in Mifflin County a distance of about [2.88] 2.33 miles

Route 45017 Beginning at a point on State Highway Route 220 Smithfield Township near Marshalls Creek thence northerly through Smithfield and Middle Smithfield Townships [intersecting Route 45018 thence] to a point on the division line of Pike and Monroe Counties approximately .25 of a mile east of Price Township line in Monroe County a distance of about 7.50 miles

Route 45018 Beginning at a point approximately .25 of a mile northeast of Analomink in Stroud Township thence [northeasterly] northerly through Stroud Price [and , Middle Smithfield and Price Townships to a point where it intersects Route [45017] 45020 approximately [2.75] 2.0 miles [south] west of the Pike County line in Monroe County a distance of about [6.15] 8.3 miles

Route 45022 Beginning at a point on State-aid Application 3760-A Jackson Township approximately .75 of a mile west of Appenzell thence [northeasterly] northwesterly through Jackson Township for a distance of approximately 1.75 miles thence [scutheasterly] easterly to a point where it intersects State-aid Application 3759-60 at [approximately .5 of a mile southwest of] Reeders in Monroe County a distance of about [3.9] 4.5 miles

Route 45046 [Beginning at a point on a secondary township road at Dottersville in Polk Township thence northeasterly through Polk Township to a point where it intersects Route 45045 approximately .85 of a mile northeast of Dottersville in Monroe County a distance of about .85 of a mile] Beginning at a point on Route 45045 about one mile south of the village of Dottersville thence in a northerly direction by the way of Little Creek to the village of Dottersville in Monroe County a distance of about one mile

Route 47012 Beginning at a point on [Route 240 about 1.0 mile north of Mansdale] Route 47011 about .4 of a mile north of its intersection with State Highway Route 240 thence southeasterly through Valley Township to a point on State Highway Route 505 about 1.0 mile north of its intersection with State Highway Route 240 in Montour County a distance of about [1.4] 1.47 miles

[Route 48041 Beginning at a point on the northerly borough line of Stockertown thence northerly through Plainfield Township to a point where it intersects State Highway Route 166 approximately .3 of a mile south of Belfast Junction in Northampton County a distance of about .35 of a mile]

Route 48044 Beginning at a point on [State-aid Application 3908 in East Allen Township approximately .5 of a mile north of Bath Borough line] the northern boundary line of Bath Borough in East Allen Township thence northeasterly through East Allen and Moore Townships intersecting State Highway Route 752 at Moorestown in Moore Township thence beginning at a point on State Highway 752 in Bushkill Township approximately .75 of a mile north of Moorestown in Moore Township thence northeasterly through Moore and Bushkill Townships intercesting Route 48043 thence northeasterly through Katellen in Buskill Township thence easterly through Bushkill Township at a point where it intersects State Highway Route 752 approximately 1.25 miles southwest of Wind Gap Borough line in Northampton County a distance of about 10.45 miles

Route 49001 Beginning at a point on State Highway Route 1 [just] about .2 of a mile north of the Mahantango Creek thence [northeasterly] southeasterly through Lower Mahonoy Township [,] to a point of road intersection about 1.3 miles west of Malta thence in a general easterly direction through Malta and following the meanderings of Mahantango Creek to [the] an intersection with State Highway Route 336 [just] about .25 of a mile west of Uniontown Pillow Post Office Dauphin County in Northumberland County a distance of about [7.6] 7.7 miles

Route 50001 Beginning at a point in Toboyne Township at a point on a township road along Houston Run about .5 of a mile west of the Jackson-Toboyne Township line thence easterly and northerly through Toboyne and Jackson Townships to a point on the southern boundary line of Blain Borough thence from a point on the northern boundary line of Blain Borough easterly through Jackson Southwest Madison Northeast Madison [,] and Saville Townships by way of Stony Point and Kistler interserting Route 590 to a point in Saville Township intersecting Route 191 at Ickesburg thence from a point in Saville Township intersecting Route 191 about .5 of a mile southeast of Ickesburg easterly and southerly to a point intersecting Route 591 at Eschol thence from a point in Tuscarora Township intersecting Route 591 about .5 of a mile east of the Tuscarora-Saville Township line easterly Through Tuscarora [,] Township to a point intersecting Route 50024 about one mile southeast of Route 191 in Tuscarora Township thence from a point on Route 31 about .25 of a mile south of Millerstown Borough in Greenwood Township in an easterly direction through Greenwood [,] and Liverpool Townships by way of Reward and Berlee to a point on the western boundary line of Liverpool Borough in Perry County a distance of about [40.11] 38.46 miles

Route 50004 Beginning at a point in Penns Township intersecting Route 195 about 20 feet northeast [on] of the northeastern boundary line of Duncannon Borough thence northwesterly and westerly through Penn Wheatfield Miller [,] and Center Township to a point intersecting Route 31 about [two] one [miles] mile northeast of New Bloomfield Borough in Perry County a distance of about [11.59] 10.84 miles

Route 50014 Beginning at a point [in Wheatfield Township intersecting] on [Routes 40 and] Route 30 at Mecks Corner thence southeasterly along the Crroll-Wheatfield Township line to a point about 1.2 miles south of Mecks Corner thence southerly and easterly through Wheatfield and Penn Townships by way of Wollville to a point intersecting Route 30 about one mile northwest of Duncannon Borough in Perry County a distance of about [6.76] miles

Route 50021 Beginning at a point on Route 293 in Greenwood Township about 1.5 miles west of the Greenwood-Liverpool Township line thence northerly by way of Nekoda to a point on the Perry-Juniata County line about 1.5 miles west of the Greenwood-Liverpool Township line in Perry County a distance of about [1.5] 1.40 miles

Route 51001 Beginning at a point on State Highway Route 167 at Bushkill Lehman Township thence northeasterly through Lehman Township intersecting Routes 51002 and 51003 thence northeasterly through Lehman and Delaware Townships intersecting Route 51005 crossing [Route 51006] State-aid Application 5782 crossing county road thence northeasterly through Delaware and Dingman Townships intersecting Route 51007 to a point where it intersects the junction of Route 51008 and State Highway Route 746 approximately three miles southwest of Milford Borough in Pike County a distance of about [17.6] 18.11 miles

Route 51006 Beginning at a point on State Highway Route 220 Porter Township near the outlet of Porter Lake thence easterly through Porter and Delaware Townships to the present northerly end of State-aid Application 5782 [thence] beginning again at the present southerly end of State-aid Application 5782 Delaware Township [crossing Route 51001] thence southeasterly through Delaware Township to a point where it intersects county road approximately one mile northeast of Dingman's Ferry Village in Pike County a distance of about [11.6] 10.62 miles

Route 52035 Beginning at a point on Route 52031 about [a mile east] 1.4 miles northeast of Bingham Center in Bingham Township thence in [an easterly] a northeasterly direction through Bingham [and Harrison Townships] Township to a point on Route 52030 approximately [1.5] 3.8 miles northwest of Mills in Potter County a distance of about [2.75] 1.1 miles

Route 53019 Beginning at a point on Route 754 about [one mile north] 1.3 miles south of the village of West Penn [thence southwesterly through West Penn Township to the intersection with Route 754 about one mile south of West Penn] thence southeasterly through West Penn Township near the eastern boundary of East Brunswick Township to the intersection with Route 53018 about .25 of a mile east of the East Brunswick Township line in Schuylkill County a distance of about [4.3] 2.84 miles.

Route 53032 Beginning at a point on the northern boundary of the city of Pottsville thence northerly through Norwegian and New Castle Townships to Wade thence [northerly] through New Castle Township to [the top of Broad Mountain thence northwesterly through New Castle Cass and Butler Townships to the intersection with Route 718 at Fountain Springs beginning on what was originally [a part of the Center Turnpike from Reading to Sunbury] a point on State Highway Route 161 at Darkwater in Schuylkill County a distance of about [11.7] 4.10 miles

Route 54002 Beginning at a point on State Highway Route 194 in West Perry Township about 0.25 of a mile east of the Juniata County line thence along the north bank of the Ma-

hantango Creek through West Perry Township to the Perry Township line thence [easterly] northeasterly through Perry Township about 0.7 of a mile thence southeasterly through Perry Township to the intersection with State Highway Route 195 about [1.5 miles] 0.75 of a mile north of Meiserville in Snyder County a distance of about [6.7] 8.1 miles

Route 54007 Beginning at a point on State Highway Route 195 [at Summit thence southeasterly through Washington Township] about 1.5 miles south of Middleburg thence southeasterly through Franklin and Washington Townships to the crossnig of State Highway Route 194 about two miles west of Freeburg thence southerly through Washington Township to the Chapman Township line thence southeasterly through Chapman Township to the line between Chapman and Union Townships thence southeasterly along the Chapman-Union Township line to the intersection with State Highway Route 229 about three miles northeast of McKees Half Falls in Snyder County a distance of about [10.4] 11.4 miles

Route 55017 Beginning at [a road] an intersection with Route 55012 in the village of Saint Paul in Elk Lick Township thence [northwesterly] northeasterly through Elk Lick Township to [a road] an intersection with Route 55008 about one mile east of the D Hay School in Somerset County a distance of about [.40 mile] 1.12 miles

Route 55018 Beginning at the northwest borough line of Confluence in Lower Turkeyfoot Township thence northwesterly through Lower Turkeyfoot Township [through Lower Turkeyfoot Township] direction by way of [Huston and] Draketown to a point on Little Glade Run thence northeasterly to an intersection with Route 55021 near the Brushtown [Schoolhouse] schoolhouse [on Route 55021] in Somerset County a distance of about [3] 3.84 miles

Route 55025 Beginning at [farm of Lester Lohr] a point about 1½ miles west of Route 317 on Route 55092 thence northerly through Jenner Township to village of Conner on Route 317 in Somerset County a distance of about [2.5] 3.4 miles

Route 55053 Beginning at [a road] an intersection with Route 55045 about 1.50 miles [north] northeast of the village of Roxbury in Stonycreek Township thence [northeasterly] northwest through Stonycreek Township about 1.1 miles to a road intersection thence northerly to an intersection with Route 55054 thence in the same general direction to a point on the south borough line of Shanksville in Somerset County a distance of about [3.6] 4.27 miles

Route 55059 Beginning at [a point on] the east end of State-aid Application [726] 736 [about at] near Quemahoning Junction in Somerset Township thence southeasterly [through Somerset Township] to a point on the Somerset-Stonycreek Township line thence [southwesterly] easterly through Stonycreek Township crossing Route 55057 to a point near Buck Run thence southeasterly to [a road] an intersection with Route 55058 about [one mile] 1.5 miles west of Shanksville Borough line in Somerset County a distance of about [3.9] 3.92 miles

Route 55086 Beginning at a point on Route [994 in the village of Cairnbrook in Shade Township thence easterly through Shade Township to] 55087 in the village of Crumb thence northerly to a point on the Shade-Ogle Township line thence northerly through Ogle Township to a point at a school on Route 222 in the village of Ogletown Felix Post Office in Somerset County a distance of about [9.4] 4.8 miles

Route 55098 Beginning at a point on Route 52 on the north borough line of Benson Holsopple Post Office in Conemaugh Township thence northeasterly to a point on the Conemaugh-Paint Township line thence easterly through Paint Township to an intersection with Rural Route 55099 in the village of Seanor [thence easterly] beginning at a point 1.85 miles east of Seanor thence extending to a point on State-aid Application 739 about one mile west of the borough line of Windber thence northerly to a point on the south borough line of Paint in Somerset County a distance of about [6.1] 5.5 miles

Route 55108 Beginning at a point on the North Somerfield Borough line thence northeasterly [and], northwesterly and northeasterly through Addison Township to a road intersection about one-eighth of a mile east of the Youghiogheny River in Somerset County a distance of about [2.2] 4.72 miles

Route 57005 Beginning at a point on Route 468 approximately 2.25 miles south of Middletown Center in Middletown Township thence in a northwest direction through Middletown Township to a point [where it intersects Route 57082] approximately two miles west of Middletown Center thence southwesterly to the Bradford-Susquehanna County line in Susquehanna County a distance of about [2.7] 3.1 miles

Route 57044 Beginning at a point on Route 57045 approximately 1.25 miles north of West Clifford in Clifford Township thence [northwesterly] northeasterly through Clifford Gibson and Herrick Townships to a point where it intersects Route 57043 approximately 1.5 miles south of Dimock Corners in Susquehanna County a distance of about [4.4] 4.62 miles

Route 57052 Beginning at a point on Route [296] 450 Ararat Township approximately [one mile north of East Ararat] 0.25 of a mile east of its intersection with Route 296 thence northeasterly through Ararat Township intersecting Route 57051 thence northeasterly through Ararat Township to a point where it intersects the division line between Wayne and Susquehanna Counties approximately .5 of a mile south of Thompson-Ararat Township line in Susquehanna County a distance of about [2.48] 3.18 miles

Route 57082 Beginning [at Bradford-Susquehanna County line] on Route 57086 approximately [3] 2.5 miles south of the Apolacon Township line thence in [an easterly] a northeasterly direction through Middletown Township [, intersecting Route 57005 and] to Jackson Valley thence in a southeasterly direction thence easterly crossing Route 468 near Middletown Center intersecting Route 57088 thence northeasterly through Middletown Township to the southeasterly boundary line of the borough of Friendsville thence from the northerly borough line of Friendsville in a northerly direction through Choconut Township to a point where it intersects Route 57083 approximately 1.5 miles east of the Apolacon Township line in Susquehanna County a distance of about [8.8] 10.41 miles

Route 57092 Beginning at a point on Route 57043 approximately one mile north of the [North] Clifford Township line thence in a northeasterly direction through Herrick Township to a point where it intersects Route 57041 approximately 1.5 miles north of the [North] Clifford Township line in Susquehanna County a distance of about [.8] .83 of a mile

Route 58020 Beginning at a point on State Highway Route 22 in the village of Niles Valley thence northwesterly through Middlebury and Chatham Townships along Norris Brook to the intersection with State Highway Route 292 [at Shortsville] near the Peter Davis farm residence about 1.0 mile east of the village of Little Marsh in Tioga County a distance of about [6.5] 8.18 miles

Route 58031 Beginning at Blackwell's Corner on State Highway Route 106 in Morris Township thence easterly in Morris Township through the village of Three Springs Run to Nauvoo in Liberty Township beginning again at Kruger's Corner on Route 58032 thence southerly in Liberty Township to a road intersection about 1.5 miles south of Kruger's Corner thence [southeasterly] easterly through Liberty Township to the western boundary of Liberty Borough in Tioga County a distance of about [10.1] 9.0 miles

Route 58036 Beginning at a point on State Highway Route [106 at Morris in Morris Township thence northerly through Morris and Duncan Townships to Antrim thence northerly through Duncan Townships to Brownlee thence northerly through Duncan and Charleston Townships to the end of State Highway Route 477 at Round Top in Tioga County a distance of about 8.4 miles] 447 at Round Top thence southerly through Charleston and Duncan Townships by way of the village of Antrim locally known as Sulphur Run to a point about 0.4 of a mile south of it's intersection with Route 58037 in Tioga County a distance of about 6.26 miles

Route 58038 Beginning at a point on State Highway Route 21 near the top of Bloss Mountain in Liberty Township thence northerly through Liberty and Bloss Township [to Arnot] thence northwesterly through Bloss and Charleston Townships over the Maple Hill Road to the intersection with State Highway Route 21 [at the William Bliss Farm] near the residence of Henry Newberry about 0.6 of a mile east of the village of Pitts in Tioga County a distance of about [12.7] 14.64 miles

Route 58048 Beginning at a point on State Highway Route 22 at Holliday thence northwesterly through Middlebury Township to an intersection with Route 58049 near the residence of G. D. Cummings beginning again at the eastern end of Route 58049 near the Gee Schoolhouse thence northerly through Middlebury and Farmington Townships to Farmington Hill thence northeasterly through Farmington Township to Route 58047 about 1.5 miles south of its intersection with Route 58046 in Tioga County a distance of about [5.8] 6.6 miles

Route 58055 Beginning at a point on Route 58053 in Union Township approximately 2.0 miles east of East Point thence southeasterly about 0.5 of a mile to the first road intersection thence southerly and southeasterly to the intersection with

State Highway Route 20 at Roaring Branch in Tioga County a distance of about [5.1] 5.77 miles

Route 59029 Beginning at a point on State Highway Route 176 at Allenwood thence northwesterly through Gregg Township [, over what was originally the old State Road from Uniontown to Muncy] to the southern terminus of Route 41003 on the Lycoming County line [about 2.5 miles south of Montgomery] in Union County a distance of about [2.4] 3.56 miles

Route 59031 Beginning at a point [on] about .6 of a mile east of the Mifflin County line [about 0.25 of a mile south of the corner between Mifflin Centre and Union Counties] thence northeasterly through Hartley Township to Weikert thence northeasterly through Hartley Township to the crossing of State Highway Route 454 at Laurelton thence northeasterly through Hartley Township to the western boundary of Hartleton Borough in Union County a distance of about [10.7] 10.1 miles

Route 59021 Beginning at a point on State Highway Route 176 on the north bank of Buffalo Creek thence westerly through Kelly Township to [the second road leading in a northerly direction] the Federal Penitentiary grounds in Union County a distance of about [0.6 miles] 1.2 miles

Route 62007 Beginning at the Greene and Washington County line at [Burdett's] Ackley's Bridge thence [northerly] northwesterly through West Finley Township by way of Burnsville to [road intersection on Beham Ridge Road] Route 62118 near the residence of Frank Kennedy in Washington County a distance of about [7.0] 7.15 miles

Route 62020 Beginning at Ackley's Bridge thence northeasterly along Wheeling Creek by way of Simpson's Store to a point on Route 109 a part of said route being in Greene County and a part in Washington County a distance of about 6.29 miles

Route 62027 Beginning at county concrete road 1.3 miles north of Patterson's Mills thence [northerly] northwesterly in Cross Creek and Jefferson Townships to [intersection of township] Route 26006 about two miles northeast of Bethel Church also beginning again on Route 62006 thence easterly through Jefferson Township to Route 62025 two miles southeast of Eldersville in Washington County a distance of about [3.5] 3.45 miles

Route 62038 Beginning at [State] Route [247] 62075 near Mingo [Schoolhouse] schoolhouse thence [easterly] southeasterly through Union Township to State Route 736 at [Houston Run] Courtney in Washington County a distance of about [1.2] 1.91 miles

Route 62042 Beginning at [county brick road] Route 62014 near Anderson and about [one-half] .50 of a mile east of Venetia thence [easterly] southeasterly through Nottingham and Union Townships to State Route 247 [at] near Mingo Church in Washington County a distance of about [2.8] 2.85 miles

Route 62049 Beginning at [road intersection] Route 62030 near [Peters Church Peters Township] Wright's schoolhouse thence northerly and westerly through Peters Township by way of Peters Church to county concrete road [, by way of Wright's Schoolhouse] in Washington County a distance of about [1.0] 1.17 miles

Route 62054 Beginning [in] at [Somerset Township] Route 62075 near United Presbyterian Church [and] thence easterly and southeasterly through Somerset Township by way of Vanceville to the Ellsworth Borough line [near Wherry Schoolhouse] in Washington County a distance of about [7.4] 7.51 miles

Route 62057 Beginning at Route 62014 at Thompsonville thence [northerly] northeasterly through Peters Township to the Allegheny County line about .2 of a mile west of the [by Montour Railroad] Pittsburgh Electric Railways in Washington County a distance of about [1.6] 1.33 miles

Route 62063 Beginning at State Route 181 near Dunningsville thence northerly through Nottingham Township to county road northeast of Munntown [Pa] in Washington County a distance of [4.5] 4.36 miles

Route 62067 Beginning at [end of] Route 62126 thence northerly through South Franklin Township to [road intersection at] Route 62128 about 1.0 mile north of Point Lookout in Washington County a distance of about [0.9] 10.01 miles

Route 62088 Beginning at State Route 181 near Washington City line thence easterly and northeasterly through South Strabane and North Strabane [Township] Townships by way of Vance Station to [road intersection near] Route 62075 about 1.7 miles south of Eighty-four in Washington County a distance of about [5.4] 6.11 miles

Route 62089 Beginning at intersection of [Township] Route 62082 near Bissell [in] thence northerly and northwesterly through West Bethlehem and Amwell [Township] Townships [; thence northerly] to [end of] county road [below] about 1.5 miles southeast of Lone Pine in Washington County a distance of about [4.6] 3.51 miles

Route 62092 Beginning at State Route 108 near Quail farm thence westerly through North Strabane South Strabane and Chartiers [Township] Townships to county road about one mile [east] northeast of Meadowlands in Washington County a distance of about [1.4] 1.52 miles

Route 62093 Beginning at county road near W A Leems residence thence northerly through West Pike Run Township to a point on the southeast borough line of Bentleyville Borough beginning again on the southeast borough line of Bentleyville Borough thence easterly through West Pike Run Township to [road] an intersection with Route 62016 near [old] White Pigeon [Schoolhouse] school house in Washington County a distance of about [5] 2.81 miles

Route 62101 Beginning [on the Glyde-Lone Pine Road] at Route 62075 about 1.8 miles [south] southwest of Clyde thence in a northwesterly direction to Route 113 about [1.5] 2 miles est of Laboratory through [South Strabane] Amwell Township in Washington County a distance of about [2.7] 2.97 miles

Route 62104 Beginning at Route 62109 at Buffalo Creek in Donegal Township thence easterly along Buffalo Creek to road intersection about one mile south of [Januson Schoolhouse] Jamison schoolhouse thence easterly through Independence and Hopewell Townships to the county brick road along [Buffalo] Brush Run Creek about 1.25 miles southeast of Templeton in Washington County a distance of about [6.9] 7.42 miles

Route 62127 Beginning at [intersection] Route 62126 1.2 miles west of Lagonda thence northerly through [South Franklin] Buffalo [, and Canton Townships] Township to intersection of [Ridge Road] Route 62107 about [1.5 miles] one mile northeast of Logan's Corners in Washington County a distance of about [3.8] 3.79 miles

Route 63004 Beginning at a point on the division line between Lackawanna and Wayne Counties approximately [two] three miles south of Hollisterville thence easterly through Sterling Township intersecting Route 63006 [,] and crossing county road [and intersecting Route 63005] at Sterling thence southeasterly through Sterling and Dreher Townships to a point where it intersects State Highway Route 171 approximately 1.75 miles northwest of Newfoundland in Wayne County a distance of about [6.87] 6.70 miles

Route 63014 Beginning at a point on Route 63013 Lake Township [near] at the Lake-Salem Township line thence northeasterly through Lake Township to a point where it intersects the north and south turnpike approximately 1.25 [southeast] southwest of the village of Lake Ariel in Wayne County a distance of about [2.24] 2.22 miles

Route 63035 Beginning at a point on Route 63032 in Oregon Township approximately .5 of a mile west of Upper Wilcox Pond thence [easterly] northeasterly through Oregon Township to a point where it intersects Route 63029 approximately [1.75] 2.25 miles north of Berlin Township line in Wayne County a distance of about 2.2 miles

Route 63052 Beginning at a point on Route 63051 in the village of Lake Como in Preston Township thence northerly through Preston Township touching State Highway Route 450 thence through Preston Township to a point where it intersects State Highway Route 365 approximately .5 of a mile [west] east of Preston Park in Wayne County a distance of about [3] 2.8 miles

Route 64036 Beginning at Route 187 [about one mile west] near the west borough line of Export and extending northerly and [easterly] northeasterly by way of an improved road and Franklin School to [and across] Route [64148 and] 64184 beginning again on Route 64184 near the same point and extending easterly across Route 69 about .5 of a mile north of Montgomery School thence extending in an easterly direction [to] along Thorn Run [; thence northeasterly] crossing Spur Route 348 to Route 288 [about .5 mile west of Stewart's School] near Waukena in Westmoreland County a distance of about [11.8] 11.86 miles

Route 64071 Beginning on Route 302 2.5 miles southwest of Ligonier and extending in a northerly direction by way of Brant School to [and along] Route 119 near [Mill Bank and

continuing] Bells beginning again on Route 119 near Millbank thence in a northeasterly direction along Trout Run [to intersection of said road about .5 mile south of Rife's School thence in a northwesterly direction to intersection of township road leading from Derry to Mill Bank thence in a general northerly direction to borough of Derry] to a road intersection about one mile north of the Latrobe Reservoir in Westmoreland County a distance of about [9.3] 5.5 miles

Route 64074 Beginning at the village of Acme on Route 186 and extending in a southeasterly direction along the Fayette-Westmoreland County line crossing Route 578 at the village of Roaring Run and continuing in a southeasterly direction to a point on the Westmoreland County [Somerset] Fayette County line [at top of Laurel Ridge] about 1 mile northwest of the Somerset County line in Westmoreland County a distance of about [12] 10.5 miles

Route 64090 Beginning at Route 120 at Circleville and extending in a southerly direction crossing Long Run continuing in a southerly direction to Crawford Run thence southwesterly by way of the M. M. Turner farm to road intersection [thence in a northerly direction and westerly direction to road intersection with Route 64101] thence southwesterly to [Route 64012 to] Robbins Station in Westmoreland County a distance of about 3.5 miles

Route 64097 Beginning at Route 120 [about 1.25 miles southeast of the Allegheny County line] between the villages of Stewartsville and Circleville and extending in a [northeasterly] northerly direction [and southeasterly direction to join] through Skellingtown to intersect with the Larimer and Trafford concrete road at the southern end of Route 64088 on the north side of the Pennsylvania Railroad main line tracks at a point about .5 miles northwest of Larimer in Westmoreland County a distance of about [1.7 miles] 1 mile

Route 64102 Beginning at the county road in Herminie and extending in a general southwesterly direction to the village of Dick thence in a northwesterly direction to Shaner [, also to the village of Guffey from a point] beginning again on Route 64102 about .5 mile east of Shaner [, and] thence northwesterly through Guffey to Route 64090 [near] northeast of Robbins Station [thence southwesterly to Robbins Station and easterly back to Route 64012 also from] beginning again on Route 64106 [near end] about 1 mile east of county road in Herminie thence in a southerly direction to and across Route 118 to Route 64180 near Bells Mills in Westmoreland County a distance of about 8.9 miles

Route 64124 Beginning at the end of county improved road one mile west of Scottdale Borough and extending northwesterly to Route 64172 thence southwesterly by way of Felgors School to Tyrone Mills to intersect with Route 64167 thence [northwesterly to] westerly to the Jacobs Creek Bridge about .3 of a mile west of Tyrone Mills beginning again at a point about two miles south of Macbeth thence northerly to a point near Macbeth on Route 991 in Westmoreland County a distance of about [6.1] 5.1 miles

Route 64137 Beginning at Route [118] 64144 [at] near the Harmony School Number two in Rostraver Township and extending in a southerly direction to the Westmoreland-Fayette County line in Westmoreland County a distance of about [.8] .89 of a mile

Route 64140 Beginning at a point on the improved county road about 1 mile southeast of Greensburg [;] and extending in a northeasterly direction along Slate Creek to Route 119 [, by way of] also beginning again on Route 64140 about .5 of a mile east of county road and extending to the Greensburg-Pittsburgh Airport in Westmoreland County a distance of about [2.5] 2.66 miles

Route 65039 Beginning at a point on State Highway Route 13 at North Mehoopany in Mehoopany Township thence in a northerly direction through Mehoopany Township crossing the Susquehanna River to the western boundary line of Meshoppen Borough beginning again on the northwestern boundary line of Meshoppen Borough thence in a northwesterly direction through Meshoppen Township to a point on the dividing line between Wyoming and Susquehanna Counties approximately three-quarters of a mile east of Braintrim Township line in Wyoming County a distance of about [6.03] 6.06 miles

Route 65044 Beginning at a point on State Highway Route 13 Windham Township approximately one quarter mile [northeast] northwest of Jenningsville thence northerly through Windham Township intersecting Route 65042 thence northeasterly through Windham Township to a point where it intersects Route 65041 at approximately two miles northwest of Scottsville Windham Township in Wyoming County a distance of about 2.13 miles

Route 65049 Beginning at a point on State Highway Route 365 approximately 0.75 of a mile northwest of Mill City thence in a southwesterly direction in Overfield and Falls Township thence northwesterly through Falls Township to a point where it intersects a secondary township road in Falls Township in Wyoming County a distance of about 2.00 miles

Route 66004 Beginning at a point in Manheim Township on the Pennsylvania-Maryland State Line about 1.5 miles south of Hokes thence northeasterly through Manheim [Codorus and Shrewsbury Townships by way of Sticks Hildebrand and Seitzland] and Codorus Township intersecting Application 2003 at Sticks thence from a point about .15 of a mile south of Sticks at the end of Application 2003 through Codorus and Shrewsbury Townships by way of Hildebrand and Bonnair to the end of State-aid Application 2338 south of Seitzland beginning again at an intersection with State-aid Application 2338 at Seitzland thence easterly to a point intersecting Route 127 about .5 of a mile north of Shrewsbury Borough thence from a point in Shrewsbury Township intersecting Route 127 about [one-eighth] .125 of a mile north of Shrewsbury Borough easterly and northerly through Shrewsbury Hopewell and North Hopewell Townships to a point on the western boundary line of Winterstown Borough thence from a point on the western boundary line of Winterstown Borough northerly through North Hopewell and York Townships to a point on the southern boundary line of Dallastown Borough thence from a point on the eastern boundary line of Yoe Borough at the end of Application 2796 northeasterly through York Windsor and Lower Windsor Townships to a point intersecting Route 332 [about one-eighth of a mile south of Yorkana Borough] at the southern end of State-aid Application 5150 thence from a point in Lower Windsor Township on the northern boundary line of Yorkana Borough at the northern end of State-aid Application 5150 through Lower Windsor and Hallam Townships to a point intersecting Route 128 [about .5 of a mile west of] near Wrightsville Borough line in York County a distance of about [36.52] 34.51 miles

Route 66007 Beginning at a point in Penn Township [intersecting Route 190 about 1.5 miles north of Hanover] on the eastern boundary line of Hanover Borough thence easterly through Penn and Heidelberg Townships to a point intersecting Route 230 at Jacob's Mills thence from a point intersecting Route 230 about .5 of a mile west of Jacob's Mills southerly through Heidelberg and Manheim Townships to a point intersecting Route 441 about .5 of a mile east of Manheim-Penn Township line thence from a point intersecting Route 441 about one mile northwest of Marburg thence northeasterly through Manheim Heidelberg and North Codorus Townships by way of Porters to a point intersecting Route 644 at Stoverstown thence from a point intersecting Route 644 about .25 of a mile north of Stoverstown northwesterly through North Codorus West Manchester and Jackson Townships by way of Blair's Station to a point intersecting Route 230 about .5 of a mile [south west] southwest of Bair thence from a point in Jackson Township on Route 230 about .75 of a mile southwest of Bair to intersect Route 126 [at] near Thomasville thence northerly through Jackson and Dover Townships intersecting State-aid Application 6518 near Davidsburg to a point intersecting Route 68034 at Harmony Grove in York County a distance of about [27.51] 26.11 miles

Route 66050 Beginning at a point in North Codorus Township [intersecting Route 492 about .25 of a mile north of] on the western boundary line of New Salem Borough thence northeasterly through North Codorus and West Manchester Townships to a point [intersecting] of intersection of Hoke Avenue [about .25 of a mile south of] and the southern boundary line of West York Borough thence from a point in Spring Garden Township intersecting State-aid Application 4952 at the Northern Central Railroad underpass westerly southerly and southeasterly through Spring Garden and York Townships intersecting Route 127 to a point on Route 216 about .5 of a mile south of Spry thence from a point again intersecting Route 216 about one mile south of Spry southerly through York and Springfield Townships to a point intersecting Route 66010 about 1.5 miles southwest of Rye in York County a distance of about [13.12] 12.87 miles

Route 66059 Beginning at a point in Lower Chanceford Township intersecting Route 216 about one mile southeast of

Lower Chanceford-Chanceford Township line thence northeasterly via Goram [to a point intersecting Route 332 at Shenks Ferry in York County a distance of about 4.03 miles] past Kohler's Mill to an intersection with Route 332 near Bethel Church in York County

Route 66105 Beginning at a point [on the railroad Borough line near the northwest corner of said borough in Shrewsbury Township] on the Shrewsbury Borough-Shrewsbury Township line leading in a southwesterly direction to the Railroad Borough-Shrewsbury Township line beginning again at a point on the Railroad Borough line near the northwest corner of said borough in Shrewsbury Township and leading in a northwesterly direction along the tracks of the Baltimore Division of the Pennsylvania Railroad toward Glen Rock Borough and intersecting Route 60004 at a point about .75 of a mile south of Seitzland in York County a distance of about 1.7 miles

Route 66107 Beginning at a point on Route 332 in Chanceford Township [half way between St. Johns and Bethel Churches into the village of Lockport in York County a distance of about 1.8 miles] at a point about .4 of a mile east of Bethel Church on Route 332 to Shenks Ferry York County a distance of about 1.2 miles

Section 2 That said Act is hereby amended by adding thereto the following routes

Route 02201 Beginning at or near the intersection of State Highway Route 397 and Rural Route 02034 in Allegheny County thence in a southerly direction over a dedicated right-of-way or right-of-way purchased by the county commissioners to the Bridgeville Borough South Fayette Township line at the continuation of Villars Avenue in Allegheny County a distance of about .5 of a mile

Route 05091 Beginning at a point on Route 692 approximately .375 of a mile north of Sexton Borough line in Liberty Township Bedford County thence northeasterly through Liberty Township to a point on the Bedford-Huntingdon County line at approximately .25 of a mile south of the Raystown Branch of the Juniata River at an intersection with Route 31019 in Bedford County a distance of about .3 of a mile

Route 18025 Beginning at a point where Route 17068 intersects the Clearfield-Clinton County line thence northeasterly in West Keating Township to Birch Island Run in Clinton County a distance of about 3.5 miles

Route 21061 Beginning at a point on the boundary line of Cumberland and Franklin Counties intersecting Rural Route 28009 thence southeasterly through Shippensburg Township to a point on the boundary line of Shippensburg Borough in Cumberland County a distance of about .31 of a mile

Route 23095 Beginning at a point on Flower Street in Chester Township at the intersection of Conrad Avenue Route 180 and running thence to a point at the line of the City of Chester 243.34 feet north of Ninth Street in Delaware County a total distance of 1440 feet

Route 25030 Beginning at the end of Route 304 Spur on the Northeast-Greenfield Township line in Erie County thence southeasterly through Greenfield Township to a point on the New York State line in Erie County a distance of about .35 of a mile

Route 26110 Beginning at a point on the Fayette-Westmoreland County line at the eastern terminus of Route 64074 and extending in a southerly southeasterly and northeasterly direction through Elk Lick Township by way of Trout Run Church to intersect Route 55049 on the Fayette-Somerset County line near its intersection with the Fayette-Westmoreland County line in Fayette County a distance of about 1.3 miles

Route 31079 Beginning at a point about .5 of a mile northwest of Grantsville in Penn Township and extending in a northwestwardly direction to the east borough line of Markleburg Borough a distance of about .23 of a mile in Huntingdon County

Route 32117 Beginning at a point on Route 32021 approximately one-eighth mile south of the village of Rexis in Buffington Township Indiana County thence easterly through Buffington Township to Main Street Vintondale Borough on the Indiana-Cambria County line in Indiana County a distance of about 0.2 of a mile

Route 53072 Beginning at a point on State Highway Route 199 at Branchdale in Reilly Township thence northerly and easterly through Reilly and Cass Townships to point of intersection with Route 53071 at Forestville in Schuylkill County a distance of about 2.8 miles

Route 53075 Beginning at a point of road intersection about .25 of a mile north of the point of intersection of Cass New Castle and Norwegian Township lines in Cass Township thence northeasterly through Cass and New Castle Townships to a point where it intersects Route 53032 at Wade in Schuylkill County a distance of about 1.6 miles

Route 53074 Beginning at a point on State Highway Route 141 in North Manheim Township approximately .7 of a mile west of the western Orwigsburg boundary line thence southerly through North Manheim Township by way of Adamsdale to the northern boundary line of Landingville Borough in Schuylkill County a distance of about 1.3 miles

Route 53075 Beginning at a point on the west borough line of Landingville thence southerly and southwesterly through South Manheim Township to Route 53007 at Brommerstown in Schuylkill County a distance of about 2.9 miles

Route 55109 Beginning at a point on the Windber Borough-Paint Township line in Somerset County about one-eighth mile north of Paint Creek thence paralleling Paint Creek in an easterly direction to the Somerset Cambria County line about 2.00 miles in length

Route 55110 Beginning at a point on Route 456 near the Central City Borough line thence in a northerly direction to an intersection with Application 6448 in Shade Township Somerset County a distance of about 1 mile

Route 55111 Beginning at a point on Route 55043 about one-eighth of a mile south of the borough line of Somerset thence in a northerly direction to the east borough line of Somerset in Somerset County a distance of about 0.6 of a mile

Route 55112 Beginning at a point on Route 52 about 2.10 miles northeast of the Somerset Borough-Somerset Township line near the village of Geiger thence northeasterly through Somerset Township in Somerset County a distance of about 1.36 miles

Route 55113 Beginning at a point at the end of the bridge spanning the Youghiogheny River about 200 feet south of Confluence Borough thence easterly and northerly to the Confluence Borough line at Yough Road in Somerset County a distance of about 0.04 of a mile

Route 58077 Beginning at a point on Route 58042 about 0.70 of a mile east of the village of Charleston in Charleston Township thence in a northeasterly direction to a point known as Benedict's Corner in Tioga County a distance of about 3.14 miles

Route 58078 Beginning at a point on the Bradford-Tioga County line approximately 0.25 of a mile north of the Union Township line thence over the lower mountain road in a westerly direction to its intersection with Route 58057 in Ward Township Tioga County a ditsance of approximately 2.75 miles

Section 3 The highways established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the approval of this act but shall be taken over not later than the fifteenth day of August one thousand nine hundred thirty-three

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. GELDER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. GELDER. Mr. President, I voted "aye".

Mr. SCOTT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. GELDER. Mr. President, I ask unanimous consent to amend Page 6, by inserting between Lines 27 and 28 the following: "1.6 miles"; also by striking out Line 29; also Page 30, Line 5, by removing the bracket after the figures "2.5"; also Page 35, Line 25, by striking out the figures "2208" and inserting in lieu thereof the figures "22008"; also Page 62, by inserting between Lines 19 and 20 the following: Route

40001. Beginning at a point on State Highway Route 177 near Hays Corners in Dallas Township; thence in a northeasterly direction to a point [, where it intersects State Highway Route 11 approximately two miles north of Dallas Borough in Dallas Township,] at or near Irem Temple Country Club House; thence in a southeasterly direction to its intersection with State Highway Route 11 at a point near the boundary line of Dallas Borough, in Luzerne County, a distance of about [1.3] 1.5 miles.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED

Mr. EALY. Mr. President, I move that Senate Bill No. 715 (House Bill No. 1325), on reading, entitled:

An Act providing that the lien of any tax or municipal claim assessed upon or with respect to real property and of any judgment entered therefor and any execution to enforce such lien or judgment shall be limited to the property against which said tax has been assessed and shall not impose personal liability upon the owner of such property.

be recommitted to the Committee on Judiciary General.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. PRINCE. Mr. President, I ask unanimous consent that Senate Bill No. 760, entitled:

An Act to provide for the leasing and releasing of land owned by the Commonwealth within the beds of streams, lakes and other bodies of water, wholly or partly within, or forming part of the boundary of, this Commonwealth, except such land under the navigable waters of the Delaware River and its navigable tributaries conferring powers and imposing duties upon the Water and Power Resources Board; requiring lessees to establish an amortization fund for improvements placed or erected upon such land; granting certain preference and exemption rights to municipalities of the Commonwealth; and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 807 (House Bill No. 197), entitled:

An Act to amend sections eight hundred and eight hundred and one of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" defining legal settlement and the liability of poor districts for support.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 808 (House Bill No. 198), entitled:

An Act to amend sections one, two and three of the act, approved the sixth day of April, one thousand nine hundred and five (P. L. 112), entitled, "An act providing for the relief of poor persons; regulating their settlements in poor districts; providing a means of enforcing the removal of a poor person to the district of his settlement, the payment for relief furnished to him and the payment of costs thereto, and authorizing courts of quarter session to compel certain relations to contribute to the relief of poor persons," defining legal settlement and the liability of poor districts for support.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 857 (House Bill No. 74), entitled:

An Act to amend section one thousand two hundred and seven of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen jusitces of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admisible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended providing for the reimbursement from fines penalties and forfeited bail collected of counties for costs imposed on them as results of prosecutions under this act and for the adjustment of the accounts of counties by the Auditor General.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 902 (House Bill No. 22), entitled:

An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers deputies and employes providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the assistants and employes of certain departments boards and commisisons shall be determined.

And said bill having been read at length the third time,

And the amendments made therto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. WOODWARD. Mr. President and members of the Senate, this is the famous or infamous—depending on the point of view—Turner Bill, House Bill No. 22, it is called. We all know the enormous stride made in social legislation. We all know that the State has increased its wardship, not only to take care of the criminal classes and delinquent classes, and take care of the defective classes, and tonight we came pretty near taking care of a large dependent class, which we escaped for the time being. Now, I would like to submit to you that two years ago we had a board of charity. The only salary was that paid to the secretary. The other members served without pay, and we all know we made an enormous increase in the Department of Welfare. The Department of Labor and Industry is another example of this increase in social legislation. Now that was all very well up to the time the taxpayer began to object, and we all know the taxpayer has begun to object, and is objecting very strenuously to the expenditures in all the State and in the Federal government to the deflating of governmental costs. In such a long bill there are mistakes. I am also quite aware that this bill will probably be vetoed and not passed over the Governor's veto, but I think the bill ought to pass the Senate and that Mr. Turner ought to be congratulated on deflating the cost of government.

MOTION TO RECOMMIT

Mr. HARRIS. Mr. President, I move that Senate Bill No. 902 be recommitted to the Committee on Finance.

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WOODWARD. Mr. President, if I may say one word more, it seems to me it is a poor way to do, it is certainly not a direct way to recommit the bill. If you do not like a bill, vote against it. If you like it vote for it. But this seems to me to be not an admirable way to dispose of a bill.

And the question recurring,

Will the Senate agree to the motion?

The yea sand nays were required by Mr. Harris and were as follows, viz:

YEAS—15

Bennett,	Clark,	Lanius,	Sordoni,
Brandt,	Graff,	Mansfield,	Staudenmeier,
Buckman,	Harris,	Miller,	Thompson,
Chapman,	Homsher,	Pierson,	

NAYS—31

Batchelor,	Gelder,	Pethick,	Shapiro,
Baumer,	Harvey,	Prince,	Snyder,
Boyd,	Howell,	Quigley,	Sones,
Coyne,	Hunsicker,	Reed,	Trainer,
Ealy,	Krause,	Rice,	Williamson,
Einstein,	McClure,	Roberts,	Woodward,
Fay,	Owlett,	Salus,	Ziesenheim,
Frazier,	Parkinson,	Scott,	

So the question was determined in the negative.

BILLS OVER IN ORDER

Mr. SCOTT. Mr. President, I ask unanimous consent that Senate Bill No. 902 (House Bill No. 22), entitled:

An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers deputies and employes providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the assistants and employes of certain departments boards and commissions shall be determined.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE. Mr. President, I ask unanimous consent that Senate Bill No. 940 (House Bill No. 902), entitled:

An Act to amend the title and sections one and three of the act approved the fourteenth day of April, one thousand nine hundred and thirty-one (P. L. 38), entitled "An act regulating the removal or dismissal of policemen and firemen in cities of the second class A"; extending the provisions of said act to cities of the second class.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1237 (House Bill No. 1076), entitled:

An Act requiring the Secretary of the Commonwealth to inquire into the purposes of the incorporators of labor groups and to approve or disapprove their incorporation or right to do business within the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1258 (House Bill No. 1775), entitled:

An Act authorizing agreements between the Department of Highways and local authorities to provide for the construction and maintenance of streets and highways in cities counties boroughs towns and townships under certain conditions providing for assessments on abutting property owners and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL POSTPONED

Mr. MANSFIELD. Mr. President, I move that the further consideration of Senate Bill No 1322 (House Bill No. 1984), entitled:

An Act to amend section two thousand five hundred and sixty-three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the reductions and penalties provided by said act on city and poor taxes.

be postponed for the present.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1324 (House Bill No. 1888), as follows:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania to-prescribing penalties for the violation thereof providing gether with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general

special or local or any parts thereof that are or may be inconsistent therewith" extending the time within which school districts of the second class may levy their taxes conferring jurisdiction upon certain courts to review the budgets of school districts of second third and fourth classes and relating to the effect of the institution of such proceedings upon contracts agreements undertakings and the tax levy made during their pendency

Section 1 Be it encated by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and thirty-seven of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entiled "An act to establish a public school system of the Commonwealth of Pennsylvania together with the provisions by which it shall be administered to prescribe penalties for the violation thereof providing revenue to establish and maintain the same and the method collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by section one of the code approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred eight) is hereby further amended to read as follows

Section 537 In all school districts of the second class all school taxes shall annually be levied by the board of school directors before the first day of June for the following fiscal year [IN] in all school districts of the second [second] third and fourth classes all school taxes shall be levied and assessed by the board of school directors thereof during the month of April or May each year for the ensuing fiscal year and in school districts of the second class shall not exceed twenty mills on the dollar and in school districts of the third and fourth classes shall not exceed twenty-five mills on the dollar of the total amount of the assessed valuation of all property taxable for school purposes therein Provided That each school district of the second third and fourth classes may also collect a pre capita tax on each resident or inhabitant of such district over twenty-one year of age as herein provided

Section 2 That article twenty-six of said act is hereby amended by adding thereto sections twenty-six hundred and thirty-one twenty-six hundred and thirty-two twenty-six hundred and thirty-three twenty-six hundred and thirty-four and twenty-six hundred and thirty-five to read as follows

EXAMINATION OF BUDGET

Section 2631 In each school district of the second third and fourth classes two hundred and fifty [250] or more freeholders or the owners of property constituting twenty-five per cent or more of the total valuation of property assessed for school purposes in such district may within fifteen [15] days after the board of school directors shall have completed the formation of the budget and determined the amount of the taxes levied for the district petition the Court of Common Pleas of the county in which said district or the greater part thereof in area is located to examine into the necessity and the reasonableness of any item or items upon the budget of the district specified in said petition and to reduce the proposed tax levy accordingly Each such petition shall be accompanied by the following An affidavit of five [5] of the petitioners that the proceedings have not been instituted for the purpose of delay and specification of the grounds for the objection to the budget and the reasons for the reduction of the levy and a bond in the amount of five hundred [500] dollars with sufficient surety of sureties approved by the court conditioned upon the payment of the costs if the Court should assess the costs upon the petitioners

Any item or items upon the budget of the district which are not specified in the petition to the court of common pleas shall not be affected by reason of the filing of such petition Immediately upon the filing of such a petition the petitioners shall serve a copy of the petition and the specification of objections upon the president or secretary of the board of school directors

Section 2632 Upon the filing of such petition the Court shall fix a day for a hearing not less than fifteen [15] nor more than thirty [30] days after such petition has been filed Notice of such hearing shall be given to all interested Parties in such manner as the Court shall direct On such hearing it shall be the duty of the Court to examine into the necessity for and the reasonableness of the various items of the budget and the amount of the proposed levy The Court shall thereupon make an order approving the budget and levy or reducing or eliminating any one or more of the items of the budget and reducing the levy

If no appeal shall be taken from such order as herein provided the budget and levy shall remain as constituted by the Court

Section 2633 The board of school directors of such district or any five [5] petitioners may appeal to the Supreme Court within thirty [30] days after the entry of the order by the Court of Common Pleas Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as provided in other cases of appeal to the Supreme Court The record shall be certified to the Supreme Court and shall contain all that was before the Court of Common Pleas

Section 2634 Neither the filing of any such petition nor the taking of such appeal shall act as a supersedeas

However any contract agreement or undertaking which relates to or is dependent upon an item of the budget which has been attacked in the petition and which shall be entered into by the board of school directors in such district during the pendency of such proceedings shall be subject to such reduction or cancellation as shall become necessary as the result of the order of the Court of Common Pleas or the Supreme Court

Each levy of taxes which shall be made during the pendency of such proceedings shall likewise be subject to revision in accordance with such order

Section 2635 The budget and tax levy as approved or revised by the Court of Common Pleas or by the Supreme Court if an appeal shall have been taken to said court shall be the budget and tax levy for such district

If such final order shall reduce the levy the board shall revise the tax duplicates in conformity with such order

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Armstrong,	Ealy,	Krause,	Reed,
Bennett,	Fay,	Lanius,	Roberts,
Boyd,	Frazier,	McClure,	Salus,
Brandt,	Gelder,	Owlett,	Scott,
Buckman,	Graff,	Parkinson,	Sones,
Chapman,	Homsher,	Pierson,	Williamson,
Clark,	Howell,	Quigley,	Ziesenheim
Coyne,	Hunsicker,		

NAYS—16

Batchelor,	Harvey,	Prince,	Sordoni,
Baumer,	Mansfield,	Rice,	Staudenmeier,
Einstein,	Miller,	Shapiro,	Thompson,
Harris,	Pethick,	Snyder,	Trainer,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1341, entitled:

An Act to amend section seven of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 465), entitled "An act to provide for the

safety of persons employed, housed or assembled in certain buildings and structures not in cities of the first class, second class and second-class A, by requiring certain construction and ways of egress, equipment and maintenance; providing for the licensing of projectionists, requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act and repealing certain acts," by providing for fees for licensing of projectionists.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1369 (House Bill No. 244), entitled:

An Act to amend section fourteen of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by giving the courts of the county wherein alleged violation occurs or the residence or place of business of the complainant, jurisdiction in equity proceedings under the act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim
Einstein,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. CLARK. Mr. President, I move that Senate Bill No. 1377 (House Bill No. 1196), on third reading, entitled:

An Act to amend section three of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" providing that such distributors may deposit bonds of the United States or of this Commonwealth in lieu of surety bonds.

be recommitted to the Committee on Finance.

Mr. ROBERTS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1378 (House Bill No. 1097), entitled:

An Act to safeguard human health and life in counties of the second class by providing for the licensing and regulation of persons and entities engaged in the disposal of garbage through the construction keeping maintenance or conduct of garbage disposal plants conferring powers and imposing duties on the county commissioners of such counties and otherwise providing for the administration of the act and imposing penalties.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MANSFIELD. Mr. President, I ask unanimous consent to amend title, page 1, line 3, by inserting after the word "persons" the word: "municipalities"; also line 4, by inserting after the word "the" where it first appears in said line, the words: "transportation of garbage and in the"; also Section 2, page 3, line 11, by inserting after the word "any" the words: "municipality or"; also line 14, by inserting after the word "a" the word: "plant"; also line 16, by inserting after the word "any" the words: "municipality or"; also line 19, by inserting after the word "a" the word "plant"; also line 21, by inserting after the word "such" the words: "municipality or"; also Section 3, page 3, line 23, by inserting after the word "Every" the words "municipality or"; also line 26 by inserting after the word "such" the word "plant"; also section 4, page 4, line 15, by inserting after the word "a" the word: "plant"; also line 27, by inserting after the word "a" the word: "plant"; also line 28, by striking out the word "ten" and inserting in lieu thereof: "one hundred"; also line 29, by inserting after the word "dollars" the following: "except when the applicant is a municipality"; also page 5, line 2, by inserting after the word "treasury" the following: "A plant license issued to a municipality shall be without the payment

of a fee"; also line 3, by inserting after the word "All" the word: "plant"; also line 12, by inserting after the word "of" the word: "plant"; also page 5, line 16, by inserting after the word "a" where it first appears in said line, the word: "plant"; also line 21, by inserting after the word "grant" the word: "such"; also page 5, by inserting between lines 26 and 27 the following sections: "Section 5. It shall be unlawful for any person to transport or cause to be transported any garbage over any public highway in any county of the second class in any vehicle unless such person has applied to and received from the county commissioners of such county as in this act provided, a transportation license in respect of such vehicle. Such license shall be in the possession of the driver of such vehicle at all times when garbage its being transported therein and until such vehicle has been thoroughly flushed out and cleaned after transporting garbage, and shall be exhibited to any county or municipal police officer, county road caretaker, constable, deputy constable or other peace officer or officer invested with the powers of a peace officer, upon his request."

Section 6. Every person desiring to transport garbage in any vehicle within any such county shall file an application for a transportation license in respect of such vehicle with the county commissioners of such county, upon a form prescribed, prepared and supplied by the county commissioners, which together with such other information as the county commissioners shall require, shall contain: "(a) The name and address of the applicant. (b) The name and address of the owner of the vehicle if the same be owned by some person other than the applicant. (c) A description of the vehicle sufficient to identify it and to show in detail its style of construction. (d) The locality from which the grabage is proposed to be collected. (e) The persons and municipal and quasi-municipal corporations with whom and which the applicant has contracts for the collection of garbage. (f) The place where and the method by which the applicant proposes to dispose of the garbage hauled, and the persons with whom the applicant has contracts for the disposal of garbage. Section 7. Upon receipt of an application for a transportation license in respect of any vehicle, the county commissioners shall cause to be made such inspection thereof as they shall consider necessary, and, if satisfied that the vehicle is properly equipped and suitable for the purpose and that rules and regulations of the county commissioners have been and will be complied with, shall issue a transportation license in respect of such vehicle, upon the payment of a license fee as follows: (a) If the applicant for the transportation license is the licensee under a plant license for a garbage disposal plant situated within the same county where the application for the transportation license is made, the transportation license fee shell be one dollar; (b) If the applicant for the transportation license is not the licensee under any plant license from the same county, but the garbage which the applicant proposes to transport originates upon the applicant's own premises as an incident only of the prosecution of another business in which the applicant is principally engaged, the transportation license fee shall be five dollars; (c) If the applicant for a transportation license is a municipality, the transportation license shall be issued without the payment of a fee; (d) In all other cases the transportation license fee shall be ten dollars."

"All transportation licenses issued by the county commissioners under this act shall expire on the first day of June next following the date on which issued, unless sooner revoked or suspended, shall be in a form prescribed by the county commissioners, shall not be transferable from one person to another, shall not be transferable from one vehicle to another except by action of the board of county commissioners which action shall be evidenced by the issuance of a new license certificate properly describing the vehicle to which the license is transferred, after surrender of the old license certificate, and may be renewed from year to year upon application and payment of the license fee as in the procurement of an original license. Applications for renewal of transportation licenses shall be mailed to license holders by the county commissioners at least thirty days before the expiration date of such licenses. The county commissioners may refuse to grant a transportation license or may suspend or revoke such a license if the applicant or licensee does not meet, observe or conform to the requirements of this act and the rules and regulations of the county commissioners authorized by this act. Before the county commissioners shall refuse to grant such a license or shall suspend or revoke a license, they shall afford the applicant or licensee an opportunity to be heard, and shall give at least five days' written notice of the hearing to the applicant or licensee, by registered letter addressed to the applicant or licensee at the address set forth in the application; also section 5, page 5, line 27, by striking out the figure "5" and inserting in lieu thereof: "8"; also line 28, by inserting after the word "the" the words: "collection, transportation or"; also line 29, by inserting after the word "person" the words: "or municipality"; also line 29, by inserting after the word "who" the words: "or which"; also line 29, by striking out the words " a license" and inserting in lieu thereof: "proper licenses"; also Section 6, page 6, line 2, by striking out the figure "6" and inserting in lieu thereof: "9"; also line 2, by inserting after the word "No" the words: "municipality or"; also line 2, by inserting after the word "who" the words: "transports garbage or who"; also line 9, by inserting after the word "person" the words: "or municipality"; also line 9, by inserting after the word "his" the words: "or its"; also Section 7, page 6, line 16, by striking out figure "7" and inserting in lieu thereof: "10"; also line 16, by inserting after the word "person" the words: "or municipality"; also line 26, by striking out the figure "8" and inserting in lieu thereof: "11"; also Section 9, page 7, line 4, by striking out the figure "9" and inserting in lieu thereof: "12"; also line 5, by inserting after the word "plants" the words: "and all vehicles"; also line 6, by inserting after the word "act" the following: "and all places where such vehicles are kept stored or garaged."

Also line 8, by inserting after the word "act" the following: "and any such vehicle storage place"; also Section 10, page 7, line 13, by striking out the figure "10" and inserting in lieu thereof: "13"; also Section 11, page 7, line 27, by striking out the figure "11" and inserting in lieu thereof: "14"; also Section 12, page 8, line 3, by striking out the figure "12" and inserting in lieu thereof: "15"; also Section 13, page 8, line 7, by striking out the figure "13" and inserting in lieu thereof: "16"; also Section 14, page 8, line 23, by striking out the figure "14" and inserting in lieu thereof: "17"; also line 24, by striking out the word "twelve" and inserting in lieu thereof: "fifteen"; also line 25, by inserting after the word "person" the words: "or municipality"; also page 9, line 2, by inserting after the word "person" the words: "or municipality"; also line 8, by inserting after the word "person" the words: "or municipality"; also line 13, by inserting after the word "person" the words: "or municipality": also line 22, by inserting after the word "person" the words: "or municipality"; also line

26, by inserting after the word "person" the words: "or municipality"; also section 15, page 15, line 1, by striking out the figure "15" and inserting in lieu thereof; "18"; also Section 16, page 10, line 8, by striking out the figure "16" and inserting in lieu thereof: "19"; also Section 17, page 10, line 10, by striking out the figure "17" and inserting in lieu thereof: "20."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1393, entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January, one thousand eight hundred and seventy-four (P. L. 31), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended, providing that when the authorities of any county shall have provided a place for the safe keeping of ballot boxes, they shall after each election be delivered at such place to the sheriff.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Owlett,	Shapiro,
Baumer,	Gelder,	Parkinson,	Snyder,
Bennett,	Graff,	Pethick,	Sones,
Boyd,	Harvey,	Pierson,	Sordoni,
Brandt,	Homsher,	Prince,	Staudenmeier,
Buckman,	Howell,	Quigley,	Thompson,
Chapman,	Hunsicker,	Reed,	Trainer,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Woodward,
Ealy,	McClure,	Salus,	Ziesenheim,
Einstein,			

NAYS—2

Harris,	Mansfield,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS RECOMMITTED

Mr. SHAPIRO. Mr. President, I move that Senate Bill No. 1402 (House Bill No. 1865), on third reading, entitled:

An Act to further amend section one of the act, approved the fifteenth of July one thousand eight hundred and ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation."

be recommitted to the Committee on Finance.

Mr. PIERSON. Mr. President, I second the motion.

The motion was agreed to.

Mr. COYNE. Mr. President, I move that Senate Bill No. 1406 (House Bill No. 1319), on third reading, entitled:

A supplement to the act approved the sixth day of April, one thousand eight hundred thirty (P. L. 272) entitled "An act for the levy and collection of taxes upon proceedings in courts and in the office sof register and recorder and for other purposes" requiring prothonotaries and recorders of deeds to file with the Department of State a bond covering certain moneys received by them for use of the Commonwealth and repealing section nine of said act.

be recommitted to the Committee on Finance.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 1421 (House Bill No. 1188), on third reading, entitled:

An Act exempting shoe repairing machinery and tools and the appurtenances thereto leased loaned hired or conditionally sold from levy or sale on execution or distress for rent.

be recommitted to the Committee on Judiciary General.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1427 (House Bill No. 541), entitled:

An Act establishing certain public roads and streets in the county of Allegheny as a State highway and providing for their construction and maintenance by the Department of Highways subject to certain terms and conditions.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. GELDER. Mr. President, I ask unanimous consent to amend line 1 of title by striking out after the word "streets" the following: "in the county"; also line 2 of title by striking out after the word "as" the following: "a"; also line 2 of title by striking out the following: "of Allegheny"; also line 2 of title by striking out after the word "State" the following: "highway" and insert in lieu thereof the word "highways"; also section 1, page 1, line 5, by striking out after the word "as" the following: "a"; also line 6 by striking out the word "way" and insert in lieu thereof "ways"; also line 11, by striking out after the word "the" the following: "intersection of Arlington Avenue and East Carson Street thence" and insert in lieu thereof the following: "south end of the Point Bridge thence over West Carson Street and"; also line 12, by striking out the word "ever"; also page 2, by inserting between lines 26 and 27 the following: "Beginning at a point at the intersection of Canaan Street and Belmont Street, in the City of Crabondale, in Lackawanna County; thence in a northeasterly direction along Belmont Street to the City of Carbondale-Fell Township line; thence along the county road in a northerly direction through Simpson, in Fell Township, intersecting Route 35039; thence along the county road in a northerly direction through Fell Township, intersecting Route 35040 at Richmondale; thence along the county road in a northeasterly direction through Fell Township and Vandling Borough respectively, to the Vandling Borough-Susquehanna County line; thence along State-aid Application 1016 and a portion of Main Street in a northerly direction through Forest City Borough to the intersection with Route 296 at Main and Dundaff streets in the Borough of Forest City, in Susquehanna County, a distance of about 6.6 miles"; also

line 27 by striking out the word "the" the following: "highway" and insert in lieu thereof the following: "highways"; also page 3, line 3, by striking out after the word "the" the word "highway" and insert in lieu thereof the word "highways."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1428 (House Bill No. 712), entitled:

An Act to establish as a State highway a certain section of public road in the County of Lackawanna and providing for its construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Frazier,	McClure,	Scott,
Batchelor,	Gelder,	Owlett,	Shapiro,
Baumer,	Graff,	Parkinson,	Snyder,
Bennett,	Harris,	Pethick,	Sones,
Boyd,	Harvey,	Pierson,	Sordoni,
Brandt,	Homsher,	Prince,	Staudenmeier,
Buckman,	Howell,	Quigley,	Thompson,
Clark,	Hunsicker,	Reed,	Trainer,
Coyne,	Krause,	Rice,	Williamson,
Ealy,	Lanius,	Roberts,	Woodward,
Einstein,	Mansfield,	Salus,	Ziesenheim,
Fay,			

NAYS—2

Chapman,	Miller,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1430 (House Bill No. 966), entitled:

An Act to amend sections four hundred twenty-two and four hundred thirty-two of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by extending the provisions of the act to The Pennsylvania Soldiers' and Sailors' Home at Erie, Pennsylvania; and authorizing flags to be placed on graves of members of the enlisted nurse corps, female field clerks and yoemanettes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1457, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to incur indebtedness and issue bonds for certain purposes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1458, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to incur indebtedness and issue bonds for certain purposes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,		

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1463, entitled:

An Act declaring it to be a misdemeanor for accountants or auditors to issue or permit to be issued false financial statements.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1464, entitled:

An Act to amend the act approved the twenty-ninth day of March, one thousand eight hundred and ninety-nine (P. L. 21), entitled "An act to establish a board for the examination of accountants, to provide for the granting of certificates to accountants, and to provide a punishment for the violation of this act," by adding thereto a section providing penalties for issuing or permitting to be issued a false financial statement.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1465, entitled:

An Act to amend section one of the act ,approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting interest bearing accounts in any bank or banking institution, savings institution or trust company from taxation under the provisions of said act.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. COYNE. Mr. President, I ask unanimous consent to amend title, page 1, line 1 of title, by striking out the word "section" and inserting in lieu thereof: "sections"; also line 1, by inserting after the word "one" the words: "and seventeen"; also section 1, page 3, line 10, by striking out the word "dollars" and inserting in lieu thereof the following: "dollar"; also page 4, lines 25, 26 and 27, by striking out all the underscoring in said lines; also page 7, lines 3 to 12, by striking out the words "any pur-" in line 3, and all of lines 4 to 12, both inclusive, and inserting in lieu thereof: "county purposes, and in cities coextensive with counties, for city purposes"; also page 7, by inserting between lines 12 and 13 the following: "Section 2. That section seventeen of said act, as last amended by the act, approved the thirteenth day of July, one thousand nine hundred and twenty-three (P. L. 1085), is hereby further amended to read as follows: Section 17. That all scrip, bonds, certificates, and evidences of indebtedness issued, and all scrip, bonds, certificates, and evidences of indebtedness assumed, or on which interest shall be paid, by any and every private corporation, incorporated or created under the laws of this Commonwealth or the laws of any other State or of the United States, and doing business in this Commonwealth, and all scrip, bonds, certificates, and evidences of indebtedness issued, and all scrip, bonds, certificates, and evidences of indebtedness assumed, or on which interest shall be paid, by any county, city, borough, township, school district, or incorporated district of this Commonwealth are hereby made taxable in the year one thousand nine hundred and nineteen, and usually thereafter, for State purposes, at the

rate of four mills on each dollar of the nominal value thereof: Provided, That whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed, or on which it shall pay interest, it shall be the duty of such corporation, not later than ten days thereafter, to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidences of indebtedness by it assumed, or on which it shall pay interest, it shall be the duty of such corporation, not later than ten days thereafter, to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidences of indebtedness under the provisions of the first section of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and seven), to which this is a further amendment, that the corporation has assumed such indebtedness or the payment or the interest thereon, and will deduct and pay the taxes imposed thereon by this section. Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest. Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year, and shall give notice as hereinbefore provided, such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year, but shall deduct and pay said taxes for the ensuing year; and the person to whom such notice shall be given shall, for such ensuing year, be relieved from the payment of tax, under the provisions of section one of said act of June seventeen, one thousand nine hundred and thirteen, upon such evidence of indebtedness so assumed or on which the corporation shall pay interest. Where any private corporation shall assume such evidences of indebtedness, or the payment of interest thereon, on or subsequent to the first day of October in any year, and shall give the notice as hereinbefore provided, such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed, or on which it shall pay interest, for the balance of such year and for the ensuing year; and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed, or on which the corporation shall pay interest, as provided for in section one of the act of June seventeen, one thousand nine hundred and thirteen. Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness, or becoming liable for the payment of interest thereon, to give the notice as herein provided, and within the time prescribed, shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid. Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following, without any deduction from interest due as hereinbefore provided: Provided, That this section shall not apply to bank notes, or notes discounted or negotiated by any bank or banking institution, savings institution, or trust company, nor to interest bearing accounts in any bank or banking institution, savings institution, or trust company. And provided, That the provisions of this act shall not apply to building and loan associations, or to savings institutions having no capital stock; [but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject;] and if at any time, either now or hereafter, any persons, individuals, or bodies corporate have agreed or shall hereafter agree to issue his, their, or its securities, bonds, or other evidences of indebtedness, clear of and free from the said four mills tax herein provided for, or have agreed or shall hereafter agree to pay the same, nothing herein contained shall be so construed as to relieve or exempt him, it, or them from paying the said four mills tax on any of the said securities, bonds, or other evidences of indebtedness as may be held, owned by, or owing to the said savings institution having no capital stock; And provided, further, That the provisions of this act shall not apply to fire companies, firemen's relief associations, life or fire insurance corporation having no capital stock, secret and beneficial societies, labor unions and labor union relief associations, and all beneficial organizations paying sick or death benefits, or either or both, from funds received from voluntary contributions or assessments upon members of such associations, societies, or unions; and provided further, That corporations, limited partnerships, and joint-stock associations, liable to tax on capital stock for State purposes, shall not be required to pay any further tax under this section on the mortgages, bonds, and other securities owned by them in their own right; but corporations, limited partnerships, and joint-stock associations, holding such securities as trustees, executors, administrators, guardians, or in any other manner, shall be liable for the tax imposed by this section upon all securities so held by them, as in the case of individuals; And provided further, That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county, school, or other local purposes.

It is the intent of this act that all scrip, bonds, certificates, and evidences of indebtedness made taxable under this section are not taxable under section one (1) of the act to which this is an amendment, and that only such scrip, bonds, certificates, and evidences of indebtedness which cannot be made taxable under this section are to be taxed under section one (1) of said act, but nothing contained in this act shall be construed to authorize the taxation of any interest bearing accounts in any bank, banking institution, savings institution and trust company for State purposes; also line 13, by striking out the figure "2" and inserting in lieu thereof: "3."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1472, entitled:

An Act to amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection there-

with; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting interest bearing accounts in any bank or banking institution savings institutio nor trust company from taxation under the provisions of said act.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, I ask unanimous consent to amend section 1, page 6. lines 18, 19 and 20 by striking out the underscoring; also page 8, line 4, by striking out the word "the" and inserting in lieu thereof the following: "this."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1476, entitled:

An Act to amend section seventeen of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (Pamphlet Laws, five hundred seven), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of tne same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting interest-bearing accounts in banks, banking institutions, savings institutions, and trust companies after June first, one thousand nine hundred thirty-five.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BUCKMAN. Mr. President, I ask unanimous consent to amend Section 1, page 2, line 11, by striking out the word "fifteen" and inserting in lieu thereof the following: "thirteenth"; also lines 12 and 13, by striking out the words "nineteen (Pamphlet Laws nine hundred fifty-five)", and inserting in lieu thereof the following: "twenty-three (Pamphlet Laws one thousand eighty-five)"; also line 1, by inserting after the word "thereof", the following: "Provided, That whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed, as on which it shall pay interest, it shall be the duty of such corporation, not later than ten days thereafter, to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidences of indebtedness under the provisions of the first section of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and seven), to which this is a further amendment, that the corporation has assumed such indebtedness or the payment of the interest thereon, and will deduct and pay the taxes imposed thereon by this section. Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest. Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year, and shall give notice as hereinbefore provided, such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year, but shall deduct and pay said taxes for the ensuing year; and the person to whom such notice shall be given shall, for such ensuing year, be relieved from the payment of tax, under the provision of section one of said act, of June seventeen, one thousand nine hundred and thirteen, upon such evidences of indebtedness so assumed or on which the corporation shall pay interest. Where any private corporation shall assume such evidences of indebtedness, or the payment of interest thereon, on or subsequent to the first day of October in any year, and shall give the notice as hereinbefore provided, such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed, or on which it shall pay interest, for the balance of such year and for the ensuing year; and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed, or on which the corporation shall pay interest, as provided for in section one of the act of June seventeen, one thousand nine hundred and thirteen. Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness, or becoming liable for the payment of interest thereon, to give the notice as herein provided, and within the time prescribed, shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid. Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following, without any deduction from interest due as hereinbefore provided."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1477, entitled:

An Act to amend section four hundred forty-three of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and re-organizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and

of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," changing the personnel of the State Workmen's Insurance Board, prescribing their length of term, the method of filling a vacancy on the board, the election by the board of a manager and prescribing certain of his powers and duties.

And said bill having been read at lengh the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,
Einstein,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bill to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 268 (House Bill No. 313), as follows:

An Act requiring recorders of deeds to note releases of mortgages on the margin of the record of such mortgages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter it shall be the duty of the recorders of deeds of the several counties to enter upon the margin of the record of any mortgage the book and page wherein any release of such mortgage or part thereof is recorded together with the date of such release

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 860 (House Bill No. 1180), entitled:

An Act to amend section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending the provisions of the act to all anthracite mines or collieries that employ five or more persons and authorizing the mine inspectors to enter and inspect all mines employing from two to five persons for the purpose of determining whether or not the mine is generally safe.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1210 (House Bill No. 509), entitled:

An Act making an appropriation for the dredging of the Delaware and Schuylkill Rivers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1264 (House Bill No. 1248), as follows:

An Act authorizing the publication of legal and official advertising and notices in Sunday newspapers of general circulation in cities of the first class and counties of the third class only

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter in cities ofthe first class and counties of the third class any Sunday newspaper of general circulation shall be deemed a proper newspaper for the publication of legal and official advertisements and notices required by law to be published in any newspaper or newspapers of general circulation

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1346 (House Bill No. 1731), as follows:

An Act to further amend clause (a) of section four and clause (a) of section five of the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-nine) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (a) of section four of the act approved

the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-nine) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act" as amended by the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand one hundred eighty-five) is hereby further amended to read as follows

(a) If a majority of the qualified electors voting on the question shall vote in the affirmative the county commissioners of the said county shall purchase for each election district of such county city borough or township one or more voting machines of a kind or kinds approved by the Secretary of the Commonwealth as hereinafter provided and of sufficient capacity to accommodate the names of a reasonable number of candidates for all public and party offices which under the provisions of existing laws and party rules are likely to be voted for at any future election and shall notify the Secretary of the Commonwealth in writing that they have done so The county commissioners shall provide machines in good working order and shall preserve and keep them in repair Voting machine of different kinds may be used for different districts in the same county city borough or township In each election district other than in cities of the first and second classes in which voting machines are used the county commissioners may provide one voting machine for each five hundred registered voters or fraction thereof therein and shall provide one voting machine for each six hundred registered voters or fraction thereof therein may provide one voting machine for each [five] three hundred and fifty registered voters or fraction thereof therein and shall provide one voting machine for each six hundred registered voters or fraction thereof therein In election districts in cities of the first and second class in which voting machines are used the county commissioners shall provide one voting machine for each three hundred and fifty registered voters or fraction thereof

Section 2 That clause (a) of section five of said act as amended by the said act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand one hundred eighty-five) is hereby further amended to read as follows

(a) The courts of quarter sessions may upon petition redivide wards of cities or boroughs where voting machines are adopted into election districts of compact and contiguous territory or shall consolidate election districts therein into new district each having not more than [five] six hundred and not less than three hundred and fifty registered voters as nearly as may be except that districts having less than three hundred and fifty registered voters may be created whenever the court shall be of opinion that the convenience of the voters and the public interests will be promoted thereby

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1374 (House Bill No. 1000), as follows:

An Act to encourage industry manufacturing and commerce by declining state aid to any and all institutions directly or indirectly competing with any person copartnership association or corporations engaged in the printing or publishing industry and prohibiting the payment by the State Treasurer of any moneys appropriated to any such institution or institutions which manufacture or cause to be manufactured for sale to the public at wholesale or retail any printed matter

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter no school district college school university or other charitable educational or non-sectarian institution now or hereafter receiving state aid by appropriation or appropriations or which may hereafter be authorized to receive state aid by appropriations or grants of moneys from the treasury of the Commonwealth of Pennsylvania shall directly or indirectly in any manner engage in producing or manufacturing for sale to the public at wholesale or retail any book handbill or job printing or publishing daily or weekly newspaper periodicals or magazines

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1397 (House Bill No. 1256), entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the maintenance and development of the Drake Well Memorial Park.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1400 (House Bill No. 1591), as follows:

An Act authorizing and empowering school districts of the first class for a limited period to furnish food including milk to undernourished and poor school children in their districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the directors of the school districts of the third class be and they are hereby authorized and empowered to furnish food including milk to the undernourished and poor school children attending the schools within their several districts at the expense of the school district for a period of two years from the effective date of this act

Section 3 This act shall be effective as soon as approved by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1445 (House Bill No. 1767), entitled:

An Act authorizing plaintiffs in actions on written instruments to join as defendants persons severally jointly or severally or jointly and severally liable thereon and regulating the effect thereof and the procedure in such actions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1471, as follows:

A Joint Resolution authorizing the appointment of a Commission to make a survey of the construction and maintenance of public roads streets highways and bridges within the Commonwealth to study and report to the Legislature its findings based upon such survey giving it authority to sit after the adjournment of the Legislature and compel the attendance of witnesses and the production of books and papers and making an appropriation from the Motor License Fund to meet the expenses of said Commission

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That upon the approval of this resolution by the Governor the President Pro Tempore of the Senate the Speaker of the House of Representatives the Chairman of the Senate Roads Committee the Chairman of the House Roads Committee the Secrtary of Highways the Chief Engineer of the Department of Highways one Senator who is a member of the Democratic party to be appointed by the President Pro Tempore one member of the House of Representatives who is a member of the Democratic party to be appointed by the Speaker of the House and one citizen to be appointed by the Governor shall constitute a Commission whose duties it shall be to make a survey of the construction and maintenance of public roads streets highways and bridges within the Commonwealth

Section 2 That said Commission shall meet and organize within thirty days after its appointment and select one of the members thereof as its chairman and said Commission shall have power to sit after the adjournment of the Legislature and to hold its meetings at such times and in such places within this Commonwealth as it may deem advisable The report of said Commission including the draft or drafts of any Act or Acts of Assembly deemed necessary by it shall be made to the Legislature of One Thousand Nine Hundred Thirty-five not later than the first day of February One Thousand Nine Hundred Thirty-five

Section 3 The members of said Commission shall serve without compensation for their services but shall receive all necessary traveling and other expenses incurred by them in the performance of the duties imposed upon them by this resoluion. All secretarial stenographic clerical and engineering services necessary to conduct the work of said Commission shall be done and furnished by employes of the Department of Highways without any additional remuneration

Section 4 That said Commission shall have power to issue subpoenas signed by its chairman requiring the attendance of persons and the production of such books and papers as in its judgment will assist it in the performance of its duties

Section 5 The sum of Ten Thousand Dollars ($10,000.00) or so much thereof as may be necessary is hereby specifically appropriated from the Motor License Fund for the purpose of paying the expenses incurred by the members of said Commission the moneys hereby appropriated to be paid out of the State Treasury upon warrants drawn by the Auditor General upon the State Treasurer based upon duly itemized vouchers approved by the Chairman of said Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1473, as follows:

An Act making an appropriation for the support of the American Legislators' Association

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to assist in the support of the American Legislators' Association and the Interstate Legislative Reference Bureau established by it to coordinate the work of the various state Legislative Reference Bureaus and other official agencies dealing with legislative matters the sum of two thousand dollars ($2,000) is hereby specifically appropriated for the fiscal biennium beginning June first one thousand nine hundred and thirty-three One half of said appropriation shall be paid during each fiscal year of the biennium in equal quarterly installments on requisition drawn by the Auditor General Warrants for such payments shall be drawn to the order of the Director of the Interstate Legislative Reference Bureau

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed wtih,

The Senate proceeded to the second rading and consideration of Senate Bill No. 1475, as follows:

An Act to amend section one thousand one hundred and twenty-six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by fixing the number of assistant county superintendents

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General same That section one thousand one hundred and twenty-six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by section one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand seventy-eight) is hereby further amended to read as follows

Section 1126 Every county superintendent having more than one hundred and fifty and not more than [three] five hundred and fifty teachers under his supervision shall have an assistant superintendent every county superintendent having more than [three] five hundred and fifty and not more than [six hundred] one thousand and fifty teachers under his supervision shall have two assistant superintendents every county superintendent having more than [six hundred] one thousand and fifty and not more than [eight hundred] one thousand five hundred and fifty teachers under his supervision shall have three assistant superintendents [and for each additional four hundred teachers or fraction thereof under his supervision a county superintendent shall have an additional assistant superintendent And the school directors of any county at their convention for electing a county superintendent may authorized the appointment of additional assistant superintendents to those herein provided for] every county superintendent having more than one thousand five hundred and fifty and not more than two thousand and fifty teachers under his supervision shall have four assistant superintendents and every county superintendent having more than two thousand and fifty teachers under his supervision shall have five assistant superintendents

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1478 (House Bill No. 76), entitled:

An Act to amend subdivision (b) of article three of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty nine), entitled "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; providing penalties, and repealing existing laws," as amended, by providing for the valuations of securities held by insurance companies other than life insurance companies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1492 (House Bill No. 1850), entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regarding the use of highways and the operation of vehicles, tractors, street cars ,trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens, encumbrances and legal claims registration of certain vehicles and licensing of operators thereof upon payment of prescribed fees, prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates ,aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures, fees and miscellaneous receipts making an appropriation and providing for refunds."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF SENATE BILL No. 1264

Mr. REED. Mr. President, I move to reconsider the vote by which Senate Bill No. 1264, passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. REED. Mr. President, I voted "aye."

Mr. GRAFF. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GRAFF. Mr. President, I voted "aye."

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1264 (House Bill No. 1248), entitled:

An Act authorizing the publication of legal and official advertising and notices in Sunday newspapers of general circulation in cities of the first class and counties of the third class only

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter in cities of the first class and counties of the third class any Sunday newspaper of general circulation shall be deemed a proper newspaper for the publication of legal and official advertisements and notices required by law to be published in any newspaper or newspapers of general circulation

On the question,

Will the Senate agree to the section?

Mr. REED. Mr. President, I move to amend section 1, page 1, line 5, by inserting after the word "third" the following: "and fourth."

Mr. GRAFF. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

The title of the bill was read as follows:

An Act authorizing the publication of legal and official advertising and notices in Sunday newspapers of general circulation in cities of the first class and counties of the third class only

On the question,

Will the Senate agree to the title?

Mr. REED. Mr. President, I move to amend title, page 1, line 4, of title, by inserting after the word "third" the following: "and fourth."

Mr. GRAFF. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1615

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows considered, and agreed to:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1615, Printer's No. 522, entitled: "An Act denying a right of

action to the Commonwealth to collect certain claims from boroughs for the maintenance of State highways," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 2156

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 1, 1933.

"An Act to amend section one hundred thirty-six of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," changing the procedure to create the office of county controller, including procedures where decrees have heretofore been entered," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1824

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1824, Printer's No. 458, entitled: "An Act to amend section two of the act approved the third day of April, one thousand nine hundred and twenty-nine, (P. L. 135), entitled 'An act authorizing the Department of Justice, acting for the Department of Forests and Waters, to institute suits on behalf of the Commonwealth to recover from persons, associations, copartnerships, and corporations, and their officers, agents, and employes, causing forest fires, the expenses incurred by the Department of Forests and Waters on account of such fires,' authorizing the Department of Forests and Waters to institute suit for such purposes where such expenses do not exceed three hundred dollars," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1124

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1124, Printer's No. 418, entitled: "An Act to amend section two hundred and ninety-five of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," by limiting the compensation of the clerk of the Jury commissioners in counties of this sixth class," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 911

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 911, Printer's No. 518, entitled: "An Act to amend sections four and five of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "Delinquent Tax Sales Act of 1931," by providing for the extension of the period during which such taxes shall remain liens on real estate; and authorizing the filing of such liens in the prothonotary office," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 500

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 500, Printer's No. 455, entitled: "An Act to amend the act, approved the twenty-fifth day of February, one thousand eight hundred and seventy-five (P. L. 4), entitled "A supplement to the act, approved March thirty-first, one thousand eight hundred and sixty, entitled 'An Act to consolidate, revise and amend the penal laws of this Commonwealth," further defining the offence of kidnapping, and affixing additional penalties thereto,' by increasing the penalty for kidnapping with intent to extort money for restoration," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. HUNSICKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUNSICKER, from the Committee on Public Health and Sanitation re-reported as amended, Senate Bill No. 1383 (House Bill No. 1586), entitled:

An Act to amend section seven of the act approved the seventh day of June one thousand nine hundred fifteen (Pamphlet Laws nine hundred) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring certificates of death to show certain information pertaining to military service if any of decedents.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 767

Mr. PARKINSON. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 767, entitled "An act to add section seven hundred thirty-seven to the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by authorizing two or more counties jointly with the consent of the Department of Highways to levy and collect tolls on certain toll bridges acquired and rebuilt by such counties for the purpose of paying off the indebtedness incurred or reimbursing such counties for moneys expended in the acquisition rebuilding and mainteance of such toll bridges," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORTS FROM COMMITTEES

Mr. CLARK, Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CLARK, from the Committee on Agriculture, re-reported as committed, Senate Bill No. 630, entitled:

An Act declaring milk to be a commodity charged with a public interest, creating a Milk Commission with powers to regulate the price, terms and conditions upon which milk may be sold, and providing penalties for violations thereof.

Also from the Committee on Agriculture, re-reported as committed, Senate Bill No. 1454, entitled:

An Act relating to milk control during the existing emergency; creating a milk control board in the Department of Agriculture; and defining its jurisdiction, powers and duties.

Mr. TRAINER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TRAINER, from the Committee on Elections, reported as committed, Senate Bill No. 1243 (House Bill No. 1505), entitled:

An Act to further amend clause (a) of section four of the act, approved the eighteenth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, five hundred forty-nine), entitled "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries, in any county, city, borough or township of the Commonwealth, at the option of the electors thereof; prescribing regulations with reference to the adoption, requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in the election districts in which voting machines may be used; placing duties upon County Commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts, and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used; and providing penalties for violation of the provisions of this act," as amended, by providing that the Courts of Quarter Sessions may order that one additional voting machine be provided in certain election districts.

Mr. REED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1312 (House Bill No. 1711), entitled:

An Act regulating actions of scire facias sur mechanics liens, and prescribing the pleadings and procedure to be observed therein.

Mr. SCOTT. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 210, Printer's No. 149, entitled "An Act fixing the compensation of assessors and registry or assistant assessors performing duties pertaining to the assessment and registration of voters in counties other than first and second class and repealing existing acts relating thereto," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 1068 (House Bill No. 1612), entitled:

An Act making an appropriation to the Trustees of Temple University, at Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1066 (House Bill No. 1260), entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh, and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1222 (House Bill No. 1532), entitled:

An Act making an appropriation to the Sacred Heart Hospital of Allentown, Lehigh County, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1225 (House Bill No. 1969), entitled:

An Act making an appropriation to the Department of Public Instruction for payment of certain school districts of the fourth class of moneys due under the School Code for closed school buildings.

Mr. WILLIAMSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WILLIAMSON, from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 1470, entitled:

An Act adjourning county treasurers sales of seated and unseated lands to be held in the year one thousand nine hundred thirty-three until the time fixed by law for such sales in the year one thousand nine hundred and thirty-four or any later date to which such sales may be adjourned and suspending existing laws.

Mr. QUIGLEY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. QUIGLEY, from the Committee on Game and Fisheries, re-reported as amended, Senate Bill No. 1269 (House Bill No. 1567), entitled:

An Act to amend section 11 sections 20 30 and 40 as amended sections 50 71 72 98 and 202 sections 220 and 224 as amended and sections 226 228 240 255 and 272 of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" defining bait-fish changing closed seasons legal sizes and creel limits regulating minnow traps prohibiting the possession of certain fillits regulating the issuing of resident gshing licenses providing for monthly returns by county treasurers and the devocation of fishing licenses authorizing the Commissioner of Fisheries to accord special fishing privileges to unnaturalized foreign-born persons empowering the board to create nursery waters providing for the payment over of fines and for refunds generally regulating fishing and providing penalties

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

JOINT COMMITTEE TO MAKE AN INVESTIGATION OF THE DEPARTMENT OF PROPERTY AND SUPPLIES RELATING TO PRINTING

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Rrepresentatives, which was twice read as follows and referred to the Committee on Public Printing:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That the Speaker of the House of Representatives appoint four Members of the House, and the President pro tempore of the Senate appoint three Members of the Senate, who, together, shall constitute a Joirt Legislative Committee ,whose duty it shall be to thoroughly investigate affairs of the Department of Property and Supplies relating to legislative printing, the work of the Public Printer, the purchase of supplies for State printing, ways and means of improving legislative printing in the interest of economy and efficiency, and such other matters and affairs relating to legislative printing as the Committee deems necessary.

Resolved, That said Committee shall have power to issue subpoenas under the hand and seal of its chairman, requiring and commanding any person to appear before it and to answer such questions touching matters properly being inquired into by the Committee and to produce such books, papers, records and documents as the Committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each Member of the Committee shall have power to administer oaths or affrmations to witnesses appearing before it. Any person who shall wilfully neglect or refuse to appear and testify before said Committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of this Commonwealth in such cases.

Resolved, That an item be inserted in the General Appropriation Bill to pay the expenses of said Committee.

Resolved, That said Committee shall make report of its findings accompanied by such drafts of legislation as it deems necessary to the next Session of the Legislature.

CHAIN STORES TO DEPOSIT IN BANKS LOCATED IN COMMUNITY FROM WHICH RECEIPTS ARE DRAWN

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Finance:

In the House of Representatives, April 25, 1933.

Whereas, Statistics show that seventy per centum of the mercantile business of the Nation is handled and conducted by chair stores, and

Whereas, Seventy-five per centum of the moneys received by chain stores in the smaller cities and localities is withdrawn from such cities and localities and deposited in banks in New York, London and other large financial centers, and

Whereas, The present financial condition of many banks has been brought about by the withdrawing of capital from the smaller centers of population by chain stores and corporations, and

Whereas, If this withdrawal of capital from smaller localities is continued and persisted in ,the banks in such localities will scon be unable to continue in business therefore, be it

Resolved, That His Excellency, the Governor, is requested to issue a proclamation calling upon chain stores, insurance companies, and other chain corporations to deposit and leave in banks located in the communities from which their receipts are drawn as much thereof as is possible in the conduct of their business to the end that the banks may continue to exist and the business of such communitties be preserved and fostered, and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the House to His Excellency, the Governor.

RECONSIDERATION OF RECOMMITTMENT OF SENATE BILL No. 1421 (HOUSE BILL No. 1188).

Mr. BUCKMAN. Mr. President, I move to reconsider the vote by which Senate Bill No. 1421 (House Bill No. 1188), entitled:

An Act exempting shoe repairing machinery and tools and the appurtenances thereto, leased, loaned, hired or conditionally sold, from levy or sale on execution or distress for rent.

was recommitted to the Committee on Judiciary General.

Mr. FRZIER. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Senate Bill No. 1421 (House Bill No. 1188), go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 137, entitled:

An Act to amend section four hundred and six of the act, approved the eleventh day of July, one thousand nine hundred and twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individual, counties or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," permitting sworn statements of physicians in charge of patients to be admitted in evidence in court proceedings for the discharge of patients from mental hospitals

Senate Bill No. 434, entitled:

An Act making an appropriation to the trustees of the Pennsylvania Military College Chester Pennsylvania for the training and education of students

Senate Bill No. 518, entitled:

An Act to amend section one of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-five (P. L. 305), entitled "An act fixing the pay of election officers and clerks in counties of the second class," as amended, by fixing the compensation of judges of election for services, mileage and expenses of delivering the primary and election returns and ballot boxes into proper custody, providing compensation to minority inspectors, in certain cases, for services, mileage and expenses of delivering the minority inspector's primary and election returns, if any, and the ballot boxes into proper custody, and repealing inconsistent general, local and special legislation.

Senate Bill No. 893, entitled:

An Act to amend section one of the act approved the twenty-sixth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred thirty-six) entitled "An act providing for a separate ballot when constitutional amendments or other questions are submitted to the vote of the people" by providing that such constitutional amendments or other questions may be printed upon a separate ballot

Senate Bill No. 1331, entitled:

An Act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance and navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts.

Senate Bill No. 84, entitled:

An Act making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, defiining the powers and duties of the boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of this act to appropriate certain moneys; and providing penalties," as amended.

Senate Bill No. 756, entitled:

An Act making an appropriation to the Department of Military Affairs for the use of the State Armory Board for the partial payment of arbitration award to the general contractors for services rendered in connection with the construction of the Wilkes-Barre Artillery Armory.

Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Welfare for the payment of claims against the Commonwealth for the erection and construction of railroad tracks and trestles at the Danville State Hospital

Senate Bill No. 871, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission, for the purpose of reimbursing the Conrad Weiser Memorial Park Association for moneys expended in maintaining Conrad Weiser Memorial Park until accepted by the Commonwealth.

Senate Bill No. 921, entitled:

An Act to amend section one of the act approved the eighth day of June, one thousand nine hundred and twenty-three (P. L. 685), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" by increasing the fee to be charge by the Department of State for filing the power of attorney and statement of a foreign corporation.

Senate Bill No. 1025, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that department in acting as purchasing agent of the Department of Highways.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

MOTION TO DISCHARGE COMMITTEE OF CONFERENCE ON SENATE BILL No. 1274 (HOUSE BILL No. 571)

Mr. FRAZIER. Mr. President, the Committee of Conference on Senate Bill No. 1274 (House Bill No. 571), has been unable to agree, and therefore I move that the confererees, Messrs. Armstrong, Miller and Frazier, be discharge.

Mr. ARMSTRONG. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF NONCONCURRENCE IN HOUSE AMENDMENTS TO SENATE BILL No. 678

Mr. ARMSTRONG. Mr. President, I move to reconsider the vote by which the House amendments to Senate Bill No. 678, entitled:

An Act to amend sections four hundred and twenty-two and four hundred and twenty-three of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" removing the expenditure limit within which counties may contribute to the cost of the funerals of deceased service persons

were non-concurred in by the Senate,

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenhelm,
Einstein,	Mansfield,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1647

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1647, Printer's No. 1008, entitled: "An Act to amend Sections 8 and 15 of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven, (P. L. 465), entitled "Fire Safety Building Regulation Law," as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE SENATE HOUSE BILL No. 1107

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1107, Printer's No. 1081), entitled: "An Act creating and establishing a fund for the care, maintenance and relief of the aged, retired and disabled employes of the Bureau of Fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds, and providing for the transfer and payment of all moneys and securities in existing funds in similar boards, superceded by the fund and board herein created," be recalled from the Senate for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 210

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 210, entitled: "An Act fixing the compensation of assessors and registry or assistant assessors performing duties pertaining to the assessment and regitration of voter in counties other than first and second class, and repealing existing acts relating thereto," be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 767

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 767, entitled: "An Act to add section seven hundred and thirty-seven to the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled 'An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising ,amending and consolidating the laws relating thereto,' by authorizing two or more counties jointly, with the consent of the Department of ighways, to levy and collect tolls on certain toll bridges acquired and rebuilt by such counties for the purpose of paying off the indebtedness incurred or reimbursing such counties for moneys expended in the acquisition, rebuilding and maintenance of such toll bridges," be recalled from the Governor for further consideration.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 629

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 629, entitled: "An Act to prohibit the employment by the Commonwealth and by counties, cities, boroughs, towns, townships, departments, boards commissions, and by certain corporations, hospitals, homes and institutions, of aliens who entered the United States unlawfully; and providing penalties," be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 746

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 746, entitled: "An Act to amend section two hundred and four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing that the coroner shall act in case the sheriff resigns," be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 458

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 458), entitled: "An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens, in the several cities of the third class of this Commonwealth, and validating such improvements, assessments, claims and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessments and claims," be recalled from the Governor for further consideration.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 478

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 478, entitled: "An Act to amend paragraph two of section four as amended and paragraph two of section six as amended and paragraph one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day of June one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing cer-

tain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes, exempting annuities, allowances, returns, benefits and rights from taxation and judicial process and providing penalties,' by providing for the payment of administrative expenses from excess interest earnings, making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two," be recalled from the Governor for further consideration.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 48

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 48, entitled: 'An Act to amend sections nine hundred and one, and one thousand and eighty-one of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs'; providing for the appointment of the county treasurer as tax collector in certain cases," be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 77

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 77, entitled: "An Act to amend the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (P. L. 148), entitled "An act to require all magistrates and other officials in cities of the first, second and third class, authorized to take acknowledgments and administer oaths, to perform such service free of charge for soldiers and widows of soldiers, when making affidavit to papers for the purpose of drawing pensions," extending the provisions of the act to all officers taking oath, and to papers other than those connected with pensions" be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 102

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 102), entitled: "An Act authorizing county treasurers to make, execute, acknowledge and deliver deeds of deeds of seated lands sold by them for delinquent taxes under the provisions of an act of Assembly of the Commonwealth of Pennsylvania, approved the ninth day of May, one thousand nine hundred and twenty-nine (P. L. 1684), entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assesed on such seated lands by authority of any county, borough, town, township, school district and poor district are delinquent and remain unpaid, and fixing penalties for such delinquency; authorizing county commissioners to purchase such lands under certain circumstances;" prior to its repeal, notwithstanding that said deeds were not made, issued, acknowledged or delivered and surplus bond not given prior to said repeal; and authorizing the making, execution, acknowledgment and delivery of said deeds by said county treasurers after the expiration of term of office or by their successors in office; and confirming the title to lands so sold where the deeds have been made, executed and delivered and the surplus bonds filed since the repeal of said act, and whether the said deeds were made, executed or delivered by the county treasurer who made said sale during the term of his office or after its expiration, or by his successor in office," be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 183

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 183, entitled: "An Act to amend sections fifty-one and sixty as amended, and section one hundred and four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled 'An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending, and consolidating the laws relating thereto" by fixing the time at which the terms of elected county officers shall begin, and the time for the county commissioners to organize," be recalled from the Governor for the purpose of amendment..

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 679

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 679, entitled "An Act to amend section twenty-nine of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; refining highways and State-aid highways; providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for pay-

ment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by relieving townships of the duty to contribute towards the maintenance of certain State-aid highways; and discharging certain existing obligations therefor," be recalled from the Governor for the purpose of amendment.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at todays' session be read the first time.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 979 (House Bill No. 1665), entitled:

An Act to repeal sections six and eight of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 450), entitled "An act relating to fires and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1222 (House Bill No. 1532), entitled:

An Act making an appropriation to the Sacred Heart Hospital of Allentown, Lehigh County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1225 (House Bill No. 1969), entitled:

An Act making an appropriation to the Department of Public Instruction for payment to certain school districts of the fourth class, of moneys due under the School Code for closed school buildings.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1243 (House Bill No. 1505), entitled:

An Act to further amend clause (a) of section four of the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (P. L. 549) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in the election districts in which voting machines may be used placing duties upon County Commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act" as amended by providing that the Courts of Quarter Sessions may order that one additional voting machine be provided in certain election districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1312 (House Bill oN. 1711), entitled:

An Act regulating actions of scire facias sur mechanics liens and prescribing the pleadings and procedure to be observed therein.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1365 (House Bill No. 870), entitled:

An Act relating to the redemption of real estate purchased by counties at tax sale

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1489 (House Bill No. 2096), entitled:

An Act imposing a State tax, payable by those herein defined as manufacturers and distributors, on non-intoxicating alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue and those using or engaging in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1493, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section twenty.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 498

Mr. MANSFIELD. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 498, entitled "An act authorizing counties cities boroughs townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the

duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds and fixing a penalty for the violation thereof," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11 o'clock.

Mr. COYNE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.59 P. M. until Tuesday morning, May 2, 1933, at 11 o'clock A. M. (Eastern Standard Time).

HOUSE OF REPRESENTATIVES

MONDAY, May 1, 1933

The House met at 9.00 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Almighty and all-wise God, our heavenly Father, as we stand here tonight, in this spacious and beautiful House, there are mingled emotions in our hearts. We are deeply conscious of the honor which has been conferred upon us, members and officers of this august Assembly. But with the honor, there is also grave responsibility resting upon these public servants, charged with the governance of a great and sovereign people. We are after all, like unto our fellow citizens, just plain men and women, with all the weaknesses, ambitions, foibles and conceits, common to humankind. Cognizant of our limitations we humbly pray that Thy Spirit may both guide and sustain us, in striving to achieve the high ideals we conceived as we entered these halls for the first time.

The ladies and gentlemen of the House are confronted with tremendous and far reaching issues this week. Nor can they hope to win universal acclaim, regardless of how the issues are finally decided. But they can, and please God, they will give unstintedly of time and service in the highest interests of the greatest number of our citizenry.

To this end, may each member and officer accept the challenge——

"BE STRONG!

"We are not here to play, to dream, to drift,
We have hard work to do, and loads to lift,
Shun not the struggle . . . Face it . . . 'Tis God's gift,
be strong!"—Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 27, 1933.

The Clerk proceeded to read the Journal of Thursday, April 27, 1933, when, on motion of Mr. Kinney, the further reading was dispensed with and the Journal approved.

RESOLUTION

FIXING ORDER OF BUSINESS

Mr. HUTTON offered a resolution from the Committee on Rules, fixing the order of business for the day, which was twice read, considered and adopted as follows:

Resolved, That the order of business of the House for the Session Monday, May 1, 1933, shall be as follows:

1. Communications from the Governor and the Senate, reference of bills or petitions to committees; signing of bills or other papers; and clearing the table privileged at any time.
2. The asking of leave of absence.
3. The receiving reports of committees. Report from committees may also be received immediately before or after a recess or before adjournment. (All bills reported from committee, shall be read for the first time).
4. Resolutions:
   A. House and concurrent resolutions originating in the House other than those to discharge committees from consideration of bills and fixing special orders of business.
   B. Resolution recalling bills from the Governor and the Senate, and resolutions returning bills to the Governor are privileged.
5. Motions to recommit (this motion may also be made when a bill is reached in its regular order).
6. Motions to reconsider privileged at any time.
7. Bills on second reading.
8. Bills on final passage recalled from the Governor.
9. Bills on final passage (bills on the final passage postponed calendar may be called up under this order of business).
10. Bills on third reading (bills on the third reading or final passage postponed calendars may be called up under this order of business).
11. Conference reports may be received or called up for consideration at any time.

RULES COMMITTEE:
GROVER C. TALBOT,
A. J. WHITE HUTTON,
THOS. B. WILSON,
JOSEPH G. STEEDLE.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an exract from the Journal of the Senate, which was read as follows:

In the Senate, ———— 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 385, Printer's No. 664, entitled:

An Act providing for the fixing of salaries or compensation of all appointed officers clerks and other employes paid from the county funds in counties of the third fourth fifth sixth seventh and eighth classes and creating salary boards in certain counties

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. WOODSIDE. Mr. Speaker, I move that the House do nonconcur in the resolution of the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1253.

An Act to amend article twenty of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation

thereof providing revenue to establish and maintain the same and the method of collecting such reveue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by prescribing the powers and duties of the boards of trustees of State teachers colleges and the Cheyney Training School for Teachers repealing inconsistent legislation

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 99.

An Act to amend section eighteen of article nineteen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by making provisions for reinstatement of persons removed from the classified service of the city without fault or delinquency on their part.

HOUSE BILL No. 1279.

An Act to amend article fourteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine), entitled "An act to established a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribed penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by adding thereto a new section providing that the Department of Public Instruction shall reimburse school districts for educating children of employes of public institutions.

HOUSE BILL No. 1666.

An Act to amend section nine of the act approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes" by increasing the fees to be charged by the Department of Welfare for certificates of registration.

HOUSE BILL No. 1131.

An Act to provide for the organization, incorporation, operation and supervision of cooperative savings and credit associations to be termed credit unions, designating such credit unions as corporations and defining their powers and duties, conferring powers and duties on the Department of Banking and providing penalties.

HOUSE BILL No. 1726.

An Act creating a commission to study the laws relating to poor districts and to draft such new laws as may be necessary to revise and codify such laws and establish State supervision over poor boards.

HOUSE BILL No. 1754.

An Act to amend section four hundred fifteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by providing for the sale of statistics relating to the titling and registration of motor vehicles.

HOUSE BILL No. 1701.

An Act to amend section two hundred and twenty-two of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing a procedure to provide for the holding of two or more county offices in counties of the sixth class by the same person.

HOUSE BILL No. 910.

An Act to amend section one of the act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred eighty-four) entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and prvoiding for the collection of said tax" as amended exempting retail venders or retail dealers engaged in compounding and dispensing medicines on prescriptions of physicians

HOUSE BILL No. 1373.

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and thirty-one (P. L. 555), entitled "An act to further amend section seven of the act approved the second day of May, one thousand eight hundred ninety-nine (P. L. 184), entitled 'An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax,' by changing the date upon which the city or county treasurer is required to sue for the recovery of certain licenses duly returned to him by the mercantile appraiser and not paid."

HOUSE BILL No. 1318.

An Act declaring and adopting the azalea nudiflora also known as the wild azalea wild honeysuckle and pinxter bloom as the Pennsylvania State flower

Whereas, Among the vast wealth of native flowers of this State none excels in volume of bloom range of color depth of fragrance decorative adaptibility historical association ease of naturalization or general distribution the azalea nudiflora therefore

HOUSE BILL No. 1229.

An Act to amend section one hundred and thirty-five of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as amended; by limiting the salary of the solicitor to the controller in counties of the fifth class.

HOUSE BILL No. 1372.

An Act to provide reciprocal relations in respect to death duties in taxation of estates of non-resident decedents.

HOUSE BILL No. 1971.

An Act to amend section two hundred and twelve of the act, approved the seventeenth day of May, one thousand nine hun-

dred and twenty-one (P. L. 789), entitled as amended, "An act relating to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign companies, associations or exchanges; providing penalties; and repealing existing laws," as amended, by bringing public adjusters' solicitors within the retialiatory provisions relating to agents, brokers and public adjusters.

HOUSE BILL No. 1972.

An Act to amend section six hundred and three as amended and section six hundred and twenty-two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign companies associations or exchanges providing penalties and repealing existing laws" by defining the right of corporations to be licensed as insurance agents or insurance brokers

HOUSE BILL No. 1127.

An Act declaring and adopting the Mountain Laurel (Kalmia latifolia) as the State flower of Pennsylvania.

HOUSE BILL No. 1642.

An Act to authorize incorporated towns to secure lands for the purpose of establishing and maintaining municipal airports, airdomes, aviation landing fields, intermediate landing fields, and airport facilities; to establish, equip, condition, operate and maintain municipal airports, airdomes, landing fields, or intermediate landing fields, and lease the same, either separately or jointly with other political subdivisions of this Commonwealth.

HOUSE BILL No. 188.

An Act to amend section one hundred and seventy-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eight classes; and revising, amending, and consolidating the laws relating thereto; prescribing the oath to be taken by members of the board of viewers.

HOUSE BILL No. 1235.

An Act to amend section two hundred and twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by changing the qualification of the first deputy prothonotary in counties of the third class

With the information that the Senate has passed the same without amendment.

LEAVES OF ABSENCE

Mr. MUMFORD asked and obtained leave of absence for Mr. Wheeler for the week on account of illness.

Mr. BECHTEL asked and obtained leave of absence for Mr. Scott on account of illness.

Mr. QUINN asked and obtained leave of absence for Mr. John J. Kane on account of death in the family.

REPORTS FROM COMMITTEES

Mr. HOOPES, from the Committee on Judiciary General, reported as amended, House Bill No. 2350 (Senate Bill No. 875), entitled:

An Act to require county commissioners, poor boards, public officers, voluntary relief organizations, trustees, and others having jurisdiction of funds available for poor or unemployment relief, or to tax or borrow for such purposes, to furnish information and exhibit their records to the State Emergency Relief Board; and providing penalties.

Mr. TURNER, from the Committee on State Government, re-reported as amended, House Bill No. 2124 (Senate Bill No. 413), entitled:

An Act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Phamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries and compensation of the members of the Commission, its officers, counsel and employes; prescribing and regulating the practice and procedure before such Commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act, by regulating the issuance of securities by public service companies; by giving the Commission authority to suspend proposed changes in rates and making provision for reparations in connection therewith; by requiring public service companies to carry proper and reason-

able depreciation accounts; by giving the Commission jurisdiction over the holders of the voting capital stock of public service companies; by giving the Commission jurisdiction over transactions and contracts between holding companies and affiliated interests and public service companies defining holding companies; affiliated interests and parties in interest to such contract by regulating the business of manufacture sale or lease of appliances and equipment by public service companies by giving the Commission jurisdiction to prescribe minimum rates by striking out the provisions relating to Certificates of Notification and certificates of valuation, and by imposing penalties.

BILL ON FIRST READING

The following bill was read the first time pursuant to resolution presented by the Rules Committee fixing the order of the day.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2350 (Senate Bill No. 875), entitled:

An Act to require county commissioners, poor boards, public officers, voluntary relief organizations, trustees and others having jurisdiction of funds available for poor or unemployment relief, or to tax or borrow for such purposes, to furnish information and exhibit their records to the State Emergency Relief Board; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RE-REFERRED

Mr. GEORGE W. WILLIAMS returned from the Committee on Building and Loan Associations with the recommendation that it be re-referred to the Committee on Boroughs and Townships, House Bill No. 2373 (Senate Bill No. 1456), entitled:

An Act to authorize boroughs and townships of the first class to sue out writs of scire facias on certain tax liens where more than five years have elapsed since said liens were filed and to reduce such liens to judgment and providing for the revival of such judgments.

The SPEAKER. The bill is now re-referred to the Committee on Boroughs and Townships.

RESOLUTION

LEGISLATIVE REFERENCE BUREAU TO STUDY AND DRAFT LEGISLATION IN RE UNEMPLOYMENT INSURANCE

Mr. SOWERS offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, May 1, 1933.

The stability of government and the happiness and prosperity of the people of the Nation depends upon the opportunity of those people to earn a livelihood.

Deprived of that opportunity, people who have no employment become a charge upon government and lose their self-respect.

The Commonwealth cannot long sustain the constantly increasing drain upon its finances made necessary by the vast amount of money expended for relief.

It becomes most evident to those who have studied existing conditions that one solution of present ills is the adoption of a system that will make work more certain by providing for the payment of insurance to those thrown out of employment through no fault of their own; therefore be it

Resolved (if the Senate concur), That the Legislative Reference Bureau is hereby requested to make a careful and thorough study of the question of unemployment insurance, of the systems now in operation, and of those proposed, and to draft a bill for presentation at the next session of the Legislature.

That the said Legislative Reference Bureau shall, in complying with the request contained in this resolution, confer and consult with the Governor, the Attorney General, the Secretary of the Department of Labor and Industry, and with the State Chamber of Commerce, and the Pennsylvania Federation of Labor, in order to get the benefit of all views and opinions relating to the question it is hereby requested to study.

That in order to provide the Legislative Reference Bureau with the funds necessary in order to properly and full comply with the request made by this resolution, an item in the sum of two thousand dollars is hereby directed to be inserted in the General Appropriation Bill for that purpose.

RESOLUTION

RECALLING HOUSE BILL No. 756 FROM THE GOVERNOR

Mr. BECHTEL offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 756, entitled "An act to amend part of section two of the Appropriation Acts of one thousand nine hundred and thirty-one (Act number fifteen-A page sixteen) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one' amending the appropriation relating to the Coaldale State Hospital," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

URGING CONTINUANCE OF CONSTRUCTION OF NAVAL HOSPITAL IN PHILADELPHIA

Miss BRANCATO offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, May 1, 1933.

Whereas, As a result of Federal economy legislation, plans for the construction of the new naval hospital at Philadelphia have been discontinued, and

Whereas, The pressing necessity for such an institution in the proposed location has been and is well recognized, and

Whereas, Abandonment or delay in the proposed construction must result in suffering among the nation's servants who are entitled to the nation's care; therefore be it

Resolved (if the Senate concur), That the General Assmbly of the Commonwealth of Pennsylvania, respectively presents to His Excellency the President of the United States, that in the opinion of said General Assembly no plan or program, be it economy or otherwise, should be permitted to interfere with the immediate carrying out of so worthy and necessary a project; and be it further

Resolved, That a copy of this resolution be forwarded by proper authority to the President of the United States.

RESOLUTION

RECALLING HOUSE BILL No. 1199 FROM THE GOVERNOR

Mr. PHILIP STERLING offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 1199, entitled "An act to amend section two hundred and eight of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees pre-

scribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace and courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by providing for the continuance of a lien on motor vehicles where ownership is changed by operation of law or judicial sale and determining the effect of the issuance of a certificate of title showing a line or encumbrance," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1340 FROM THE GOVERNOR

Mr. WOODSIDE offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1340, entitled "An act to amend clause (d) as amended of section fifty-nine of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled 'An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executives administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widows' and children's exemption debts of decedents rents of real estate as assets for payment thereof the lien therof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilege of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents' by providing for the action by the natural guardian or the person by whom the minor is maintained for the minor upon leave of court and without formal appointment in matters relating to real estate in which the share of the minor does not exceed two hundred dollars," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 903 FROM THE GOVERNOR

Mr. EROE offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 903, entitled "An act to amend section four hundred and twenty-three of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by requiring application for payment of allowance for burial of widows of certain soldiers sailors or marines to be made within one year," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

URGING USE OF PORT OF PHILADELPHIA FOR CONSTRUCTION PROGRAM

Mr. CANNON offered the following resolution which was twice read and laid over for printing under the rules:

In the House of Representatives, May 1, 1933.

Whereas, Under the new administration of the Honorable Franklin Delano Roosevelt, there will eventually be undertaken the working out of a ship-building program for the United States Navy; and

Whereas, In the past the banks of the Delaware River have been noted as the greatest ship-building center in the United States; and

Whereas, The port of Philadelphia includes the Philadelphia Navy Yard and the William Cramp Ship and Engine Building Company; and

Whereas, The William Cramp Ship and Engine Building Company in the past turned out all kinds of ships from large passenger and merchant ships to battle ships, cruisers, gunboats and destroyers; and

Whereas, According to the Philadelphia Inquirer of October 11, 1917, the William Cramp Ship and Engine Building Company was one of the six ship yards authorized by the United States Government to help carry out the War Department's program of building 787 vessels of all types; and

Whereas, In the course of this project, the William Cramp Ship and Engine Building Company employed 6,500 men with additional employes added as the construction increased; and

Whereas, The strategic location of the city of Philadelphia, to both the coal and iron mines and the steel mills of Pennsylvania by rail, and its easy accessibility to the sea, by the Delaware River, makes this city the most accessible and the most logical place for industry of this type; and

Whereas, Due to the slowing down of this, the greatest of Philadelphia's industries, many people have been thrown out of employment; and

Whereas, The United States Navy Department is contemplating increasing the strength of the Navy, and it would be in keeping with the past record of construction of Philadelphia that many of the vessels which will be constructed in the naval program should be constructed in that port, thereby giving employment to thousands of skilled mechanics of that industry and improving conditions to others by increasing employment, and adding to the buying power of the citizens of Philadelphia; therefore be it

Resolved (if the Senate concur), That the House of Representatives of the Commonwealth of Pennsylvania respectfully urge the Navy Department of the United States to select the port of Philadelphia for the construction of the major part of its new program.

Resolved, That copies of this resolution be forwarded by the Chief Clerk to the Secretary of the Navy of the United States.

RESOLUTION

RECALLING HOUSE BILL No. 1636 FROM THE GOVERNOR

Mr. FITZGERALD offered the following resoultion which was twice read, considered and adopted:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1636, Printer's No. 612, entitled "An act to validate certain municipal liens in the several cities of the third class of the Com-

monwealth of Pennsylvania and providing the proceedings for the revival and collection thereof," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 380 FROM THE GOVERNOR

Mr. KINNEY offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 380, entitled "An Act to amend section three of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions' as amended by changing the hours when registrars are to sit," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1240 FROM THE GOVERNOR

Mr. WITKIN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1240, Printer's No. 176, entitled "An act creating a presumption of reasonableness of certain contracts for counsel fees made by the next friend or guardian of a minor provided the same be evidenced by writing," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1383 FROM THE GOVERNOR

Mr. WEIDEMANN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 1, 1933.

Resolvd (if th Senate concur), That House Bill No. 1363, entitled "An act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by providing for depositories of county funds in counties of the third class," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION No. 83

Mr. HUTTON. Mr. Speaker, I desire to call up at this time Resolution No. 83, Printer's No. 1092.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 27, 1933.

Whereas, Charges have been made of improper practices in the Insurance Department with respect to the doing of business by casualty and fire insurance companies inadequately financed, and with respect to the merger of certain companies and their withdrawal from the State Treasury of assets deposited for the protection of insured persons; therefore be it

Resolved (if the Senate concur), That the President Pro Tempore of the Senate shall appoint three Senators, and the Speaker of the House of Representatives shall appoint three Members of the House of Representatives, who, together, shall constitute a joint legislative committee, whose duty it shall be to investigate the affairs and records of the Insurance Department relating to casualty and fire insurance companies, to ascertain whether certain companies are permitted to do business in this Commonwealth when inadequately financed and to ascertain whether mergers or consolidations of casualty companies approved by the Department have been made in accordance with law, and whether securities withdrawn from the Treasury Department, if any, after any such merger or consolidation, have been legally withdrawn;

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers records, or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases;

Resolved, That said committee shall make report of its findings to the next session of the General Assembly.

On the question,

Will the House adopt the resolution?

Mr. HUTTON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend paragraph two, line 10, by inserting after the word "financed" the words, "or otherwise operating in violation of the insurance laws of this Commonwealth."

On the question,

Will the House agree to the amendment?

It was agreed to.

Ordered, That the resolution as amended lie over for printing.

RESOLUTION No. 78

Mr. QUINN. Mr. Speaker, I desire to call up at this time Resolution No. 78, Printer's No. 1058.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 25, 1933.

Whereas, Statistics show that seventy per centum of the mercantile business of the Nation is handled and conducted by chain stores and

Whereas, Seventy-five per centum of the moneys received by chain stores in the smaller cities and localities is withdrawn from such cities and localities and deposited in banks in New York London and other large financial centers; and

Whereas, The present financial condition of many banks has been brought about by the withdrawing of capital from the smaller centers of population by chain stores and corporations; and

Whereas, If this withdrawal of capital from smaller localities is continued and persisted in the banks in such localities will soon be unable to continue in business; therefore be it

Resolved, That His Excellency the Governor is requested to issue a proclamation calling upon chain stores insurance companies and other chain corporations to deposit and leave in banks located in the communities from which their receipts are drawn as much thereof as is possible in the conduct of their business to the end that the banks may continue to exist and the business of such communiites be preserved and fostered and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the House to His Excellency the Governor.

On the question,

Will the House adopt the resolution?

It was adopted.

REPORT OF COMMITTEE APPOINTED UNDER RESOLUTION No. 64

Mr. HABBYSHAW. Mr. Speaker, I desire to offer the following report of the Committee appointed under House Resolution No. 64, Printer's No. 497.

The report was read by the Clerk as follows:

May 1, 1933.

Hon. Grove C. Talbot, Speaker of the House of Representatives, Harrisburg, Pennsylvania.

Dear Sir:

Your committee, appointed to study and suggest adequate legislation under Resolution No. 64, Printer's No. 497, to meet the crisis in unemployment relief welfare work ,caused by the recent ruling of the State Workmen's Insurance Fund on Compensation Insurance for labor provided by welfare and unemployment relief authorities, recommends that—Senate Bill No. 973, Printer's No. 489, with the attached amendments be offered to the House of Representatives for passage.

Very truly yours,

WM. E. HABBYSHAW,
Chairman.
PHILIP STERLING,
JOHN M. FLYNN,
GEO. N. WADE.
DAVID R. PERRY.

AMENDMENTS TO SENATE BILL No. 973

Printer's No. 489.

Amend title, page 1, lines 8 to 11, by striking out the words "to exempt persons fur-" in line 8, and all of lines 9, 10 and 11, and inserting in lieu thereof the following: "defining the liability of public or charitable bodies, corporations and institutions to pay workmen's compensation to persons injured in work relief employment and to carry insurance therefor and the rights of persons injured in such employment; establishing the State Work Relief Compensation Fund to provide such compensation in certain cases, and providing for the administration of such fund by the State Workmen's Insurance Fund, and making an appropriation therefor."

Amend Section 1, page 1, lines 4 to 8, both inclusive, by striking out all of said lines.

Amend Section 1, page 2, lines 1 to 9, both inclusive, by striking out all of said lines, and inserting in lieu thereof the following: "when used in this act, the following terms shall have the meanings ascribed to them by this section unless the context clearly requires a different meaning."

"(a) The term 'work relief employe' shall mean any person engaged in work for any public or charitable body, corporation or institution by direction or assignment of the State Emergency Relief Board or a county emergency relief board or other agency of the State Emergency Relief Board, in return for cash or commodities furnished by or through the action of the State Emergency Relief Board as unemployment relief.

"(b) The term 'the act to which this is a supplement' shall mean The Workmen's Compensation Act of 1915, and all supplements and amendments thereto.

"(c) The term 'work relief employer' shall mean any public or charitable body, corporation or institution employing any 'work relief employe' as defined in sub-section (a) of this section.

"Section 2. No compensation shall be payable to injured 'work relief employes' during the first twenty-six weeks of disability: Provided however, That this section shall not apply to injuries compensable under sub-sections (c) and (e) of section three hundred and six or section three hundred and seven of the act to which this is a supplement.

"Section 3. 'Work relief employes' as herein defined are hereby declared to be 'employes' of 'work relief employers' for all purposes of the act to which this is a supplement. Any 'work relief employer' who shall desire to be relieved of this liability to such 'work relief employe' shall pay into the State Treasury the amounts provided in section four of this act. Payments to the State Treasurer of such amounts shall relieve the 'work relief employer' of all further obligation for compensation to the 'work relief employe' or his dependents and from obligation to carry insurance for such compensation and such liability is hereby excluded from policies of insurance covering other types of employment.

"Section 4. Each 'work relief employer' contributing to the State Work Relief Compensation Fund shall pay to it twenty-five cents per week for each 'work relief employe' used by such 'work relief employer': Provided, however, That the Insurance Commissioner shall from time to time review the adequacy of this rate and modify it as circumstances require.

"Section 5. The moneys paid into the State Treasury under the provisions of this act shall be kept in a special fund to be known as the 'State Work Relief Compensation Fund.' The State workmen's Insurance Fund shall administer the State Work Relief Compensation Fund and shall determine the amounts due from each 'work relief employer,' collect the amounts so due, transfer them to the State Work Relief Compensation Fund, and pay out from such fund the amounts due in accordance with the provisions of this act. The moneys of the State Work Relief Compensation Fund are hereby expressly appropriated to the State Workmen's Insurance Fund for the purpose of this act. As compensation for administration of the State Work Relief Compensation Fund, the State Workmen's Insurance Fund shall receive from the said fund seventeen and one-half per centum of the moneys paid from such fund in each month for workmen's compensation, medical, surgical, hospital services, supplies and funeral expenses.

"Section 6. From the State Work Relief Compensation Fund, the State Workmen's Insurance Fund shall pay to injured 'work relief employes' and their dependents the benefits and compensation prescribed by the act to which this is a supplement as modified by this act. Payments of medical, surgical, hospital services and supplies, and funeral expenses may, in the discretion of the State Workmen's Insurance Fund, be paid upon certificate of the 'work relief employer' as herein defined when accompanied by a certificate from the county emergency relief board or other agency of the State Emergency Relief Board, certifying that the injury for which claim is made was sustained in the course of work relief employment. Compensation payments to injured 'work relief employes' or their dependents shall be made only upon a final award of a workmen's compensation referee or the State Workmen's Compensation Board with or without a hearing. The State Workmen's Insurance Fund shall not be liable to make any payments under this act from any moneys except the State Work Relief Compensation Fund.

"Section 7. There is hereby re-appropriated to the State Work Relief Compensation Fund from the funds appropriated or to be appropriated for the biennium beginning June first, one thousand nine hundred and thirty-three, to the State Emergency Relief Board, the sum of twenty-five thousand dollars.

"Section 8. All acts and parts of acts, inconsistent herewith, are hereby repealed."

Amend Section 2, page 2, line 10, by striking out the figure "2" and inserting in lieu thereof: "9."

The SPEAKER. The report will be noted in the Journal, printed in the Legislative Journal and referred to the Committee on Judiciary General.

RESOLUTION

RECALLING HOUSE BILL No. 2156 FROM THE GOVERNOR

Mr. WILSON offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 2156, entitled "An Act to amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eight classes and revising amending and consolidating the laws relating

thereto' changing the procedure to create the office of county controller including procedures where decrees have heretofore been entered." be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1874 FROM THE GOVERNOR

Mr. SHEFFER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 1824, entitled "An act to amend section two of the act approved the third day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred thirty-five) entitled 'An act authorizing the Department of Justice acting for the Department of Forests and Waters to institute suits on behalf of the Commonwealth to recover from persons associations copartnerships and corporations and their officers agents and employes causing forest fires the expenses incurred by the Department of Forests and Waters to institute suits for such purposes where such expenses do not exceed three hundred dollars," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1124 FROM THE GOVERNOR

Mr. McELWEE offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1124, entitled "An act to amend section two hundred and ninety-five of the act approved the second day of May one thousand nine hundred and twenty-eight (Pamphlet Laws one thousand two hundred seventy-eight) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by limiting the compensation of the clerk to the jury commissioners in counties of the sixth class," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION No. 81

Mr. DENNING. Mr. Speaker, I desire to call up at this time Resolution No. 81, Printer's No. 1090.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That the Speaker of the House of Representatives appoint four Members of the House, and the President pro tempore of the Senate appoint three Members of the Senate, who, together, shall constitute a Joint Legislative Committee, whose duty it shall be to thoroughly investigate affairs of the Department of Property and Supplies relating to legislative printing, the work of the Public Printer, the purchase of supplies for State printing, ways and means of improving legislative printing in the interest of economy and efficiency, and such other matters and affairs relating to legislative printing as the Committee deems necessary.

Resolved, That said Committee shall have power to issue subpoenas under the hand and seal of its chairman, requiring and commanding any person to appear before it and to answer such questions touching matters properly being inquired into by the Committee and to produce such books, papers, records and documents as the Committee may deem necessary. Such subpoenas under the hand and seal of its chairman, requiring and commanding any person to appear before it and to answer such questions touching matters properly being inquired into by the Committee and to produce such books, papers, records and documents as the Committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoens issued out of the courts of this Commonwealth. Each Member of the Committee shall have power to administer oaths of affirmations to witnesses appearing before it. Any person who shall willfully neglect or refuse to appear and testify before said Committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of this Commonwealth in such cases.

Resolved, That an item be inserted in the General Appropriation Bill to pay the expenses of said Committee.

Resolved, That said Committee shall make report of its findings accompanied by such drafts of legislation as it deems necessary to the next Session of the Legislature.

On the question,

Will the House adopt the resolution?

MOTION TO RECOMMIT

Mr. HUTTON. Mr. Speaker, I move that this resolution be referred to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Mr. DENNING. Mr. Speaker, I would like to interrogate the gentleman from Franklin, Mr. Hutton.

The SPEAKER. Will the gentleman from Franklin, Mr. Hutton, permit himself to be interrogated?

Mr. HUTTON. I will, Mr. Speaker.

Mr. DENNING. Mr. Speaker, may I ask what the gentleman's object is in recommitting this resolution or sending it to the Committee on Appropriations?

Mr. HUTTON. Mr. Speaker, this is not a recommittal. It is a reference to the Committee on Appropriations. In view of the fact that the second resolution provides that an item be inserted in the General Appropriation Bill to pay the expenses of said committee, consequently the Committee on Appropriations is the proper committee to take cognizance of this matter.

Mr. DENNING. Mr. Speaker, what is the difference between the committee that the gentleman just asked to have appointed and the committee that I have asked to be appointed? Where was that resolution sent? Was that referred to the Committee on Appropriations?

Mr. HUTTON. The motion was to refer it to the Committee on Appropriations of the House.

Mr. DENNING. Mr. Speaker, that does not answer my question. I would like to know where that resolution was sent.

Mr. HUTTON. To which resolution does the gentleman refer, Mr. Speaker?

Mr. DENNING. In reference to insurance.

Mr. HUTTON. Mr. Speaker, that has not been referred. That has been laid over for printing.

The SPEAKER. On the interrogation, may the Chair inform the gentleman from Philadelphia, Mr. Denning, that the motion before the House pertains to Resolution No. 81 and that no other resolution is before the House at this time.

Mr. DENNING. Mr. Speaker and members of the House, I ask you to vote no on this motion.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Will the House adopt the resolution?

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, will state his point of order.

Mr. ANDREWS. Mr. Speaker, neither a bill nor a resolution carrying an appropriation can come before the House until it has been referred to the Committee on Appropriations.

The SPEAKER. On the point of order raised by the gentleman from Cambria, Mr. Andrews, the Chair would say that if a clause in a resolution appropriated a specific sum it would be well taken, but in view of the fact that this clause does not make an appropriation, the point of order is not well taken.

Mr. HART. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Denning.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Denning, permit himself to be interrogated?

Mr. DENNING. I will, Mr. Speaker.

Mr. HART. Mr. Speaker, has the Committee on Printing made any effort to get the information sought by this resolution?

Mr. DENNING. Not the Committee on Printing as a whole, Mr. Speaker, but the chairman of that Committee has done so.

Mr. HART. Mr. Speaker, I understand that the chairman of that committee has done so, acting for the Committee.

Mr. DENNING. Yes, Mr. Speaker.

On the question recurring,

Will the House adopt the resolution?

The resolution was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 911 FROM THE GOVERNOR

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 911, entitled "An act to amend sections four and five of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eighty) entitled 'An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances' by providing for the extension of the period during which such taxes shall remain liens on real estate and authorizing the filing of such liens in the prothonotary's office," be recalled from the Governor for the purpose of amendment.

Ordered, That the clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 500 FROM THE GOVERNOR

Mr. MASON asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 500, entitled "An act to amend the act approved the twenty-fifth day of February one thousand eight hundred and seventy-five (Pamphlet Laws four) entitled 'A supplement to the act approved March thirty-first one thousand eight hundred and sixty entitled "An act to consolidate revise and amend the penal laws of t his Commonwealth" further defining the offence of kidnaping and affixing additional penalties thereto' by increasing the penalty for kidnaping of children under the age of sixteen years with intent to extort money for restoration," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

JOINT LEGISLATIVE COMMITTEE TO STUDY INSURANCE CODE

Mr. SCHWARTZ offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, May 1, 1933.

Whereas, Bills codifying and revising the law relating to the Insurance Department and insurance companies have been presented to this session of the Legislature and there is not sufficient time for the Senate and House of Representatives to complete studies of these codes so as to authorize their adoption at this session of the Legislature, therefore be it

Resolved (if the Senate concur), That the President pro tempore of the Senate appoint three members of the Senate and the Speaker of the House of Representatives appoint four members of the House, who, together shall constitute a joint legislative committee whose duty it shall be to study House Bill No. 926, known as the "Insurance Department Code," and House Bill No. 1400, known as the "Insurance Code," to prepare such corrections and amendments to said codes as may be deemed necessary, and to resubmit said bills with its corrections and amendments to the legislative session of 1935.

Resolved, That an item of two thousand dollars ($2,000) be inserted in the General Appropriation Bill to pay the expenses of the members of said committee.

MOTION TO RECOMMIT

Mr. SHELLENBERGER. Mr. Speaker, I move that House Bill No. 1018, Printer's No. 1082, entitled

An Act to amend section three of the act approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons, and registration of corporations, engaging in the care, preparation and disposition of the bodies of deceased persons; and providing penalties"; by permitting the licensing of the spouse of a deceased licensed undertaker without necessity of certain educational qualifications.

on page 9 of today's calendar, bills on third reading, be recommitted to the Committee on Education for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. GREEN. Mr. Speaker and members of the House, this bill has been in committee since February 21st. It came out for first and second reading on April 10th and 11th respectively. It was referred back to committee for further consideration on April 12th. I think that this bill has been thoroughly studied and I ask the members to vote this motion down.

On the question recurring,

Will the House agree to the motion?

The motion was not agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2366, as follows:

An Act making an appropriation out of the Motor License Fund for highway purposes in counties of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three million dollars is hereby appropriated out of the Motor License Fund for the period commencing on the first day of June one thousand nine hundred thirty-three and ending on the thirty-first day of May one thousand nine hundred thirty-five to be paid to counties of the first class on orders of the Secretary of Highways for the purposes of constructing reconstructing maintaining and repairing the roads and highways of such counties and of cities coextensive with such counties Payments out of this appropriation shall be made quarterly upon requisition of the Secretary of Highways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2365 (Senate Bill No. 1203), entitled:

An Act requiring certain persons associations copartnerships and corporations to keep full accounts and records with respect to the sales and transactions relating to dairy products and to submit the same to inspection by the secretary of agriculture and prescribing the effect of failure to comply with the orders of the secretary of agriculture "providing penalties and prescribing remedies and by further regulating the issuance and revocation of permits as provided by the Act approved the sixth day of May one thousand nine hundred and twenty-five (Pamphlet Laws five hundred forty-one) entitled "An act providing for the protection of the public health and the prevention of fraud and deception by regulating the weighing testing buying and selling of milk and cream providing for the examination and appointment of certified testers and the issuing of licenses and making of tests and providing penalties" as amended"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when used in this act

A The term "person" shall include individuals partnerships corporations and associations

B The term "secretary" shall mean the secretary of agriculture

C The term "dairy products" shall mean milk cream skimmed milk "powdered milk evaporated milk condensed milk butter cheese or any other article manufactured and produced in whole or in part from milk or cream" ice cream and all other dairy products whether or not frozen refrigerated or packed in ice and whether or not mixed together or in combination with any other substance

D "Permit" shall mean the permit issued by the Department of Agriculture in accordance with the provisions of the act approved the sixth day of May one thousand nine hundred and twenty-five (Pamphlet Laws five hundred forty-one) entitled "An act providing for the protection of the public health and the prevention of fraud and deception by regulating the weighing testing buying and selling of milk and cream providing for the examination and appointment of certified testers and the issuing of licenses and making of tests and providing penalties" as amended and the permit issued in accordance with said act shall when hereafter issued by the Department of Agriculture include the right in the holder thereof to engage in the business defined by this act and made subject to the terms of this act and such permit shall be subject to the terms of this act

E "Permittee" shall mean any person co-partnership association or corporation required to have a permit and engaged in the business of receiving dairy products to be sold exchanged delivered or otherwise disposed of for a consideration or price to be paid to the producer thereof by the holder of such permit based entirely or in part upon the price received or derived from the sale or disposition of such dairy products or any part thereof by the holder of such permit provided however that "permittee" shall not mean and shall not be taken to include any cooperative agricultural association not conducted for profit incorporated under the laws of this Commonwealth or any similar association incorporated under the laws of any other state or producers of milk engaged in the sale of their own products

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 10 by striking out before the word "powdered" the ".

Amend section 1, page 2, line 12 by striking out after the word "cream" the ".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 No permittee shall make any fraudulent charge in respect of any dairy product received by him nor make any false or misleading statement concerning the condition quality quantity or disposition of or the condition of the market for any dairy product received by him or fail or refuse truly and correctly to render and account promptly in respect of any transaction in any such product to the person from whom such product was received nor represent by word act or deed that any dairy product received by him was produced in a state county or township other than the state county or township where such dairy product was actually produced

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 5, line 7 by striking out the word "and" and inserting in lieu thereof "an."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 Every permittee shall keep such accounts records and memoranda as shall fully and correctly disclose the quantities of milk and other dairy products received "the grade designations thereof and" all sales and other disposition of the same "including the sales by grade and in bottles and in bulk and the sales at retail and wholesale and for manufacturing or other purposes together with the price or prices received therefor" If such accounts records and memoranda are not so kept the secretary shall immediately request such permittee to keep such accounts records and memoranda and

upon failure of such permittee to comply within fifteen days after the request the secretary shall have power to forthwith revoke the permit "or permits of such permittee"

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 5, line 18 by striking out after the word "received" the ".

Amend section 3, page 5, line 19 by striking out after the word "and" the ".

Amend section 3, page 5, line 26 by striking out before the word "including" the ".

Amend section 3, page 5, line 29 by striking out after the word "therefor" the ".

Amend section 3, page 6, line 11 by striking out before the word "or" the ".

Amend section 3, page 6, line 11 by striking out after the word "permittee" the ".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 "Any person or cooperative agricultural association selling or delivering dairy products to a permittee may complain in writing to the secretary against such permittee setting forth under oath that he or it has reasonable grounds to believe that such permittee is violating or has violated any of the terms and provisions of this act within a period of one year prior to the date of such complaint and may request" an audit or inspection of the accounts records and memoranda of such permittee "provided for by Section three hereof" and upon receipt of such complaint and request together with the estimated costs and expenses of such audit and inspection the secretary or his duly authorized agents shall within one month of such complaint audit and inspect such accounts records and memoranda of all permittees complained of and if any permittee refuses to permit such audit or inspection or refuses to permit the secretary or his duly authorized agent the right of entry to and upon his premises for the purpose of such audit or inspection the secretary shall have power to forthwith revoke the permit or permits issued to such permittee until such time as such permittee shall allow such audit and inspection If upon such audit and inspection it shall appear to the secretary or to his duly authorized agents that any permittee has made any fraudulent charge in respect of any dairy product received by him or has made any fraudulent or misleading entry or statements concerning the condition quantity quality or disposition of or the condition of the market for any dairy product received by him or has failed or refused truly and correctly to render and account in respect of any transaction in any such product to the person or cooperative Agricultural association for whom such products were received "as required in Section two of this Act" said secretary shall forthwith notify the complainant and such permittee shall have made reparation to the complainant the secretary shall determine the amount of damage if any to which such person or cooperative agricultural association is entitled because of such violation and shall make an order directing such permittee to pay to the person or cooperative agricultural association entitled thereto the amount so determined to be due together with such costs and expenses of the audit and inspection as may have been advanced by the complainant as hereinbefore provided on or before the date fixed in the order

If any permittee fails to comply with such order of payment within the time limit in such order the complainant or any person for whose benefit such order was made may within one year of the date of the order "proceed to recover from the permittee the liability and damages fixed by the Secretary by action in assumpsit in which action a copy of the findings and orders of the Secretary certified by the Secretary under the seal of the Department of Agriculture shall be competent evidence to prove the facts therein stated Such action may be instituted in any county in which is located one or more plants of the permittee for which plant or plants a permit is required or of the county where the plaintiff resides or if the plaintiff be a cooperative agricultural association of the county where such cooperative agricultural association has its principal place of business"

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 6, line 18 by striking out before the word "Any" the ".

Amend section 4, page 6, line 25 by striking out after the word "request" the ".

Amend section 5, page 6, line 27 by striking out before the word "provided" the ".

Amend section 4, page 6, line 27 by striking out after the word "hereof" the ".

Amend section 4, page 7, line 23 by striking out the word word "received" the ".

Amend section 4, page 7, line 24 by striking out the word "Agricultural" and insert in lieu thereof "agricultural."

Amend section 4, page 7, line 25 by striking out after the word "received" the ".

Amend section 4, page 7, line 25, by striking out after the word "Act" the ".

Amend section 4, page 8, line 18 by striking out before the word "proceed" the ".

Amend section 4, page 9, line 1 by striking out after the word "business" the ".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read as follows:

"Section five The Secretary before the audit and inspection as hereinbefore provided and upon ten days notice to the permittee may require upon forms of report to be prepared and furnished by the secretary information regarding the sale and disposition of the dairy products received by such permittee and concerning which said permittee is required to keep accounts records and memoranda as provided by Section three of this act The secretary if in his opinion the information so reported be true accurate and complete may accept such information in lieu of the audit and inspection as required by Section four of this act and make his findings and orders thereon"

"On or before Mrach one of each year each permittee shall file with the Secretaary an annual report under oath on forms to be prepared and supplied by the Secretaray furnishing such information regarding purchases and sales of dairy products by such permittee during the preceding calendar year as shall by the Secretary be deemed necessary for the administration of this Act and for the promotion of the dairy industry of the state and the data contained in said reports shall be compiled by the Secretary and made available for public use in reports showing totals by municipality or area and not by classification of permits or permittees

"The Secretary shall hold and keep in strict confidence and not available for public use except as hereinbefore provided all information obtained by him under the provisions of this Act The findings and order of the Secretary as provided in Section four hereof shall contain only the data necessary to a complete adjustment of the matter at issue between the one filing the complaint and the permittee"

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 5, page 9, line 5 by striking out before the word "Section" the ".

Amend section 5, page 9, line 5 by striking out the word "five" and inserting in lieu thereof "5."

Amend section 5, page 9, line 17 by striking out after the word "thereon" the ".

Amend section 5, page 9, line 18 by striking out before the word "On" the ".

Amend section 5, page 9, line 18 by inserting after the word "before" the words "the first day of."

Amend section 5, page 9, line 18 by striking out the word "one."

Amend section 5, page 10, line 3 by striking out after the word "The" the ".

Amend section 5, page 10, line 10 by striking out after the word "permittee" the ".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth section was read and agreed to as follows:

Section 6 Whenever it shall be finally determined that any permittee has violated any of the provisions of this act and neglects or refuses to comply with the order of reparation of the secretary the secretary shall have power by order to suspend the permit or permits of such permittee as hereinbefore provided for a period not exceeding one year

The seventh section was read as follows:

Section 7 Each section of this act and each sentence clause and phrase hereof is declared to be independently operative and if any section sentence clause or phrase shall be adjudged invalid by any court of competent jurisdiction it shall not affect or invalidate the remainder of this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provision not been included herein"

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 7, page 10, line 20 by striking out at the beginning of said line and before the word "Section" the ".

Amend section 7, page 10, line 27 by striking out after the word "herein" the ".

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eighth section was read and agreed to as follows:

Section 8 This act shall take effect immediately upon final enactment

The ninth section was read as follows:

Section "9 This Act shaall not repeal the act approved the sixth day of May one thousand nine hundred and twenty-five (Pamphlet Laws five hundred forty-one) entitled "An act providing for the protection of the public health and the prevention of fraud and deception by regulating the weighing testing buying and selling of milk and cream providing for the examination and appointment of certified testers and the issuing of licenses and making of tests and providing penalties" as amended but is hereby declared to be in addition and supplementary thereto" All acts or parts of acts inconsistent herewith are hereby repealed.

On the question,

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 9, page 11, line 1 by striking out before the figure "9" the ".

Amend section 9, page 11, line 10 by striking out after the word "thereto" the ".

Amend section 9, page 11, line 10 by inserting after the word "All" the word "other."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act requiring certain persons associations copartnerships and corporations to keep full accounts and records with respect to the sales and transactions relating to dairy products and to submit the same to inspection by the secretary of agriculture and prescribing the effect of failure to comply with the orders of the secretary of agriculture "providing penalties and prescribing remedies and by further regulating the issuance and revocation of permits as provided by the act approved the sixth day of May one thousand nine hundred and twenty-five (Pamphlet Laws five hundred forty-one) entitled "An act providing for the protection of the public health and the prevention of fraud and deception by regulating the weighing testing buying and selling of milk and cream providing for the examination and appointment of certified testers and the issuing of licenses and making of tests and providing penalties" as amended"

On the question,

Will the House agree to the title?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title page 1, line 7, by striking out before the word "providing" the ".

Amend title page 2, line 2 by striking out after the word "amended" the ".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill Bill No. 1535, entitled:

An Act to further amend section one of the act approved the the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred and seven) entitled "An act fixing the liability of the counties poor districts and the Commonwealth for the support of the indigent and partly indigent insane in State institutions" by further defining the procedure for the administration of the act

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred seven) entitled "An act fixing the liability of the counties poor districts and the Commonwealth for the support of the indigent and partly indigent insane in State institutions" as last amended by the act approved the first day of June on thousand nine hundred and thirty-one (Pamphlet Laws three hundred) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the part of the cost of the care and maintenance including clothing of the indigent insane whether chronic or otherwise in the State hospitals for the insane payable by the counties or poor districts is hereby fixed at the uniform rate of three dollars per week for each person which shall be chargeable to the county or poor district from which such insane person shall have come and the amount of the aforesaid cost over and above three dollars per week chargeable to the counties or poor districts shall be paid by the Commmonwealth Provided That where a portion of the cost of the care and maintenance including clothing is collected during any billing period from such patient's estate or [the] any other person or persons [liable for his or her support] then [the uncollected portion of such cost] one-half of the amount so collected [for] during such billing period shall be [divided equally between the Commonwealth and] credited to the county or poor district liable for such patient's support [except that such county or poor district shall not be liable for more than three dollars per week per patient] If the Department of Revenue shall subsequently collect or receive from the patient or any other person or persons all or part of the cost of the care and treatment including clothing of such patient for which the county or poor district was billed and which it has paid then the department shall extend to such county or poor district in the next periodical billing a proper credit whether or not in such billing there be any charge for the care and treatment including clothing of the particular patient The amount of such credit shall be [the difference between the amount so paid by the county or poor district and the amount for which the county or poor district would have been billed if the subsequent collections had been received or collected at the time such previous billing was rendered] one-half of such amount subsequently collected Such county or poor district shall not in any case be liable for more than three dollars per week per patient

On the question,

Will the House agree to the section?

Mr. WILSON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend line 14, page 3, Section 1, by inserting after the word "be" the following: "receive credits aggregating more nor"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

An Act to further amend section one of the act, approved the twenty-fifth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, seven hundred and seven), entilted "An act fixing the liability of the counties, poor districts, and the Commonwealth for the support of the indigent and partly indigent insane in State institutions," by further defining the procedure for the administration of the act.

And said bill having been read at length the second time, and agreed to as amended.

Oredered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2374 (Senate Bill No. 1459), as follows:

An Act to amend sections one hundred and twenty-seven one hundred and twenty-eight one hundred and twenty-nine and one hundred and thirty as added and to add section one hundred and thirty-one to the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administeded and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further regulating the creation of union school districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one hundred and twenty-seven one hundred and twenty-eight one hundred and twenty-nine and one hundred and thirty of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand twenty-three) are hereby amended to read as follows

Section 127 Any two or more school districts may form a union school district in the following manner Each of said districts desiring to form a union school district shall present a petition to the county commissioners of the county where such district is located signed by at least [one-fourth of the whole number of taxable residents in such] a majority of the members of the board of school directors of each of said districts The county commissioners shall take no action upon such petitions until they have been approved in writing by the Superintendent of Public Instruction After such petitions have been approved and filed it shall be the duty of the county commissioners to submit to the electors of the respective districts desiring to form a union school district at the next general or municipal election a question whether or not such school districts shall be united ito a union school district Such question shall be submitted in the form and manner provided by the general election laws of this Commonwealth for the submission of similar questions

Section 128 If a majority of the voters of each school district voting at said election shall be in favor of establishing a union district as shown by the returns of said election a certificate of the return shall be filed with the Superintendent of Public Instruction and with the clerk of the court of quarter sessions of the county and with the board of school directors of each of said school districts

Section 129 Whenever any union district shall be formed as herein provided such district shall become a union school district on the first Monday in July after it has been formed The classification of any such union school district shall be be determined for the purposes of this act by the combined population of all of the districts united as shown by the last preceding decennial census of the United States

Section 130 Whenever any two or more school districts shall be consolidated into a union school district as herein provided all the debts and liabilities of the several districts shall become the debts of the union school district unless otherwise provided by an agreement in writing approved by a majority vote of each board of school directors prior to the time said questions of forming a union school district is submitted to the voters All rights of creditors against any of the said district shall be preserved against the union school district All property heretofore vested in the several districts shall become vested in the union district and all debts and taxes owing to the districts uncollected in the several districts and all moneys in the treasuries of the several districts shall be paid to the treasurer of the new district

Section 2 That said acts is hereby further amended by adding after section one hundred and thirty a new section to read as follows

Section 131 Whenever any two or more school districts shall be so consolidated into a union school district the directors then in office in each of said districts shall continue in office until the expiration of their respective terms and shall jointly constitute the board of school directors of the union school district At the first municipal election after such a union school district is created and at each subsequent municipal election there shall be elected in such union school district the same number of school directors and for like terms as is provided by this act for school districts of the class to which such union school district belongs so that upon the expiration of the terms of the directors of the former districts which were united the board of school directors of such union school district shall be composed of the same number as in other districts in said class

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whose being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2367 (Senate Bill No. 315), entitled:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise tranacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts

Article I, sections one, two and three were separately read and agreed to as follows:

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows:

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Department of Banking Code"

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Department" the Department of Banking of this Commonwealth

"Secretary" the Secretary of Banking of this Commonwealth or his duly authorized deputy or representative

"Corporation" a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Person" and individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals

"Institution" a corporation or a person as defined in this section which is subject to the supervision of the Department

"Court" the court of common pleas of the county in which the corporation or person has its principal or only place of business in this Commonwealth or where an institution of which the Secretary is receiver is concerned the particular court in which the certificate of possession as defined later in this act is filed

"Prothonotary" the prothonotary of such court

"Written" this includes printed typewritten engraved lithographed photographed photostated telephotographed

B Article and section headings shall not be construed to affect in any manner the scope or meaning of any article or section of this act

C The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 3 Notices to Corporations and Persons Unless expressly provided otherwise all written notices required by this act to be given to any corporation or person shall be (1) served in the manner now or hereafter established by law for the service of writs of summons except that such service need not be made by the sheriff or (2) mailed charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation formed under the laws of this Commonwealth to its principal office and (c) in the case of a corporation formed under the laws of some other state to the office of its duly authorized agent in Pennsylvania or if there be no duly authorized agent in Pennsylvania to its home office in the state of incorporation or in any other state

If a notice is sent by mail such notice shall be deemed to have been given to the corporation or person addressed when it is deposited in the United States mail for transmission to such corporation or person

Article I, section four, was read as follows:

Section 4 Advertisements Publications or Notices in Newspapers A Unless expressly provided otherwise any advertisement publication or notice in a newspaper required by this act shall be published once a week for three successive weeks in a newspaper of general circulation in the county as defined by the Newspaper Advertising Act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eight-four) its supplements and amendments published in the city borough or township in which the principal business of the institution is located

If there is no newspaper of general circulation published in the city borough or township then the advertisement publication or notice shall be inserted in a newspaper of general circulation in the county published at the county seat If no newspaper of general circulation in the county is published at the county seat then such advertisement publication or notice shall be inserted in the newspaper of general circulation published nearest to the city borough or township in which the principal place of business of such institution is located and within the county If there is no newspaper of general circulation published within the county then the ad-

vertisement or notice shall be inserted in the newspaper of general circulation published nearest to such city borough or township in an adjoining county

B Any proof of publication required by this act shall be in accordance with the requirments set forth in the definition of proof of publication contained in the Newspaper Advertising Act

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 10, line 6, by striking out the bold face brackets before and after the figure "(1)."

Amend section 4, page 10, line 13, by striking out the bold face bracket before the word "and".

Amend section 4, page 10, line 16, by striking out at the end of the line the bold face bracket after the word "Act."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article I, sections five to fourteen inclusive, were separately read and agreed to as follows:

Section 5 Waiver of Notice Any notice required by this act to be given to any corporation or persons may be waived by such corporation or person either before or after the day prescribed for the giving of such notice but any such wavier shall not dispense with any advertisement publication or notice in a newspaper required by any provision of this act Such waiver shall be in writting and signed by such corporation or person

Section 6 Fees Except as otherwise specifically provided in this act any prothonotary or recorder of deeds and any State department board commission or officer other than the Department of Banking or its employes shall be entitled to receive for services performed as required by this act such fees as it lawfully charges for such similar services

Section 7 Certification of Copies and Affixing of Department Seal all certifications by the Department of copies of books accounts reports or other papers filed with it shall bear the official seal of the Department

Section 8 Fees for Copies and Certifications by Department The Department may be general rule or regulation prescribe and charge reasonable fees for any copy of a book account report or other paper filed in its offices and for any certification thereof authorized or required by law

Section 9 Admissibility of Copies into Evidence When duly certified by the Department a copy of any book paper or document on file with it shall be evidence in any court of law or equity in any investigation or proceeding authorized by law or for any other purpose equally and with the same effect as the original but in any proceeding the court having jurisdiction may on cause shown require the production of the original

Section 10 Evidential Value of Results of Exanimations The record of any examination or investigation of an institution by the Department or the report by the examiner or employe of the Department who conducted such examination or investigation or a copy of either when duly certified by the Department shall be prima facie evidence of the facts therein stated in any action at law or in equity in which one of the parties is the Department or any officer or employe thereof either in his official capacity or otherwise where the basis of the action is an act performed by him in the name of the Department

Section 11 Appeals from Court Orders Whenever pursuant to the provisions of this act any judgment decree or other order is entered by any court in this Commonwealth either for or against the Department or any relief requested by or against the Department is refused by such court either the Department or any other party to such proceeding shall have a right of appeal to the Supreme Court in the manner provided by law for appeals to the court regardless of the amount in controversy

Section 12 Construction of References A Any reference in this act to any act by title or otherwise shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

B Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act as well as those then in existence

Section 13 Saving Clause A The provisions of this act in so far as they are the same as those of existing acts shall be construed as a continuation of such acts and not as new enactments The repeal by this act of any existing act or any part thereof shall not be construed to revive any act or part of any act heretofore repealed or superseded

B The provisions of this act shall not affect any act done liability incurred or right accrued or any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any act repealed or superseded by this act

C Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term subject to the conditions attached to such office prior to the passage of this act

D All resolutions regulations and rules made pursuant to any act repealed by this act shall unless inconsistent with any provision of this act continue with the same force as if such act had not been repealed

Section 14 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Article I, section 15, was read as follows:

Section 15 Act Not Applicable to Small Loan Companies and certain private banks A This act does not apply to and does not affect any act relating to corporations and persons licensed by the Department to make small loans as provided by the act approved the seventeenth day of June one thousand nine hundred fifteen (Pamphlet Laws one thousand twelve) entitled "An act regulating the business of loaning money in sums of three hundred ($300.00) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" its amendments and supplements

B This act likewise does not apply to any individual partnership or unincorporated association engaged in business as a private banker or private bankers if such individual partnership or unincorporated association and his or their predecessor or predecessors or one or more of the members thereof have continuously and in the same locality conducted the business since a date not less than seven years prior to the nineteenth day of June one thousand nine hundred eleven

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Root.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Root, permit himself to be interrogated?

Mr. ROOT. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Philadelphia whether the amendment, as offered, does not place back in the act that the supervision of private bankers shall be under the supervision of the Banking Department?

Mr. ROOT. That is correct, Mr. Speaker.

On the question,

Will the House agree to the section?

Mr. ROOT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend page, 14, Section 15, line 11, by striking out the words "and certain private banks."

Amend page 14, Section 15, by striking out lines 24 to 29, inclusive.

Amend page 15, Section 15, by striking out lines 1 to 3, inclusive.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair now rules that in future no amendments will be accepted at the desk unless they refer to the particular sections or particular articles. It is a great deal easier for the members to ascertain than it is for the Chair or the Clerks to recognize the amendments when they are sent to the desk. The members will govern themselves accordingly.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article II, section 201, was read as follows:

ARTICLE II

JURISDICTION AND MAINTENANCE OF DEPARTMENT

Section 201 Corporations and Persons Subject to Supervision of Department The Department shall have the power to supervise

(1) All corporations and persons which are authorized to receive or which do receive in this Commonwealth money on deposit or for safe-keeping or which are authorized to engage or which do engage in this Commonwealth in a banking business and all corporations which are authorized to act or which do act in this Commonwealth as trustees guardians executors administrators or in other fiduciary capacities including banks bank and trust companies trust companies private banks other than those exempted by this act savings banks mutual savings funds and safe-deposit companies but not including hotels or clubs which receive money from guests or members for temporary safe-keeping express steamship or telegraph companies which receive money for transmission and attorneys at law real estate agents and attorneys in fact who are not engaged in the business of receiving moneys in this Commonwealth for deposit or for transmission but receive and transmit moneys only as an incident to their general business or profession brokers licensed under the laws of this Commonwealth holding membership in a lawfully constituted brokerage exchange who do and have authority to do such banking as is incidental to their brokerage business

(2) All building and loan associations authorized to transact or transacting business in this Commonwealth

(3) All national banking associations incorporated under the laws of the United States which are authorized to act and which do act in this Commonwealth as trustees guardians executors administrators or in any other fiduciary capacities to the extent to which supervision by state authorities is or may be permitted under the laws of the United States

However when any corporation subject to the supervision of the Department of Banking shall also engage in a title insurance business a mortgage guarantee business or any other business subject to the supervision of the Insurance Department such branch of its business shall not be subject to the supervision of the Department of Banking

On the question,

Will the House agree to the section?

Mr. ROOT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend page 15, Section 201, line 18, by striking out the words "other than those exempted by this act."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article II, sections 202 to 204 inclusive were separately read and agreed to as follows:

Section 202 General Scope of Supervision Exercise of Discretion A In addition to the powers and duties provided for in this act the Department shall exercise any power and fulfill any duty imposed upon it by any other law of this Commonwealth Except where otherwise specifically provided the Department shall enforce and administer all laws of this Commonwealth which relate to any institution and shall exercise such general supervision over institutions as will afford the greatest possible safety to depositors other creditors and shareholders thereof

B Whenever under this act discretion is vested in the Department as to whether or the manner in which to exercise a power or fulfill a duty the Department shall after such examination or investigation as it shall deem appropriate under the circumstances take such action as it deems to the best interests of the depositors other creditors and shareholders of such institution

Section 203 Appropriation for Expenses of Department Receipts A All moneys collected or received by the Department arising from fees assessments charges and penalties from the sale by the Department of Property and Supplies of unserviceable property originally paid for out of the Banking Department Fund and from similar sources are hereby specifically appropriated to the Department of Banking to be used to pay its expenses including the following

(1) Salaries of the Secretary the deputies the examiners the other employes of the Department and such deputy attorneys general special deputy attorneys general assistant deputy attorneys general and other counsel as may be assigned by the Department of Justice to the Department or to the handling of any legal business pertaining to its work

(2) Rental and other expenses for office rooms garage space and other accommodations outside of the Capitol Buildings either in or outside of the capital city occupied by the Department

(3) Premiums for Workmen's Compensation Insurance covering the officers and employes of the Department

(4) Premiums for surety bonds for such officers or employes of the Department as may be required by law to furnish such bonds

(5) Purchase and operating costs of motor vehicles required by the Department for full-time use including premiums for liability insurance covering such motor vehicles and the Department officers and employes operating them also the amount payable to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use by the Department of Banking

(6) Furniture stationery materials supplies and all other overhead expenses of the Department

All such purchases and leases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as agent

B Estimates of the amounts to be expended under this act by the Department of Banking either itself or through the Department of Property and Supplies as purchasing agent shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Banking or by the Department of Property and Supplies as its agent in excess of the estimates approved by the Governor Subject to this provision the Auditor General shall from time to time draw warrants upon the State Treasury for the amounts specified in such requisitions not exceeding however the amount in the Banking Department Fund at the time of the making of any such requisition

Section 204 Assesment of Express of Department upon Institutions A All the expenses of the Department including

those enumerated in this act or otherwise authorized by law shall be charged to and paid by all institutions in such equitable amounts at such times and in such manner as the Department shall by general rule or regulation prescribe The expenses incurred by the Department in connection with any examination or investigation whether regular or special including a proportionate part of the salary of any examiner or other employe of the Department engaged in such examination or investigation and all counsel assigned by the Department of Justice at the request of the Department of Banking to an examination or investigation may be assessed by the Department of Banking upon the particular institution examined or investigated

B The Department shall give written notice to each institution of the amount lawfully charged against it under the provisions of this act The institution shall pay the amount of such assessment to the Department within thirty days after such notice If payment is not made by any institution within such thirty-day period the Department through the Department of Justice may institute an appropriate action at law for the amount lawfully assessed against such institution together with any additional costs incurred by the Department of Banking or the Department of Justice by virtue of such failure to pay

Article III was read and agreed to as follows:

ARTICLE III
RESTRICTIONS UPON DEPARTMENT AND EMPLOYES THEREOF

Section 301 Relationship of Employes of Department with Institutions Penalty A Neither the Secretary nor any deputy examiner clerk or other employe of the Department shall be an officer director trustee manager employe or shareholder of or directly or indirectly have any pecuniary interest in any institution nor shall he after becoming Secretary or a deputy examiner clerk or other employe of the Department directly or indirectly receive from any institution or from any officer director or employe thereof any sum of money or other property whether as a gift credit loan or otherwise However the Secretary or any deputy examiner clerk or other employe of the Department may secure from any institution a mortgage loan upon his own home upon the same terms and in the same manner as are provided by law for mortgage loans by such institutions upon real property and as are customarily imposed and followed by the institution making such loan

This section shall not be construed to prohibit the Secretary or any deputy examiner clerk or other employe of the department from becoming a depositor in any institution

B A violation by the Secretary deputy examiner clerk or other employe of the prohibitions of this section shall constitute sufficient ground for his removal from office In addition the Secretary deputy examiner clerk or other employe committing such violation shall be deemed guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount of the gift credit loan or other sum of money which he has directly or indirectly received in violation of this section

Section 302 Disclosure of Information Forbidden Penalty Exceptions A Neither the Secretary nor any deputy examiner clerk or other employe of the Department shall publish or divulge to any one any information contained in or ascertained from any examination or investigation made by the Department or any letter report or statement sent to the Department or any other paper or document in the custody of the Department except when the publication or divulgement of such information is made by the Department pursuant to the provisions of this act or of any other law of this Commonwealth or when the production of such information is required by subpoena or other legal process of a court of competent jurisdiction or when it is used in prosecution or other court actions instituted by or on behalf of the Department

B A violation of the provisions of this section by the Secretary or by any deputy examiner clerk or other employe of the Department shall be sufficient ground for his removal from office In addition the Secretary deputy examiner clerk or other employe committing such violation shall be deemed guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both

Article IV, sections 401 and 402, were separately read and agreed to as follows:

ARTICLE IV
EXAMINATIONS BY AND REPORTS TO THE DEPARTMENT

Section 401 Examinations of Institutions (a) The Department shall examine all institutions thoroughly at least once each year and more frequently if it deems such action necessary or advisable to safeguard the interests of depositors other creditors or shareholders of such institutions This examination shall include a complete review of the property assets and resources of the institution the loans and discounts made by it and the collateral deposited with it as security for such loans the mode of conducting its affairs the investment of its funds the interest taken in its affairs by its officers directors and employes if a corporation or by its employes and the partners or individuals owning it if a person its compliance with the law and with the terms of its charter or license if it has either and any other matters bearing any relation to its condition which the Department shall prescribe

The Department may also make special examinations or investigations of any institution at any time the Department deems such action necessary or advisable to protect depositors other creditors or shareholders thereof

(b) The Department when requested in writing by a person subject to its supervision or by the board of directors or the holders of a majority of the shares of capital stock of a corporation subject to its supervision shall examine or investigate the affairs and condition of such institution However this provision shall not be construed to mean that such person directors or shareholders shall have any greater right to require the Department to disclose to them the results of any such examination or investigation than they have in the case of any regular examination or investigation

(c) The Department upon the receipt of notice from the Insurance Commissioner that he has become receiver of a corporation or person any branch of the business of which is subject to the supervision of the Department of Banking shall examine or investigate the affairs and condition of such institution in order to determine whether any action should be taken by the Department of Banking pursuant to the provisions of this act

(d) Examinations or investigations shall be made by the Secretary or by qualified examiners or other qualified employes designated for that purpose by the Secretary or by his duly authorized deputy and empowered in writing by the Department to make examinations or investigations of institutions

(e) In the case of an institution which is a member of a Federal Reserve Bank the Department may in its discretion accept the examinations or reports made under the Federal Reserve Act in lieu of those required by this act

(f) In connection with any examination or investigation the Department shall have power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by the officers directors agents employes or members respectively of any corporation or person which the Department is authorized under the provisions of this act to examine The Department shall also have the power to question such witnesses under oath or affirmation and to examine such books and papers

Any witness who refuses to obey a subpoena issued under this section or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court and for this purpose an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed for which purpose such court is hereby given jurisdiction

Section 402 Examination of Corporations or Persons Affiliated with Institutions The Department of Banking shall have the power to supervise regulate limit or prohibit the activities of corporations or persons affiliated with institutions to the same extent as such activities of corporations or persons affiliated with national banking associations or with members of a Federal Reserve Bank are or shall be supervised regulated limited or prohibited by general law or by regulations issued by any Federal authority pursuant to law

Article IV, section 403, was read as follows:

Section 403 Reports to Department Publication Penalties A Every institution except building and loan associations shall

send to the Department at least twice each year and more frequently if the Department shall so order a complete report of its condition exhibiting in detail under appropriate headings the resources and liabilites of the institution Every building and loan association shall send such a report to the the Department once each year unless the Department orders more frequent reports

The Department may also require special reports on the condition of or any particular facts concerning any institution at any time the Department deems it necessary or advisable for the protection of the depositors other creditors or shareholders thereof

B The form of all reports the information to be contained in them and the date on which they shall be due shall be prescribed by the Department The reports shall be verified by the oath or affirmation of the president cashier secretary treasurer or other managing officer of a corporation or by one of the firm in the case of a partnership or other unincorporated association or by the banker if an individual In the case of a corporation the report shall also be attested as correct by the signatures of at least three of its directors or trustees

C Every institution except building and loan associations shall publish during each year in a newspaper or newspapers in the manner provided by this act abstract summaries of any two of its reports designated for this purpose by the Department and shall send proof of such publication to the Department Such publication shall be required only once in a newspaper of general circulation and in first and second class counties once in a legal newspaper Building and loan associations shall not be required to publish any abstract summaries of reports

D The Department shall furnish to anyone requesting it upon payment of a reasonable fee to be fixed by the Department an abstract summary of any report then in its possession of any building and loan association subject to its supervision showing the assets liabilities receipts and disbursements of such building and loan association

E Any institution which fails to make or publish any report or to furnish any proof of publication in accordance with the provisions of this section shall pay to the Department a penalty of one hundred dollars for each day after the time fixed by the Department for filing such report making such publication or furnishing such proof of publication but the Department may in its discretion relieve any institution from the payment of such penalty in whole or in part if good cause be shown to it for the failure of such institution to file or publish the report or to furnish proof of publication thereof If an institution fails to pay a penalty from which it has not been relieved the Department may through the Department of Justice maintain an action at law to recover it

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend bill, page 28, section 403, lines 16 and 17 by striking out the words "and in first and second class counties once in a legal newspaper"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article IV, section 404, was read and agreed to as follows:

Section 404 Disclosure of Information A The Department may divulge to an institution or to any officer or any director or trustee thereof any information contained in or ascertained from an examination or investigation of such institution made by the Department

(b) The Department on the written request or consent of any institution authorized in the case of corporations by resolution of its board of directors or its board of trustees as the case may be may discuss with any person or persons selected by the Department or selected by such institution and approved by the Department any maters relating to the financial condition of such institution

(c) The Department on the written request or consent of any institution authorized in the case of corporations by resolution of its board of directors or its board of trustees as the case may be may furnish to the Federal Reserve Board to the Federal Reserve Bank of the district in which the place of business of any institution is located or to any agency or instrumentality of the United States government or of the Commonwealth of Pennsylvania any information in its possession relating to such institution

(d) The Department may from time to time with the approval of the Governor cause to be published a summary of the condition of institutions under its supervision containing such information in relation to such institutions as in its judgment is desirable

(e) This section shall not be construed to require the Department to publish or divulge any such information when in the opinion of the Department such publication or divulgement is undesirable

Article V, sections 501 to 503, inclusive, were separately read and agreed to as follows:

ARTICLE V

ACTION BY DEPARTMENT AFTER OFFENSES BY OR CHANGES IN CONDITION OF INSTITUTIONS

Section 501 Orders by Department A Whenever it shall appear to the Department that any institution is violating any provision of its charter or of this act or of any other law regarding the business of such institution or that such institution is conducting business in an unsafe or unsound manner the Department may issue a written order under the seal of the Department directing such institution to discontinue within such period as shall be specified in the order such violation of law or such unsafe or unsound practice

B Whenever it shall appear to the Department that the capital of a corporation under its supervision has been impaired or the capital and surplus reduced below the minimum required by law or below the amount required by its articles of incorporation the Department may issue a written order under the seal of the Department directing such corporation to make good the deficiency within such period as shall be specified in the order

C Whenever it shall appear to the Department that the bond or securities of a person under its supervision which are required by law to be deposited with the Department have depreciated in value so that their present value is below the minimum amount required by law the Department may issue a written order under the seal of the Department directing such person to make good the deficiency within such period as shall be specified in the order

D Whenever it shall appear to the Department that any institution is not keeping its books and accounts in such manner as to enable the Department with reasonable facility to ascertain the true condition of the institution the Department may issue a written order under the seal of the Department requiring such institution within such period as shall be specified in the order to open and keep such books as the Department may in its discretion reasonably determine are essential for the purpose of keeping accurate and convenient records of the transactions and accounts of such institution

E Whenever any institution shall refuse to submit its records and affairs to a legally conducted examination or investigation by the Department the Department may issue a written order under its seal requiring such institution to permit the Secretary or other duly authorized examiner to make such examination or investigation within such period as shall be specified in the order

Section 502 Enforcement of Department's Order by Court Whenever an institution shall not comply with the terms of an order of the Department which has been properly issued under the circumstances the Department upon notice to the institution may through the Department of Justice petition the court of common pleas either of Dauphin County or of the county in which the institution has its principal or only place of business for an order directing the institution to obey the order of the Department within such period as shall be fixed by the court Upon the filing of such petition the court shall allow a rule to show cause why it should not be granted

Whenever after a hearing upon the merits it shall appear that the order of the Department was lawfully issued the court shall grant the petition of the Department

Section 503 Quo Warranto or Injunction Proceedings A When any corporation subject to the supervision of the Department (1) has not had its capital surplus or expense fund paid in as required by law or (2) has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation within two years after the issuance of its certificate of incorporation by the department of State or (3) has formerly exercised any of its corporate powers but for a period of two years has not exercised at least one of them the Department shall notify the Department of Justice of these facts and the Department of Justice may then proceed by quo warranto against such corporation in the manner provided by law to oust it from its corporate powers and privileges

B When any institution violates any provisions of its articles of incorporation and refuses to obey a lawfully issued order of the Department that it cease such violation the Department may notify the Department of Justice of these facts and the Department of Justice may then institute quo warranto proceedings against such corporation in the manner provided by law

C When any person subject to the supervision of the Department has not for a period of two years done any act in pursuance of its banking powers the Department shall notify the Department of Justice of these facts and the Department of Justice may then proceed against such person by the method provided by law to enjoin it permanently from doing a banking business in this Commonwealth

D Quo warranto or injunction proceedings brought pursuant to the provisions of this section may be instituted either in the court of common pleas of the county in which the institution has its place of business or in the Court of Common Pleas of Dauphin County

Article V, section 504, was read as follows:

Section 504 Taking of Possession by Department A The Department may take possession of the business and property of any institution subject to its supervision whenever it shall appear to it that such institution

(1) Is violating its articles of incorporation any order of the court issued upon application of the Department or any law of the Commonwealth regulating its business or

(2) Is conducting its business in an unauthorized or unsafe manner or

(3) Is in an unsafe or unsound condition to transact its business or

(4) In the case of a corporation has an impairment of its capital below the minimum required by law or by its articles of incorporation and in the case of a person has not made good a depreciation in the value of the bonds or securities deposited with the Department below the minimum required by law or

(5) Has suspended payment of its obligations without authority of law and in the case of a building and loan association has not for a period of one year after due demand or notice by a shareholder paid any matured share or any withdrawal or

(6) Has refused to submit its records and affairs to or its officers or directors have refused to be examined upon oath or affirmation concerning its affairs by the Secretary or any other duly authorized examiner in connection with any lawful examination or investigation or

(7) Requests the Department by its board of directors or its board of trustees in the case of a corporation and in the case of a person by its individual owner or owners to take possession for the benefit of depositors other creditors and shareholders

B Before taking possession the Department shall conduct a hearing before the Department and the Department of Justice which may be attended only by and notice of which shall be given only to the officers and directors of the corporation or the officers and individual owners of the person After such hearing the Department may if it first procures the consent of the Department of Justice take possession

Provided however that whenever immediate action shall be necessary in order to protect the interests of the depositors other creditors or shareholders of an institution it may take possession without conducting a hearing and without the approval of the Department of Justice

C In addition whenever the Secretary in his official capacity is appointed receiver by any court of equity as provided by law the Department shall take possession of the business and property and the Secretary shall act as receiver of the institution in the same way and with the same rights and limitations as when the Department takes possession in the customary manner provided by this act

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend bill, page 34, section 504, line 9, by striking out the words "unauthorized or."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article V, section 505 was read and agreed to as follows:

Section 505 Suits by Department Jurisdiction of Courts This act shall not be construed to limit the right of the Department in the Course of its supervision of institutions to bring any suit in courts of law or of equity in pursuance of any remedy permitted by the laws of this Commonwealth or by those of any other state in which the Department brings suit

Article VI, was read and agreed to as follows:

ARTICLE VI

TAKING POSSESSION BY SECRETARY AS RECEIVER AND SURRENDER THEREOF

Section 601 Taking Over Possession by Secretary as Receiver Whenever the Department takes possession of the business and property of an institution the Secretary shall by operation of law simultaneously take over such poossession from the Department and become receiver of such institution subject to the provisions of this act His official title when thus in possession of the business and property of an institution shall be receiver of such institution

Section 602 Posting of Notice of Possession The Secretary upon taking possession of the business and property of an institution as receiver shall post notice of such fact on the front door of the institution

Section 603 Notice to Insurance Commissioner Whenever the Secretary shall become receiver of an institution which engages in the business of insuring titles or guaranteeing bonds secured by mortgages or which transacts any other business which is subject to the supervision of the Insurance Department he shall inform the Insurance Department that has taken possession of the business and property of such institution

Section 604 Certificates of Possession Filing A The Secretary upon taking possession of the business and property of an institution as receiver shall forthwith under the seal of the Department prepare in duplicate a certificate to be known as the certificate of possession setting forth that he has become receiver of the institution It shall state the name of the deputy receiver whom the Secretary pursuant to the provisions of this act appoints to take charge of the affairs of the institution and shall set forth the duties which he delegates to such deputy receiver If the secretary does not appoint a deputy receiver prior to the date of the filing of the certificate of possession or if he appoints a new deputy receiver or an additional one or if he adds to the duties of the deputy receiver he shall prepare in duplicate and file a supplement to the certificate of possession

B The Secretary shall file the original certificate of possession and the original of any supplement thereto in his office in Harrisburg and the duplicate certificate of possession and the duplicate of any supplement thereto in the office of the

prothonotary The certificate of possession filed in the prothonotary's office and any supplement thereto shall be listed in the judgment index in the name of the institution as defendant and of the Secretary as plaintiff

C In addition the Secretary shall as soon as possible file a certified copy of the certificate of possession and of any supplement thereto in the office of the recorder of deeds in each county in the Commonwealth or with the proper official in any other state or country in which any real property shall be situated which belongs to the institution or title to which is in its name or upon which there is a mortgage or other lien which belongs to the institution or title to which it in its name Such copy shall be recorded in the current deed book and shall be indexed in the grantors' index in the name of the institution and in the grantees' index in the name of the Secretary or it shall be filed indexed or registered by whatever other method is provided by the law of the particular county state or country in which such real property is located

Section 605 Injunction to Restrain Secretary Any institution of whose business or property the Secretary has taken possession as receiver may at any time within ten days after the Secretary has become receiver apply to the court for an order requiring the Secretary to show cause why he should not be enjoined from continuing as receiver Service may be made in such action by serving the Secretary personally or by leaving a copy with the deputy in charge of his office in the Department or by serving the deputy receiver appointed by the Secretary to manage the affairs of such institution The court shall after a hearing upon the merits either dismiss the application or order the Secretary to surrender to the institution possession of its business and property but no such injunction shall issue where the Secretary has been appointed receiver by action of a court of competent jurisdiction or by action of the institution itself in accordance with the provisions of this act

Section 606 Power of Courts to Appoint Receivers No court shall appoint anyone but the Secretary as receiver of an institution Whenever any court at the instance of a depositor shareholder or other person entitled by law to institute such proceedings shall determine that a receiver should be appointed for any reason whatsoever it shall appoint the Secretary as such receiver

When thus appointed receiver by a court the Secretary shall serve in the same manner and with the same limitations and he shall have the same rights powers and duties as when he becomes receiver by operation of law and without appointment by any court No court shall impose upon the Secretary as receiver any duties or restrictions which are in conflict with the provisions of this act

Section 607 Taking of Possession upon Request of Institution No institution shall make a general assignment of its business and property for the benefit of its creditors by the appointment of an assignee or a trustee or otherwise In lieu of the power to make an assignment for the benefit of creditors an institution may request the Department to take possession in the regular manner provided by law In such cases the Department shall take possession and the Secretary shall take over such possession and become receiver in the same manner and subject to the same provisions of this act as when the Department takes possession of the business and property of an institution without the request of such institution

Section 608 Surrender of Possession Special Liquidations and Reorganizations A The Secretary may upon conditions approved by him surrender possession of an institution of which he has taken possession as receiver at any time prior to final liquidation and distribution under the following circumstances

(1) He may surrender possession to the institution itself when he finds it to be in a safe and sound condition to resume its business

(2) He may surrender possession to the institution itself when he is without funds to liquidate its business and property In such case the Secretary shall first accord to the shareholders and the depositors or other creditors of the institution a period of not less than two weeks in which to advance sufficient funds for the Secretary to liquidate the business Where such funds are advanced they shall be considered an expense of administration and shall be given the same preference in the distribution of assets as any other expenses of administration Where possession has been surrendered to an institution under such circumstances the institution may not conduct any business except the liquidation of the assets In the distribution of any moneys realized by the institution on its assets it shall follow the same order and preference as is established by this act for distribution by the Secretary of the assets of an institution of which he is in possession as receiver Upon the approval of his account by the court and upon the filing of the supplement to the certificate of possession pursuant to the provisions of this section the secretary shall be relieved of all duties with reference to such institution However if the Department shall deem i tadvisable to resume possession of the institution at any time it may do so in the same manner as is provided for the taking possession of any institution in which case the Secretary shall again take over possession and become receiver with all the right powers and duties granted to or imposed upon the Secretary as receiver by this act

(3) He may surrender to the institution itself or to any other corporation or person possession of all or part of the business property moneys credits or other assets of the institution of which he is in possession as receiver to permit to be carried into effect a special plan of liquidation reorganization or rehabilitation which has been approved by the court and by (a) depositors and other creditors of the institution to whom is due ninety per cent. in amount regardless of the number of the claims stated in writing by the Secretary to be due to depositors and other creditors of such institution and (b) the holders of a majority of the shares of stock of such institution if a corporation except that in the case of a building and loan association the approval of the holders of eighty per cent of the shares of stock of such corporation shall be required

However the Secretary shall not authorize any decrease of capital by a corporation affected by the provisions of this section except upon compliance by such corporation with the provisions of law as to such decrease

B Whenever the Secretary shall surrender possession under the provisions of this section he shall forthwith under the seal of the Department prepare in duplicate a supplement to the certificate of possession setting forth in detail all the conditions and purposes of such surrender He shall file the original of such supplement in his office in Harrisburg and the duplicate in the office of the prothonotary where it shall be indexed in a manner which will in so far as necessary satisfy the prior record of the certificate of possession He shall also file a certified copy of such supplement in the office of the recorder of deeds in each county in the Commonwealth or with the proper official in any other state or county in which any real property so surrendered or any real property upon which there shall be a mortgage or other lien so surrendered shall be situated

C Whenever the Secretary shall under the provisions of this section surrender possession of the entire business and property of an institution of which he is in possession as receiver he shall file in the court an account which shall correspond to any other final account which he is required by this act to file Such account shall be subject to exceptions by shareholders or depositors or other creditors and to confirmation by the court in the same manner as is provided by this act for any account filed by the Secretary as receiver

Article VII, sections 701 to 714 inclusive were separately read and agreed to as follows:

ARTICLE VII

RIGHTS POWERS AND DUTIES OF SECRETARY AS RECEIVER

Section 701 Status of Secretary as Receiver Except as otherwise provided in this act the Secretary when he has taken possession of the business and property of an institution shall be responsible to the court in which the certificate of possession is filed and not to any other court His rights powers and duties shall be those of a general receiver appointed by any court of equity in this Commonwealth except as such rights powers and duties are increased or limited by the provisions of this act He shall be vested in his official capacity with all the rights powers and duties of such institution with the title or the right to possession of all property to which the institution has title or the right to possession including debts due and liens and other security therefor and with the institution's rights of action or redemption This shall be so whether such property and debts due such liens or other security therefor or such rights of action or redemp-

tion are held in the name of such institution or in the name of some other corporation or person He shall have power to execute in his name as receiver any instrument incident to the exercise of any power granted to or any duty imposed upon him as receiver of such institution

The Secretary shall be the representative of the creditors of the institution and shall be entitled as such to have vacated and set aside for the benefit of the creditors any judgment execution attachment sequestration payment pledge assignment transfer conveyance or encumbrances which could have been avoided by any of the creditors or by which one creditor is given an unlawful preference over another

Section 702 Appointment of Deputy Receivers Counsel and Other Assistants The Secretary may appoint one or more official agents to be known as deputy receivers to assist him in the management reorganization consolidation liquidation or distribution of the assets and affairs of any institution of which he has taken possession as receiver The Secretary may delegate to each deputy receiver any duty imposed upon or any right or power granted to him as receiver The Secretary may also employ such other assistants as he deems necessary including such deputy attorneys general special deputy attorneys general assistant deputy attorneys general or other attorneys as may be appointed by the Department of Justice and assigned to the Secretary for the handling of any legal business pertaining to the affairs or property of such institution The Secretary may also retain to assist him in the management reorganization consolidation liquidation or distribution any officer or other employe of the institution of which he has taken possession

Section 703 Exercise of Discretion by Secretary A Whenever under this act discretion as to whether or the manner in which to exercise a power or fulfill a duty is vested in the Secretary in possession of an institution as receiver he shall after such examination or insevtigation as shall seem appropriate under the circumstances take such action as he deems to the best interests of the depositors or other creditors and in the case of building and loan associations also of the shareholders of such institution

B The words "the best interests of the estate" whenever used in this act shall be construed to refer to the best interests of the depositors or other creditors and in the case of building and loan associations also of the shareholders of such institution

Section 704 Suspension or Continuation of Business The Secretary is authorized upon taking possession of the business and property of an institution as receiver to continue or to suspend the business for such period as he may deem necessary to enable him to determine whether to surrender such possession to the institution to authorize a merger or consolidation to liquidate the affairs of such institution or to take such other action as is authorized by law During such period he shall take any action he deems necessary to conserve the assets and business or to protect the best interests of the estate

Section 705 Determination to Liquidate Filing of Supplemental Certificates The Secretary shall within six months after the date on which he takes possession of any institution as receiver determine whether or not to liquidate the business and property and distribute the assets of the institution If he shall determine to liquidate he shall forthwith under the seal of the Department prepare in duplicate a supplement to the certificate of possession setting forth this fact He shall file the original supplement in his office in Harrisburg and the duplicate in the office of the prothonotary He shall then proceed to liquidate the affairs of the institution with as much dispatch as shall appear to be expedient under the circumstances

Section 706 Powers and Duties before and after Determination to Liquidate Except where otherwise specifically provided all powers and duties granted by this act to the Secretary in possession of the business and property of an institution as receiver may be exercised by him both before and after his formal determination pursuant to the provisions of this act to liquidate the affairs of such institution

Section 707 Inventory and Appraisement A When the Secretary has taken possession of the business and property of an institution as receiver he shall forthwith prepare in duplicate a complete and detailed inventory of the assets of such institution The inventory shall be verified by oath or affirmation of the Secretary or other person making it

B As soon as expedient after taking possession the Secretary shall cause a complete appraisement of the assets of the institution to be made in duplicate under oath or affimation by not less than two nor more than three disinterested appraisers selected by him Such appraisement shall be included upon the same document or documents as the inventory The value of the assets shall be computed in such appraisement as of the date on which the Secretary took possession

C The original and duplicate of the inventory and appraisement shall be filed in the office of the Secretary in Harrisburg However if the Secretary shall determine in accordance with the provisions of this act to liquidate the affairs of the institution he shall immediately after such determination to liquidate file the duplicate inventory and appraisement in the office of the prothonotary

Section 708 Issuance of Subpoenas Questioning of Witnesses A In order to enable the Secretary to secure a complete inventory and appraisement or to carry out any other right power or duty granted to or imposed upon him as receiver by this act the Secretary shall have the power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by any officer director agent employe or member respectively of the corporation or person of which he has taken possession or any other individual whom the Secretary believes to have information of importance regarding the affairs of the institution He shall also have the power to question such witnesses under oath or affirmation and to examine such books and papers

The Secretary may delegate to the appraisers appointed by him or to any other duly authorized agent the power granted to him as receiver under this section

Any witness who refuses to obey a subpoena issued under this section or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court by the court in which the certificate of possession of the institution concerning the affairs of which the witness was subpoenaed is filed

B Every witness called by the Secretary or his duly authorized agent in connection with the affairs of an institution in possession shall be entitled to the fees and mileage customarily paid to witnesses in the courts of the county in which the institution has its place of business

Section 709 Power of Court to Make and Enforce Orders The court in which the certificate of possession is filed shall sit as a court of equity It shall have the power upon petition of the Secretary to make and enforce any appropriate order to enable him with the utmost dispatch to discharge his duties in connection with the business and property of any institution of which he has taken possession as receiver pursuant to the provisions of this act

The court shall grant to the party against whom the order is sought the right to appear within ten days after notice is given to show cause why the order should not be made The court shall have the power at the end of the ten-day period ex parte if the other party does not appear to show cause or upon the merits if the party does appear to issue the aforementioned order

Section 710 Notice to Holders of Assets Power of Court to Order Transfer A Upon becoming receiver of any institution the Secretary shall forthwith give notice in writing of such fact to all corporations and persons having custody or possession of any assets or other property which the institution of which he is receiver owns or to which it has the right to possession or custody for any purpose whatsoever

B The court shall have the power upon petition of the Secretary to order any corporation or person which has custody or possession of assets or other property to which such institution shall have the right of custody or possession for any reason whatsoever to transfer or convey such property to the Secretary and to execute and deliver any instrument necessary to accomplish that purpose

The court shall grant to such corporation or person the right to appear within ten days after notice is given to show cause why the order should not be made The court shall have the power at the end of the ten-day period to issue the aforementioned order ex parte if the corporation or person does not appear to show cause or upon the merits if the corporation or person does appear

Section 711 Sale of Assets Repledged by Institution Repledge after Possession A Where assets belonging to others shall be pledged or given as collateral by an institution of

which the Secretary subsequently takes possession as receiver and the pledge has actual knowledge at the time of the pledge that the assets are not assets of the institution such pledgee shall not forfeit or sell any such collateral or pledged assets after the Secretary has taken possession without the written permission of the Secretary any provision in any collateral note or agreement to the contrary notwithstanding but if the Secretary refuses such permission the pledgee may after notice to the Secretary petition the court for leave to sell such assets The court may after giving the pledgee and the Secretary an opportunity to be heard grant such leave or it may make such other order as it deems to the best interests of all parties concerned

However if the assets so pledged by any such institution are accompanied by the obligation of the corporation or person owning them the pledgee shall have the power to exercise all the rights powers and privileges contained in such obligation held by such pledgee including the sale of the assets

B Where assets belonging to an institution of which the Secretary has taken possession as receiver have been pledged or given as collateral by such institution or where assets belonging to others shall have been pledged or given as collateral by an institution of which the Secretary subsequently takes possession as receiver and the pledgee does not have actual knowledge ate the time of the pledge that such assets are not assets of the institution such pledges may forfeit or sell any such collateral or pledged assets after the Secretary has taken possession in accordance with the right of such pledgee under the agerement under which such assets or collateral were pledged

C The Secretary shall not repledge any assets held by an institution of which he is in possession in pledge or as collateral but belonging to other corporations or persons unless such repledge is accompanied by the obligation of the original borrower from the institution and is for an amount not exceeding the amount of the original obligation due at the time the collateral is repledged

Section 712 Liens Judgments and Executions Assignments of Claims A The status of all parties shall become fixed on the date the Secretary takes possession of the business and property of the institution as receiver No corporation or persons shall thereafter acquire any lien or charge against any of the assets of the institution of which the Secretary is receiver including mechanics' liens for charges payments advances or clearances thereafter made or thereafter incurred or liens by reason of the entry of any judgment against such institution after the Secretary has taken possession

B Assignments of claims of depositors or other creditors of the institution which are made before the Secretary takes possession but notice of which is not received by the institution before such taking of possession shall be regarded as and shall have only the legal incidents of assignments made after the Secretary takes possession

C No execution or attachment pending or otherwise shall respectively issue or be proceeded with against any property moneys or assets owned by or legally in the custody or possession of an institution of which the Secretary is in possession as receiver except that an execution may be permitted by special leave of the court In lieu of the right to issue an attachment against money or property belonging to others which is legally in the custody or possession of such institution a plaintiff may proceed as follows He may give written notice of his claim to the Secretary or to the deputy receiver of such institution and he shall thereafter present proof in the regular manner provided by this act for the proof of the claim which he is attempting to attach After the filing of the regular account of the Secretary the court shall adjudicate the matter as in the case of other disputed claims Where two or more plaintiffs attempt to attach the same claim in this manner the order in which they shall take as among themselves shall be determined by the order in which written notice of their claims was received by the Secretary

Section 713 Actions and Suits by and against Secretary A For the purpose of executing any of the powers and performing any of the duties respectively conferred or imposed upon him as receiver by this act the Secretary may in his name as receiver of such institution prosecute any action at law or in equity in any court of this Commonwealth or of any other state whether or not such action is pending on behalf of the institution at the time he takes possession He may likewise similarly defend any action at law or in equity pending against the institution at the time he takes possession

The Secretary may in his name as receiver of a corporation institute and maintain against any officer director trustee manager or other employe of such corporation any action at law or in equity which such corporation or any shareholder or creditor thereof could have instituted or maintained and he may likeswise in the case of a person of which he is receiver maintain any similar action against the individuals owning the business or against any employe thereof which a depositor or other creditor of the person could have instituted or maintained

B All claims against the institution suit upon which has not been commenced prior to the time the Secretary took possession shall be presented in the regular manner provided by this act for the presentation of claims Neither a depositor or other creditor of the institution nor any other claimant may maintain any action at law or in equity upon such claim except by regular method provided by this act for exceptions to the accounting of the Secretary as receiver However an action for the return of specific property which could have been recovered fro mthe institution of which he is receiver may be maintained against the Secretary in his name as receiver of the institution

C Any action at law or in equity based upon a cause of action against the institution of which the Secretary is receiver which may be brought against the Secretary as receiver shall be instituted only in the court in which the certificate of possession is filed

Section 714 Power of Secretary to Borrow from Government Agencies The Secretary may without leave of court borrow money from any agency or instrumentality of the United States government except national banks or of the Commonwealth of Pennsylvania and pledge or hypothecate as security therefor any real or personal property of the institution for the purpose of expediting the liquidation of the assets of the institution of which he is receiver and the distribution of the proceeds thereof to the depositors the other creditors or the shareholders thereof

Article VII, section 715 was read as follows:

Section 715 Surrender or Transfer of Burdensome Assets The Secretary may with leave of court surrender to the institution of which he is receiver any assets including choses in action whether the subject of pending proceedings or not which appear to be burdensome and of no advantage to the estate He may likewise with leave of court convey title to of any other holder of a mortgage or a lien against property in his possession where it shall appear that to continue to hold such property is burdensome and of no advantage to the estate

The Secretary shall give notice to the depositors or other creditors of the institution and in the case of building and loan associations to the shareholders of the filing of the petition for leave to transfer or convey such property pursuant to the provisions of this section Such notice shall be given at the addresses which appear for such depositors other creditors or shareholders upon the books or other records of the institution or if none appear there then at their last known addresses However the court may if it shall appear to the best interests of the estate order the Secretary to substitute a single advertisement fn a newspaper or newspapers for the individual notice to the depositors and other creditors and in the case of a building and loan association the shareholders The court shall grant at least ten days for the filing of objections by the depositors or other creditors of the institution and in the case of a building and loan association the shareholders of such institution

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 715, page 54, line 15 by striking out after the article "[a]" and before the word "any" the word "[of]."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,
Will the House agree to the section as amended?
It was agreed to.

Article VII, sections 716 and 717 were separately read and agreed to as follows:

Section 716 Compromise of Claims Extension of Mortgages A The Secretary may with leave of court compound or compromise any debt claim or judgment due to the institution of which he is in possession as receiver and discontinue any action or other proceeding pending therefor

B The Secretary may without leave of court enter into an agreement in writing upon such terms as shall seem reasonable to him with any mortgagor or owner to extend for a period not to exceed three years the maturity of any mortgage obligation in his possession However the Secretary shall not enter into any agreement extending any mortgage which shall have been pledged by the institution of which he is in possession as receiver unless he shall first obtain the written consent of the pledgee of such mortgage to such extension

Section 717 Payment of Mortgages and Liens Protection of an Equity The Secretary may with leave of court pay off all mortgages contracts of conditional sale pledges and liens of or upon any real or personal property which belongs to the institution He may without leave of court purchase at a judicial sale or at any sale authorized by an order of a court of competent jurisdiction any real or personal property in order to protect any equity which such institution has in such real or personal property

Article VII, section 718, was read as follows:

Section 718 Sales of Real Property A The Secretary may with leave of and upon the terms and conditions prescribed by the court sell any real property of the institution of which he is in possession as receiver The order of the court authorizing such sale shall state whether the sale shall be entirely for cash or partly for cash and partly for evidences of indebtedness whether it shall be public or private whether notice shall be given to depositors other creditors and shareholders or to any of these groups and whether advertisement shall be made Unless the court in any case deems advertisement or notice necessary or desirable to protect the interests of the estate such advertisement or notice shall not be required

Where the order of the court provides for advertisement it shall in no case require that there be more than a single insertion in one newspaper of general circulation in the county and in first and second class counties in one legal newspaper Where real property which is to be sold is situated in a county other than the one in which the institution is located the court may also authorize a single insertion in a newspaper of general circulation in such other county and in first and second class counties in one legal newspaper

Every such sale of real property shall be confirmed by the court if all the terms and conditions of its order authorizing such sale have been complied with

B When any real property of an institution of which the Secretary is in possession as receiver is situated in a county other than the one in which the institution is located the Secretary shall proceed in the same manner as is provided by this section for the sale of real property within the county In addition he shall petition the court of common pleas of the county in which the real property is located and it shall be the duty of such court to issue an order authorizing the sale upon the terms or conditions prescribed by the order of the court having jurisdiction of the receivership The Secretary shall file a return of the sale in the court of common pleas in the county in which the real estate is located which court if all the terms and conditions of the order of the court in which the certificate of possession is filed have been met shall confirm the sale and shall give the Secretary a certified copy of the return of the sale and a certified copy of the confirmation thereof Such certified copies shall be filed with the prothonotary of the court in which the certificate of possession is filed

On the question,
Will the House agree to the section?
Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend bill, page 56, section 718, lines 24 and 25 by striking out the words "and in first and second class counties in one legal newspaper"

Amend bill, page 57, section 718, lines 1 and 2 by striking out the words "and in first and second class counties in one legal newspaper"

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

Article VII, section 719 was read as follows:

Section 719 Effect of Sale upon Liens A The sale by the Secretary of any real property of an institution of which he is in possession as receiver shall not affect any lien thereon except that in the case of a lien which would under the laws of the Commonwealth ordinarily be discharged by a judicial sale the court in its order authorizing the sale may prescribe that such lien shall be discharged by the sale Whenever such liens are to be discharged by a sale the Secretary shall give notice of the sale to all creditors who appear by the books of the institution or by the records of the county or otherwise to have such or to claim to have liens upon such property The proceeds of the sale shall then take the place of the property sold and shall be distributed in the order prescribed by and to the parties entitled to take under the laws of the Commonwealth which relate to the discharge of liens by a judicial sale

B If real property is situated in a county other than that in which the institution is located the court in which the certificate of possession is filed shall be the one empowered to issue the original order prescribing the discharge of liens The procedure shall be the same as in the case of any other terms or conditions prescribed in its order for the sale of real property situated in another county

On the question,
Will the House agree to the section?
Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend section 719, page 58, line 8 by striking out after the word "have" and before the word "or" the word "[such]"

Amend section 719, page 58, line 8 by inserting after the word "have" and before the word "liens" the word "such"

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

Article VII, section 720, was read and agreed to as follows:

Section 720 Leases for Property The Secretary may without leave of court enter into leases for real or personal property belonging to the institution of which he is in possession as receiver for a period not to exceed one year He may with leave of court enter into such leases for a period not to exceed ten years upon the terms and under the conditions prescribed by the order of the court

The court shall not require advertisement or notice of leases entered into upon its order except where special circumstances shall appear to require such action in order to protect the interests of the estate

Article VII, section 721, was read as follows:

Section 721 Sale or Exchange of Listed and Unlisted Securities A The Secretary may without leave of court sell on any stock exchange or otherwise at such times and in such man-

ner as he shall deem to be to the best interests of the estate listed or unlisted securities which belong to the institution of which he is in possession as receiver or which such institution has the power to sell

B The Secretary may without leave of court exchange listed or unlisted securities for other securities of the corporation issuing the securities or of a corporation which has merged or consolidated with or has taken over such corporation

C The Secretary may without leave of court sell any mortgage or other lien upon real property or any judgment at such times and in such manner as he shall deem to the best interests of the estate

D Except as otherwise specifically provided by this act the Secretary may without leave of court sell (1) at public sale or (2) at private sale for a net consideration not below the amount at which such personal property has been valued in the appraisement required by this act any personal property which belongs to the institution of which he is in possession as receiver or which such institution has the power to sell He may with leave of court sell such personal property at private sale upon such terms and under such conditions as the court shall prescribe

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 721, page 59, line 5 by inserting after the word "of" and before the word "Listed" the words "Personal Property."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article VII, sections 722 to 724 inclusive were separately read and agreed to as follows:

Section 722 Deposit of Moneys by Secretary All moneys received by the Secretary as receiver of an institution shall be deposited by him with one or more corporations or persons authorized by law to receive deposits and subject to the supervision either of Federal or State banking authorities He shall require of such depository security therefor in such amount and of such nature as the Secretary shall deem adequate

Section 723 Enforcement of Shareholders' Liability A If at any time after he takes possession of a corporation as receiver it shall appear to the Secretary that the assets of such corporation will be insufficient to pay in full its debts to depositors and other creditors he shall as soon as expedient estimate the amount which shall be assessed against all shareholders who are under these circumstances personally liable for any part of the debts of such corporation by reason of their ownership of such shares He shall assess against such shareholders the amount which he then deems necessary for the payment of such debts not however exceeding the maximum liability of such shareholders as provided by law The Secretary shall send to every such shareholder by registered mail to the address which appears on the records of the corporation or if none appears there then to his last known address a demand that the amount assessed against him be paid Such demand shall state the total amount assessed by the Secretary against all the shareholders and the specific amount to be paid by the particular shareholder It shall also designate a period within such assessment shall be paid such period to be not less than thirty days after the date of the sending of the notice If any shareholders shall not pay the amount assessed against them the Secretary may institute actions at law or in equity against them either severally or jointly for the amount of such assessment together with interest from the date designated in the notice from the Secretary for the payment of such assessment In such action the written statement of the Secretary signed by him in his official capacity as receiver and bearing the seal of the Department asserting that the assets of the corporation appear insufficient to meet its liabilities to depositors and other creditors that consequently he has made an assessment against the shareholder or shareholders being sued that the period designated for the payment of the assessment has expired and that the value of the assets of the corporation and the liabilities of such corporations are as set forth shall be prima facie evidence of the facts therein stated

B The Secretary may make as many partial assessments as shall appear expedient until the total liability of the shareholders or the total amount necessary to pay in full the depositors and other creditors of the corporation has been assessed

Section 724 Property in Safe Deposit Vault or Held for Safe-Keeping The Secretary may any time after taking possesison of an institution as receiver give written notice to anyone claiming or appearing on the books of such institution to be the owner or to be entitled to the possession of any personal property left with such institution as bailee for safe-keeping or depository for hire and to anyone appearing on the books of the institution to be the lessee of any safe vault deposit box notifying such bailor or lessee respectively to remove all such personal property within the period fixed by the notice provided that such period shall in no case be less than sixty days after the date of the notice

At the expiration of such period if the lessee of a safe vault or safe deposit box has not removed the contents thereof the Secretary may cause such safe vault or safe deposit box to be opened either in his presence or in the presence of the deputy receiver of the institution and in the presence of a notary public not an officer or employe of the institution or of the Department The contents if any of such safe vault or safe deposit box shall then be sealed and marked by such notary with the name and address of the lessee in whose name such safe vault or safe deposit box appeared on the books of the institution and with a list and description of the property therein The Secretary shall take such action as he shall deem desirable to safeguard such property until it is delivered to the owner or is otherwise disposed of in accordance with law

The Secretary shall follow the same procedure and have the same powers with regard to the property left with the institution as bailee for safe-keeping or depository for hire and not called for within the period specified by the notice

The contract of bailment or lease if any shall be considered at an end upon the date designated by the Secretary for the removal of the property therein The amount of unearned rent or charges if any paid by the bailor or lessee shall become a debt of the institution

Articles VIII and IX, were separately read and agreed to as follows:

ARTICLE VIII

SECRETARY IN POSSESSION OF TRUST DEPARTMENT

Section 801 Institution as Fiduciary References in this act to funds property or investments held in a fiduciary capacity by an institution of which the Secretary has taken possession shall apply only to funds property or investments held in such fiduciary capacity by the trust department of such institution and shall not apply to funds property or investments which were held by the commercial department of such institution

Section 802 Secretary in Possession of Trust Department A The Secretary upon taking possession of an institution as receiver shall keep all the funds property and investments if any which are held by such institution in a fiduciary capacity separate from the assets of the institution itself

B The Secretary when in possession of an institution as receiver shall have all the rights powers and duties which such institution had in its fiduciary capacity He shall have title to all the assets including debts due liens and other security therefor and all rights of action or redemption of all estates of which the institution either alone or jointly with someone else was trustee executor administrator guardian assignee or other similar fiduciary and shall have the power to administer such estates In pursuance of this power the Secretary may institute any action at law or in equity or execute and sign any written instruments which the institution itself could have instituted executed or signed

The Secretary shall not however have the power to invest funds or property of any such estate except where it shall appear necessary to purchase any real or personal property or any interest therein in order to protect an equity which such estate has in such property Such purchase by the Secretary shall not however be made without the approval of any

corporation or person whose approval would have been necessary to such purchase by the institution prior to the taking of possession by the Secretary and of the court which has exercised jurisdiction over such estate If no court has yet exercised jurisdiction over the estate then the approval either of the court of common pleas or of the orphan's court of the county in which the place of business of the institution is situated shall be procured

Except where otherwise specifically provided references in this act to the court which has exercised jurisdiction over an estate of which an institution in possession of the Secretary was fiduciary shall be construed to refer in cases in which the institution was executor or administrator to the orphans' court of the county of which the register of wills issued the letters testamentary or letters of administration respectively and in all other cases to the court of common pleas or the orphans' court in which an account of the estate has been filed or which has in any manner exercised control or supervision over the administration of such estate by the institution as fiduciary

Section 803 Disputes as to Identity of Trust Funds All disputes as to the identity of the funds property or investments of an estate of which an institution in the possession of the Secretary was fiduciary arising either because such funds property or investments have become or are alleged to have become mingled with other funds property or investments or for any other reason shall be determined by the court in which the certificate of possession is filed Such court shall have exclusive jurisidiction over such disputes

Section 804 Appointment of Substituted Fiduciaries Upon filing a supplement to the certificate of possession setting forth his determination to liquidate the affairs of the institution the Secretary shall forthwith give written notice in so far as the giving of such notice is practicable to all parties of whom he has notice who are interested in any funds property or investments held by such institution in a fiduciary capacity Such notice shall require such parties within thirty days after the giving of notice to apply for the appointment of substituted fiduciaries Such application shall be made as follows In any case in which the institution was executor or administrator application shall be made to the register of wills having jurisdiction to grant new letters in such form as the case shall require in any other case application shall be made to any court which has exercised jurisdiction over the estate or if no court has exercised such jurisdiction then to the court of common pleas or the orphans' court of the county in which the institution has its place of business However if the instrument under which the fiduciary relationship was established provides a particular method for the selection of fiduciaries such method shall be followed

If the parties to whom such notice has been given do not within the thiry-day period designated make such application or pursue whatever method is prescribed by the instrument under which the fiduciary relationship was established for the appointment of a substituted fiduciary or if it is impracticable to give notice to the parties interested in the estate then he Secretary shall make the application for the appointment of a substituted fiduciary to the court or the register of wills whichever the case may be designated above Such court or register of wills shall appoint a substituted fiduciary upon such petition of the Secretary

Section 805 Transfer of Assets to Substituted Fiduciary without Filing Account If a substituted fiduciary has been appointed in accordance with the provisions of this act and if there is no dispute as to the amount or identity of the funds property or investments of the particular estate and as to the fees commissions and expenses due either to the institution before the Secretary took possession or to the Secretary as receiver since the taking of possession and if all the parties in interest being sui juris agree in writing to waive an accounting in court the Secretary in possession of an institution as receiver may transfer to such substituted fiduciary all the funds property and investments of the particular estate without filing an account in any court Upon such transfer he shall procure from all the parties in interest and from the substituted fiduciary a receipt and release in full which shall discharge the Secretary and the institution from any further duty or liability with reference to such estate

Section 806 Filing of Account Transfer of Assets to Substituted Fiduciary A Except in cases in which the Secretary is authorized by the provisions of this act to transfer to a substituted fiduciary without filing an account the funds property or investments of an estate of which the institution was fiduciary he shall file an account for every estate of which such institution was fiduciary The Secretary shall file each such account upon the date fixed by the instrument creating the fiduciary relationship or if there is no such date fixed then as soon as expedient after the filing of a supplement to the certificate of possession setting forth his determination to liquidate the affairs of the institution Such account shall be filed in the court which has exercised jurisdiction over the particular estate or if no court has yet exercised jurisdiction then in the court of common pleas or the orphans' court of the county in which the place of business of the institution is situated The Secretary shall then transfer or pay to the substituted fiduciary appointed pursuant to the provisions of this act any funds property or investments in his possession which belong to such estate Such transfer or payment shall be made in accordance with the order of the court in which the account for such estate is filed The court in directing such transfer or payment may reserve for future determination any question of surcharge

B The court which has exercised jurisdiction over a particular estate of which the institution was fiduciary or if no court has exercised such jurisdiction then the court of common pleas or the orphans' court of the county in which the institution has its place of business may order the Secretary to transfer the funds property or investments of the estate to the substituted fiduciary even prior to the filing of an account The court in such order may reserve for future determination any question of surcharge or any other question which may arise upon the audit of the account

C This section shall not be construed to give any court other than the one in which the certificate of possession is filed jurisdiction over disputes involving the identity of funds property or investments of an estate of which the institution was fiduciary

Section 807 Deficiencies in Assets Held by Institution as Fiduciary Whenever the court in which the Secretry has filed the account of an estate of which an institution in his possession was fiduciary shall in the manner provided by law rule that there is a deficiency in the funds property or investments of such estate or that the institution is liable to surcharge in respect thereto the amount determined by such court to be due shall constitute a claim against the institution and shall be presented in the same manner as other claims except that it may be presented at any time within six months after the appointment of a substituted fiduciary of the estate and the adjudication of the account of such estate by the competent court Such order or decree of such court shall be conclusive as to the amount due except for the right of appeal provided by law Any dispute as to the classification or order of payment of such claim as distinguished from the amount shall be adjudicated by the court in which the certificate of possession is filed

If the existence or amount of any such deficiency or surcharge or the liability of the institution therefor is in litigation but undetermined at the time dividends for claims having no priority in order of payment over such claims are being distributed the Secretary shall upon notice of such fact from the substituted fiduciary withhold and set apart a sufficient amount to pay the proportionate dividend which will be due upon such undetermined claim if it is finally adjudicated in favor of the estate of which the institution was fiduciary

Section 808 Compensation Due Institution and Secretary from Estates The Secretary in possession of an institution as receiver shall be entitled to collect such reasonable fees and commisions as were earned both as to income and as to principal and such reasonable expenses as were incurred by the institution in its capacity as fiduciary prior to the date on which possession was taken by the Secretary He shall also be entitled to reasonable fees and commissions both as to income and as to principal for any services performed and all reasonable expenses incurred by him on behalf of any estate of which the institution was fiduciary The Secretary shall be entitled to such commissions on principal as shall appear reasonable under all the circumstances whether or not the trust has terminated at the time of the filing of the account or of the transfer by the Secretary of the funds property and investments of the estate in accordance with the provisions of the instrument creating the fiduciary relationship All sums received by the Secretary under this section shall become assets of the institution of which he is in possession as receiver

Except in cases where the Secretary pursuant to the provisions of this act transfers funds property or investments of the estate without filing an account the court in which the Secretary shall file the account for the estate of which the institution was fiduciary shall award to the Secretary the fees commissions and expenses provided for in this section

ARTICLE IX

SECRETARY IN POSSESSION OF A MORTGAGE OR SECURITY POOL OR OF AN ASSET IN WHICH UNDIVIDED INTERESTS ARE HELD

Section 901 Mortgage and Security Pools and Participations Accounts Whenever the Secretary shall have filed a supplement to the certificate of possession setting forth his determination to liquidate the affairs of an institution of which he is in possession as receiver he shall as soon as it may be convenient file in the court in which the certificate of possession shall have been filed an account as to any mortgages securities or other assets comprising any mortgage or securities pool operated by such institution or as to any mortgage security or other asset in which undivided interests shall have been created by the institution regardless of whether certificates of participation in such mortgage or securities pool or in such mortgage security or other asset shall have been actually issued by the institution and regardless of whether the relation of the institution to the owners of the undivided interests in such mortgage or securities pool or in any such mortgage security or other asset is technically that of a trustee

A mortgage or securities pool shall be regarded as having been operated by the institution regardless of whether any or all of the mortgages securities or other assets in such pool shall be held in the name of the institution or in the name of a nominee of the institution Where undivided interests have been created in any mortgage security or other asset by any corporation or person holding such mortgage secruity or other asset as nominee of the institution such undivided interests shall be regarded as having been created by the institution

The prothonotary shall not be under any duty to recopy or otherwise record any such account filed by the Secretary He shall make no charge except the regular fee for filing such or similar papers

Section 902 Transfer of Pools and Participations without Filing an Account If all the corporations or persons who are the owners of all the undivided interests in any mortgage or securities pool or in any mortgage security or other asset in which the institution shall have created undivided interests are sui juris and if they shall agree to the amount asserted by the Secretary to be due him as receiver for services rendered by the institution or by him and for expenses incurred by either and if they shall authorize the Secretary to transfer any such mortgage or securities pool or any such mortgage security or other asset to them or to a substituted fiduciary or any other corporation or person agreed upon by them and if they shall execute proper instruments releasing the Secretary and the institution from any further liability to them the Secretary may transfer to such substituted fiduciary or to such corporation or person without filing an account all the mortgages securities or other assets comprising such mortgage or securities pool or the mortgage security or other asset in which undivided interests have been created In any case where the institution as fiduciary of an estate is the owner on behalf of such estate of any undivided interest in any such mortgage or securities pool or in any such mortgage security or other asset and no substituted fiduciary has been appointed for such estate the Secretary shall not transfer such mortgage or securities pool or such mortgage security or other asset in which undivided interests were created by the institution unless he shall also be authorized to make such transfer by all corporations or persons having an interest in the estate of which the institution was fiduciary except that where substituted fiduciaries have not been appointed for unborn beneficiaries of the estate or for other beneficiaries who are not sui juris the Secretary shall not be required to obtain such authority from anyone in behalf of such unborn beneficiaries or other persons who are not sui juris

Section 903 Notice of Filing Account A Upon filing an account as to any mortgages securities or other assets comprising any mortgage or securities pool operated by an institution of which he is in possession as receiver or as to any mortgage security or other asset in which the institution shall have created undivided interests the Secretary shall give notice thereof in so far as it may be practicable to all corporations or persons who are the owners of the undivided interests in any such mortgage or securities pool or in any such mortgage security or other asset and in any case where the institution as fiduciary of an estate is the owner on behalf of such estate of any such undivided interest then to all corporations or persons having an interest in such estate except that no such notice need be given to anyone on behalf of unborn beneficiaries who are not sui juris where no substituted fiduciary has been appointed for such beneficiaries Such notice shall be given to the corporations or persons entitled thereto under this section at their addresses as they appear on the books or other records of the institution or if the address of any such corporation or person does not appear thereon then at the last known address of such corporation or person

B Such notice shall state the time and place of the audit of such account and except where an application for a substituted fiduciary shall have been made by any other method authorized by this act it shall also state the intention of the Secretary to apply for a substituted fiduciary for such mortgage or securities pool or for such mortgage security or other asset in which undivided interests were created by the institution and the time and place of any hearing upon such application which may be fixed by the court

Section 904 Appointment of Substituted Fiduciary Transfer of Pools or Participations upon Order of Court A After the filing by the Secretary of a supplement to the certificate of possession setting forth his determination to liquidate the business and property of an institution but either before or after the filing of an account by him as to any mortgages securities or other assets comprising any mortgage or securities pool operated by such institution or as to any mortgage security or other assets in which the institution shall have created undivided interests the owner of any undivided interest in such mortgage or securities pool or in such mortgage security or other asset may file in the court in which the certificate of possession is filed a petition for the appointment of a substituted fiduciary for such mortgage or securities pool or for such mortgage security or other asset in which undivided interests were created

If such petition shall not have been filed by the owner of any such undivided interest within thirty days after the notice by the Secretary of the filing of an account as to such mortgage or security pool or as to such mortgage security or other asset the Secretary shall file in the court in which the certificate of possession is filed a petition for the appointment of a substituted fiduciary for such mortgage or securities pool or for any such mortgage security or other asset in which undivided interests were created by the institution

Upon the filing of such a petition by the owner of any such undivided interest or by the Secretary for such mortgage or security pool or for such mortgage security or other asset in which undivided interests were created by the institution the court shall upon a day fixed by it conduct a hearing upon such application after which it shall appoint a substituted fiduciary

B The Secretary shall transfer to the substituted fiduciary appointed by the court all such mortgages securities or other assets comprising any such mortgage or securities pool or any such mortgage security or other asset in which undivided interests were created as are in his possession as receiver and as to which he shall have filed an account The substituted fiduciary shall take such mortgages securities or other assets without liability for the nature or value of the mortgages securities or other assets as investments Such transfer shall be made in accordance with the order of the court and in directing such transfer the court may reserve for future determination any question of surcharge against the institution or the Secretary

The court may after petition filed pursuant to the provisions of this section order the Secretary to make such transfer even prior to filing an account in which case it may also reserve for future determination any question which may arise upon the audit of the account

Section 905 Advances by Secretary to Substituted Fiduciary Whenever the Secretary shall have filed an account as to any such mortgage or securities pool or as to any mortgage security or other asset in which the institution shall have created undivided interests and it shall appear to the court that any sum of cash will be needed by the substituted fiduciary for the protection of the owners of undivided interests in such mortgage or securities pools or in any such mortgage security

or other asset as to which account shall have been filed and if it shall appear from the account that the Secretary does not have any cash held by him in connection with such mortgages or securities pool or in connection with any such mortgage security or other asset or if the account discloses that the cash in his hands for that purpose is sufficient for the protection of the owners of the undivided interests in such mortgage or securities pool or any such mortgage or security or other asset or where no account is filed if the Secretary shall demonstrate these facts to the satisfaction of the court the court may upon petition of the Secretary and in the exercise of its discretion order the Secretary to advance to the substituted fiduciary out of the general assets of the institution such cash as may be necessary for the protection of the owners of such undivided interest such order shall provide that the amount of cash so advanced by the Secretary shall be repaid by the substituted fiduciary out of the first moneys realized by such substituted fiduciary on the mortgages securities and other assets transferred to him

Section 906 Compensation and Expenses The court in its adjudication of any account filed by the Secretary as to any mortgage or securities pool operated by an institution of which the Secretary is in possession as receiver or as to any mortgage security or other asset in which the institution shall have created undivided interests shall award to the Secretary such compensation for services rendered and expenses properly incurred by the institution or by the Secretary as the court shall deem reasonable and proper under all the circumstances The order of the court making any such award to the Secretary shall provide for the payment of such compensation or expenses out of any cash included in the account or if there be no cash in the account or if the amount of cash included therein is insufficient to pay the amount awarded to the Secretary the order shall provide for the payment of such compensation or expenses out of the first moneys realized by the substituted fiduciary on the mortgages securities or other assets so transferred to such substituted fiduciary All sums received by the Secretary under this section shall become assets of the institution of which he is in possession as receiver

When the court shall pursuant to the provisions of this act order the Secretary to transfer such mortgages securities or other assets prior to the filing of an account it shall similarly make provision for the payment of the compensation earned or the expenses incurred by the institution or by the Secretary

Article X, sections 1001 to 1006 inclusive were separately read and agreed to as follows:

ARTICLE X

PROOF OF CLAIMS ACCOUNTING AND DISTRIBUTION

Section 1001 Notice to Depositors Shareholders and Other Creditors After filing a supplement to the certificate of possession setting forth his determination to liquidate the affairs of an institution of which he has taken possession as receiver the Secretary shall forthwith give notice of such fact to all corporations or persons who appear upon the books of the institution as or who are otherwise known to the Secretary to be or claim to be depositors or other creditors and in the case of a building and loan association shareholders of such institution He shall likewise give notice to any corporation or person who pursuant to the provisions of this act has given the Secretary notice of his claim to the right of execution or attachment against any assets owned by or legally in the custody or possession of the Secretary as receiver of the institution

The notice to each depositor or in the case of a building and loan association to each shareholder shall state the amount which the books or other records of the institution show to be due to such depositor or shareholder It shall also state that unless such depositor or shareholder shall within a specified time present to the Secretary for settlement his deposit or pass book or other evidence of his account showing a different amount to be due or unless such depositor or shareholder shall within a specified time from the date of such notice prove in the manner provided by this act that a different amount is due the amount shown to be due by the books of the institution will be conclusively presumed to be correct unless the court pursuant to the provisions of this act grants him an extension of time

The notice to each creditor other than a depositor or in the case of a building and loan association other than a shareholder shall inform such creditor that he must present his claim in the manner provided by this act within a specified time from the date of such notice or else be permanently barred from sharing in any distribution of the assets of the institution unless the court pursuant to the provisions of this act grants him an extension of time

The Secretary shall also advertise in a newspaper or newspapers as provided in this act the fact that he has determined to liquidate the affairs of the institution and that he has filed an inventory and appraisement in the office of the prothonotary Such advertisement shall state that all depositors or in the case of building and loan associations all shareholders must prove their claims within a specified period or be bound by the amount shown by the books or records of the institution to be due them and that any corporation or person not appearing upon the books of the institution to be a depositor or in the case of a building and loan association a shareholder and not presenting his pass book or other evidence of the state of his account or otherwise presenting his claim will be permanently barred from sharing in any distribution of the assets of the institution unless the court pursuant to the provisions of this act grants him an extension of time It shall also state that all creditors other than depositors or in the case of building and loan associations other than shareholders not proving their claims in the manner provided by this act and within a specified perior will likewise be permanently barred from sharing in any distribution of the assets of the institution except where the court pursuant to the provisions of this act grants to a creditor an extension of time

The Secretary shall specify as the last day upon which depositors creditors and in the case of a building and loan association shareholders can present their claims a date not less than one hundred twenty days after the taking of possession of the institution by him as receiver provided that such date shall be at least thirty days after the date of the sending of such notice However claims based upon deficiencies in or surcharges with respect to funds property or investments which such institution held in a fiduciary capacity may be presented at any time within six months after the appointment of a substituted fiduciary of the estate of which such funds property or investments were a part and the adjudication of the account of such estate by the competent court

Section 1002 Proof of Claims of Depositors or in Building and Loan Associations Shareholders Any depositor or in the case of a building and loan association any shareholder who disagrees with the amount shown by the books or other records of the institution to be due to him shall present his claims to the Secretary by presenting his deposit or pass books or other evidence of indebtednes sto the Secretary within the time and in the manner designated by the Secretary pursuant to the provisions of this act Any such depositor or shareholder who shall not have received or shall have lost his deposit or pass book or other evidence of indebtedness or who shall believe that the amount shown by such deposit or pass book or other evidence of indebtedness due to him is incorrect shall within the time designated by the Secretary present his claim to the Secretary by whatever method he shall designate

Any depositor or in the case of a building and loan association any shareholder who shall not present his claim within the designated time and in the manner provided by this section shall be bound by the amount appearing to be due to him upon the books or records of the institution or where the name of such depositor or shareholder does not appear at all upon the books or records of the institution or appears on such books or records but with no balance appearing to be due to him by the institution shall be permanently barred from sharing in any distribution of the assets of the institution However the court may upon petition and adequate cause shown permit any depositor or in the case of a building and loan association any shareholder to file his claim upon a later date but no claim shall in any event be allowed to be filed after the last day for the filing of exceptions to the first account of the Secretary

This section shall not however be construed to deprive any such depositor or shareholder of any right of action at law or in equity which he may have against an employe or former employe of the institution or upon the bond of such employe or former employe for any act committed by such employe which resulted in such depostor's or shareholder's not appearing upon the books of the institution or appearing upon them but being credited with an amount below that actually due

The Secretary shall prescribe the form for the proof of claim of all depositors or in the case of building and loan associations shareholders and for the affidavit to be included

therein Whenever requested by any such depositor or shareholder to prepare such proof of claim or to take the affidavit thereto the Secretary shall do so without any charge to such depositor or shareholder

Section 1003 Proof of Claims of Creditors A Creditors other than depositors or in the case of a building and loan association other than shareholders shall not share in any distribution of the assets of the institution unless the creditor or someone for him shall within the time specified by the Secretary pursuant to the provisions of this act present to the Secretary a statement of his claim together with a copy of any book entries pertaining thereto any note or other instrument received as evidence thereof and a list of any collateral or agreement of pledge received in connection therewith

However the court may upon petition and adequate cause shown permit any creditor to file his claim upon a later date but no claim shall in any event be allowed to be filed after the last day for the filing of exceptions to the first account of the Secretary

The statement of a creditor's claim required by this section shall be verified by affidavit in substantially the following form

"I (name of claimant) do solemnly swear (or affirm) that the above is a true statement of my claim against (name of institution) that there are no credits or allowances against this claim except as therein set forth that there is no collateral security for this indebtedness or any part thereof held by me or by anyone else other than as above set forth and that I am not the owner or the obligee directly or indirectly of any contract of indemnity or insurance covering this claim except as set forth above"

If the creditor shall be a corporation such affidavit shall be made by the treasurer or assistant treasurer thereof and if a partnership by any member thereof In either such case the form of the affidavit shall be modified accordingly

B The provisions of this section shall not apply to the claims of parties interested in the custody possession or control of funds property or investments held by such institution in a fiduciary capacity However except as otherwise provided in this act the provisions of this section shall apply to disputes concerning the identity of such funds property or investments or to claims based upon deficiencies therein or the liability of the institution to surcharge thereon

Section 1004 Allowance of Claims For the purposes of the accounting provided for in this act the Secretary shall allow the claims of depositors or in the case of a building and loan association shareholders for the amounts shown to be due to them upon the books or other records of the institution or for such other amounts as they shall within the time and in the manner provided by this act prove to the satisfaction of the Secretary are due to them He shall likewise allow the claims of all other creditors when presented within the time and in the manner provided by this act if he shall be satisfied that the amounts claimed are rightfully due He shall reject all other claims of depositors other creditors and in the case of building and loan associations shareholders

Section 1005 Advance Payments of Dividends to Depositors After the expiration of the period fixed by the Secretary pursuant to the provisions of this act for the presentation of claims he may without leave of court and without filing an account make an advance payment of a dividend to all depositors the amounts of whose claims as they appear upon the books or other records of the institution are undisputed The dividend shall be calculated as if the claims of all other depositors as they appear upon the books or other records of the institution and the claims of all creditors or other corporations or persons who assert priority over or parity with depositors in the order of distribution of the assets were valid and uncontested

However the Secretary shall not make such an advance payment of a dividend to any depositor until he shall set aside an amount sufficient to pay in full the claims of all creditors or other corporations or persons asserting or entitled to priority over depositors in the order of distribution and to pay the proportionate dividend on the amounts claimed by the other depositors and by any creditors or other corporations or persons who are entitled to or who claim parity with depositors in the order of distribution provided for by law He shall likewise set aside before making such advance payment such amount as he shall deem necessary for the expenses of administration of the institution by him as receiver

Section 1006 Expenses of Administration Any reasonable expenditure made by the Secretary as receiver of an institution including any expense incurred in the management reorganization consolidation liquidation or distribution of the assets and affairs of the institution and any compensation paid to the deputy receiver or any other person employed to assist the Secretary in such management reorganization consolidation liquidation or distribution and to any deputy attorney general special deputy attorney general assistant deputy attorney general or other attorney who has been assigned by the Department of Justice to the Secretary to handle for him any legal business pertaining to the affairs or property of such institution shall be paid out of the assets of the institution provided it is included in any partial or final account filed by the Secretary pursuant to the provisions of this act and is approved by the court in which such account is filed

Where such expenses are incurred or such compensation is paid for the benefit of the estate of more than one institution in the possession of the Secretary as receiver an equitable portion of such expenses or compensation shall be paid out of the assets of each institution on whose behalf such expenditures were made

Article X, section 1007 was read as follows:

Section 1007 Partial or Final Account Objections A At any time after the expiration of the period fixed by the Secretary pursuant to the provisions of this act for the presentation of claims he shall file a partial or final account of his administration of the business and property of the institution duly verified by him under oath or affirmation in the office of the prothonotary which shall be recorded by the prothonotary

If the Secretary shall not file his first account within one year after he takes possession of an institution any depositor other creditor or shareholder of such institution may petition the court to order the Secretary to file an account The court may in its discretion grant or refuse the petition

The account shall present his administration of the estate including a statement of all receipts or expenditures by the Secretary as receiver a list of all claims which have been allowed and a separate list of claims which have been objected to or are disputed showing as to all depositors other creditors and in the case of a building and loan association shareholders their names and addresses the amounts due or claimed to be due to them and any priorities in the order of distribution granted to or claimed by them

B The Secretary shall forthwith give written or printed notice of such filing of an account to all corporations or persons whom he knows to be or to claim to be depositors other creditors and in the case of building and loan associations shareholders of the institution at the addresses which respectively appear for them upon the books of the institution or if none appear there at their last known respective addresses Such notice shall also state that unless an exception to the account or to any item therein is filed with the court within thirty days from the date of the filing thereof it will be confirmed absolutely

He shall likewise give notice to any corporation or person who pursuant to the provisions of this act has given the Secretary notice of his claim to the right of execution or attachment against any assets owned by or legally in the custody or possession of the Secretary as receiver of the institution

He shall also advertise such notice in a newspaper or newspapers as provided in this act stating the date upon which he has filed his partial or final account and the fact that all exceptions to the account must be filed within thirty days from the date of the filing of such account

The Secretary shall forthwith file with the court under oath affirmation a statement that he has in the manner provided by this act sent both the notice of his determination to liquidate and the notice of his filing of an account to all corporations or persons entitled thereto whose names appear in the account at the addresses state therein He shall also file the proofs of publication of the advertisements which he has inserted pursuant to the provisions of this act which respectively set forth his determination to liquidate and his filing of an account

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1007, page 88, line 9 by striking out at the end of the line after the word "prothonotary" the words "[which shall]"

Amend section 1007, page 88 by striking out line 10.

Amend section 1007, page 90, line 4 by striking out at the beginning of the line the bold face bracket before the letter "C."

Amend section 1007, page 90, line 7 by striking out at the end of the line the bold face bracket after the word "papers"

On the question,

Will the House agree to the amendments?

Mr. TURNER. Mr. Speaker, I object to the amendment.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, the bill before you on second reading and now in process of amendment is one of two bills relating to the Banking Department. This is the Department Code. The section which I seek to amend and to which the gentleman from Delaware, Mr. Turner, objects, you will find on page 88.

In every closed bank under liquidation the agent in possession, who is the direct representative of the Secretary of Banking, is obliged under the present law within one year from the date when the Department takes possession of a bank, or at some later time, if an extension of time is allowed, to file an account with the Prothonotary of the Court in which the certificate of possession is filed. These accounts, particularly in the large banks that have been closed, become very voluminous documents. Within my own experience in one bank in Philadelphia, one of the earliest of which possession was taken, the account of the agent in possession consisted of three volumes of accounting matter, each twelve or fourteen inches deep.

As the bill is before you it would be necessary for the Prothonotary of the county in which the account is filed to rewrite and record in his books every figure, every item, every word that appears in the account of the agents in possession.

Mr. Speaker, and members of the House, it seems to me that the first duty of the Commonwealth, when it takes possession of a bank, is to expedite the liquidation, so that the depositors of that institution might at an early date obtain a final or at least a partial dividend on account of the deposit which they had in the bank at the time of closing.

Certainly, and more important than making the liquidation as expeditious as possible, is the economy of that liquidation, because every dollar that is taken out of the fund in the possession of the liquidator is taken from the depositors.

I have no means of telling the members of this House what it would cost per line to have the prothonotary record in his books every bit of substance that appears in the account of the liquidator when filed, but I am prepared to stake my reputation here that to impose that cost on the depositors of the institution would be a very unfair bit of procedure. Even in the case of a small bank the cost of recording in the prothonotary's office would not alone be useless but would be expensive, because the amount in possession of the liquidator ultimately in the small bank is just as important in that type of institution as is a greater sum that may be held by the liquidation of a larger bank.

Beside the question of the economies involved we must raise the question of necessity. When the liquidator has completed his account it becomes necessary for him to submit it to the Court for audit, and it has been the practice, and is the practice, again for the sake of economy, that the Judge of the Court in which the certificate of possession is filed takes it upon himself to make the audit of the account. That account becomes a permanent record in the office of the Prothonotary, just like every other court paper becomes a permanent record in the office of the Prothonotary. The final account is docketed in the Prothonontary's office, and there seems to be no greater need to have the Prothonotary record word for word, figure for figure, every item that appears in the account of an agent in possession of a closed bank than is it necessary to have the Prothonotary write in the docket every word and every syllable of a statement of claim or of an affidavit of defense, or any other pleading that is filed.

I submit to you, Mr. Speaker and members of the House, that if it is your wish that the liquidation of banks proceed with as great economy as possible, the amendments which I have offered should have your approval. If the amendments do not have your approval you will just add so much more to the administration costs of closed banks and substract a comparable sum from the depositors on the dividends which they hope to receive.

Mr. TURNER. Mr. Speaker and members of the House I have heard a great deal lately from the distinguished gentleman from Philadelphia as to false economy. Some times that which seems to be expensive on the one side on the other side becomes real economy.

The cost of recording in comparison to the amounts involved is very slight, and if that proves a protection to the depositors and to the public in general it should be expended.

In filing accounts in your prothonotarys' offices those accounts in other legal matters are recorded and there is provision for it. Why should an exception be made in reference to the accounts of closed banks? I do not mean to say that every account filed is recorded in the prothonotary's office, but I do say that there are accounts pertaining to insolvency which are recorded. Now, if you file the accounts in the prothonotary's office, as almost every member of the bar knows, the papers become lost in the prothonotary's office very often. It is possible for the members of the bar to withdraw them at times for examination, and that is one of the things we have to contend with from time to time when we have to go and hunt for papers that are supposed to be filed in the prothonotary's office.

Therefore, it seems to me that in a matter that is as important as this to the depositors of a closed bank, the creditors of the bank, the stockholders and the public in general, that these accounts that are filed in the prothonotary's office should take the usual course and should be recorded.

Mr. PHILIP STERLING. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I will, Mr. Speaker.

Mr. PHILIP STERLING. Mr. Speaker, will the gentleman from Delaware state to this House any form or kind of account which is actually recorded in the prothonotary's office?

Mr. TURNER. The accounts of insolvent estates are recorded in the prothonotary's office, Mr. Speaker.

Mr. PHILIP STERLING. Mr. Speaker, does the gentleman from Delaware distinguish between docketing and recording?

Mr. TURNER. Mr. Speaker, I certainly do distinguish between docketing and recording.

Mr. PHILIP STERLING. Mr. Speaker, does the gentleman from Delaware mean to say that the accounts of insolvent estates—is that what the gentleman said?

Mr. TURNER. Yes, Mr. Speaker, insolvent estates.

Mr. PHILIP STERLING. Are actually written into the books of the prothonotary's office?

Mr. TURNER. They are in my county, Mr. Speaker.

Mr. PHILIP STERLING. Does the gentleman from Delaware, Mr. Speaker, say that that is the practice throughout the Commonwealth?

Mr. TURNER. Mr. Speaker, I can't say throughout the Commonwealth.

Mr. PHILIP STERLING. Mr. Speaker, is the gentleman from Delaware able to state to this House what it would cost to record the account of an agent in possession of a bank in the office of the prothonotary, assuming that that account would constitute three volumes of not less than one foot each deep?

Mr. TURNER. Mr. Speaker, of course that would depend on how many pages were within the three volumes that were one foot deep and how many lines there were on each page.

Mr. PHILIP STERLING. Mr. Speaker, will the gentleman from Delaware state what the cost per line or per word or per page for the recording of such documents in the office of the prothonotary may be?

Mr. TURNER. Fifteen cents a line, Mr. Speaker.

Mr. PHILIP STERLING. Mr. Speaker, does the gentleman from Delaware state to this House that in his county, papers are frequently withdrawn from the prothonotary's office by members of the bar and not returned?

Mr. TURNER. They are, and in yours too.

Mr. PHILIP STERLING. Mr. Speaker, so far as Philadelphia county is concerned, I feel that I am perfectly well able to speak for it and make an absolute denial to the gentleman from Delaware that any papers are ever abstracted from that office without receipts being left showing where they can be found.

Mr. TURNER. Mr. Speaker, I merely want to answer what the gentleman from Philadelphia has said by stating that of course we have to leave a receipt for the papers removed from the prothonotary's office.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, the gentleman from Delaware has told you that if the account of a liquidator or agent in possession of a closed bank is filed for recording in the office of the Prothonotary of Delaware county a charge at the rate of fifteen cents per line would be made. I dare say that the average number of lines on these accounts which I have seen would be probably twenty. In many of the accounts that I have seen involving closed banks in Philadelphia the pages involved into the thousands. The one that I mentioned to you a little while ago, constituting three volumes, each not less than one foot deep, doubtlessly ran into three thousand or probaly four thousand sheets. You can make the multiplication yourselves. In the case of the Aldine Trust Company in Philadelphia, although I have no personal knowledge of the size of the account, I have reason to imagine that there doubtlessly were six volumes of at least a foot deep. You can make the multiplication yourselves, and whether or not you note your approval of these amendments depends the question of whether you want liquidations of banks to go on economically or not economically.

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Sterling.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. PHILIP STERLING. Mr. Speaker, I will.

Mr. TURNER. Mr. Speaker, will the gentleman from Philadelphia state how much was involved in the account of the Aldine Trust Company?

Mr. PHILIP STERLING. Mr. Speaker, nine or ten million dollars.

Mr. TURNER. And how much, Mr. Speaker, was involved in the account of the Bankers Trust Company?

Mr. PHILIP STERLING. Many times more, Mr. Speaker. I can not give you the exact amount.

Mr. TURNER. At least forty or fifty million dollars, Mr. Speaker?

Mr. PHILIP STERLING. Mr. Speaker, anything I might say would be a guess, but very much more than the Aldine Trust Company.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Sterling and Mr. Conner and were as follows:

YEAS—109

Andrews,	Furman,	Male,	Shugarts,
Baker,	Gallagher,	Malina,	Simon,
Barnhardt,	Gorman,	Marcks,	Snyder,
Beech,	Greenstein,	McClure,	Stank,
Bernhard,	Griffith,	McGinnis,	Sterling, P.,
Boyd,	Haines,	McHenry,	Sterling, R. B.,
Brancato,	Hamilton,	McKay,	Stevens,
Brennan,	Harmuth,	McKinney,	Stevenson,
Brown, J. E.,	Hartman,	Meredith,	Stone,
Brownfield,	Hermansen,	Mumford,	Storb,
Cannon,	Hester,	O'Keefe,	Stott,
Caputo,	Himes, L. R.,	Peelor,	Surface,
Carson,	Hoffman,	Perry, J. J.,	Wade,
Chervenak,	Holmes, J. B.,	Powell,	Walker, G. E.,
Conner,	Hoopes,	Quinn,	Walker, W. A.,
Cramer,	Horst,	Raub,	Wall,
Dane,	Hough,	Reed,	Way,
DeFrehn,	Howard,	Reilly,	Welsh,
Downey, G. E.,	Hutton,	Rhodes,	Westrick,
Downey, J.,	Jones,	Royle,	White,
Dunmire,	Kane, L. P.,	Ruth,	Wike,
Emhardt,	Labar,	Schrock,	Williams, G. W.,
Eroe,	Lane,	Schwab,	Wilson, L. M.,
Evans,	Lose,	Sheffer,	Wilson, T. B.,
Fitzgerald,	Lovett, J. E.,	Shellenberger,	Wood,
Flanagan,	Lovett, W. S.,	Shettel,	Yeakel,
Fleisher,	Lynch, M.,	Shortz,	Yourishin,
Flynn,			

NAYS—68

Baldi,	Harris,	Negley,	Sautter,
Bennett,	Hart,	Nothnagle,	Shreiner,
Blumberg,	Heffernan,	O'Connor,	Sinwell,
Brown, W. L.,	Heffner,	O'Neill,	Sowers,
Carey,	Hewitt,	O'Rourke,	Spann,
Cooke,	Jaffe,	Patterson,	Steedle,
Cordier,	Kinney,	Pennock,	Stiteler,
Craig,	Laubach,	Perry, D. R.,	Tahl,
Davies,	Lewis,	Peters,	Turner,
Duffy,	Maloney,	Powers,	Wasserman,
Dwyer,	Mason,	Price,	Weidemann,
Ederer,	McCandless,	Rectenwald,	Witkin,
Forrest,	McElwee,	Rice,	Woodside,
Gartner,	McGregor,	Roan,	Wright,
Gillette,	Metzler,	Root,	Zimmerman,
Gorman,	Mohn,	Roth,	Talbot,
Green,	Moore,	Sarig,	Speaker.
Habbyshaw,	Munley,		

So the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article X, sections 1008 to 1012 inclusive, were separately read and agreed to as follows:

Section 1008 Exceptions to Account A Any corporation or person who is or who claims to be a depositor other creditor or shareholder of an institution or who has given to the Secretary notice of his claim to the right of execution or

attachment against any assets owned by or legally in the custody of the Secretary as receiver of an institution or who assets any other type of claim against an institution may within thirty days after the filing of an account by the Secretary file in the court specific exceptions in writing under oath or affirmation to such account or to any item therein

Notice of any exception to an individual item in an account shall forthwith be personally served upon or sent by registered mail to the corporation or person whose claim is thus objected to or his counsel and also the Secretary or the deputy receiver managing the affairs of the particular institution or the counsel of either Affidavit of the serving or sending of such notice shall forthwith be filed with the court

B Whenever an exception is filed to any expenditure made by the Secretary as an expense of administration the Secretary shall keep an accurate record of the salaries and other expenses exclusive of counsel fees properly incurred by him in the contesting of such exception If the exception is overruled and the expenditure is sustained the court may in its discretion assess such expenses and salaries together with the regular costs provided by law upon the depositor other creditor or shareholder filing such exception

Section 1009 Adjudication of Rejected Claims and Exceptions to Account A If any claim has been rejected by the Secretary or any exception has been filed to the account or to any item thereof the court shall as soon as expedient after the expiration of the period for the filing of exceptions to the account fix a date for hearing in court arguments on all rejected claims and all exceptions to the account or to any item thereof

The Secretary shall give notice of such hearing to all corporations or persons whose claims have been rejected by the Secretary or objected to in the manner provided by this act He shall likewise give notice to all corporations or persons who have filed exceptions to the account or to any item thereof Such notice shall set forth in so far as possible the reasons for the rejection of the claim or the nature of the exception to the item of the account and shall state that all parties whose claims are rejected or objected to must appear in court upon the date fixed by the court to prove their claims or they will be bound by the ex parte decision of the court

B The court in which the account is filed shall itself hear arguments upon any rejected claim or upon any exception to an account or to any exception to an account or to any item thereof upon the date fixed by it for this purpose The court shall itself decide without delay all matters in controversy If any party does not appear in court on the day fixed the court shall conduct the hearing ex parte and shall render its decision upon the merits as they appear after such hearing

Section 1010 Confirmation of Account Distribution of Dividends A If the Secretary has approved all depositors' claims or in the case of building and loan associations all shareholders' claims as presented by them pursuant to the provisions of this act or if not presented as they appear upon the books or other records of the institution and if no exception has been filed to an account or to any item thereof within thirty days after the filing of such account by the Secretary the court shall confirm the account absolutely If any funds are available for distribution the Secretary shall then declare and pay out of such funds a partial or a final dividend according to the priorities established by law

If the Secretary has rejected any such deposit or claim or if any such exception has been filed the court shall confirm the account as to all other matters and claims The Secretary may then declare and pay out of the funds available for distribution if any dividend according to the priorities established by law The dividend shall be calculated as if all deposits and other claims were valid and approved The Secretary before paying any such dividend shall set apart the proportion of such dividend which would be properly apportionable to any claim which has been rejected by the Secretary or to which an exception has been filed if the amount and the priority claimed were sustained by the court If any such claim shall be determined by the court to be valid the Secretary shall pay to the corporation or person entitled thereto the dividend which has been set apart in the manner provided by this section If any such claim shall be determined by the court to be invalid the dividend which has been set apart in the manner provided by this section shall be distributed in the order of the priorities established by law to those whose claims have been approved by the court

B The confirmation of any account after the adjudication of all claims therein which have been rejected by the Secretary or to which exceptions have been filed and of all other exceptions to such account shall be conclusive as to all matters therein Except as otherwise provided in this act no claim of any depositor or other creditor or in the case of a building and loan association any shareholder shall be valid if not listed and approved in the first account which has been filed

The confirmation of the final account and distribution thereunder shall discharge the Secretary the deputy receiver any other employe and the legal counsel as well as the surety for any of them from all further civil liability for any act done in his official capacity as receiver deputy receiver employe or legal counsel of the institution

Section 1011 Order of Preference in Distribution A The following shall be the order followed by the Secretary in the distribution pursuant to the provisions of this act of the assets of any institution with the exception of a building and loan association which he as receiver is liquidating

First Any expenditure made by the Secretary as receiver which under the provisions of this act is to be paid out of the assets of the institution

Second Any fee or other debt owing to the Department for examinations or other services rendered or penalties incurred prior to the taking of possession by the Secretary as receiver any deposit or other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Third Any deposit and any interest due thereon which has been or according to the by-laws or rules and regulations of the institution should have been credited to such deposit prior to the date of the taking of possession of the institution by the Secretary as receiver whether subject to withdrawal by check or by any other method not requiring notice or to withdrawal only after notice or after the expiration of a fixed period whether or not such notice has been given or such period has expired at the date of distribution any holder of a certified check drawn on the institution the claim of any holder of a certificate of deposit of the institution which evidences an actual deposit of moneys in such institution and any interest which may be due thereon whether such certificate of deposit is payable upon demand or is payable only after notice or after the expiration of a fixed period whether or not such notice has been given or such period has expired at the date of distribution the claim of any holder of a check or draft of the institution which has been given in exchange for or in payment of a check or draft drawn upon such institution by a depositor therein or which has otherwise been charged to the account of a depositor therein provided that the amount of such check or draft does not exceed the balance to the credit of such depositor or which has been given in exchange for cash or for any check or draft the proceeds of which have been received by the institution any claim for cash or for any check or draft the proceeds of which have been received by the institution which was delivered to the commercial department of such institution as fiduciary either for transmission or for any purpose other than as a deposit irrespective of whether all or part of such cash or the funds realized from such check or draft has been mingled with the assets of such institution

Fourth Any claim for the amount of any deficiency in the funds property or investments of an estate of which the institution was fiduciary or any surcharge with respect to such estate which is found to be done by the court in which the account for such estate is filed and any claim of a creditor of the institution not listed under any other category in this section

Fifth Any part of the amounts paid by shareholders after an assessment upon them by the Secretary pursuant to the provisions of this act which has proved unnecessary to pay in full all depositors or other creditors of the institution such payments are to be made pro rata up to the respective amounts paid by each shareholder This clause shall not be construed to refer to payments made by shareholders on account of unpaid subscriptions to shares

Sixth Any moneys of the institution which still remain in the hands of the Secretary shall be paid to shareholders in proportion to the number of shares held by them respectively minus any amounts still owing by them on the assessment made by the Secretary pursuant to the provisions of this act or on unpaid subscriptions to shares

Seventh Any unliquidated assets to trustees for shareholders appointed pursuant to the provisions of this act

B The following shall be the order and preference followed by the Secretary in the distribution pursuant to the provisions of this act of the assets of any building and loan association the affairs of which he as receiver is liquidating

First Any expenditure made by the Secretary as receiver which under the provisions of this act is to be paid out of the assets of the institution

Second Any fee or other debt owing to the Department for examinations or other services rendered or penalties incurred prior to the taking of possession by the Secretary as receiver any other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Third Any claim of a creditor of the association other than the claim of a shareholder arising from his ownership of shares

Fourth Any claim of a shareholder arising from his ownership of shares whether such shares be installment full-paid prepaid matured or any other type The amount of the claim arising from each share shall be the amount actually paid in on account of such share less any amount lawfully deductible therefrom by the association except in the case of a lawfully and properly matured share in which case the amount of the claim shall be the actual par value of the share less any payment received on account thereof from the association and less any other amount lawfully deductible therefrom by the association

C Every claim enumerated above shall have the same rank and priority as every other claim in the same numbered paragraph regardless of the order in which such claims are enumerated

D All claims provided for in this section shall be construed to refer only to claims presented to the Secretary and approved by the court in accordance with the provisions of this act

Section 1012 Liquidation of Balance by Trustees Except in the case of a building and loan association the Secretary shall dispose in the following manner of any unliquidated assets of an institution of which he was receiver which are still in his possession after the filing and confirmation of his final account the payment in full of the claims of all depositors creditors and other claimants which have been approved by the court the return of shareholders pro rata of any amounts paid by them pursuant to an assessment made by the Secretary under the provisions of this act which have proved unnecessary to pay in full the duly presented and approved claims of depositors and other creditors and the distribution to shareholders of any cash balance remaining thereafter

The Secretary shall call a meeting of all the shareholders of the institution by giving them written notice at least thirty days before the day fixed for the meeting At such meeting the shareholders shall elect by ballot a trustee or trustees who sholl complete the liquidation A majority of the shares present in person or by proxy shall be necessary to elect such trustee or trustees The Secretary shall file one copy of the proceedings of such shareholders' meeting in his office and one in the office of the prothonotary Both copies shall be prepared by him under oath or affirmation

If no trustee is elected in this manner on the day designated the Secretary shall petition the court in which the certificate of possession is filed for the appointment of a trustee or trustees

The trustee or trustees who are thus elected by the shareholders or appointed by the court shall give bond to the Commonwealth in such amount wtih such surety and under such conditions as the court may direct The Secretary shall then transfer to such trustee or trustees all the assets of the institution which are still in his possession

After such transfer by the Secretary to a trustee or trustees for the benefit of the shareholders the institution shall have no corporate powers or privileges whatsoever The trustee or trustees shall not succeed to any of its powers or privileges except such as shall be necessary to the liquidation of the remaining assets which have been transfered to such trustee or trustees by the Secretary

Article X, section 1013 was read as follows:

Section 1013 Unclaimed Dividends Whenever upon the audit or adjudication of the final account of the Secretary in possession of an institution as receiver there shall be and remain in his possession any dividends or any dividends which shall have been awarded to any depositor or other creditor the whereabouts of whom or of whose legal representatives the Secretary has been unable to ascertain or any dividends which otherwise are by law escheatable to the Commonwealth he shall file in the court the sworn statement required by law and shall thereupon pay the dividends into the State Treasury through the Department of Revenue in accordance with the provisions of law such moneys to be subject to refund to any corporation or person entitled thereto pursuant to the provisions of law

This section shall not be construed to relieve the Secretary of any of the duties with respect to such unclaimed or escheatable dividends imposed by law upon any receiver appointed by any court within this Commonwealth

On the question,

Will the House agree to the Section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1013, page 99, line 14 by striking out after the word "claimant]" and before the word "[and]" the word "[or]."

Amend section 1013, page 99, line 14 by striking out after the word "[and]" and before the word "which" the words "[any dividends]."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Article X, section 1014 was read and agreed to as follows:

Section 1014 Destruction of Records The Secretary is authorized to destroy all records of the institution of which he was in possession as receiver and all records of such receivership at the experiation of six years from the date of the absolute confirmation of his final account except where any provision of this act expressly or impliedly provides a different method for the disposition of the records or a longer period for their preservation

Articles XI and XII were separately read and agreed to as follows:

ARTICLE XI

SPECIAL CRIMINAL PROVISIONS

Section 1101 Criminal Prosecutions Upon discovery by report or otherwise of any violation of any criminal law of this Commonwealth which relates to an institution the Department shall institute criminal proceedings in the manner provided by law

Section 1102 Perjury Anyone who shall wilfully and corruptly make a false statement under any oath or affirmation provided for in this act or anyone who shall by any means procure or suborn any other person to do so shall be guilty of the crime of perjury and upon conviction thereof shall be subject to the same punishment as is or may be provided by law for perjury

Section 1103 Statute of Limitations for Violations of Act Any prosecution for the commission of any criminal offense under the provisions of this act may be commenced at any time within six years after the date upon which the alleged offense shall have been committed However if the person against whom such prosecution is brought shall not have been an inhabitant of this Commonwealth or a usual resident therein for six years then such indictment may be commenced and prosecuted at any time within six years after he shall have become an inhabitant of or usual resident within this Commonwealth

ARTICLE XII

EFFECTIVE DATE AND REPEALER

Section 1201 Effective Date This act shall become effective on the third day of July one thousand nine hundred and thirty-three and shall apply to all corporations and persons described herein whether in existence on such date or coming into existence at any time thereafter

Section 1202 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed .

Section twenty-eight of the act approved the thirteenth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" in so far as it relates to distribution of assets by the Secretary as receiver

Section one of the act approved the eighth day of May one thousand nine hundred and seven (Pamphlet Laws one hundred ninety-two) entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five eleventh day of June Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twety-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five iter alia providing for the establishment and regulation of trust companies" in so far as it relates to distribution of assets by the Secretary as receiver

Section one of the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand sixty) entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" in so far as it relates to distribution of assets by the Secretary as receiver

The act approved the twenty-first day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred ninety-four) entitled "An act to give the status of a depositor as to preference over other creditors to persons firms or corporations accepting from a bank or trust company its check in payment of a depositor's check" in so far as it relates to distribution of assets by the Secretary as receiver

The act approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred fifty-four) entitled "An act to amend section one of an act entitled 'A supplement to an act of Assembly of the Commonwealth of Pennsylvania entitled "An act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five eleventh day of June Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment and regulation of trust companies' approved the eighth day of May Anno Domini one thousand nine hundred and seven by enlarging and extending the preference given to depositors so as to include deposits payable only after specified notice or at the expiration of a fixed period and defining and including as depositors bona fide holders for value of certified checks on or of certicates of deposit issued by trust company or of checks or drafts given in exchange for or in payment of checks or drafts of depositors of a trust company drawn thereon" in so far as it relates to distribution of assets by the Secretary as receiver

The act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred seventy-eight) entitled "An act authorizing the reorganization of building and loa nassociations and savings and loan associations with the approval of the Banking Commissioner requiring the interest of all stockholders thereof to remain in the association for a period of two years and providing for the payment at the end of such period of their respective interests to stockholders who failed to approve the plan of reorganization" absolutely

The act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents" absolutely

The act approved the fifth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws one hundred six) entitled "An act to amend section one of an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and sixty) entitled 'An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof providing for the distribution of the assts of private bankers in case of insolvency" in so far as it relates to distribution of assets by the Secretary as receiver

The act approved the thirteenth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws one hundred eighty-two) entitled "An act to amend section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated association and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' requiring building and loan associations to pay the cost of examinations by the Department of Banking" absolutely

The act approved the fifth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws seven hundred sixty-two) entitled "An act to amend sections two three eleven twelve fourteen seventeen twenty-one twenty-thre twenty-five twenty-eight twenty-nine thirty thirty-two thirty-four thirty-six thirty-eight forty-four forty-six forty-seven and forty-eight of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' " absolutely

The act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred sixteen) entitled "An act to amend section nine of the act approved the fifteenth day of June one thousand nine hundred twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement

of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' as amended" absolutely

The act approved the twenty-sixth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred thirteen) entitled "An act to further amend section one of an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand sixty) entitled 'An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" as amended by providing that all moneys or securities deposited with the Secretary of Banking shall pending their approval be turned into the State Treasury" absolutely

The act approved the twelfth day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred twelve) entitled "An act to further amend section twelve of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorportaed associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' by authorizing the Department of Banking to disclose certain contents of reports of building and loan associations" absolutely

The act approved the twenty-eighth day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred ninety-three) entitled "An act to amend section twenty-eight as amended Clause II of section thirty-one clause (b) of section thirty-two as amended section forty-one section forty-two as amended and section forty-five of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' by conferring additional powers on the Secretary of the Department of Banking and changing the procedure to be followed in the liquidation reorganization and rehabilitation of the corporations partnerships and persons over which the department has supervision and control" absolutely

The act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred ninety-six) entitled "An act to further amend paragraph (a) of section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents" absolutely

The act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred sixty-three) entitled "An act to amend section thirty-six of the act approved the fifteenth day of June one thousand nine hundred twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' as amended by providing that pledges of assets of institutions in the possession of the Secretary of Banking may not forfeit or sell the same except under certain conditions and providing penalties" absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred seventy-six) entitled 'An act to amend section three of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' as amended in part providing additional regulations for all advertisements publications and notices required by the said act to be made in newspapers" asbsolutely

The act approved the twentieth day of July one thousand nine hundred and thirty-two (Pamphlet Laws seven) entitled "An act to further amend section twenty-nine and clauses (b) and (d) of section thirty-two of an act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled 'An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents' by conferring additional powers on the Secretary of Banking with regard to the leasing of real estate the pledge of assets in his possession as security for loans the sale of listed and unlitsed securities and the extension of the period for the payment of mortgages" absolutely

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Section 1203 General Repeal of Act All other acts or parts of acts inconsistent herewith are hereby repealed

The Table of Contents was read as follows:

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On the question,

Will the House agree to the Table of Contents?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend page 5, line 17 of the table of contents by inserting after the word "of" and before the word "Listed" the words: "Personal Property."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the Table of Contents as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2364 (Senate Bill No. 989), entitled:

A Joint Resolution continuing the joint legislative committee created to study the production and marketing of milk

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RESOLUTION

RECALLING HOUSE BILL No. 1615 FROM THE GOVERNOR

Mr. WALL asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1615, Printer's No. 522, entitled, "An act denying a right of action or right to recover to the Commonwealth to collect certain claims from boroughs for the maintenance of State highways," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1107 FROM THE GOVERNOR

Mr. METZIER asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1107, Printer's No. 1081, entitled "An act creating and establishing a fund for the care, maintenance and relief of aged retired and disabled employes of the Bureau of Fire in cities of the second class, creating a board for the management thereof; providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," be recalled from the Senate for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING

Mr. WOOD. Mr. Speaker, I desire to call up at this time House Bill No. 2362, Senate Bill No. 1390, Printer's No. 686, on page 1 of today's calendar bills on second reading which was passed over when it was reached in its order.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2362 (Senate Bill No. 1390), entitled:

An Act to amend section twenty sections twenty-six twenty-nine thirty and thirty-two as amended and to repeal section twenty-seven and twenty-eight of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" changing the fee for killing dogs and disposing of their carcasses and providing that appraisements for damages to live stock and poultry shall be made by an agent of the Commonwealth

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" is hereby amended to read as follows

Section 20 If after ten days from the giving of such notice such dog has not been claimed such chief of police or his agent constable or high constable shall dispose of such dog by sale or by destruction in some humane manner No dog so caught and detained shall be sold for the purpose of vivisection All moneys derived from the sale of such dog after deducting the expense of its detention shall be paid to the county treasurer and by him paid to the State Treasurer For services under section nineteen and twenty of this act such officers shall be paid the sum of two dollars for detaining a licensed dog and the sum of [two dollars] one dollar for the killing and properly disposing of carcass of each unlicensed dog by cremation burial or other approved sanitary method All expenses incurred under this or the preceding section and not otherwise provided for shall be paid by the State Treasurer from the fund specifically provided for by this act and appropriated for this purpose upon warrant of the Auditor General and approval of the Secretary of Agriculture

The second section was read as follows:

Section 2 That section twenty-six of said act as last amended by the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eleven) is hereby further amended to read as follows

Section 26 Whenever any person sustains any loss or damage to any live stock or poultry by dogs or any live stock or poultry of any person is necessarily destroyed because of having been bitten by a dog except when such loss destruction or damage shall have been caused by a dog harbored by the owner of such live stock or poultry such person or his agent or attorney may immediately after the damage was done complain to a duly authorized agent of [any township auditor or to any justice of the peace alderman or magistrate of the township town borough or city or of any adjoining township town or borough] the Department of Agriculture Such complaint shall be in writing shall be signed by the person making such complaint and shall state when where and how such damage was done and by whose dog or dogs if known Claims covering damage due to rabies shall be made immediately following the death of the animal and shall be supported by a certificate from a licensed and duly qualified veterinarian or a report from the laboratory of the Department of Agriculture

to the effect that such animal was affected with rabies [Such township auditor justice of the peace alderman or magistrate shall at once notify an auditor of the district in which he or the claimant is resident if there be any and where there is no auditor then the controller of any such district and together they] Upon receipt of such notice the agent of the Department of Agriculture shall at once examine the place where the alleged loss or damage was sustained and the live stock or poultry injured or killed [They] the agent of the Department of Agriculture shall then [jointly] fix a time for taking testimony relative to such claim and shall give notice of such time to the claimant and to the dog owner if known [Such appraiser] The agent of the Department of Agriculture shall examine under oath or affirmation any witness called before [them] him After making diligent inquiry in relation to such agent as claim such [appraisers] appraiser shall determine whether any damage has been sustained and the amount thereof and if possible who was the owner of the dog or dogs by which such damage was done If the [two appraisers] owner does can not agree as to the amount of damage [sustained the Secretary of Agriculture through his officers or agents] allowed by the appraiser the owner and appraiser may appoint a disinterested citizen to assist in determining the amount of damage sustained For such services the said disinterested citizen shall receive two dollars and mileage at five cents per mile for the distance traveled which shall be paid by the owner and considered as part of the costs in such claim

Any owner or keeper of such dog or dogs shall be liable to the owner of such live stock or poultry in a civil action for all damages and costs or to the Commonwealth to the extent of the amount of damages and costs paid by the Commonwealth as hereinafter provided

When the inhabitants of any city borough or township or of any part thereof have suffered an excessive amount of damage by dogs to live stock or poultry a petition may be presented to the Secretary of Agriculture signed by twenty or more of such residents who are owners of live stock or poultry alleging such excessive damage and requesting that a quarantine be placed on all dogs within the limits of such city borough or township or such part thereof Upon receipt of such petition the Secretary of Agriculture may through his authorized agents have an investigation made of the facts alleged therein and if convinced that conditions in such city borough or township or such designated area demands such stringent measurers he may establish a dog control quarantine therein

When such quarantine is established at least ten notices thereof shall be posted throughout the area affected thereby and notice thereof shall also be published in at least one issue of a newspaper of general circulation throughout such city borough or township

It shall be unlawful for any person residing in the area affected by such quarantine to permit a dog owned or harbored by him to run at large in such quarantined area or to have the premises where it is kept unless accompanied by and under the control of himself or a handler

Any police officer may kill any dog running at large in a quarantined area in violation of such quarantine without any liability for damages for such killing

On the question,

Will the House agree to the section?

Mr. WOOD. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 5, line 13 by striking out the words "agent as"

Amend section 2, page 5, line 17 by striking out the word "can"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third, fourth and fifth sections and title were separately read and agreed to as follows:

Section 3 That sections twenty-seven and twenty-eight of said act and the amendments thereto are hereby repealed

Section 4 That sections twenty-nine thirty and thirty-two of said act as amended by the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eleven) are hereby further amended to read as follows

Section 29 Upon the Secretary of Agriculture receiving and approving such report if it appears thereby that a certain amount of damage has been sustained by the claimant he shall immediately draw a requisition in favor of the claimant for the amount of loss or damage such claimant has sustained according to such report together with necessary and proper costs incurred Such amount shall be paid from any appropriation to the Department of Agriculture available for this purpose If such report is not approved and it is deemed advisable a further investigation may be made by the Secretary of Agriculture through his officers or agents to ascertain the amount of damage sustained No person shall receive payment for any claim until the [township auditor justice of the peace alderman or magistrate] appraiser before whom the claim was made has certified that due diligence was made to ascertain whose dog or dogs did the damage and the claimant has certified that the carcasses of the live stock or poultry killed and for which damages have been assessed were buried within twenty-four hours after the assessment of damages The owners of any live stock or poultry killed by dogs or live stock necessarily destroyed because of having been bitten by a dog other than a dog harbored by such person shall be paid a burial fee as follows For each horse stallion colt gelding mare bull bullock steer heifer cow mule jack jennet or burro [two dollars] one dollar and fifty cents for sheep ram lamb calf goat kid or swine [two dollars] one dollar each for the first three animals and [one dollar] fifty cents for each additional animal for each head of poultry domestic hare or rabbit ten cents each to be included in said report and paid as other damages under this section Where said carcasses are turned over to a scavenger or reduction plant no burial fee shall be allowed

Upon payment by the State of damages of live stock or poultry by dogs the rights of the owner of such live stock or poultry against the owner of a dog to the extent of the amount of damages so paid by the State shall inure to the benefit of the State

Section 30 No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury The fact that no such payment has been made shall be certified by the [township auditor justice of the peace alderman or magistrate] appraiser

When any payment is made by the State for any live stock including poultry injured by a dog such payment shall not exceed one hundred dollars for each horse or mule sixty dollars for each head of unregistered cattle one hundred dollars for each head of registered cattle [twenty] ten dollars for each head of unregistered swine sheep or goats [thirty-five] twenty dollars for each head of registered swine sheep or goats three dollars for each full-grown goose [four] three dollars for each full-grown turkey and [two dollars] one dollar for each head of other poultry or domesticated hare or rabbit All appraisals under this act shall be at the actual value of the live stock including poultry killed or injured

Section 32 If in the report of the [township auditor justice of the peace alderman or magistrate] appraiser the name of the owner of any dog or dogs having caused loss or damage to any live stock or poultry is definitely and conclusively shown or if a written complaint is filed with the Secretary of Agriculture by any owner of live stock or poultry against any dog or dogs stating that such dog or dogs has or have been seen pursuing or worrying live stock or poultry and if such charge is proven by investigation on the part of the Secretary of Agriculture he may notify the owner or keeper of such dog or dogs to immedately kill the same whereupon it shall be unlawful and a violation of this act for such owner or keeper to permit or cause such dog or dogs while alive to leave or be removed from such premises The killing of such dogs does not remove the liability of the owner of such damage done by his dog or dogs

Upon failure however of such owner to comply with such order within a period of ten days any police officer of the township town borough or city in which said dog or dogs are kept upon notice from the Secretary of Agriculture shall kill such dog or dogs wherever found For such service he shall

be entitled to a fee of [two dollars] one dollar for each dog so killed to be paid by the State upon a certified statement to the Secretary of Agriculture that such dog or dogs have been killed by him The Secretary of Agriculture shall issue his requisition on the State Treasurer for such amount unless payment has been made by the owner or keeper of the dog or dogs

Any person who owns or harbors an unlicensed dog or dogs shall forfeit any right to be reimbursed for any damage to his livestock or poultry by dogs

Section 5 This act shall take effect on the first day of June one thousand nine hundred and thirty-three

An Act to amend section twenty, sections twenty-six, twenty-nine thirty and thirty-two as amended and to repeal section twenty-seven and twenty-eight of the act approved the eleventh day of May one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," changing the fee for killing dogs and disposing of their carcasses; and providing that appraisements for damages to live stock and poultry shall be made by an agent of the Commonwealth.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair has been reliably informed by the Chief Sergeant at Arms that Senate Bill No. 1450, House Bill 2375, Printer's No. 675, on page 3 of the calendar, was filed on the members' desks this afternoon. The Chair has ordered a reprint of this number, and trusts that the House will support the Chair, in that we will not adjourn until this bill has been reprinted and put upon the members' desks tonight, which will be a matter of about an hour and a half.

(MR. HUTTON IN THE CHAIR)

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 48, Printer's No. 129, entitled

An Act to amend sections nine hundred and one, and one thousand and eighty-one of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs"; providing for the appointment of the county treasurer as tax collector in certain cases

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 77, Printer's No. 235, entitled

An Act to amend the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (P. L. 148), entitled "An act to require all magistrates and other officials in cities of the first, second and third class, authorized to take acknowledgments and administer oaths, to perform such service free of charge for soldiers and widows of soldiers when making affidavit to papers for the purpose of drawing pensions" extending the provisions of the act to all magistrates aldermen justices of the peace or other persons authorized to take acknowledgments and administer oaths and to papers other than those connected with pensions

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 102, Printer's No. 305, entitled

An act authorizing county treasurers to make execute acknowledge and deliver deeds of seated lands sold by them for delinquent taxes under the provisions of an act of assembly of the Commonwealth of Pennsylvania approved the ninth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred eighty-four) entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assessed on such seated lands by authority of any county borough town township school district and poor district are delinquent and remain unpaid and fixing penalties for such delinquency authorizing county commissioners to purchase such lands under certain circumstances" prior to its repeal notwithstanding that said deeds were not made issued acknowledged or delivered and surplus bond not given prior to said repeal and authorizing the making execution acknowledgment and delivery of said deeds by said county treasurers after the expiration of term of office or by their successors in office and confirming the title to lands so sold where the deeds have been made executed and delivered and the surplus bonds filed since the repeal of said act and whether the said deeds were made executed or delivered by the county treasurer who made said sale during the term of his office or after its expiration or by his successor in office

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 679, Printer's No. 525, entitled

An Act to amend section twenty-nine of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by relieving townships of the duty to contribute towards the maintenance of certain State-aid highways and discharging certain existing obligations therefor

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 183, Printer's No. 43, entitled

An Act to amend sections fifty-one and sixty as amended and section one hundred and four of the act approved the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by fixing the time at which the terms of elected county officers shall begin and the time for the county commissioners to organize

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 458, Printer's No. 132, entitled

An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments and claims

be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 746, Printer's No. 265, entitled

An Act to amend section two hundred and four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing that the coroner shall act in case the sheriff resigns

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 629, Printer's No. 188, entitled

An Act to prohibit the employment by the Commonwealth and by counties cities boroughs towns townships departments boards commissions and by certain corporations hospitals homes and institutions of aliens who entered the United States unlawfully and providing penalties

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 478, Printer's No. 316, entitled

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended, and paragraph one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two.

be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1240, Printer's No. 176, entitled "An act creating a presumption of reasonableness of certain contracts for counsel fees made by the next friend or guardian of a minor provided the same be evidenced by writing," be recalled from the Governor for further consideration.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1383, entitled "An act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by providing for depositories of county funds in counties of the third class," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur) That House Bill No. 756, entitled "An Act to amend part of section two of the Appropriation Acts of one thousand nine hundred and thirty-one (Act Number fifteen-A page sixteen) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one' amending the appropriation relating to the Coaldale State Hospital," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1636, Printer's No. 612, entitled "An Act to validate certain municipal liens in the several cities of the third class of the Commonwealth of Pennsylvania and providing the proceedings for the revival and collection thereof," be recalled from the Governor for further consideration.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 380, entitled "An act to amend section three of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for vio-

lation of its provisions' as amended by changing the hours when registrars are to sit," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 903, entitled "An act to amend section four hundred and twenty-three of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by requiring application for payment of allowance for burial of widows of certain soldiers sailors or marines to be made within one year," be recalled from the Governor for the purpose of amendment.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1106, as follows:

An Act to provide for the incorporation and regulation of cooperative agricultural credit associations having capital stock and defining the limitations powers and duties of such associations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cooperative agricultural credit associations having capital stock may be formed under the provisions of this act by any number of persons not less than five all of whom are members of associations organized under the provisions of the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" as amended and the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred eighty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" as amended

Section 2 (a) Each cooperative agricultural credit association shall have power to act as an agency to enable cooperative agricultural associations which are members or stockholders of such credit association and the members and stockholders of such cooperative agricultural associations to obtain loans from the Federal Intermediate Credit Banks under and pursuant to an Act of Congress approved the fourth day of March one thousand nine hundred and twenty-three Chapter eight of Title twelve of the Code of Laws of the United States as adopted by Congress the thirtieth day of June one thousand nine hundred and twenty-six and amendments thereto and from the Reconstruction Finance Corporation created by an Act of Congress approved the twenty-second day of January one thousand nine hundred and thirty-two and known as the "Reconstruction Finance Corporation Act" and the amendments extensions and supplements thereto

(b) Any cooperative agricultural credit association shall have power to make loans to members or stockholders of a cooperative agricultural association which is the owner in whole or in part of the stock of the cooperative agricultural credit association and no loans shall be made except to such person or to such cooperative agricultural association No loan shall be made for more than three years nor for other than agricultural dairy poultry or horticultural purposes of the borrower and in all cases there shall be a written statement by the borrower in the note or collateral agreement if any or signed application for the loan to the effect that the loan will be used only for such purposes and such statement shall be relied upon by the lending association The cooperative agriculture credit association may discount or pledge such notes with a Federal Intermediate Credit Bank or with the Reconstruction Finance Corporation with its guaranty or endorsement

(c) A cooperative agricultural credit association may invest its capital funds in bonds or obligations of the United States or of the Commonwealth of Pennsylvania or of any municipality therein or in obligations of a Federal Intermediate Credit Bank or of the Reconstruction Finance Corporation and may deposit or hypothecate such securities with a Federal Intermediate Credit Bank or the Reconstruction Finance Corporation as security for notes discounted by either

Section 3 To form a cooperative agricultural credit association articles of association shall be subscribed by five or more qualified persons three of whom must be citizens of this Commonwealth and shall set forth

I The name of the association which shall include the words "cooperative credit"

II The class of services to be performed by the association which services shall be one or more of those enumerated in section two of this act

III The principal place where its business is to be transacted which shall be within this Commonwealth

IV The term for which it is to exist

V The amount of its capital stock and the number and par value of shares into which it is divided the names and post-office addresses of the subscribers the number of shares subscribed by each and the amount of capital actually paid into the treasury which shall not be less than ten per centum of the capital stock

VI The names and residences of not less than five persons who are chosen for the first directors and the name and residence of the treasurer

Section 4 The incorporators shall advertise their intention to present articles of association to the Governor one time in one newspaper of general circulation and the legal newspaper if any defined by the Newspaper Advertising Act of May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws page one thousand seven hundred eighty-four) printed in the county where the initial principal place of business of the corporation is to be situated setting forth briefly the character and purpose of the corporation and the kind of service to be performed by it Advertisements shall appear at least three days before the articles of association are presented to the Governor

The articles of association shall be acknowledged by not less than five of the subscribers thereto before any officer authorized to take acknowledgments and administer oaths and affirmations in this Commonwealth and they shall also make and subscribe an oath or affirmation before said officer that the statements contained therein are true

The articles of association accompanied with proof of the advertisement hereinbefore required by this section shall then be presented to the Governor of this Commonwealth who shall examine the same and if he finds them in proper form and within the purpose mentioned in this act he shall indorse his approval thereon and direct letters patent to issue in form similar to those issued to corporations of the second class in this Commonwealth which letters patent shall incorporate the subscribers and their associates and successors into a body politic and corporate in deed and in law by the name chosen The articles of association shall be recorded in the office of the Secretary of the Commonwealth in a book to be by him kept for the purpose

The original articles of association together with all indorsements shall be recorded in the office of the recorder of deeds in and for the county where the principal place of business is situate From thenceforth the subscribers thereto their associates and successors shall be a body politic and corporate for the purposes and upon the terms named in the articles of association Certified copies of the records thereof shall be competent evidence for all purposes in the courts of this Commonwealth

Section 5 Each cooperative agricultural credit association shall have power

1 To have succession for the period limited in its articles of association and when no period is limited thereby to exist perpetually subject to the power of the General Assembly under the Constitution of the Commonwealth and unless sooner dissolved by operation of law or under the provisions of this act

2 To maintain and defend judicial proceedings by the name specified in the articles of association

3 To adopt and use a common seal and alter the same at pleasure

4 To hold purchase and transfer such real and personal property as the purposes of the corporation require

5 To elect a board of directors which shall have power to appoint a president vice-president secretary treasurer and other officers agents and employes which may be deemed necessary to prescribe their duties to require bonds of them and to dismiss them and any of them in accordance with the by-laws of the association

6 To make by-laws not inconsistent with law for the management of its property the regulation of its affairs and the conduct and management of the association

7 To perform for cooperative agricultural associations which are members or stockholders of such credit association and the stockholders of such credit association and the stockholders and members of such cooperative agricultural associations the service described in the articles of association and authorized by this act

8 To make contracts necessary in the conduct of its operation and the transaction of its affairs

9 To borrow money necessary to the conduct of its operations and to issue notes bonds and other evidences of indebtedness therefor and to give security in the form of mortgage or otherwise for the payment thereof

10 To cooperate with any other such association or corporation whether formed under this act or otherwise for the purpose of promoting the objects for which it was incorporated or to objects for which any other similar association was formed Any such association may upon resolution adopted by its board of directors enter into all necessary and proper contracts and agreements and make all necessary and proper stipulations agreements contracts and arrangements with any other cooperative corporation association or associations formed under the provisions of this act or otherwise for the cooperative and more economical carrying on of its business or any part or parts thereof or any two or more cooperative associations formed under the provisions of this act or otherwise may upon resolutions adopted by their respective boards of directors for the purpose of more economically carrying on their respective businesses by agreement between them unite in employing and using or several such associations may separately employ and use the same methods means and agencies which agencies may be another such association or associations for carrying on and conducting their respective business

11 To exercise such incidental powers as may be necessary in the conduct of its operations

12 To issue and sell its preferred and common stock

Section 6 Any cooperative agricultural credit association may issue and sell its preferred stock to any person copartnership association or corporation which stock may be redeemable or retirable by the association on such terms and conditions as may be provided for in its articles of association and printed on the stock certificate but common stock of the association shall be sold to and owned only by one or more cooperative agricultural associations organized and existing under the provisions of the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred sixty-six) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" and its amendments or organized and existing under the provisions of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred eighty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" and its amendments Dividends on preferred stock shall be not greater than six per centum per annum and shall be cumulative

At any time as specified in the by-laws except when its capital is impaired thereby and the debts of the association exceed fifty per centum of the assets thereof the association may purchase its prefererd stock at the book value thereof as conclusively determined by its board of directors and pay for the same in cash within one year thereafter Preferred stock shall be non-voting

Every cooperative association which owns common stock issued by an association organized under the provisions of this act may vote such stock by proxy

Section 7 Every cooperative agricultural credit corporation may purchase stock or property or any interest in any property of any person copartnership association or corporation and may discharge the obligations so incurred wholly or in part by exchanging for the acquired interest shares of its preferred stock to an amount which at par value would equal the fair market value of the stock or interest so purchased as determined by its board of directors

Such association shall have the right to hold own and exercise all rights of ownership in and to sell transfer or pledge shares of capital stock or bonds of any corporation engaged in and related activity to the purposes and operations of said association including but not thereby limiting such powers the warehousing handling or marketing in whole or in part of any of the products handled by the corporation

Section 8 Within thirty days after the recording of the articles of association in the office of the recorder of deeds as heretofore required in this act a call signed by not less than a majority of the directors shall be issued for a meeting of the common stockholders At such meeting or any adjourned session or sessions thereof by-laws regulating and conducting the management of the association shall be adpoted Such by-laws shall within the limits of this act prescribe

1 The time place and manner of calling and holding meetings

2 The number of directors the time and manner of their powers and duties and the number not less than a majority necessary to the exercise of their powers and the method of fixing their compensation if any

3 The officers their terms of office the time and manner of their appointment and removal their powers and duties and the method of fixing their compensation if any

4 Regulations governing the sale transfer and redemption of common stock

5 Any other provisions proper and necessary to carry out the puproses for which the association was formed

6 Such by-laws shall provide the method or methods by which the by-laws may from time to time be amended Provided however That notice of all proposed amendments shall be given to each stockholder in writing at least twenty days before action shall be taken on the contemplated change

Section 9 The board of directors of each cooperative agricultural credit association shall consist of not less than five members who shall be members or stockholders of one or more of the cooperative associations which own the common stock of the association At the first regular meeting of the association a quorum as specified by the by-laws being present the common stockholders shall elect the directors Directors shall hold office until their successors have been elected and qualified and until their successors shall enter upon the discharge of their duties Vacancies in the board of directors shall be filled for the unexpired terms by a majority of the remaining members of the board of directors at any regular meeting or at any special meeting called for the purpose The board of directors shall manage the affairs of the association and shall perform such other duties as may be specifically imposed upon the board by this act The board of directors shall be a continuing body the terms of one-third or as near as may be of whom shall expire each year and the by-laws of the association shall so prescribed and regulate the terms of directors including the terms of additional directors that may be authorized from time to time as to make effective this principle

Section 10 Any director of a cooperative agricultural credit association may for cause at any regular meeting or any special meeting of the stockholders called for the purpose be removed from office by a two-thirds vote of the holders of the outstanding stock entitled to vote at an election of directors Ten days' written notice of the time place and object of any such meeting shall be given in the manner prescribed in the by-laws to all the common stockholders and to the directors against whom charges are to be presented Such directors shall

the same time be informed of the nature of the charges to be preferred against them and at such meeting shall have an opportunity to be heard in person or by counsel and by witnesses in regard thereto

Section 11 The officers of every cooperative agricultural credit association shall include a president vice-president secretary and treasurer who shall be appointed annually by the board of directors The president and vice-president shall be appointed from among the directors The secretary and treasurer need not be stockholders The office of secretary and treasury may be combined and one individual appointed thereto Vacancies in said office shall be filled for the unexpired term by the board of directors in the manner provided for the original appointment of officers Such officers shall hold their offices until their successors are appointed and qualified and shall have entered upon the discharge of their duties The board of directors shall require the treasurer and may require such other officers agents and employes charged by the association with responsibility for the custody of funds or property to give bond with sufficient surety for the faithful performance of their duties as such the premium on such bond to paid by the association

Section 12 At the close of each fiscal year a complete audit of the operations of every cooperative agricultural credit association shall be made by a qualified accountant or accountants employed by the board of directors the written report of whom shall include statements of services rendered by the association the balance sheet the receipts and disbursements and the assets and liabilities the total number of stockholders and other proper information and shall be submitted to the stockholders at the next regular meeting Within three months after the expiration of the fiscal year for which made the secretary of said association shall file one copy of said report of the audit with the Secretary of Agriculture of this Commonwealth and one copy with the dean of the school of agriculture of the Pennsylvania State College No person shall without consent of the association except in obedience to judicial process make or permit any disclosure whereby any information contained in said report may be identified as having been furnished by said association

Section 13 The articles of association of a cooperative agricultural credit association may be amended pursuant to an affirmative vote of two-thirds of all the common stock voted at any regular meeting or at a special meeting called for the purpose due notice of the time place and object of which regular or special meeting shall have been given as prescribed in the by-laws Articles of amendment signed and acknowledged by not less than three of the directors and setting forth the name and the location of the principal office of the association and the desired amendment shall be presented to the Governor of the State of Pennsylvania who shall examine the same and if he finds them to be in proper form and within the provisions of this act he shall indorse his approval thereon The articles of amendment shall then be recorded in the office of the Secretary of the Commonwealth in a book to be by him kept for the purpose The articles amendment together with the indorsements thereon shall then be recorded in the office for the recording of deeds in the county where the principal place of business is situate

Section 14 Any association cay cease to do business and be dissolved in the same manner as corporations of the second class are dissolved under the general corporation laws of the Commonwealth

Section 15 No association organized under the provisions of this act shall be liable for the payment of any State tax upon its capital stock or upon any scrip bonds certificates or other evidences of indebtedness issued by such corporation and all stocks bonds et cetera issued by such associations shall be exempt from all State taxation and such associations shall not be required to file with the Department of Revenue of this Commonwealth the reports relative to such taxes as are or may be by law required of corporations not exempt from the payment of such taxes

Senction 16 If any clause sentence paragraph or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder thereof but shall be confined in its operation to the clause sentence paragraph or part thereof directly involved in the controversy in which said judgment shall have been rendered

Section 17 All acts or parts of acts inconsistent herewith are hereby repealed

Section 18 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Andrews,	Green,	McGinnis,	Shenkel,
Baker,	Greenstein,	McGregor,	Shettel,
Barnhardt,	Griffith,	McHenry,	Shortz,
Bechtel,	Habbyshaw,	McKay,	Shreiner,
Beech,	Haines,	McKinney,	Shugarts,
Bennett,	Hamilton,	Melchiorre,	Simon,
Bernhard,	Harmuth,	Meredith,	Sinwell,
Blumberg,	Harris,	Merrell,	Snyder,
Boyd,	Hart,	Metzler,	Sowers,
Brancato,	Heffernan,	Mohn,	Spann,
Brennan,	Hefferon,	Moore,	Stank,
Brown, J. E.,	Heffner,	Mumford,	Steedle,
Brown, W. L.,	Hermansen,	Munley,	Sterling, P.,
Cannon,	Hester,	Negley,	Sterling, R. B.,
Caputo,	Hewitt,	Nothnagle,	Stevens,
Carey,	Himes, H. E.,	O'Connor,	Stiteler,
Carson,	Himes, L. R.,	O'Keefe,	Stone,
Chervenak,	Hoffman,	O'Neill,	Storb,
Cohen,	Holmes, J. B.,	O'Rourke,	Stott,
Conner,	Holmes, J. L.,	Patterson,	Surface,
Cooke,	Hoopes,	Peelor,	Terry,
Cordier,	Hough,	Pennock,	Turner,
Craig,	Howard,	Perry, D. R.,	Wade,
Cramer,	Hutton,	Perry, J. J.,	Wagner,
Dane,	Jaffe,	Peters,	Walker, G. E.,
Davies,	Jones,	Powell,	Walker, W. A.,
DeFrehn,	Kane, L. P.,	Powers,	Wall,
Denning,	King,	Price,	Wasserman,
Downey, G. E.,	Kinney,	Quinn,	Way,
Downey, J.,	Labar,	Rectenwald,	Weidemann,
Duffy,	Lane,	Reed,	Welsh,
Dunmire,	Laubach,	Reilly,	Westrick,
Dwyer,	Lenahan,	Rhodes,	White,
Ederer,	Long,	Rice,	Wike,
Emhardt,	Lose,	Roan,	Williams, G. W.,
Eroe,	Lovett, W. S.,	Root,	Wilson, L. M.,
Evans,	Lynch, J. R.,	Roth,	Wilson, T. B.,
Flanagan,	Lynch, M.,	Ruby,	Witkin,
Fleisher,	Male,	Ruth,	Wood,
Flinchbaugh,	Malina,	Sarig,	Woodside,
Flynn,	Maloney,	Sautter,	Wright,
Forrest,	Marcks,	Schrock,	Yeakel,
Furman,	Mason,	Schrope,	Yourishin,
Gallagher,	McBride,	Schwab,	Zimmerman,
Gartner,	McClure,	Schwartz,	Talbot,
Gillette,	McCreary,	Sheffer,	Speaker.
Gorman,	McElwee,	Shellenberger,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2110 (Senate Bill No. 538), as follows:

An Act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies associations exchanges or persons not authorized to do business in this Commonwealth requiring certificates from the Insurance Department before accepting insurance advertisements or broadcasting the same by radio and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person copartnership association or corporation to publish or print in any newspaper magazine periodical circular letter pamphlet or in any other manner or to publish by radio broadcasting in this Com-

monwealth any advertisement or other notice either directly or indirectly setting forth the advantages of or soliciting business for any insurance company association society exchange or person which has not been authorized to do business in this Commonwealth

Section 2 No person copartnership association or corporation shall accept for publication or printing in any newspaper magazine or other periodical or for radio broadcasting in this Commonwealth any advertisement or other notice either directly or indirectly setting forth the advantages of or soliciting business for any insurance company association exchange or person unless such advertisement or notice is accompanied by a certificate from the Insurance Department and such radio broadcasting includes a statement that the broadcasting station holds such certificate to the effect that the insurance company association society exchange or person named therein is authorized to do business in this Commonwealth Such certificates shall be issued by the Insurance Department to any person applying therefor

Section 3 Any person copartnership association or corporation engaged in the insurance business knowingly or willfully violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to not more than one year's imprisonment or to pay a fine of not more than one thousand dollars ($1,000)

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Section 5 This act shall become effective immediately upon its approval by the Governor

RECONSIDERATION OF VOTE

Mr. PHILIP STERLING. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. PHILIP STERLING. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend section 3, page 2, line 23 by striking out after the syllable "poration" the following: "[engaged in the insurance business knowingly or wilfully]."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2300 (Senate Bill No. 987), as follows:

An Act relating to unemployment relief making an appropriation to the State Emergency Relief Board for direct relief and work relief prescribing the powers and duties of the board with reference thereto and conferring powers and imposing duties upon certain State departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the exercise of the police power for the protection of the public health safety morals and welfare threatened by existing conditions of unemployment and in the assumption by the Commonwealth of its duty to care for the poor the sum of eighteen million dollars ($18,000,000) is hereby specifically appropriated to the State Emergency Relief Board to provide direct relief and work relief as hereinafter provided Such appropriation shall be paid over to said board during the fiscal biennium beginning June first one thousand nine hundred and thirty-three as requistioned by said board but the moneys hereby appropriated may be used for the payment of bills contracted by or with the authority of the State Emergency Relief Board for work relief or direct relief prior to June first one thousand nine hundred thirty-three

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the moneys appropriated to it among the several counties of this Commonwealth on the basis of need

Section 3 The moneys so allocated to a county shall be for expenditure in that county for relief as the State Emergency Relief Board shall determine

Whenever the State Emergency Relief Board has determind to expend any part of a county's allocation for work relief on State highways and bridges thereon it shall pay such part of the county's allocation into the Motor License Fund and it shall thereafter be expended in accordance with existing laws by the Department of Highways in such county in the construction and improvement of such State highways and bridges thereon as shall have been designated by the State Emergency Relief Board and the labor employed by the department (other than that required for supervision engineering and in the operation of road machinery) in such construction work shall be furnished by residents of such county in need of employment to be selected in accordance with the rules and regulations of the State Emergency Relief Board

The Departmnt of Highways may cumulate the respective amounts in the Motor License Fund credited to a county until sufficient funds are available to undertake the construction work authorized by this section

Section 4 The amount available in any county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure for the purchase of food clothing fuel and shelter for the unemployed in such county through such public and private agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 5 The sum of one hundred thousand dollars ($100,000) or as much thereof as may be necessary is hereby specifically appropriated to the State Emergency Relief Board for printing the payment of the compensation and expenses of clerical and other assistants required for supervising the expenditure of the appropriation made by this act postage traveling expenses and all other incidental and necessary expenses incurred by the board in administering this act

Section 6 Out of the appropriation made by this act the State Emergency Relief Board may from time to time allocate to the State Veterans Commission sums not exceeding an aggregate of three hundred thousand dollars ($300,000) for providing food clothing fuel or shelter for unemployed veterans who are without means of support

Section 7 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for investigation of application for relief the cost of distributing food clothing fuel or shelter and the maintenance of proper records of receipts expenditures and other transactions of local relief distributing agencies

Section 8 The amounts expended under the provisions of this act shall be audited by the Auditor General as provided by law

Section 9 This act shall be in force immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Andrews,	Griffith,	McGregor,	Shettel,
Baker,	Habbyshaw,	McHenry,	Shortz,
Barnhardt,	Hamilton,	McKay,	Shreiner,
Bechtel,	Harmuth,	McKinney,	Shugarts,
Beech,	Harris,	Melchiorre,	Simon,
Bennett,	Hart,	Meredith,	Sinwell,
Blumberg,	Hartman,	Metzler,	Snyder,
Boyd,	Heffernan,	Mohn,	Sowers,
Brennan,	Heffron,	Moore,	Spann,
Brown, J. E.,	Heffner,	Mumford,	Stank,
Brown, W. L.,	Hermansen,	Munley,	Steedle,
Brownfield,	Hester,	Myers,	Sterling, P.

Cannon,	Himes, H. E.,	Negley,	Sterling, R. B.,
Caputo,	Himes, L. R.,	Nothnagle,	Stevens,
Carey,	Hoffman,	O'Connor,	Stevenson,
Carson,	Holmes, J. B.,	O'Neill,	Stone,
Chervenak,	Holmes, J. L.,	O'Rourke,	Storb,
Cohen,	Hoopes,	Patterson,	Stott,
Conner,	Horst,	Peelor,	Surface,
Cooke,	Howard,	Pennock,	Tahl,
Cordier,	Hutton,	Perry, D. R.,	Terry,
Craig,	Jaffe,	Perry, J. J.,	Turner,
Dane,	Jones,	Peters,	Wade,
Davies,	Kane, L. P.,	Powell,	Wagner,
DeFrehn,	King,	Powers,	Walker, G. E.,
Denning,	Kinney,	Price,	Walker, W. A.,
Downey, G. E.,	Labar,	Quinn,	Wall,
Downey, J.,	Lane,	Raub,	Wasserman,
Duffy,	Laubach,	Rectenwald	Way,
Dunmire,	Lenahan,	Reed,	Weidemann,
Dwyer,	Lewis,	Reilly,	Welsh,
Ederer,	Lord,	Rhodes,	Westrick,
Emhardt,	Lose,	Rice,	White,
Eroe,	Lovett, J. E.,	Roan,	Wike,
Evans,	Lovett, W. S.,	Roth,	Williams, J. J.,
Fitzgerald,	Lynch J. R.,	Ruby,	Williams, G. W.,
Flanagan,	Lynch, M.,	Ruth,	Wilson, L. M.,
Fleisher,	Male,	Sarig,	Wilson, T. B.,
Flynn,	Malina,	Sautter,	Witkin,
Forrest,	Maloney,	Schrock,	Wood,
Furman,	Mason,	Schrope,	Woodside,
Gallagher,	McBride,	Schwab,	Wright,
Gartner,	McCandless,	Schwartz,	Yeakel,
Gillette,	McClure,	Scorza,	Yourishin,
Gorman,	McCreary,	Sheffer,	Zimmerman,
Green,	McElwee,	Shellenberger,	Talbot,
Greenstein,	McGrail,	Shenkel,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILL ON FINAL PASSAGE

Mr. RAUB. Mr. President, I desire to call up at this time House Bill No. 2090, Senate Bill No. 561, Printer's No. 221, on page 19 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Raub,

The House resumed the consideration on final passage of House Bill No. 2090 (Senate Bill No. 561), entitled:

An Act to amend section one of the act approved the first day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred fifty-five) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" providing that in such cases separate contracts shall be awarded for the structural steel work

On the question recurring,

Shall the bill pass finally?

Mr. HOUGH. Mr. Speaker, is there any person in this House who can explain the purpose of this bill?

The SPEAKER. This is a Senate bill. Is there any one in the House who will explain it for the benefit of the gentleman from Allegheny, Mr. Hough?

Mr. RAUB. Mr. Speaker and members of the House, this bill and the next succeeding four bills all pertain to the same subject, except that they have in one instance the State and in each of the other instances the various municipalities. They have in view the awarding of contracts for steel work on State contracts, city contracts and other municipal contracts in separate bids, apart from the general contract.

There has crept into the awarding of general contracts in the past few years the practice whereby the general contractor after receiving the general contract, which is made up and submitted in the original instance by the sub-contractors, on figures received from the sub-contractors, attempts to peddle the sub-contract bids by going to the sub-contractor and advising him that if he will strike off of his bid a thousand or five thousand dollars, depending on the size of the contract, he will be awarded the sub-contract. If he does not do that, of course some other sub-contractor will get the award. This has worked out to the detriment of honest steel erectors and steel people, in that they have suffered these losses in the peddling of the sub-contracts and the general contractors have gained to that extent.

These bills provide that in State contracts and other municipal contracts the contract for the steel work shall be by separate bid and not figured in the general contract bid, the same as the plumbing, the painting and electrical bids are in the award.

Mr. HOUGH. Mr. Speaker and members of the House, the explanation of the gentleman from Northampton is true so far as it pertains to certain portion of the general contractors' business. However, you get to a place then where no person would be directly responsible. In other words, you eliminate the general contractor. Why not draft a bill whereby you would have no general contractor? Understand now, if you take the steel bids away from the general contractor he is at the mercy of all of the steel men, and you would be put in a position where you would eliminate any responsible person you might have.

I ask the members to vote this bill down.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. HOUGH. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—69

Baldi,	King,	Pennock,	Stiteler,
Barnhardt,	Kinney,	Raub,	Stone,
Bennett,	Labar,	Rhodes,	Turner,
Blumberg,	Laubach,	Root,	Wagner,
Boyd,	Lewis,	Roth,	Wasserman,
Carson,	Male,	Ruth,	Way,
Cohen,	Malina,	Sarig,	Westrick,
Conner,	Marcks,	Shettel,	Williams, G. W.,
Downey, G. E.,	McGrail,	Shugarts,	Wilson, T. B.,
Downey, J.,	McGregor,	Simon,	Witkin,
Duffy,	O'Connor,	Sinwell,	Wood,
Evans,	O'Rourke,	Steedle,	Wright,
Himes, L. R.,			

NAYS—95

Andrews,	Green,	Lovett, W. S.,	Reed,
Baker,	Griffith,	McBride,	Rice,
Bechtel,	Habbyshaw,	McCandless,	Ruby,
Beech,	Hamilton,	McClure,	Sautter,
Bernhard,	Harmuth,	McCreary,	Schrock,
Brennan,	Hart,	McKay,	Schrope,
Brown, J. E.,	Heffner,	McKinney,	Schwab,
Brown, W. L.,	Hermansen,	Meredith,	Sheffer,
Brownfield,	Hester,	Merrell,	Shellenberger,
Cannon,	Hewitt,	Mohn,	Shortz,
Caputo,	Himes, H. E.,	Moore,	Shreiner,
Carey,	Hoffman,	Munley,	Snyder,
Chervenak,	Holmes, J. B.,	Myers,	Stevens,
Cramer,	Holmes, J. L.,	Negley,	Stevenson
Dane,	Hoopes,	O'Keefe,	Storb,
DeFrehn,	Horst,	O'Neill,	Stott,
Dunmire,	Hough,	Patterson,	Surface,
Ederer,	Howard,	Peelor,	Terry,
Fitzgerald,	Hutton,	Perry, D. R.,	Wade,
Flanagan,	Jones,	Perry, J. J.,	Walker, W. A.,
Furman,	Kane, L. P.,	Peters,	Wall,
Gallagher,	Lane,	Powell,	Wilson, L. M.,
Gillette,	Lord,	Powers,	Woodside,
Gorman,	Lose,	Quinn,	Yourishin,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1128

Mr. McCLURE. Mr. Speaker, I desire at this time to offer the report of the Committee of Conference on House Bill No. 1128.

The SPEAKER. The report will lie over for printing.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2136 (Senate Bill No. 764), as follows:

An Act to amend section one as amended by the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred twenty-eight) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highway when constructed shall become a part of the system of State highways of the Commonwealth" by providing that roads taken over as approximately parallel highways may intersect or cross over the highway to which they are approximately parallel

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred twenty-eight) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highways when constructed shall become a part of the system of State highways of the Commonwealth" as amended by the act approved the twentieth day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty) is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Highways with the approval of the Governor is authorized to take over existing public roads and streets in boroughs and townships approximately parallel to State highways between any or all of the points named in the line of route of such State highway and construct and maintain the same according to the standards of the department for the construction and maintainance of State highways Any public road taken over under the provisions of this act as an approximately parallel highway may intersect with or cross over the highway to which it is approximately parallel

Section 2 This act shall become effective upon its approval by the Governor

On the question,

Shall the bill pass finally?

MOTION TO POSTPONE

Mr. BLUMBERG. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. YEAKEL. Mr. Speaker, may I ask the purpose of putting this bill on the postponed calendar?

The SPEAKER. Does the gentleman from Bucks, Mr. Yeakel, desire to interrogate the gentleman from Philadelphia, Mr. Blumberg?

Mr. YEAKEL. I do, Mr. Speaker.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Blumberg, permit himself to be interrogated?

Mr. BLUMBERG. I will, Mr. Speaker.

Mr. YEAKEL. Mr. Speaker, may I ask the gentleman from Philadelphia, Mr. Blumberg, his purpose in moving to put this bill on the postponed calendar?

Mr. BLUMBERG. Mr. Speaker, some questions have just arisen as to some of the provisions of this bill, and in order to afford an opportunity to study these provisions it was thought best to place it on the postponed calendar.

Mr. YEAKEL. Mr. Speaker, I have some amendments to offer to this bill at this time.

Mr. BLUMBERG. Mr. Speaker, I understand that the gentleman from Bucks has some amendments to offer and pending the offering of those amendments I withdraw my motion.

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. YEAKEL. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. YEAKEL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by inserting after the word "To" the following: "further."

Amend title, page 1, line 1, by striking out the word "by" and inserting in lieu thereof the following: "of."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

BILL POSTPONED

Mr. YEAKEL. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration of House Bill No. 1368, as follows:

An Act to amend section one thousand nine hundred and seven of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by making city liable for payment of compensation to persons injured while employed under a contract executed in violation of provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of

the same That section one thousand nine hundred and seven of the act approved the twenty-tihrd day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 1907 Acceptance by Contractor of Workmen's Compensation Act All contracts executed by any city or any officer or bureau or board thereof which involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept in so far as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and that the said constractor will insure his liability thereunder or file with the city with whom the contract is made a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Every officer of any city or bureau or department thereof who shall sign on behalf of the said city any contract requiring in its performance the employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of the said act or that the said contractor has had issued to him a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

[Any] In any contract executed in violation of the provisions of this section [shall be null and void] the city being a party thereto shall be regarded as the employer and liable to pay compensation to any person entitled to compensation under the laws of the Commonwealth as the result of employment pursuant to such contract

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. HERMANSEN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 2276 (Senate Bill No. 962), as follows:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the various political subdivisions of the Commonwealth for the maintenance of certain streets and roads and in townships of the second class for the maintenance and replacement of certain bridges during the calendar years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five and suspending the power of townships of the second calss to levy taxes for road purposes during such year providing for certification of mileage of public roads and streets by municipal authorities to the Department of Highways and providing for the use and maintenance of road building machinery and equipment belong to such political subdivisions by the Department of Highways in carrying out the purposes of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Seventeen million eight hundred and ninety-one thousand dollars ($17,891,000) is hereby appropriated to the Department of Highways for the two calendar years beginning January first one thousand nine hundred and thirty-four out of the Motor License Fund for allocation to and expenditure in the cities incorporated towns boroughs and townships of the Commonwealth in the amounts upon the terms in the manner and for the purposes as set forth within this act

Section 2 Of the seventeen million eight hundred and ninety-one thousand dollars ($17,891,000) thus appropriated and transferred one million nine hundred and twenty-seven thousand dollars ($1,927,000) shall be allocated to and among the cities of the first class one million one hundred and sixty-three thousand five hundred dollars ($1,163,500) among cities of the second class and one hundred and sixteen thousand five hundred dollars ($116,500) among cities of the second class A and of the balance one million twenty-seven thousand four hundred dollars ($1,027,400) shall be for use in cities of the third class one million six hundred and eighty-six thousand nine hundred dollars ($1,686,900) for the use in boroughs and incorporated towns six hundred and seventeen thousand two hundred dollars ($617,200) for use in townships of the first class and eleven million three hundred and fifty-two thousand dollars ($11,352,000) for use in townships of the second class in the repair and maintenance of streets and roads therein not repaired and maintained under the provisions of any other law

Section 3 The amounts allocated to cities of the first class second class and second class A shall be paid over in eight equal installments on the first days of January April July and October of the years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five into the treasury of the city entitled thereto and shall be used in such city by the proper authorities thereof for the repair and maintenance of such streets therein as are not now maintained by the Department of Highways under the provisions of any other law

Section 4 Of the amount appropriated to the Department of Highways for use upon the streets and roads in cities of the third class boroughs incorporated towns and townships of the first class and townships of the second class there shall be expended or allocated by the Department of Highways in or to each of such political subdivisions at the option of the proper authorities of such subdivision expressed in writing to the Department of Highways for the repair and maintenance of streets and roads therein not repaired and maintained by the Department of Highways under the provisions of any other law such proportion of the total amount hereinbefore provided for use in the political subdivisions of which it is a class as the miles of streets or roads under its jurisdiction within its municipal limits and not maintained by the Department of Highways under the provisions of any other law bears to the total number of miles of such streets or roads within the municipal limits of all the political subdivisions of which it is a class as above provided

Of the amount appropriated to the Department of Highways for use upon streets and roads in townships of the second class there shall be expended by the Department of Highways in each of such townships of the second class for the repair and maintenance of streets and roads therein not repaired and maintained by the Department of Highways under the provisions of any other law such proportion of the total amount hereinbefore provided for use in townships of the second class as the miles of streets or roads under its jurisdiction within its municipal limits and not maintained by the Department of Highways under the provisions of any other law bears to the total number of miles of such streets or roads within the municipal limits of all townships of the second class

Section 5 From the sum of eleven million three hundred and fifty-two thousand dollars ($11,352,000) hereinbefore appropriated for the maintenance of roads in townships of the second class there shall first be deducted by the department the sum of seven hundred and fifty-two thousand dollars ($752,000) and the said sum of seven hundred and fifty-two thousand dollars ($752,000) shall be expended by the Department of Highways for maintenance repair and replacement in case of casualty of bridges in townships of the second class on roads not maintained by the Department of Highways under the provisions of any other law

Section 6 Nothing in this act shall be construed to relieve any of the municipal subdivisions from any obligation they may have incurred under any contract or agreement entered into prior to January first one thousand nine hundred and thirty-four for the construction or repair of any highway or structure now under their jurisdiction

Section 7 All unexpended balances of appropriations made to cities of the third class boroughs incorporated towns town-

ships of the first class and townships of the second class which have not been obligated or expended prior to January first one thousand nine hundred and thirty-six shall revert to and become a part of the Motor License Fund

Section 8 All of the funds so allocated to the said political subdivisions and not expended therein by the Department of Highways shall be paid to the political subdivisions to be expended by them for the purposes set forth in this act and shall for the purpose of expenditure be under the control and supervision of the proper officials of the city borough incorporated town or township to which paid and shall be subject to the existing laws governing and regulating the expenditure of tax revenues for street and road purposes of the said cities boroughs incorporated towns and townships including the approval of the Department of Highways where required by existing law The proper officials shall at the time of fixing the tax rate for the years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five reduce said tax rates for road and street purposes by an amount equal to the amount received under the provisions of this act as compared with the amount levied for road and street purposes for the year one thousand nine hundred and thirty-two provided that a sufficient millage shall be levied to meet requirements of interest sinking fund and repayment of debts of the municipality and necessary expenditures for other than road purposes

Section 9 In making the allocations provided under this act to the several subdivisions of the State the Department of Highways shall be governed by certifications from such municipalities as to the amount of mileage of public roads and streets exclusive of ways courts and alleys in such municipality Said certification shall be attested and sworn to by the proper municipal officials and when received shall be filed of record in the Department of Highways.

Section 10 The several municipalities in which the money allocated is actually expended by the Department of Highways are hereby authorized and directed to turn over to the Department of Highways for use in the maintenance of any road or street within the limits of such municipality any road building machinery or equipment now owned by such municipality Where the Department of Highways uses any equipment as herein provided no charge shall be made by the municipality for such use In case of any necessary repairs to said equipment while in the possession of the Department of Highways said repairs shall be made only with the consent and upon the approval of the municipal authorities and the costs incurred by such repairs shall be paid out of the funds herein allocated to such municipality The Department of Highways in such cases shall employ for work on such highways the employes of the municipality or the duly elected road supervisors in townships of the second class theretofore engaged in such work to the greatest extent possible

Section 11 No taxes for road purposes shall be levied in townships of the second class for the fiscal years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five but all the cost of the maintenance of roads within such townships during said two years shall be borne by the Department of Highways out of moneys hereby appropriated but nothing herein contained shall be construed to prevent the levy of sufficient tax to pay interest and sinking fund charges on the existing debt of any such township of the second class to pay any floating debt and for other proper and lawful purposes other than the maintenance of roads and bridges

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—116

Andrews,	Green,	McCandless,	Ruby,
Baldi,	Greenstein,	McClure,	Ruth,
Beech,	Griffith,	McGinnis,	Sautter,
Bennett,	Habbyshaw,	McGregor,	Schrock,
Bernhard,	Harris,	McKay,	Schwab,
Blumberg,	Hart,	Merrell,	Schwartz,
Boyd,	Heffernan,	Metzler,	Scorza,
Brancato,	Himes, H. E.,	Mohn,	Shreiner,
Brennan,	Himes, L. R.,	Moore,	Simon,
Brown, J. E.,	Hoffman,	Munley,	Sinwell,
Brown, W. L.,	Hoopes,	Nothnagle,	Sowers,
Cannon,	Hough,	O'Keefe,	Spann,
Carson,	Hutton,	O'Rourke,	Steedle,
Conner,	Jaffe,	Patterson,	Stiteler,
Cooke,	Kane, L. P.,	Peelor,	Storb,
Cordier,	Kinney,	Pennock,	Tahl,
Craig,	Lane,	Peters,	Turner,
Denning,	Laubach,	Powers,	Wagner,
Downey, G. E.,	Lewis,	Price,	Walker, W. A.,
Duffy,	Long,	Quinn,	Weidemann,
Dwyer,	Lose,	Rectenwald	Welsh,
Ederer,	Lovett, J. E.,	Reed,	Wilson, L. M.,
Emhardt,	Lynch, J. R.,	Reilly,	Wilson, T. B.,
Eroe,	Lynch, M.,	Rhodes,	Witkin,
Flanagan,	Male,	Rice,	Wood,
Flinchbaugh,	Malina,	Roan,	Woodside,
Forrest,	Marcks,	Root,	Wright,
Gallagher,	Mason,	Roth,	Zimmerman,
Gartner,	McBride,		

NAYS—42

Barnhardt,	Jones,	O'Conner,	Stevenson,
Bechtel,	King,	Perry, J. J.,	Stott,
Chervenak,	Labar,	Powell,	Terry,
Downey, J.,	Lovett, W. S.,	Sarig,	Wade,
Flynn,	Maloney,	Schrope,	Wall,
Gillette,	McCreary,	Shellenberger,	Way,
Hamilton,	McElwee,	Shortz,	Westrick,
Hartman,	McKinney,	Shugarts,	Wike,
Heffner,	Meredith,	Snyder,	Williams, G. W.,
Hermansen,	Mumford,	Sterling, R. B.,	Yourishin,
Howard,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 767, Printer's No. 247, entitled:

An Act to add section seven hundred thirty-seven to the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing two or more counties jointly with the consent of the Department of Highways to levy and collect tolls on certain toll bridges acquired and rebuilt by such counties for the purpose of paying off the indebtedness incurred or reimbursing such counties for moneys expended in the acquisition rebuilding and maintenance of such toll bridges

be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 210 Printer's No. 149, entitled

An Act fixing the compensation of assessors and registry or assistant assessors performing duties pertaining to the assesment and registration of voters in counties other than first and second class and repealing existing acts relating thereto

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 500, entitled "An act to amend the act approved the twenty-fifth day of February one thousand eight hundred and seventy-five (Pamphlet Laws four) entitled 'A supplement to the act approved March thirty-first one thousand eight hundred and sixty entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" further defining the offence of kidnapping and affixing additional penalties thereto' by increasing the penalty for kidnapping of children under the age of sixteen years with intent to extort money for restoration," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 911, entitled "An Act to amend section four and five of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eighty) entitled 'An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances' by providing for the extension of the period during which such taxes shall remain liens on real estate and authorizing the filing of such liens in the prothonotary's office," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1124, entitled "An Act to amend section two hundred and ninety-five of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled 'An act relating to ocunties of the second third fourth fifth sixth seventh and eighth classes and revising and consolidating the laws relating thereto' by limiting the compensation of the clerk to the jury commissioners in counties of the sixth class," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 1824, entitled "An Act to amend section two of the act approved the third day of April one thousand nine hundred and twenty-nine (P. L. 135), entitled "An act authorizing the Department of Justice, acting for the Department of Forests and Waters, to institute suits on behalf of the Commonwealth to recover from persons, associations, copartnerships, and corporations, and their officers, agents, and employes, causing forest fires, the expenses incurred by the Department of Forests and Waters on account of such fires," authorizing the Department of Forests and Water to institute suits for such purposes where such expenses do not exceed three hundred dollars," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 2156, entitled "An act to amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' changing the procedure to create the office of county controller including procedures where decrees have heretofore been entered," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 1, 1933.

Resolved (if the Senate concur), That House Bill No. 1615, Printer's No. 522, entitled, "An act denying a right of action or right to recover to the Commonwealth to collect certain cla ms from boroughs for the maintenance of State highways," be recalled from the Governor for the purpose of amendment.

RESOLUTION

RECALLING HOUSE BILL No. 1647 FROM THE GOVERNOR

Mr. PHILIP STERLING asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 1647, entitled "An Act to amend sections eight and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-

five) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1770, entitled:

An Act requiring the licensing of portable grinding mills, conferring powers and imposing duties on the Department of Agriculture, and prescribing penalties.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. WADE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WADE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, lines 1, 2 and 3 of title, by striking out the words "conferring powers and imposing duties on the Department of Agriculture" and insert in lieu thereof: "by the respective counties; fixing fees therefor."

Amend section 1, lines 9 and 10, by striking out all of said lines.

Amend section 2, page 1, line 13, by inserting before the word "this" the following: "any county of."

Amend section 2, page 2, line 2, by striking out the word "department" and insert in lieu thereof: "county treasurer."

Amend section 3, page 2, line 9, by striking out the word "department" and insert in lieu thereof: "county treasurer."

Amend section 3, page 2, line 12, by striking out the word "fifty" and insert in lieu thereof: "twenty-five dollars."

Amend section 3, page 2, line 13, by striking out the figure "(50)" and insert in lieu thereof: "($25) which shall be paid into the county treasury for the use of the county."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2309 (Senate Bill No. 426), entitled:

An Act prescribing the filing fees for the filing of nomination petitions and nomination papers for candidates at any primary, general, special or municipal election, by the Secretary of the Commonwealth and by the county commissioners in the several counties of this Commonwealth

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SURFACE. Mr. Speaker and members of the House, this bill provides for fees for filing petitions for nominations. It is another means of making it harder for the poor man to get into public service in an elective office, and I think nothing more need be said than to call the attention of the members of the House to that fact. It is a further tax on the poor man who aspires to be a candidate for office.

Mr. HOOPES. Mr. Speaker and members of the House, I want to add briefly to what the gentleman from Snyder, Mr. Surface, has said.

I want to call the attention of the members of the House as to just how drastic this bill is. It provides when you file for a State wide office, on nomination petition, you must pay a filing fee of one hundred dollars, for Congressmen seventy-five dollars, for State Senator fifty dollars and for members of the Legislature thirty dollars.

I have made a brief computation that with an ordinary State wide election with seven State wide candidates, and Congressmen and Assemblymen, it will cost the party twelve thousand dollars to put up a State ticket, and in a presidential year, with presidential electors, it will cost thirty-six hundred dollars more.

The passage of this bill will make politics the exclusive playground of the rich man and it will make it impossible for minority parties to name candidates at all.

I sincerely trust that the members of this House will vote this bill down by a large majority.

Mr. SARIG. Mr. Speaker and ladies and gentlemen of the House, I believe that every member of this House realizes that elections are now expensive enough. I think all of us, at least in our county, are compelled to pay an entrance fee. Secondly, we have to pay our assessments, and every member of this House knows how expensive campaigns have become in recent years. I think that we should not add to that burden. As has been said before, it would make the political field a sort of a rich man's paradise. I feel that the burdens are now heavy enough upon candidates and that this bill should be voted down.

MOTION TO POSTPONE

Mr. WAY. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—35

Baldi,	Habbyshaw,	O'Rourke,	Turner,
Bennett,	Hoffman,	Peters,	Wade,
Cooke,	Laubach,	Price,	Way,
Cordier,	Lewis,	Rectenwald,	Wike,
Craig,	Maloney,	Rice,	Williams, G. W.,
Davies,	McClure,	Shreiner,	Wilson, T. B.,
Ederer,	McGregor,	Sowers,	Woodside,
Embardt,	Metzler,	Steedle,	Zimmerman,
Flynn,	Munley,	Stiteler,	

NAYS—125

Andrews,	Flinchbaugh,	Male,	Sarig,
Baker,	Forrest,	Malina,	Sautter,
Barnhardt,	Furman,	Marcks,	Schrock,
Bechtel,	Gallagher,	McBride,	Schrope,
Beech,	Gartner,	McCreary,	Schwab,
Bernhard,	Gillette,	McElwee,	Shellenberger,
Boyd,	Griffith,	McGinnis,	Shettel,
Brancato,	Hamilton,	McHenry,	Shortz,
Brennan,	Harmuth,	McKay,	Shugarts,
Brown, J. E.,	Harris,	McKinney,	Simon,
Brown, W. L.,	Heffernan,	Meredith,	Sinwell,
Brownfield,	Heffner,	Merrell,	Snyder,
Cannon,	Hermansen,	Mohn,	Stank,
Caputo,	Hewitt,	Moore,	Sterling, R. B.,
Carey,	Himes, H. E.,	Mumford,	Stevens,
Carson,	Himes, L. R.,	Negley,	Stevenson,
Chervenak,	Holmes, J. B.,	Nothnagle,	Stone,
Cohen,	Hoopes,	O'Connor,	Storb,
Conner,	Hough,	Peelor,	Surface,
Cramer,	Howard,	Perry, J. J.,	Wagner,
Dane,	Hutton,	Powell,	Walker, W. A.,
DeFrehn,	Jones,	Powers,	Wall,
Downey, G. E.,	Kane, L. P.,	Quinn,	Weidemann,
Downey, J.,	Kinney,	Reed,	Welsh,
Duffy,	Labar,	Reilly,	Westrick,
Dunmire,	Lane,	Rhodes,	White,
Eroe,	Lenahan,	Root,	Wilson, L. M.,
Evans,	Long,	Roth,	Witkin,
Fitzgerald,	Lovett, J. E.,	Ruby,	Wood,
Flanagan,	Lovett, W. S.,	Ruth,	Yourishin,
Fleisher,	Lynch, M.,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON FINAL PASSAGE

Mr. BLUMBERG. Mr. Speaker, I desire to call up at this time House Bill No. 1684, Senate Bill No. 155, Printer's No. 492 on page 22 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Blumberg,

The House resumed the consideration on final passage of House Bill No. 1684 (Senate Bill No. 155), entitled:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet ice and fruit ice, including coated ice cream and the coating thereof; fixing standards for ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet, ice and fruit ice, and to prevent the sale of imitation ice cream and defining said imitation ice cream; providing penalties for the violation thereof, and providing for the enforcement thereof.

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. BLUMBERG. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BLUMBERG. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 4, line 26, by striking out the strike-out bracket before the word "Provided."

Amend section 1, page 4, line 29, by striking out the strike-out bracket after the word "premises."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1088, entitled:

An Act requiring a candidate for State and local offices who has received the nomination of more than one party for the same office to certify for which party he desires to be a candidate; providing the effect of so certifying or failure to certify.

On the question,

Will the House agree to the bill on third reading?

Mr. HABBYSHAW. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 1, lines 4 and 5 by striking out the words "the returns from a primary election shall disclose that"

Amend section 1, page 1, line 5 by striking out the word "individual" and inserting in lieu thereof the word "person"

Amend section 1, page 1, line 5 by striking out the words "by virtue of such election"

Amend section 1, page 1, line 8 by inserting after the word "parties" the words "or political bodies"

Amend section 1, page 1, line 7 by striking out the word "or"

Amend section 1, page 1, line 7 by inserting after the word "municipal" the words "or other public"

Amend section 1, page 1, line 7 by striking out the following: "the officer whose duty it shall be to certify the results of such primary election shall within five days by registered letter notify the individual so nominated of the fact of such plural nominations and of the provisions of this act" and inserting in lieu thereof the following: "to be filled at the next succeeding general, municipal or special election under the laws of this Commonwealth, it shall be the duty of the Secretary of the Commonwealth in the case of the nomination petition or papers having been filed with him, or of the County Commissioners of the proper county, in the case of the nomination petition or papers having been filed with them, to notify the person so nominated of the fact that he or she is nominee of two or more parties or political bodies, and also of the provisions of this act. Such notice shall be given by registered letter within five days after the result of the computation of the vote at the primary at which such person shall have been nominated for such office shall be certified, or within five days after the last day for the filing of any nomination papers for candidates for such office, whichever time shall be the later"

Amend section 2, page 1, line 12 by striking out the word "individual" and inserting in lieu thereof the word "person"

Amend section 2, page 2, line 1 by inserting after the word "certify" the following: "in writing"

Amend section 2, page 2, line 1 by inserting after the word "officer" the words "or officers"

Amend section 2, page 2, line 1, by inserting after the word "party" the words "or political body."

Amend section 2, page 2, line 2, by inserting after the word "him" the words "or her."

Amend section 2, page 2, line 2, by inserting after the word "he" the words "or she."

Amend section 3, page 2, line 5, by striking out the word "individual" and inserting in lieu thereof, the word "person."

Amend section 3, page 2, line 6, by inserting after the word "party" the words "or political body."

Amend section 3, page 2, line 6, by inserting after the word "he" the words "or she."

Amend section 4, page2, line 8, by striking out the word "individual" and inserting in lieu thereof the word "person."

Amend section 4, page 2, line 9, by inserting after the word "party" the words "or political body."

Amend section 4, page 2, line 10, by inserting after the word "his" the words "or her."

Amend section 4, page 2, line 12, by striking out the word "individual" and inserting in lieu thereof the word "person."

Amend section 4, page 2, line 13, by inserting after the word "party" the words "or political body."

Amend the bill by adding the following two additional sections: "Section 5. All acts and parts of acts inconsistent herewith are hereby repealed."

"Section 6. This act shall become effective immediately upon its passage and approval by the Governor."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1154, entitled:

An Act making an appropriation to the Department of Military Affairs for payment of property damages occasioned by a motor truck, the property of the Federal Government, issued to, and in possession of, the National Guard of Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Andrews,	Greenstein,	McCandless,	Schrock,
Baker,	Griffith,	McClure,	Schwab,
Baldi,	Habbyshaw,	McCreary,	Schwartz,
Barnhardt,	Haines,	McElwee,	Scorza,
Bechtel,	Hamilton,	McGinnis,	Sheffer,
Beech,	Harmuth	McGrail,	Shellenberger,
Bennett,	Harris,	McGregor,	Shenkel,
Bernhard,	Hart,	McHenry,	Shettel,
Blumberg,	Hartman,	McKay,	Shortz,
Boyd,	Heffernan,	McKinney,	Shreiner,
Brancato,	Hefferon,	Meredith,	Simon,
Brennan,	Heffner,	Merrell,	Sinwell,
Brown, J. E.,	Hermansen,	Metzler,	Snyder,
Brown, W. L.,	Hester,	Mohn,	Sowers,
Brownfield,	Hewitt,	Moore,	Spann,
Cannon,	Himes, H. E.,	Mumford,	Stank,
Caputo,	Himes, L. R.,	Myers,	Steedle,
Carey,	Hoffman,	Negley,	Sterling, P.,
Carson,	Holmes, J. B.,	Nothnagle,	Stevens,
Chervenak,	Holmes J. L.,	O'Connor,	Stevenson,
Cohen,	Hoopes,	O'Keefe,	Stiteler,
Conner,	Horst,	O'Neill,	Storb,
Cooke,	Hough,	O'Rourke,	Stott,
Cordier,	Howard,	Patterson,	Surface,
Craig,	Hutton,	Peelor,	Tahl,
Dane,	Jaffe,	Pennock,	Terry,
Davies,	Jones,	Perry, D. R.,	Turner,
DeFrehn,	Kane, J. J.,	Perry, J. J.,	Wade,
Downey, G. E.,	King,	Peters,	Walker, W. A.,
Downey, J.,	Kinney,	Powell,	Wall,
Duffy,	Labar,	Powers,	Wasserman,
Dunmire,	Lane,	Price,	Way,
Dwyer,	Laubach,	Quinn,	Weidemann,
Ederer,	Lenahan,	Raub,	White,
Emhardt,	Lewis,	Rectenwald,	Wike,
Fitzgerald,	Lord,	Reed,	Williams, G. W.,
Flanagan,	Lose,	Reilly,	Williams, J. J.,
Fleisher,	Lovett, J. E.,	Rhodes,	Wilson, T. B.,
Flinchbaugh	Lovett, W. S.,	Rice,	Witkin,
Flynn,	Lynch, J. R.,	Roan,	Wood,
Forrest,	Lynch, M.,	Root,	Woodside,
Furman,	Male,	Roth,	Wright,
Gallagher,	Malina,	Royle,	Yeakel,
Gartner,	Maloney,	Ruby,	Yourishin,
Gillette,	Marcks,	Ruth,	Zimmerman,
Gorman,	Mason,	Sarig,	Talbot,
Green,	McBride,	Sautter,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1813, entitled:

An Act establishing as State highways all existing township roads in townships of the second class which have not heretofore been established as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; authorizing the Secretary of Highways under certain conditions to petition the Court of Quarter Sessions to vacate certain of said roads; and making an appropriation out of the Motor License Fund.

On the question,

Will the House agree to the bill on third reading.

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SURFACE. Mr. Speaker and members of the House, I feel that I should say something in behalf of this bill.

Last week a weekly paper circulating throughout the rural districts made the statement that in all of the time we have been here we have not done a thing to reduce local taxes. If that be true it is just too bad for us. If it be not true then let some one show me where the bills are that we have passed that are for the purpose of reducing local taxes.

If you should ask your friends back home what do they most desire that you do for them during this session, those of you who come from the rural districts would have one answer. It would be, reduce taxes. That is the paramount idea that they have in their minds now.

What did we promise when we were planning and working through our campaigns? That we would do something to reduce taxes. Have we done so? Not that you can feel it and not that you can see it.

This bill plans to take the fifty-three thousand miles of second-class township roads from the shoulders of the taxpayers and that the expense of maintenance be handled by the Highway Department. This should reduce the road taxes of the people back home. It is something exceedingly and highly meritorious, because it is the only bill that I have yet seen, beside my three bills that slumber so peacefully in the Committee on Ways and Means of the House, two of them, each respectively, propose to reduce the taxes for school purposes on real estate to four mills and to reduce the taxes on real estate for road purposes to four mills and not over, and the other bill the income tax of two per cent.

Some of these times we will awaken, Mr. Speaker, and realize that the income tax bill is a mighty righteous and mighty desirable bill.

The SPEAKER. The gentleman from Snyder will confine his remarks to the bill before the House.

Mr. SURFACE. Mr. Speaker and members of the House, I have only this yet to say: this bill is planned definitely to take the burden of taxation from the shoulders of the rural taxpayers.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. STEVENSON. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—106

Baker,	Harmuth,	McGrail,	Shortz,
Bechtel,	Hartman,	McGregor,	Shugarts,
Beech,	Heffner,	McHenry,	Simon,
Bernhard,	Hermansen,	McKay,	Snyder,
Boyd,	Hewitt,	McKinney,	Stank,
Brancato,	Himes, H. E.,	Meredith,	Stevens,
Brennan,	Himes, L. R.,	Merrell,	Stevenson,
Brown, J. E.,	Holmes, J. J.,	Mohn,	Stiteler,
Caupto,	Hoopes,	Mumford,	Stone,
Carson,	Horst,	Negley,	Stott,
Chervenak,	Hutton,	O'Connor,	Surface,
Cramer,	Jaffe,	O'Neill,	Terry,
Dane,	Jones,	Peelor,	Wade,
Downey, J.,	King,	Perry, J. J.,	Wagner,
Dunmire,	Labar,	Powell,	Walker, G. E.,
Eroe,	Lane,	Quinn,	Walker, W. A.,
Evans,	Lord,	Reilly,	Wall,
Fitzgerald,	Long,	Rhodes,	Way,
Flinchbaugh,	Lose,	Ruth,	Westrick,
Furman,	Lovett, J. E.,	Sarig,	White,
Gallagher,	Lovett, W. S.,	Schrock,	Williams, G. W.,
Gartner,	Lynch, M.,	Schrope,	Wilson, T. B.,
Gillette,	Marcks,	Schwab,	Wood,
Griffith,	McCandless,	Sheffer,	Woodside,
Habbyshaw,	McCreary,	Shellenberger,	Wright,
Haines,	McElwee,	Shettel,	Yeakel,
Hamilton,	McGinnis,		

NAYS—71

Andrews,	Forrest,	Moore,	Scorza,
Baldi,	Green,	Munley,	Shenkel,
Bennett,	Greenstein,	Myers,	Sowers,
Blumberg,	Harris,	Nothnagle,	Spann,
Brown, W. L.,	Hart,	O'Keefe,	Shreiner,
Brownfield,	Heffernan,	O'Rourke,	Sinwell,
Cohen,	Hester,	Patterson,	Steedle,
Cooke,	Hoffman,	Pennock,	Sterling, P.,
Cordier,	Holmes, J. B.,	Perry, D. R.,	Sterling, R. B.,
Craig,	Hough,	Peters,	Storb,
Davies,	Howard,	Powers,	Tahl,
DeFrehn,	Kane, L. P.,	Price,	Turner,
Denning,	Kinney,	Raub,	Weidemann,
Downey, G. E.,	Laubach,	Rectenwald,	Welsh,
Duffy,	Lewis,	Reed,	Wike,
Dwyer,	Male,	Rice,	Wilson, L. M.,
Ederer,	Malina,	Root,	Witkin,
Emhardt,	Maloney,	Roth,	Zimmerman,
Flanagan,	McBride,	Ruby,	Talbot,
Fleisher,	McClure,	Schwartz,	Speaker.
Flynn,	Metzler,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

BILL ON SECOND READING

The SPEAKER. The Chair now returns to bills on second reading on page 3 of today's calendar. The first bill is Senate Bill No. 1450.

The Chair now requests the members who do not have this bill on file to stand and remain standing until they are served by the page boys. There will be no further excuse for members not having this bill.

The Chair sees no member standing and presumes that every member has a copy of Senate Bill No. 1450.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2375 (Senate Bill No. 1450), entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverage may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That SHORT TITLE This act shall be known and may be cited as the "Beverage License Law"

Section 2 DEFINITIONS The following words and terms as used in this act shall be construed as defined in this section

(a) The word "beverages" means any beer lager beer ale porter wine similar fermented malt or vinous liquor and fruit juice containing one-half of one per centum or more of alcohol by volume and not exceeding three and two-tenths per centum of alcohol by weight by whatever name such liquors or fruit juices may be called the manufacture and sale of which for beverage purposes is not prohibited by the laws of the United States

(b) The word "person" means and includes natural persons associations partnerships and corporations

(c) The word "manufacturer" means and includes all persons holding permits issued by the Alcohol Permit Board of this Commonwealth

(d) The term "distributor" means and includes persons licensed to engage in the purchase and resale of beverages in the original sealed packages as prepared for the market by the manufacturer but not for consumption on the premises where sold

(e) The term "retailer" means and includes persons licensed to engage in the retail sale of beverages where the consumption thereof is upon the premises of such vendor with the privilege of selling beverages to be carried from the premises by the purchaser thereof only however in the original containers

(f) The term "original containers" means and includes bottles casks kegs or other containers that have been securely capped or corked by the manufacturer with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing same

(g) The term "license" means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised and includes distributors' retailers' and public service licenses

(h) "Eating place" means a room having an area of not less than three hundred square feet and equipped with tables and chairs accommodating forty persons at one time

(i) "Treasurer" means the county treasurer of the county in which is located any place specified in an application as the place for which a license is desired

(j) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and neuter

Section 3 Sales for Consumption on the Premises It shall be unlawful for any person to sell to another for consumption upon the premises where sold or to permit another to consume upon the premises where sold any beverage unless such person holds a valid retailer's license issued by the treasurer

Section 4 Sales Not for Consumption on the premises It shall be unlawful for any person to sell to another any beverage not for consumption upon the premises where sold unless such person holds a valid manufacturer's permit issued by the Alcohol Permit Board or a valid distributor's or retailer's license issued by the treasurer

Section 5 Distributors' Licenses The treasure shall issue to any person who applies therefor pays the license fee hereinafter prescribed and files the bond hereinafter required a distributor's license for the place at which such person desires to sell beverages not for consumption on the premises where sold

Section 6 Retailer's Licenses Subject to the restrictions hereinafter provided the treasurer shall issue to a person who conducts a reputable hotel or incorporated club or a reputable bona fide eating place where food is regularly and customarily prepared and sold and who makes application upon a form as hereinafter prescribed pays the license fee hereinafter required a retailer's license for such place

Such licenses shall be issued only to reputable individuals who are citizens of the United States and have for one year been residents of the municipality or township wherein the place of business is located at the date of their applications or to reputable corporations organized or duly registered under the laws of Pennsylvania

No retailer's license shall be granted for the sale of beverages for consumption on the premises in any municipality or township in which the electors shall as hereafter provided have voted against the licensing therein of places where beverages may be sold for consumption on the premises where sold

Section 7 Appeals from refusal of licenses Any person aggrieved by the Treasurer's refusal to issue a license may appeal to the Court of Quarter Sessions of the County Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the Treasurer whereupon a hearing shall be held upon said petition by the Court upon thirty days' notice to the Treasurer who shall be represented in the proceeding by the district attorney At said hearing testimony may be presented by the applicant and the Treasurer after the consideration of which the Court shall either sustain the refusal of the Treasurer or order an issuance of the license to the applicant There shall be no further appeal

The eighth section was read as follows:

Section 8 PUBLIC SERVICE LICENSES The Department of Revenue may issue special retailers' licenses to a railroad pullman or steamship company permitting beverages to be sold in dining club or buffet cars or the dining compartments of steamships or vessels for consumption on the trains steamships or vessels Such licenses shall only be granted to reputable persons and for fit places The Department of Revenue shall have the power to suspend or revoke any such licenses for cause after granting a hearing thereon to the licensee. Any person aggrieved by the decision of the Department of Revenue in refusing suspending or revoking any such license may within thirty days thereafter appeal to the Court of Common Pleas of Dauphin County which shall fix a time for hearing of which notice shall be given to the Department of Revenue as the court may provide The court shall hear the appeal de novo and shall make such order affirming modifying or reversing the order of the Department as to it shall appear just The action of the court shall be final

On the question,

Will the House agree to the section?

Mr. DAVID R. PERRY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Senate Bill No. 1450, Printer's No. 675, page 8, section 8, by adding after the word "vessels" on line 7, the following: "Wherever operated in the State except when standing in stations or terminals within a municipality wherein retail sales are prohibited."

On the question,

Will the House agree to the amendment.

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The ninth to the thirty-third sections inclusive and the title were separately read and agreed to as follows:

Section 9 DISTRIBUTORS' AND RETAILERS' LICENSES LICENSE YEAR Licenses to distributors and retailers shall be granted by the treasurer and shall be for one year The license year in each county shall begin on June first

Section 10 FILING OF APPLICATIONS FOR DISTRIBUTORS' AND RETAILERS' LICENSES Every person intending to apply for a distributor's or retailer's license as aforesaid in any municipality or township of this Commonwealth shall file with the treasurer his or its application at least one week before the first day of June and shall at the same time pay said treasurer ten dollars for the use of the county

Section 11 APPLICATION FOR DISTRIBUTORS' AND RETAILERS' LICENSES Application for distributors' and retailers' licenses shall contain

(a) The name and residence of the applicant and how long he has resided there and if an individual the residence of such applicant and if an association partnership or corporation the residences of the members officers and directors for the period of two years next preceding the date of such application

(b) The particular place for which the license is desired and a detailed description thereof

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation when and where incorporated with the names and addresses of each officer and director

(d) Name of owner of premises and his residence

(e) That the applicant is not or in case of a partnership or association that the members or partners are not and in the case of a corporation that the officers and directors are not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business regulated under this act except as hereinafter temporarily permitted

(f) That applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner pecuniarily interested during the continuance of the license except as hereinafter temporarily permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in case of a corporation any officer or director thereof has during the three years immediately preceding the date of said application had a license for the sale of beverages revoked or has during the same period been convicted of any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of beverages a full history of such business relating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location

There shall be annexed to such application a certificate signed by at least twelve reputable qualified electors of the ward borough or township in which such beverages are to be sold setting forth that they have been acquainted with the applicant or applicants or the members of the association or partnership or the directors and officers of the corporation where the applicant is a corporation that they have good reason to believe that each and all the statements contained in the petition are true and they therefore believe that the application should be granted and that the license should issue

The application must be verified by affidavit of applicant and if any false statement is made in any part of the application the affiant shall be deemed guilty of the crime of perjury A license shall not be granted by the treasurer unless the application contains the information herein required

Section 12 PROHIBITION AGAINST THE GRANT OF LICENSES Any retailer may be granted licenses to maintain operate or conduct any number of places for the sale of beverages but a separate license must be secured for each place where beverages are sold or where orders are taken

No person shall possess or be issued more than one distributor's license in any one municipality or township nor shall any distributor maintain or operate any place or places other than that for which the license is granted where beverages are sold or where orders are taken

Licenses shall be granted by the treasurer only to reputable individuals or to associations partnerships and corporations whose members or officers and directors are reputable individuals

Licenses shall be granted by the treasurer only to individual citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding or to corporations organized in or duly authorized to transact business in this Commonwealth and all of whose officers and directors shall be citizens of the United States who have also been residents of this Commonwealth for at least three years immediately preceding the applications for license

Section 13 REVOCATION AND SUSPENSION OF LICENSES BY COURT OF QUARTER SESSIONS After a license has been granted upon petition of the Attorney General the treasurer the district attorney or fifteen or more taxpayers residents of the ward borough or township where the place of business is located to the court of quarter sessions and upon sufficient cause being shown or proof being made to the court that the licensee holding a license or any partners members officers or directors of the licensee has or have violated any of the laws of this Commonwealth relating to the sale of beverages or relating to the manufacture sale or transportation of alcohol or and other alcoholic beverages it may upon due notice and proper hearing being given to the person so licensed suspend or revoke the said license issued by the treasurer The court shall assess or remit the costs in its discretion The action of the court in suspending or revoking a license shall be final

Section 14 LICENSES NOT ASSIGNABLE TRANSFERS Licenses issued under this act may not be assigned The treasurer is hereby authorized to transfer any distributor's or retailer's license from one person to another or from one place to another within the same municipality or township as the treasurer may determine but no transfer shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally Any such transfer of a license may be made at any time From any refusal to grant a transfer the person aggrieved shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses

Section 15 APPLICATIONS FOR TRANSFERS FEE Applications for any such transfer shall be filed in the office of the county treasurer at least one week before the transfer is made

Whenever any license is transferred no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current license year except a fee of ten dollars to be paid to the treasurer for the use of the county

Section 16 RENEWAL OF LICENSES Renewals of licenses shall be granted annually by the treasurer upon the filing of an application as hereinbefore provided at least one week before the first day of June and the payment of a fee of ten dollars for the use of the county and the payment of the license fee and the filing of a bond as in the case of an original license

Section 17 DISPLAY OF LICENSE Every licensee shall frame his or its license under a transparent substance and display the same in a conspicuous space so that it may easily be read in his or its place of business and no license shall authorize sales until this section has been complied with

Section 18 ALL LICENSEES TO FURNISH BOND No license shall be issued to any distributor or retailer until the licensee shall have first executed a bond to the Commonwealth of Pennsylvania and a warrant of attorney to confess judgment in the penal sum hereinafter prescribed and with sufficient sureties either personal or a surety company authorized to do business in this Commonwealth Such bond shall not be accepted until approved by the treasurer All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to the sale of beverages or relating to the manufacture sale or transportation of alcohol or any other alcoholic beverages Such bond shall be filed with and retained by the treasurer The penal sums of such bonds shall be one thousand dollars for each place at which the licensee is authorized to sell beverages Every such bond shall be turned over to the district attorney to be sued out if and when the licensee's license shall have been revoked as herein provided

Section 19 LICENSE FEES DISTRIBUTION OF REVENUES No license shall be issued to any distributor or retailer until the licensee shall have first paid an annual license fee for such grant as follows

(a) In the case of a distributor the license fee shall be graduated according to the population of the municipality or township in which the place of business is located as follows and shall be paid to the treasurer

I In municipalities or townships having a population of less than one thousand five hundred inhabitants thirty-seven dollars and fifty cents

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants fifty dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants seventy-five dollars

IV In those having a population of fifty thousand and more but less than one hundred thousand inhabitants one hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants one hundred and twenty-five dollars

VI In those having a population of one hundred fifty thousand and more one hundred and fifty dollars

(b) In the case of a retailer the license fee shall be granted according to the population of the municipal unit in which the place of business is located as follows and shall be paid to the treasurer

I In municipalities or townships having a population of less than one thousand five hundred inhabitants seventy-five dollars

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants one hundred dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants one hundred and fifty dollars

IV In those having a populatian of fifty thousand and more but less than one hundred thousand inhabitants two hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants two hundred and fifty dollars

VI In those having a population of one hundred fifty thousand and more three hundred dollars

(c) In the case of an incorporated club the fee shall be twenty-five dollars in all cases

(d) In the case of a public service license for the sale of beverages in dining club and buffet cars the fee shall be ten dollars for each car on which beverages are sold and shall be paid to the State Treasurer through the Department of Revenue

(e) In the case of a public service license for the sale of beverages on a boat or vessel the fee shall be fifty dollars for each such vessel or boat which shall be paid to the State Treasurer through the Department of Revenue

The license fees fixed by this section shall be paid before the license or renewal is issued

The fees for distributors' and retailers' licenses shall be paid by the treasurer to the municipalities and townships of the first class in which the licensed places are located for the use of such municipalities and townships the fees for licenses of places located in townships of the second class shall be paid into the county treasury for the use of the county The fees for public service licenses shall be for the use of the Commonwealth

Remittances shall be made by the treasurer to municipalities and townships within thirty days of the receipt of any license fee

Section 20 SALES BY MANUFACTURERS MINIMUM QUANTITIES No manufacturer shall sell any of such bever-

ages for consumption on the premises where sold nor sell or deliver any such beverages in other than orginal containers nor in quantites of less than two hundred and eighty-eight (288) fluid ounces nor shall any manufacturer maintain or operate any place or places other than the place or places covered by his or its permit where beverages are sold or where orders are taken

Section 21 SALES BY DISTRIBUTORS No distributor shall purchase receive or resell any beverages except in the original containers Provided That no such beverage sold or delivered shall be consumed upon the premises of the distributor or in any place provided for such purpose by such distributor

Section 22 SALES BY RETAILERS No retailer shall purchase or receive any beverages except in original containers and thereafter may break the bulk upon the licensed premises and sell or dispense the same for use and consumption only however in and upon the premises so licensed Provided however That such retailer may sell such beverages in the original containers to be carried from the premises by the purchaser thereof

No retailer shall maintain any bar at which beverages are served to customers or sell any beverages for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times visible and accessible to the use and accommodation of the general public but this section shall not be interpreted to prohibit the sale of beverages at a lunch counter with seats or chairs permanently fastened thereto if such counter is in an eating place as herein defined A retailer licensed to sell beverages in a hotel or club house may however sell and deliver such beverages in any room of such hotel or clubhouse occupied by a bona fide registered guest or member entitled to purchase the same

Section 23 UNLAWFUL SALES It shall be unlawful for any licensee or his or its servants agents or employes

(a) To sell trade or barter in beverages between the hours of twelve o'clock midnight of any Saturday and six o'clock in the forenoon of the following Monday

(b) To sell furnish or give any beverages to any person visibly intoxicated or to any insane person or to any minor

(c) To sell furnish or give any beverage to any person on any day on which a general municipal special or primary election is being held.

(d) In the case of retailers to sell or offer to sell any beverages for consumption on the premises where sold to any person on credit excepting credits extended by an hotel or club to a bona fide registered guest or member No right of action shall exist to collect any claims for credit extended to the provisions of this clause

(e) To sell offer to sell or furnish any beverage to any person on a pass-book or store order or to receive from any person any goods wares merchandise or other articles in exchange for beverages

(f) To hawk or peddle any beverages in this Commonwealth

Section 24 THINGS OF VALUE NOT TO BE OFFERED FOR THE RETURN OF CERTAIN ARTICLES It shall be unlawful for any person licensed to sell beverages to offer or give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing such beverages or to offer or give anything of value as a premium or present to induce the purchase of such beverages or for any other purpose whatsoever in connection with the sale of such beverages Provided however that this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof

Section 25 UNLAWFUL TO FORTIFY ADULTERATE OR CONTAMINATE BEVERAGES It shall be unlawful to fortify adulterate contaminate or in any wise to change the character or purity of the beverages from that as originally marketed by the manufacturer

Section 26 TRANSPORTATION IN ORIGINAL PACKAGES It shall be unlawful to transport any beverages except in the original containers

Section 27 DELIVERY VEHICLES TO BEAR NAME AND ADDRESS OF DISTRIBUTOR OR MANUFACTURER It shall be unlawful for a manufacturer or distributor to deliver any beverages excepting in vehicles bearing the name and address of such distributor or manufacturer on each side of such vehicle in letters no smaller than four inches in height

Section 28 INTERLOCKING BUSINESS PROHIBITED

(a) No manufacturer and no officer or director of any manufacturer shall at the same time be a distributor or retailer or an officer director or stockholder or creditor of any distributor or of any retailer nor be the owner proprietor or lessor of any place covered by any distributor's or retailer's license

(b) No distributor and no officer or director of any distributor shall at the same time be a manufacturer or retailer or be an officer director stockholder or creditor of a manufacturer or retailer or be the owner proprietor or lessor of any place covered by any retailer's license

No manufacturer or distributor or retailer licensed under this act shall own any stock of or have any financial interest in any other class of business licensed under this act

(d) Excepting as hereinafter provided no manufacturer or distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage lien against the same for which a retailer's license is granted nor shall a manufacturer or distributor either directly or indirectly lend any moneys credit or equivalent thereof to any retailer in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale and consumption upon the premises excepting only the usual and customary commercial credits for beverages sold and delivered

(e) Excepting as hereinafter provided no manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a distributor's license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or their equivalent to any distributor in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale by a distributor excepting only the usual and customary commercial credits for beverages sold and delivered

The purpose of this section is to require a separation of the financial and business interests between the various classes of business regulated by this act and no person or corporation shall by any device whatsoever directly or indirectly evade the provisions of this section But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest until January first one thousand nine hundred and thirty-six by a manufacturer of any place occupied by a distributor or retailer if the manufacturer has continuously owned or had a conflicting interest in such place for a period of at least three years prior to the effective date of this act

The term "manufacturer" as used in this section shall include manufacturers as defined in this act and any person manufacturing any beverage outside of this Commonwealth

Section 29 PENALTY Any person copartnership association or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three hundred dollars ($300) for the first offense and for any second or subsequent offense shall be sentenced upon conviction to pay a fine not exceeding five hundred dollars ($500) Any such person or the members agents servants or employes of any partnerships or association or the officers directors agents servants or employes of any corporation responsible for any violation of any of the provisions of this act may upon a second or subsequent conviction be sentenced to imprisonment for a term not exceeding six months or by both such fine and imprisonment in the discretion of the court

Section 30 CONSTITUTIONALITY. The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 31 LOCAL OPTION In any municipality or township an election may be held but not oftener than once in four years on the date of any municipal election to determine the will of the electors with respect to the granting of licenses to retailer of beverages under the provisions of this act Whenever electors equal to at least ten per centum of the highest vote cast for any office in the municipality or township at the last preceding general elec-

tion shall petition the corporate authorities of the municipality or township for a referendum on the question of granting such licenses the said corporate authorities shall cause a question to be submitted at the municipal election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission of such question on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the granting of retail beverage licenses in the of	Yes	
	No	

If a majority of the persons voting on such question vote "yes" then retailers' licenses shall be granted by the treasurer in such municipality or township under the provisions of this act but if a majority of the persons voting on such question vote "no" then the treasurer shall thereafter have no power to grant or to renew upon their expiration any retailer's licenses in such municipality or township under the provisions of this act

Section 32 EFFECTIVE DATE This act shall become effective on June first one thousand nine hundred and thirty-three except that licenses may be granted prior to said date to become effective on said date

Section 33 REPEAL The following acts are hereby repealed as respectively indicated

The act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-seven) entitled "An act authorizing the transfer by the judges of the several courts of the Commonwealth of licenses for the wholesale or retail of vinous spirituous malt or brewed liquors from one person to another and from one place to another" absolutely

The act approved the thirtieth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws four hundred sixty-four) entitled "An act to provide revenue and regulate the sale of malt brewed vinous and spirituous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors" and the amendments thereto so far as the same relate to beverages licensed under this act

The act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" and the amendments thereto so far as the same relate to beverages the sale and distribution of which is regulated and licensed under this act

The act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of Federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of the permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" in so far as the same relates to the sale at wholesale of beverages the sale of which is regulated and licensed under this act

All other acts and parts of acts general local and special inconsistent with this act are hereby repealed But nothing contained in this act shall be construed to repeal any law relating to the purity or adulteration of beverages or any law relating to sanitation

Nothing contained in this act shall be construed to repeal or in any manner to impair the provisions of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-three) entitled "An act to permit the growers of grapes in this Commonwealth to manufacture wine from grapes of their own raising that are not first class or marketable and sell such wine to licensed dealers without taking out or paying a license for such manufacture or sale"

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of politcial subdivisions of the State and election officers providing penalties and repealing existing acts

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 1455 (HOUSE BILL No. 2376).

An Act to amend Act No. 12-A, approved the twentieth day of April, one thousand nine hundred thirty-three (Appropriation Acts of one thousand nine hundred thirty-three, page), entitled "An act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania," by changing the fiscal biennium for which the appropriation is made.

Referred to the Committee on Appropriations.

SENATE BILL No. 953 (HOUSE BILL No. 2377).

An Act to further amend section three of the act approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand forty-six), entitled "An act appropriating the moneys in the Motor License Fund by making the moneys in the Motor License Fund available for administering the laws, rules and regulations relating to aeronautics.

Referred to the Committee on Aeronautics.

SENATE BILL No. 1362 (HOUSE BILL No. 2378).

An Act to amend section fifty-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the

laws relating thereto"; permitting individual sureties on the bonds of county officers in counties of the sixth, seventh and eighth classes and regulating and controlling the acceptance of such bonds.

Referred to the Committee on Counties.

SENATE BILL No. No. 1461 (HOUSE BILL No. 2379).

An Act providing for the reduction by a building and loan association, with the approval of the Department of Banking and upon order of the court of common pleas, of its liability to shareholders; applying to building and loan associations, whether or not in possession of the Secretary of Banking.

Referred to the Committee on Building and Loan Associations.

SENATE BILL No. 1462 (HOUSE BILL No. 2380).

An Act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund; providing for subsequent transfers of equal sums between such funds; and making appropriations necessary to effect such transfers.

Referred to the Committee on Appropriations.

SENATE BILL No. 263 (HOUSE BILL No. 2381).

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto; requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined; providing for the suspension of operators' license and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer, and prothonotaries; and prescribing penalties.

Referred to the Committee on Insurance.

SENATE BILL No. 1339 (HOUSE BILL No. 2382).

An Act to amend section thirty-seven of the act approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal"; providing a fee for consents and certificates to transfer stock of decedents.

Referred to the Committee on Ways and Means.

SENATE BILL No. 1451 (HOUSE BILL No. 2383).

An Act to amend the act, approved the fifth day of May, one thousand nine hundred twenty-one (Pamphlet Laws, three hundred seventy-four), entitled "An act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith, a contract based upon payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties," as amended, by providing for the transfer from the Department of Banking to the Pennsylvania Securities Commission of the rights and duties with respect to the licensing and regulation of such corporations, copartnerships, associations, and individuals.

Referred to the Committee on Banking.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from is Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 30

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 30, Printer's No. 1033, entitled "An Act to amend section two thousand five hundred and fifty-six of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' providing for the fixing of the salary of the city treasurer as collector of city school and poor taxes and for the number and salaries of his assistants jointly by the city council and board of school directors and for payment of suhc salaries and other expenses in connection with his office equally by the city and school district and requiring the city and school district to pay the premiums on the bonds required to be given to the city and school district."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 218

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 218, Printer's No. 888, entitled "An Act to amend section twelve of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled 'An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usuable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation' by preventing suspension of permits without hearings and providing for appeals in case of suspension or revocation of permits."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 490

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Mill No. 490, Printer's No. 576, entitled "An

Act to amend section one of and to add section one and one-tenth to the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled 'An act authorizing the abatement of penalties on local taxes' providing further for the abatement of tax penalties and for an extension of time for delivery of duplicates to collectors of delinquent taxes in certain cases."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1198

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1198, Printer's No. 927, entitled "An Act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatment defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 173, 948, 1025, 1635 AND 1664

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 173, Printer's No. 65, entitled "An Act to amend section one thousand five hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as amended providing for cooperation by school districts with municipal districts in health work."

House Bill No. 948, Printer's No. 939, entitled "An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt."

House Bill No. 1025, Printer's No. 323, entitled "An Act giving courts of common pleas jurisdiction of actiosn for injuries to or breaches of contracts or covenants relative to lands situate without the Commonwealth or estates or interests in such lands."

House Bill No. 1635, Printer's No. 329, entitled "An Act to amend section eleven of the act approved the eleventh day of May one thousand nine hundred and twenty-five (Pamphlet Laws five hundred sixty-one) entitled 'An act to provide for the selection of jurors to serve in the several courts criminal and civil of counties of the second class and defining the qualifications of such jurors providing for the organization of a commission for the selection of jurors in such counties and prescribing its powers and duties and authorizing it to investigate as to the qualifications of prospective jurors imposing the expense of maintaining and operating said commission upon said counties and requiring the county commissioners to provide suitable quarters equipment and supplies authorizing the employment of the necessary clerks and other employes and providing for a salary board composed of the commission the county commissioners and the controller of said counties to fix the number and compensation of such employees requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service repealing inconsistent legislation and prescribing punishment for the violation hereof' by changing the method of giving notice to persons selected as jurors."

House Bill No. 1664, Printer's No. 346, entitled "A Supplement to the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled 'An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof' providing for the examination and audit of the State Workmen's Insurance Fund by the Insurance Department and appropriating the moneys in the fund for the payment of the cost of such audit and examination."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 1101, 1645, 1650, 1657, 1658, 1671 AND 2060

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1933.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 1101, Printer's No. 192, entitled "An Act to amend section ten of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled 'An act allowing and regulating boxing sparring and wrestling matches and exihibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties' as amneded by changing the number of rounds permitted in boxing or sparring matches or exhibitions."

House Bill No. 1645, Printer's No. 347, entitled "An Act to amend section five of the act approved the sixth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred sixty-one) entitled 'An act regulating certain maternity hospitals in cities of the third class boroughs towns and townships providing for the licensing and supervision thereof by the Department of Welfare of this Commonwealth fixing penalties and placing the burden of proof as to certain facts on the persons prosecuted' by increasing the license fee to be collected by the Department of Welfare and providing for the payment thereof into the State Treasury through the Department of Revenue."

House Bill No. 1650, Printer's No. 376, entitled "An Act to amend the act approved the fifteneth day of April one thousand eight hundred and seventy-three (Pamphlet Laws seventy-five) entitled 'An act relating to the fees of the surveyor general' by prescribing certain fees to be charged by the Department of Internal Affairs for services rendered by the Land Office."

House Bill No. 1657, Printer's No. 365, entitled "An Act to amend sections five and six of the act approved the fourteenth day of April one thousand nine hundred and twenty-five (Pamphlet Laws two hundred thirty-four) entitled 'An act relating to Boarding oHuses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties' by authorizing the Department of Welfare to collect fees for licenses issued under the act."

House Bill No. 1658, Printer's No. 363, entitled "An Act authorizing the transfer of a certain sum from the Manufacturing Fund to the General Fund and appropriating the moneys in the Manufacturing Fund for this purpose." In approving this bill the Governor appended the following:

"Approved—The 28th day of April A. D. 1933, only in the sum of $400,000.00. I withhold my approval from remainder of said appropriation because it is impossible to transfer a greater sum from the Manufacturing Fund without seriously impairing the work of the Prison Labor Division of the Department of Welfare."

House Bill No. 1671, Printer's No. 583, entitled "An Act to further amend Section 21 of the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all other persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled "A n act creating the Department of Health and defining its powers and duties" approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act' by increasing the fee to be charged by the Department of Health for certified copies of records of births deaths or marriages."

House Bill No. 2060, Printer's No. 406, entitled "An Act to amend Section three of the act approved the thirty-first day of March one thousand nine hundred and twenty-seven (Pamphle Laws ninety-one) entitled 'An act relating to municipal indebtedness imposing certain powers and duties upon the Department of Internal Affairs and the officers of counties cities of the third class boroughs town townships school districts of the second third and fourth classes and poor districts in connection with proceedings to incur and increase indebtedness and the establishing and maintaining of sinking funds fixing the maximum maturity of refuding bonds and providing penalties' by authorizing the Department of Internal Affairs to charge and collect fees for examining and approving proceedings relating to municipal indebtedness."

GIFFORD PINCHOT.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1253.

An Act to amend article twenty of the act, approved the eighteenth day of May, one thousand nine hundred and eleven. (P. L. 309), entitled "Public School Code," as amended, by prescribing the powers and duties of the boards of trustees of State teachers colleges and the Cheyney Training School for teachers; repealing inconsistent legislation.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1659.

An Act to further amend Section seventeen of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by increasing certain license fees

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1107.

An Act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 566.

A Supplement to an act approved May sixth one thousand nine hundred and thirty-one (Pamphlet Laws ninety-nine) entitled "An act to amend section seven of the act approved the fifth day of March one thousand seven hundred and ninety-one (three Smith's Laws six) entitled 'An act to enable the Governor to appoint Notaries Public and for other purposes therein mentioned' prescribing the form of notary seal" by providing that the presence of the arms of this Commonwealth on the seal of the notary public reappointed after the effective date of the act to which this is a supplement and prior to the effective date of this act shall not invalidate said seal or the notarial acts instruments or attestations authenticated by such seal

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

PERMISSION FOR COMMITTEE TO SIT DURING SESSION OF THE HOUSE

Mr. BLUMBERG asked and obtained permission for the Committee on Elections to meet during the session of the House in the room immediately to the right of the rostrum.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows, viz:

SENATE BILL No. 206.

An Act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds and certain State departments, commissions and officers; authorizing certain local public offices and State departments to collect fees for services required to be rendered by this act, imposing penalties; and repealing certain acts and parts of acts relating to corporations.

SENATE BILL No. 262.

An Act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1033.

An Act to amend section seven hundred twenty-two, of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts, and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them.

HOUSE BILL No. 1076.

An Act requiring the Secretary of the Commonwealth to inquire into the purposes of the incorporators of labor groups and to approve or disapprove their incorporation or right to do business within the Commonwealth

HOUSE BILL No. 1775.

An Act authorizing agreements between the Department of Highways and local authorities to provide for the construction and maintenance of streets and highways in cities counties boroughs towns and townships under certain conditions providing for assessments on abutting property owners and making an appropriation

HOUSE BILL No. 712.

An Act to establish as a State highway a certain section of public road in the County of Lackawanna and providing for its construction and maintenance at the expense of the Commonwealth.

HOUSE BILL No. 966.

An Act to amend sections four hundred twenty-two and four hundred thirty-two of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by extending the provisions of the act to The Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania and authorizing flags to be placed on graves of members of the enlisted nurse corps female field clerks and yoemanettes

HOUSE BILL No. 244.

An Act to amend section fourteen of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" by giving the courts of the county wherein alleged violation occurs or the residence or place of business of the complainant jurisdiction in equity proceedings under the act

HOUSE BILL No. 1803.

An Act relating to Sunday music; permitting musicians to receive compensation for services rendered on Sunday; authorizing pay concerts to be given and broadcast on Sunday under certain circumstances; and allowing school and certain public buildings and parks to be used therefor; conferring powers and imposing duties on the Department of Public Instruction, and imposing penalties.

HOUSE BILL No. 1847.

An Act to protect the public health; defining and providing for the licensing of bakeries and regulating the inspection, maintenance and operation of bakeries, and premises, stores and shops connected therewith; defining and regulating the

manufacture, sale and offering for sale of baker products; conferring powers on the Department of Agriculture; and providing penalties.

With the information that the Senate has passed the same without amendment.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 747

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith without my approval, House Bill No. 747, Printer's No. 172, entitled "An Act to amend section five hundred and three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled 'An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing pentalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth' as amended providing for appeals from refusals of the Board of Finance and Revenue to allow refunds."

This bill would permit an appeal to the Court of Common Pleas of Dauphin County from the refusal of the Board of Finance and Revenue, after hearing, to refund moneys paid to the Commonwealth, or to remit penalties imposed for failure to file a tax report within the time specified by law.

Under existing law the action of the Board in refusing to allow refunds or to remit penalties is final

Authority to make refunds of moneys paid to the Commonwealth was originally granted to a board composed of the Auditor General, State Treasurer, and Attorney General by the Act of April 8, 1869 P. L. 19. Since then disallowances of refunds by that board and its successor, the Board of Finance and Revenue, have not been subject to appeal to the courts. This practice has operated satisfactorily and there is no compelling reason why it should now be changed.

The present law affords to any taxpayer or other debtor to the Commonwealth an opportunity to appeal to the courts prior to payment of his obligation to the Commonwealth. This bill would provide a duplicate and unnecessary remedy in permitting another appeal after payment. It would thereby encourage litigation and uselessly burden the courts of the Commonwealth.

There is no good reason why an appeal should be necessary from the discretionary action of the Board in refusing to remit penalties imposed for failure to file tax reports within the time provided for by law. These penalties are imposed because of the failure of the taxpayer to comply with express provisions of law. Under the circumstances he should have no remedy beyond that now afforded him.

For these reasons the bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall the bill become a law, the veto of the Governor to the contrary notwithstanding?

Mr. CAPUTO. Mr. Speaker, I move that the communication, together with the bill be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1119

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1119, Printer's No. 140, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILL LAID UPON TABLE

Mr. HOOPES. Mr. Speaker, I move that the bill together with the message be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 1099

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 1099, Printer's No. 935, entitled "An Act authorizing counties cities boroughs townships of the first and second class and school district to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities in relation to said funds and fixing a penalty for the violation

This bill would authorize municipalities during the next five years to borrow for current expenses against certian delinquent taxes on real estate and to issue bonds maturing thereof," in not more than ten years for that purpose.

Senate Bill No. 498 which has been passed by the Legislature, but has been recalled for amendment, contains practically the same provisions as this bill. However, parts of that bill are in slightly better form than the corresponding provisions of this one. Therefore, I expect to sign Senate Bill No. 498 when it reaches my desk, and there will be no necessity for the present bill.

GIFFORD PINCHOT.

On the question,

Shall the bill become a law, the veto of the Governor to the contrary notwithstanding?

Mr. WEIDEMANN. Mr. Speaker, I move that the communicaation, together with the bill be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1649

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives, and Senate recalling from the Governor House Bill No. 1649, Printer's No. 377, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILL LAID UPON TABLE

Mr. PHILIP STERLING. Mr. Speaker, I move that the bill together with the message be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1678

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1678, Printer's No. 355, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILL LAID UPON TABLE

Mr. PHILIP STERLING. Mr. Speaker, I move that the bill together with the message be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1240

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1240, Printer's No. 176, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILL LAID ON TABLE

Mr. BLUMBERG. Mr. Speaker, I move that the bill together with the message be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1615

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1615, Printer's No. 522, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILL LAID ON TABLE

Mr. WALL. Mr. Speaker, I move that the bill together with the message be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 445

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 445, Printer's No. 834, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. SHREINER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. SHREINER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SHREINER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 6, line 4 by striking out after the word "the" and before the word "or" the word "[failure]" and inserting in lieu thereof the word: "insolvency."

Amend section 1, page 6, line 4, by striking out at the end of the line after the word "city" the syllable: "[de-]."

Amend section 1, page 6, line 5, by striking out the syllable: "[pository]" and inserting in lieu thereof the word: "depositories."

Amend section 1, page 10, line 25, by inserting at the end of the line after the word "paid" the words: "which interest shall be added to the taxes by said treasurer as collector and be collected by him."

Amend section 1, page 11, line 10, by inserting after the word "treasurer" and before the word "or" the words "as such."

Amend section 1, page 20, line 17, by striking out after the word "Exclusive" and before the word "to" the word "[Righ]" and inserting in lieu thereof the word: "Right."

Amend section 1, page 21, line 7, by inserting after the word "fix" and before the word "The" the words: "This tax shall be collected and recovered in the manner provided by law for the recovery of municipal claims."

Amend page 24 by inserting between lines 22 and 23 the following new numbered section:

"Section 3 The provisions of this act shall be severable and if any provision shall be held to be unconstitutional the decision of the court shall not be deemed to affect the validity of the remaining provisions It is hereby declared to be the legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included therein."

Amend section 3, page 24, line 23, by striking out after the word "Section" and before the word "This" the figure: "[3]" and inserting in lieu thereof the figure: "4."

Amend section 4, page 24, line 25, by striking out after the word "Section" and before the word "The" the figure: "[4]" and inserting in lieu thereof the figure: "5."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL
BILL No. 1741

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1741, Printer's No. 837, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. WAY. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. WAY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WAY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 3, line 13 of the title by striking out at the end of the line after the word "act" the following: "[by providing for the con-]."

Amend page 3 by striking out lines 14 and 15 of the title and inserting in lieu thereof the following: "by providing for the construction reconstruction and maintenance of certain bridges forming parts of State Highways in boroughs and incorporated towns by the Department of Highways."

Amend page 5 by striking out lines 17 to 29 inclusive.

Amend page 6 by striking out lines 1 to 29 inclusive.

Amend page 7 by striking out lines 1 to 23 inclusive and inserting in lieu thereof of the following:

"Section 10 Anything herein contained or any apportionment of the State into highway districts shall not be construed as including or in any manner interfering with the roads streets and highways in any of the cities boroughs or incorporated towns of the Commonwealth Provided That where any road street or highway shall form a part or section of any State highway as now or hereafter establish within the limits of any borough or incorporated towns the Department of Highways shall improve or reconstruct any section or sections of such road street or highway which have heretofore been maintained or are hereafter established as State highways to be maintained by the Department of Highways to such width as it may deem advisable at the expense of the Commonwealth

"The maintenance of any road street or highway which forms a part or section of any State highway as now or hereafter established within the limits of any borough or incorporated town shall be done by the Department of Highways at the expense of the Commonwealth Provided That all improvements reconstruction and maintenance of any road street or highway in boroughs or incorporated towns shall be of such width and type as may be determined by the Secretary of Highways

"The Department of Highways shall also construct reconstruct and maintain any bridge over a stream which the borough or incorporated town is obligated to maintain and which bridge is located on or forms a part of a State highway established prior to the twenty-second day of June one thousand nine hundred thirty-one within the limits of any borough or incorporated town Provided That nothing herein contained shall authorize any assessment to be made against the Commonwealth by reason of or to assist in the elimination of any grade crossing on any highway within the limits of a borough or incorporated town and no such assessment shall hereafter be made under any Act of Assembly heretofore enacted And provided further That nothing in this act shall be construed as placing on the Commonwealth the payment of any costs of construction or reconstruction of any such bridges in boroughs or incorporated towns for the construction or reconstruction of which a contract has been let prior to the effective date of this act and the Department of Highways shall shall not assume the obligation for the construction reconstruction or maintenance thereof until such contract has been performed

"No opening shall be made in the surface of any improved highway which is maintained by the Department of Highways under the authority of this act within the limits of any borough or incorporated town until and unless a permit has been obtained for such opening either from the municipal authorities or from the Department of Highways pursuant to an ordinance passed subsequent to the approval of this act authorizing the Department of Highways to act for the municipality Where a permit is not obtained from the Department of Highways as above provided the borough or incorporated town shall require a cash deposit or bond conditioned upon the proper restoration of the surface and shall be responsible to the Department of Highways for the cost of the restoration of such surface in accordance with the adopted standards of the Department of Highways for the particular type of construction Any person firm or corporation opening the improved surface of any street or highway without having first obtained a permit as hereinbeore provided shall upon summary conviction before a magistrate be sentenced to pay a fine of not more than twenty-five ($25) dollars and in addition thereto the cost of prosecution and surface restoration costs and in default of the payment thereof shall undergo imprisonment for not more than five days

"Section 2 This act shall become effective on the first day of July one thousand nine hundred thirty-three."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1009

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1009, Printer's No. 857, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. WILSON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. WILSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WILSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 2, by striking out the words "first years of their."

Amend title, page 1, line 6, by removing the strike-out bracket before the word "restricting."

Amend title, page 1, line 7, by removing the strike-out bracket after the word "perintendents."

Amend section 1, page 1, line 6, by striking out at the end of the line, the word "the."

Amend section 1, page 1, line 7, by striking out the words "first year of."

Amend section 1, page 2, by striking out all of lines 1 to 15, both inclusive.

Amend section 2, page 2, by striking out all of lines 16 to 29, both inclusive.

Amend bill, page 3, by inserting between lines 2 and 3, the following: "be the following: County superintendents of counties having a population of less than twenty thousand (20,000) minimum annual salary two thousand seven hundred dollars ($2,700); county superintendents of counties having a population of twenty thousand (20,000) and more, but less than forty-five thousand (45,000), minimum annual salary three thousand one hundred and fifty dollars ($3,150); county superintendents of counties having a population of forty-five thousand and more, but less than one hundred and fifty thousand (150,000), minimum annual salary three thousand six hundred dollars ($3,600); county superintendents of counties having a population of one hundred and fifty thousand, or more, minimum annual salary four thousand fifty dollars ($4,050).

"Section 2. Minimum Salaries of Assistant County Superintendents. The minimum salaries of all assistant county superintendents for their terms, which shall begin on the first Monday of July, one thousand nine hundred and thirty-four, shall be two thousand seven hundred dollars ($2,700).

"Section 3. Number of Assistant County Superintendents. Every county superintendent having more than one hundred and fifty (150), and not more than five hundred and fifty (550) teachers under his supervision, shall have one assistant county superintendent. Every county superintendent having more than five hundred and fifty (550), but not more than one thousand and fifty (1050) teachers under his supervision, shall have two additional assistant county superintendents. Every county superintendent having more than one thousand and fifty (1050) teachers under his supervision, shall have one additional assistant county superintendent for each additional five hundred teachers, or major fraction thereof, but no county superintendent shall have more than five assistants. The assistant superintendents in office at the time this act takes effect shall continue in office until the expiration of their respective terms.

Amend section 3, page 3, line 3, by striking out the figure "3" and insert in lieu thereof "4."

Amend section 3, page 3, line 8, by striking out "or from appropriations for the public schools."

Amend section 3, page 3, line 9, by striking out "The Commonwealth shall not make any payments for such."

Amend section 3, page 3, line 10, by striking out "salaries other than those set forth in this section."

Amend section 4, page 3, line 11, by striking out the figure "4" and insert in lieu thereof "5."

Amend section 5, page 3, line 17, by striking out the figure "5" and insert in lieu thereof "6."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 1, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 498, Printer's No. 554, entitled:

An Act authorizing counties, cities, boroughs, townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds, and fixing a penalty for the violation thereof.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 26, 1933.

Resolved (if the Senate concur), That House Bill No. 1647, entitled "An act to amend Sections eight and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-five) entitled 'An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first second class and second class A by requirfing certain construction and ways of egress

equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts' as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 960.

An Act to amend section one hundred and thirteen of the act approved the fifteenth day of April, one thousand eight hundred and thirty-four (P. L. 537), entitled "An act relating to counties and townships, and county and township officers, as amended; by requiring a deputy constable in cities of the first class to work under or through the constable who appoints him

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 2, line 8, by inserting after the word: "first" the words: "or second."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Greenstein,	McGinnis,	Shenkel,
Baker,	Griffith,	McGrail,	Shettel,
Baldi,	Haines,	McGregor,	Shortz,
Barnhardt,	Hamilton,	McHenry,	Shreiner,
Bechtel,	Harmuth,	McKay,	Shugarts,
Beech,	Harris,	McKinney,	Simon,
Bennett,	Heffernan,	Melchiorre,	Sinwell,
Bernhard,	Heffner,	Meredith,	Snyder,
Blumberg,	Hermansen,	Merrell,	Sowers,
Boyd,	Hester,	Mohn,	Spann,
Brancato,	Hewitt,	Moore,	Stank,
Brennan,	Himes, H. E.,	Mumford,	Steedle,
Brown, J. E.,	Himes, L. R.,	Munley,	Sterling, P.,
Brown, W. L.,	Holmes, J. B.,	Myers,	Sterling, R. B.,
Brownfield,	Holmes, J. L.,	Negley,	Stevens,
Cannon,	Hoopes,	Nothnagle,	Stevenson,
Caputo,	Horst,	O'Connor,	Stiteler,
Carey,	Hough,	O'Keefe,	Stone,
Carson,	Howard,	O'Neill,	Storb,
Chervenak,	Hutton,	O'Rourke,	Stott,
Cohen,	Jaffe,	Patterson,	Surface,
Conner,	Jones,	Peelor,	Terry,
Cooke,	Kane, L. P.,	Perry, D. R.,	Turner,
Cordier,	King,	Peters,	Wagner,
Craig,	Kinney,	Powell,	Walker, G. E.,
Cramer,	Labar,	Powers,	Walker, W. A.,
Dane,	Lane,	Reed,	Wall,
Davies,	Laubach,	Reilly,	Wasserman,
DeFrehn,	Lenahan,	Rhodes,	Way,
Denning,	Long,	Rice,	Weidemann,
Downey, J.,	Lord,	Roan,	Welsh,
Dunmire,	Lose,	Root,	Westrick,
Dwyer,	Lovet, J. E.,	Roth,	White,
Emhardt,	Lovett, W. S.,	Royle,	Wike,
Eroe,	Lynch, J. R.,	Ruby,	Williams, J. J.,
Fitzgerald,	Lynch, M.,	Ruth,	Williams, G. W.,
Flanagan,	Male,	Sarig,	Wilson, L. M.,
Fleisher,	Malina,	Sautter,	Wilson, T. B.,
Flynn,	Maloney,	Schrock,	Witkin,
Forrest,	Marcks,	Schrope,	Wood,
Furman,	Mason,	Schwab,	Wright,
Gallagher,	McBride,	Schwartz,	Yeakel,
Gartner,	McCandless,	Scorza,	Yourishin,
Gillette,	McClure,	Sheffer,	Zimmerman,
Gorman,	McCreary,	Shellenberger,	Talbot,
Green,	McElwee,		Speaker.

NAYS—0

Th majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 345.

An Act prohibiting contractors subcontractors and builders and their agents from paying out using or appropriating moneys and funds received for the erection construction alteration completion and repair of buildings and for additions thereto before first paying in full or pro rata all claims due to architects surveyors engineers and persons furnishing labor and material

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representativs is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title page 1, line 7, by inserting after the word "material" the following: "imposing certain duties upon owners of buildings for the protection of the claims of such architects surveyors engineers and persons and providing that the contractor in receiving payments on the contract shall be the agent of such claimants."

Amend section 1, page 4, line 4, by striking out the following: "sub-contractors" and inserting in lieu thereof the following "architects surveyors engineers and persons furnishing labor and materials."

Also line 18, by inserting after the word "material" the following: "Nothing contained in this act shall apply to public buildings where under existing law an additional bond has been required to be given by the contractor for the payment of the claims of persons furnishing labor and material."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Gorman,	McHenry,	Shenkel,
Baker,	Green,	McKay,	Shettel,
Baldi,	Greenstein,	McKinney,	Shortz,
Barnhardt,	Griffith,	Melchiorre,	Shreiner,
Bechtel,	Habbyshaw,	Meredith,	Shugarts,
Beech,	Haines,	Merrell,	Simon,
Bennett,	Hamilton,	Metzler,	Sinwell,
Bernhard,	Harmuth,	Mumford,	Spann,
Blumberg,	Harris,	Munley,	Stank,
Boyd,	Hart,	Myers,	Steedle,
Brancato,	Hartman,	Negley,	Sterling, P.,
Brennan,	Hefferon,	Nothnagle,	Sterling, R. B.,
Brown, J. E.,	Hermansen,	O'Connor,	Stevens,
Brown, W. L.,	Hough,	O'Keefe,	Stevenson,

Brownfield,	Howard,	O'Neill,	Stiteler,
Cannon,	Hutton,	O'Rourke,	Stone,
Caputo,	Jaffe,	Patterson,	Storb,
Carey,	Jones,	Peelor,	Stott,
Carson,	Kane, L. P.,	Pennock,	Surface,
Chervenak,	King,	Perry, D. R.,	Tahl,
Cohen,	Kinney,	Perry, J. J.,	Terry,
Conner,	Labar,	Peters,	Turner,
Cordie,	Lane,	Powell,	Wade,
Craig,	Laubach,	Powers,	Wagner,
Cramer,	Lenahan,	Price,	Walker, G. E.,
Dane,	Lewis,	Quinn,	Walker, W. A.,
Davies,	Long,	Raub,	Wall,
DeFrehn,	Lord,	Reed,	Wasserman,
Denning,	Lose,	Reilly,	Way,
Downey, G. E.,	Lovett, J. E.,	Rhodes,	Weidemann,
Downey, J.,	Lovett, W. S.,	Rice,	Welsh,
Duffy,	Lynch, J. R.,	Roan,	Westrick,
Dunmire,	Lynch, M.,	Root,	White,
Dwyer,	Male,	Roth,	Wike,
Ederer,	Malina,	Royle,	Williams, G. W.
Emhardt,	Maloney,	Ruby,	Williams, J. J.,
Eroe,	Marcks,	Ruth,	Wilson, T. B.,
Fitzgerald,	Mason,	Sarig,	Wilson, L. M.,
Flanagan,	McBride,	Sautter,	Witkin,
Fleisher,	McCandless,	Schrock,	Wood,
Flinchbaugh	McClure,	Schrope,	Woodside,
Flynn,	McCreary,	Schwab,	Wright,
Forrest,	McElwee,	Schwartz,	Yeakel,
Furman,	McGinnis,	Scorza,	Yourishin,
Gallagher,	McGrail,	Sheffer,	Talbot,
Gartner,	McGregor,	Shellenberger,	Speaker.
Gillette,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 389.

An Act to amend sections six seventeen and twenty-six of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" as amended by extending the provisions of said act so as to include bookers booking agents representatives of booking agencies for services of wrestlers modifying license fees in certain cases exempting amateur boxing or wrestling in schools colleges and universities

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendment the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 3, page 5, line 1, by striking out the word "sporsored" and inserting in lieu thereof the word: "sponsored."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Hamilton,	McKinney,	Shugarts,
Baker,	Harris,	Melchiorre,	Simon,
Baldi,	Hart,	Meredith,	Sinwell,
Bennett,	Hartman,	Merrell,	Snyder,
Brennan,	Heffernan,	Metzler,	Sowers,
Brown, J. E.,	Hefferon,	Mohn,	Spann,
Brown, W. L.,	Heffner,	Moore,	Stank,
Brownfield,	Hermansen,	Mumford,	Steedle,
Cannon,	Hester,	Munley,	Sterling, P.,
Caputo,	Hewitt,	Myers,	Sterling, R. B.,
Carey,	Himes, H. E.,	Negley,	Stevens,
Carson,	Himes, L. R.,	Nothnagle,	Stevenson,
Chervenak,	Holmes, J. B.,	O'Connor,	Stiteler,
Cohen,	Holmes, J. L.,	O'Keefe,	Stone,
Conner,	Hoopes,	O'Neill,	Storb,
Cooke,	Horst,	O'Rourke,	Stott,
Cordier,	Hough,	Patterson,	Surface,
Craig,	Kane, L. P.,	Peelor,	Tahl,
Cramer,	Kinney,	Pennock,	Terry,
Dane,	Labar,	Perry, D. R.,	Turner,
Davies,	Lane,	Perry, J. J.,	Wade,
DeFrehn,	Laubach,	Peters,	Wagner,
Denning,	Lenahan,	Powell,	Walker, G. E.,
Downey, G. E.,	Lewis,	Powers,	Walker, W. A.,
Downey, J. J.,	Long,	Price,	Wall,
Duffy,	Lord,	Rectenwald,	Wasserman,
Dunmire,	Lose,	Reed,	Way,
Dwyer,	Lovett, J. E.,	Reilly,	Weidemann,
Ederer,	Lovett, W. S.,	Rhodes,	Welsh,
Emhardt,	Lynch, J. R.,	Rice,	Westrick,
Eroe,	Lynch, M.,	Roan,	White,
Evans,	Male,	Root,	Wike,
Fitzgerald,	Malina,	Roth,	Williams, G. W.,
Flanagan,	Maloney,	Royle,	Williams, J. J.,
Fleisher,	Marcks,	Sautter,	Wilson, L. M.,
Flinchbaugh,	Mason,	Schrock,	Wilson, T. B.,
Flynn,	McBride,	Schrope,	Witkin,
Forrest,	McCandless,	Schwab,	Wood,
Furman,	McClure,	Schwartz,	Woodside,
Gallagher,	McCreary,	Scorza,	Wright,
Gartner,	McElwee,	Sheffer,	Yeakel,
Gillette,	McGinnis,	Shellenberger,	Yourishin,
Gorman,	McGrail,	Shenkel,	Zimmerman,
Griffith,	McGregor,	Shettel,	Talbot,
Habbyshaw,	McHenry,	Shortz,	Speaker.
Haines,	McKay,	Shreiner,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 860.

An Act conferring jurisdiction on the Municipal Court of Philadelphia with respect to civil proceedings arising in magistrates' courts; providing for the filing of transcripts of judgments entered by magistrates in said court, and validating proceedings heretofore filed in said court.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 1, line 5, by inserting after the word "to" the word "be."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Habbyshaw,	McKay,	Shreiner,
Baker,	Haines,	McKinney,	Shugarts,
Baldi,	Hamilton,	Melchiorre,	Simon,
Barnhardt,	Harmuth,	Meredith,	Sinwell,
Bernhard,	Harris,	Merrell,	Snyder,
Blumberg,	Hartman,	Metzler,	Sowers,
Boyd,	Hefferman,	Mohn,	Spann,
Brennan,	Hefferon,	Moore,	Stank,
Brown, J. E.,	Heffner,	Mumford,	Steedle,
Brown, W. L.,	Hermansen,	Munley,	Sterling, P.,
Brownfield,	Hester,	Myers,	Sterling, R. B.,
Cannon,	Hewitt,	Nothnagle,	Stevens,
Caputo,	Himes, H. E.,	O'Connor,	Stevenson,
Carey,	Himes, L. R.,	O'Keefe,	Stiteler,
Carson,	Holmes, J. B.,	O'Neill,	Stone,
Chervenak,	Holmes, J. L.,	O'Rourke,	Storb,
Cohen,	Hoopes,	Patterson,	Stott,
Conner,	Horst,	Peelor,	Surface,
Cooke,	Hough,	Pennock,	Tahl,
Cordier,	Howard,	Perry, D. R.,	Terry,
Craig,	Hutton,	Perry, J. J.,	Turner,
Cramer,	Jaffe,	Peters,	Wade,
Dane,	Jones,	Powell,	Wagner,
Davies,	Kane, L. P.,	Powers,	Walker, G. E.,
DeFrehn,	Kinney,	Price,	Walker, W. A.,
Denning,	Lane,	Raub,	Wall,
Downey, G. E.,	Lewis,	Rectenwald,	Wasserman,
Downey, J.,	Long,	Reed,	Way,
Duffy,	Lord,	Reilly,	Weidemann,
Dunmire,	Lose,	Rhodes,	Welsh,
Dwyer,	Lovett, J. E.,	Rice,	Westrick,
Ederer,	Lynch, M.,	Roan,	White,
Emhardt,	Male,	Root,	Wike,
Eroe,	Malina,	Roth,	Williams, G. W.,
Evans,	Maloney,	Royle,	Williams, J. J.,
Fitzgerald,	Marcks,	Ruby,	Wilson, L. M.,
Flanagan,	Mason,	Ruth,	Wilson, T. B.,
Fleisher,	McBride,	Sarig,	Witkin,
Forrest,	McCandless,	Sautter,	Wood,
Furman,	McClure,	Schrock,	Woodside,
Gallagher,	McCreary,	Schwartz,	Wright,
Gartner,	McElwee,	Scorza,	Yeakel,
Gillette,	McGinnis,	Shellenberger,	Yourishin,
Green,	McGrail,	Shenkel,	Zimmerman,
Greenstein,	McGregor,	Shetel,	Talbot,
Griffith,	McHenry,	Shortz,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1973.

An Act to amend section six hundred and ten of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," as added, by further defining resident agents of certain foreign insurance companies.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 3 by striking out the word "the" and inserting in lieu thereof the word "a"; also in line 14 by striking out the word "the" and inserting in lieu thereof the word "a."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Green,	McGregor,	Shentel,
Baker,	Greenstein,	McHenry,	Shettel,
Baldi,	Griffith,	McKay,	Shortz,
Barnhardt,	Habbyshaw,	McKinney,	Simon,
Bechtel,	Haines,	Merrell,	Sinwell,
Beech,	Hamilton,	Metzler,	Snyder,
Bennett,	Harmuth,	Mohn,	Sowers,
Bernhard,	Harris,	Moore,	Spann,
Blumberg,	Hart,	Mumford,	Stank,
Boyd,	Heffernan,	Munley,	Steedle,
Brancato,	Heffner,	Myers,	Sterling, P.,
Brennan,	Hermansen,	Negley,	Sterling, R. B.,
Brown, J. E.,	Hewitt,	Nothnagle,	Stevens,
Brown, W. L.,	Holmes, J. B.,	O'Connor,	Stevenson,
Brownfield,	Holmes, J. L.,	O'Keefe,	Stiteler,
Cannon,	Hoopes,	O'Neill,	Stone,
Caputo,	Horst,	O'Rourke,	Storb,
Carey,	Jaffe,	Patterson,	Stott,
Carson,	Jones,	Peelor,	Surface,
Conner,	Kane, L. P.,	Pennock,	Tahl,
Cooke,	King,	Perry, D. R.,	Terry,
Craig,	Kinney,	Perry, J. J.,	Turner,
Cramer,	Labar,	Peters,	Wade,
Dane,	Lane,	Powell,	Wagner,
Davies,	Laubach,	Powers,	Walker, G. E.,
DeFrehn,	Lenahan,	Price,	Walker, W. A.,
Denning,	Lewis,	Rectenwald,	Wall,
Downey, G. E.,	Long,	Reed,	Wasserman,
Downey, J.,	Lord,	Reilly,	Way,
Duffy,	Lose,	Rhodes,	Weidemann,
Dunmire,	Lovett, J. E.,	Rice,	Welsh,
Dwyer,	Lovett, W. S.,	Roan,	Westrick,
Ederer,	Lynch, J. R.,	Root,	White,
Emhardt,	Lynch, M.,	Roth,	Wike,
Eroe,	Male,	Royle,	Williams, G. W.,
Evans,	Malina,	Ruby,	Williams, J. J.,
Fitzgerald,	Maloney,	Ruth,	Wilson, L. M.,
Flanagan,	Marcks,	Sarig,	Wilson, T. B.,
Fleisher,	Mason,	Sautter,	Witkin,
Flinchbaugh,	McBride,	Schrock,	Wood,
Flynn,	McCandless,	Schrope,	Wright,
Forrest,	McClure,	Schwab,	Yeakel,
Furman,	McCreary,	Schwartz,	Yourishin,
Gallagher,	McElwee,	Scorza,	Zimmerman,
Gartner,	McGinnis,	Sheffer,	Talbot,
Gillette,	McGrail,	Shellenberger,	Speaker.
Gorman,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1247

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1247, Printer's No. 270, entitled "An Act to repeal the act approved the sixteenth day of March one thousand eight hundred and sixty-six (Pamphlet Laws two hundred three) entitled 'A supplement to an

act passed the thirteenth day of April one thousand eight hundred and fifty-nine relating to billiard saloons et cetera in the counties of Erie Crawford Venango Warren Tioga Potter and McKean' so far as the same applies to the County of Crawford."

GIFFORD PINCHOT.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1278.

An Act to amend section four hundred and twenty-six of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; as amended, providing for the graves of service men, foundations for headstones furnished by the United States Government, and proper lettering on family monuments placed in lots containing the bodies of service men.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 10 by striking out the following: "and proper lettering on family monuments."

Amend section 1, page 3, line 18 by striking out the following: "if a monument has been placed in the lot containing the body of the service man they shall provide the aforesaid lettering therefore"; also line 25 by striking out the following: "or foundation or lettering on the family monument."

Amend section 1 page 4, line 2, by striking out the following' "or lettering on the family monument."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Hamilton,	McKinney,	Shortz,
Baker,	Harmuth,	Melchiorre,	Shreiner,
Baldi,	Harris,	Meredith,	Shugarts,
Bennett,	Hart,	Merrell,	Simon,
Blumberg,	Hartman,	Metzler,	Sinwell,
Brennan,	Heffernan,	Mohn,	Snyder,
Brown, J. E.,	Hefferon,	Moore,	Sowers,
Brown, W. L.,	Heffner,	Mumford,	Spann,
Brownfield,	Hermansen,	Munley,	Stank,
Cannon,	Hester,	Myers,	Steedle,
Caputo,	Hewitt,	Negley,	Sterling, P.,
Carey,	Himes, H. E.,	Nothnagle,	Sterling, R. B.,
Carson,	Himes, L. R.,	O'Conner,	Stevens,
Chervenak,	Holmes, J. B.,	O'Keefe,	Stevenson,
Cohen,	Holmes, J. L.,	O'Neill,	Stiteler,
Conner,	Hoopes,	O'Rourke,	Stone,
Cooke,	Horst,	Patterson,	Storb,
Cordier,	Hutton,	Peelor,	Stott,
Craig,	Jaffe,	Pennock,	Surface,
Cramer,	Jones,	Perry, D. R.,	Tahl,
Dane,	Kane, L. P.,	Perry, J. J.,	Terry,
Davies,	King,	Peters,	Turner,
DeFrehn,	Kinney,	Powell,	Wade,
Denning,	Labar,	Powers,	Wagner,
Downey, G. E.,	Laubach,	Price,	Walker, G. E.,
Downey, J.,	Lenahan,	Quinn,	Walker, W. A.,
Duffy,	Lewis,	Raub,	Wall,
Dunmire,	Long,	Rectenwald,	Wasserman,
Dwyer,	Lord,	Reed,	Way,
Ederer,	Lose,	Reilly,	Weidemann,
Emhardt,	Lovett, J. E.,	Rhodes,	Welsh,
Eroe,	Lovett, W. S.,	Rice,	Westrick,
Evans,	Lynch, M.,	Roan,	White,
Fitzgerald,	Male,	Root,	Wike,
Flanagan,	Malina,	Roth,	Williams, G. W.,
Fleisher,	Maloney,	Royle,	Williams, J. J.,
Flinchbaugh,	Marcks,	Ruby,	Wilson, L. M.,
Flynn,	Mason,	Sarig,	Wilson, T. B.,
Forrest,	McBride,	Schrock,	Witkin,
Furman,	McCandless,	Schrope,	Wood,
Gartner,	McCreary,	Schwab,	Woodside,
Gillette,	McElwee,	Schwartz,	Wright,
Gorman,	McGrail,	Sheffer,	Yeakel,
Green,	McGregor,	Shellenberger,	Yourishin,
Griffith,	McHenry,	Shenkel,	Talbot,
Habbyshaw,	McKay,	Shettel,	Speaker.
Haines,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 179.

An Act to amend section two hundred and twelve of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" by requiring poor districts to pay premiums on treasurers' bonds and providing for depositories for funds of poor districts coterminus with counties of the third class

HOUSE BILL No. 663.

An Act to amend sections one, two and three of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 920), entitled "An act providing for the relocation and change of width, grades and lines of State highways in boroughs by the Secretary of Highways, with the approval of the Governor and the commissioners of the proper county, and for the payment of damages occasioned thereby by the county; and repealing certain acts," by extending said act to incorporated towns.

HOUSE BILL No. 1337.

An Act to amend section one of the act approved the eleventh day of July one thousand nine hundred and seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treament of the drug habit by providing for the revocation and suspension of licenses physicians dentists veterinarians pharmacists druggists and registered nurses for certain cases and by providing for the enforcement of this act and penalties as amended by extending the provisions of said act to include marihuana

HOUSE BILL No. 131.

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens in the several cities of the third class boroughs and townships of the first class of this Commonwealth and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessment and claims and liens

HOUSE BILL No. 647.

An Act to amend section three of the act approved the seventh day of June one thousand nine hundred and seventeen

(Pamphlet Laws four hundred fifteen) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appals therefrom" by requiring registers of wills to notify bodies politic for religious or charitable uses of devises and bequests to them

HOUSE BILL No. 876.

An Act to amend sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight one thousand seven hundred and fifteen one thousand eight hundred and six two thousand sixty-three two thousand seventy two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one to repeal sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred and two three thousand two hundred and three three thousand two hundred and four three thousand two hundred and five and three thousand two hundred and six and to add sections two hundred nine two hundred nine a three thousand two hundred and two and three thousand two hundred and three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" regulating advertising fixing the voting powers at county conventions of township officers correcting certain section headings providing the security to be given by depositories prescribing penalties for delinquent taxes permitting certain municipal claims to be embraced in one claim and providing that the width of sidewalks may be fixed by resolution regulating the carrying of Workmen's Compensation Insurance providing for the laying out and ordaining of sidewalks for the removal of shrubbery and obstructions within highways for the filling of vacancies in office for the re-establishment of a first-class township as a second-class township and defining the powers and duties of the planning commission

HOUSE BILL No. 987.

An Act to amend section one of the act, approved the tenth day of April, one thousand nine hundred and twenty-nine (P. L. 479), entitled "An act to regulate procedure where a defendant desires to have joined, as additional defendants, persons who he alleges are alone liable or liable over to him or jointly or severally liable with him for the cause of action declared on and providing for entry of judgments against such additional defendants" as amended by providing for service of process on an added defendant in counties other than that within which the action was instituted

HOUSE BILL No. 1035.

An Act to further amend section three hundred and two of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" providing for the identification of persons applying for licenses.

HOUSE BILL No. 1051.

An Act to amend section seven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party offices including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended by increasing the number of signers required for nomination petitions for magistrates in cities of the first class."

HOUSE BILL No. 1054.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth, by adding thereto section sixteen.

HOUSE BILL No. 1200.

An Act making it unlawful to unnecessarily crop or cut off the ear or ears of dogs to show or exhibit such dogs and providing for the registration of dogs so cut or cropped before this act becomes effective with the county treasurer

HOUSE BILL No. 1220.

An Act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended relieving boroughs and incorporated towns from the responsibility for maintenance of highways and bridges under the control of the Department of Highways of the Commonwealth of Pennsylvania

HOUSE BILL No. 1277.

An Act relating to writs of execution on goods and chattels and regulating the period within which such property must be sold to preserve the lien of a levy thereon and providing that sheriffs or coroners may return any such writ if no sale

shall be made thereon within said period unless the sale be stayed by law or any order of court and relieving them from liability for abandonment of the levy in such cases

HOUSE BILL No. 1351.

An Act to amend section two hundred and thirteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended by adding thereto provisions granting hearings before reports of examinations of insurance companies by the Insurance Department are filed and providing for authority to the Insurance Commissioner to publish such reports and authorizing the Insurance Commissioner accept the report of examination of insurance companies made by or upon the authority of the supervising official of any other state

HOUSE BILL No. 1353.

An Act to amend section six hundred fifty-two of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporations of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing that all premiums and interest charges on account of policies insuring employers against workmen's compensation liability and all judgments recovered for same shall be preferred claims in all insolvency or bankruptcy proceedings and trustees proceedings for administration of estates and receiverships

HOUSE BILL No. 1517.

An Act to amend section two hundred and five of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by fixing the minimum par value of the shares of capital stock of all stock insurance companies

HOUSE BILL No. 1518.

An Act to amend section six hundred and twenty-nine of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureau, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," as amended. exempting aditional corporations from the provision of subdivision (b) of Article Six of the act.

HOUSE BILL No. 1519.

An Act to regulate insurance companies chartered under general or special laws of this Commonwealth by providing that no director need be a resident of any particular city or county that the directors shall elect the president or appoint the secretaries that the residence of the president and secretaries need not be in the county wherein the principal office of the company is located and that the annual meeting shall be held and reports shall be published as provided in the by-laws

HOUSE BILL No. 1543.

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties"; extending the period for payment of part of the tax.

HOUSE BILL No. 1648,

An Act to amend Section four of the act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ten) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon, the Department of Welfare and providing penalties" by increasing the license fee to be collected by the Department of Welfare

HOUSE BILL No. 1704.

An Act to further amend the first paragraph of Section two hundred twelve of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

HOUSE BILL No. 1786.

An Act to further amend section eleven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled "An act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof" by making the moneys in the State Workmen's Insurance Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments

HOUSE BILL No. 1765.

An Act empowering the Department of Forests and Waters and the Board of Game Commissioners to purchase in the name of the Commonwealth seated and unseated lands at tax sales held by county treasurers providing for and regulating the payment of the purchase price and redemptions in such cases and providing for the payment of State charges on such lands

HOUSE BILL No. 1788.

An Act to further amend Sections three and four of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An Act appropriating the moneys in the Motor License Fund" by making the moneys in the Motor License Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments and for the maintenance of the State Highway Patrol.

HOUSE BILL No. 1789.

An Act to further amend paragraph (a) of Section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents" by making the moneys in the Banking Department Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

HOUSE BILL No. 1791.

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction and providing for the repayment of such moneys from the General Fund.

HOUSE BILL No. 1925.

An Act authorizing persons employed under any system of State work relief to work out the per capita school taxes of himself and members of his family and providing for the payment of such taxes

HOUSE BILL No. 2107.

An Act to further amend section six hundred and three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine), entitled as amended, "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associatons reciprocal and inter-insurance exchanges and certain societi s and others the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the licensing of insurance agents.

Whereupon,

The SPEAKER, in the presence of the House signed the same.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and same being correct, the titles were publicly read as follows:

SENATE BILL No. 58.

An Act to amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," as amended, by changing the compensation of members of the General Assembly.

SENATE BILL No. 72.

An Act prescribing penalties to be imposed upon conviction of stealing poultry

SENATE BILL No. 100.

An Act relating to the relief of the burden of local taxation making an appropriation out of the Motor License Fund providing for the allocation thereof to cities towns boroughs and townships prescribing the time manner basis and purposes for and upon which such said money shall be allocated and paid specifying the uses for which said moneys may be expended and imposing powers and duties upon the Department of Highways the Auditor General State Treasurer and on cities boroughs towns and townships and officers thereof and providing penalties

SENATE BILL No. 375.

An Act fixing and regulating the fees, commissions, mileage and other costs chargeable by sheriffs for their official acts and the services of their deputies, watchmen, appraisers and other agents, requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the counties, including the compensation of special deputies; providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to their counties for certain fees and commissions collected and repealing inconsistent laws, general, special or local.

SENATE BILL No. 511.

An Act making a deficiency appropriation to the Board of Finance and Revenue

SENATE BILL No. 616.

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yeomanettes and nurses, who were killed in action or died during the World War, and conferring certain duties upon the State Veterans' Commission.

SENATE BILL No. 888.

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal, and maintenance of the indigent insane in Dixmont Hospital, at Dixmont, Allegheny County.

SENATE BILL No. 889.

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in county and poor district hospitals.

SENATE BILL No. 871.

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of reimbursing the Conrad Weiser Memorial Park Association for moneys expended in maintaining Conrad Weiser Memorial Park until accepted by the Commonwealth

SENATE BILL No. 929.

An Act making a deficiency appropriation to the Department of the Auditor General.

SENATE BILL No. 1025.

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that department in acting as purchasing agent of the Department of Highways.

SENATE BILL No. 84.

An Act making an appropriation to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of this act to appropriate certain moneys and providing penalties" as amended

SENATE BILL No. 756.

An Act making an appropriation to the Department of Military Affairs for the use of the State Armory Board for the partial payment of an arbitration award to the general contractors for services rendered in connection with the construction of the Wilkes-Barre Artillery Armory

SENATE BILL No. 836.

An Act making an appropriation to the Department of Welfare for the payment of claims against the Commonwealth for the erection and construction of railroad tracks and trestles at the Danville State Hospital

SENATE BILL No. 1032.

An Act authorizing the courts of common pleas of this Commonwealth in certain cases to extend the return days of writs and providing for the effect of such extensions

SENATE BILL No. 1207.

An Act to amend section two of the act approved the first day of June, one thousand nine hundred and thirty-one (Pamphlet Laws two hundred and ninety-nine), entitled "An Act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax, separately from the price of such liquid fuels, no liquid fuels price display signs; and imposing a penalty," and providing for the disposition of fine.

SENATE BILL No 802.

An Act to amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds"; by adding thereto section eight hundred twenty-four requiring certain vehicles to carry danger or caution signals and to display the same when the vehicle becomes disabled.

SENATE BILL No. 996.

An Act to validate sales of mortgaged real estate made by sheriffs on writs of fieri facias without inquisition where the sales were made under judgments upon the bonds, not containing waivers of inquisition, accompanying such mortgages.

SENATE BILL No. 1027.

An Act authorizing the conveyance to the United States of America of a certain tract of land in or near Petersburg, Virginia.

SENATE BILL No. 487.

An Act to amend section one thousand thirty-four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing how executions on judgments against counties may be issued, the procedure thereon; authorizing the court to direct the levy of a tax to satisfy such judgments, and fixing the rate of interest which such judgments shall bear.

SENATE BILL No. 788.

An Act making an appropriation to the Department of Property and Supplies for the purchase of certain veins and seams of coal or minerals underlying lands of the Commonwealth occupied by the State Tuberculosis Sanatorium at Cresson.

SENATE BILL No. 793.

An Act to amend Section Two of the Act approved the twenty-second day of June, A. D. One thousand nine hundred thirty-one (Pamphlet Laws seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A. and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes and adding certain new ones

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON SECOND READING

Mr. PHILIP STERLING. Mr. Speaker, I desire at this time to call up House Bill No. 2348, Senate Bill No. 446, Printer's No. 682, on page 14 of today's calendar, bills on second reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. Philip Sterling and

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House resumed the consideration on second reading of House Bill No. 2348 (Senate Bill No. 446), entitled:

An Act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholder attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts

Articles I, II, III and IV were separately read and agreed to as follows:

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Banking Code"

Section 2 Definitions The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Affiliated corporation or person" means such an affiliated corporation or person as is defined by any Federal law or any regulation issued by any Federal authority pursuant to law to be a corporation or person affiliated with a national banking association or a member of a Federal Reserve Bank

"Articles" includes the original articles of incorporation any or all amendments thereto articles of merger consolidation or conversion and also what have heretofore been designated by law as certificates of incorporation or charters

"Assets" includes all the property and rights of every kind of an institution as herein defined

"Attorney" includes any attorney at law who receives a general retainer as solicitor or as counsel for an institution

"Authorized capital" means the sum of the par value of the shares authorized to be issued in the articles of incorporation or in any amendment thereto

"Bank" includes any bank which does not have the power to act as trustee guardian executor administrator or in other fiduciary capacities incorporated under this act or under the act approved the thirteenth day of May one thousand eight hundred seventy-six (Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements or under any special act of the General Assembly of this Commonwealth

"Bank and trust company" includes any bank and trust company incorporated under this act or any bank incorporated under the act approved the thirteenth day of May one thousand eight hundred seventy-six (Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements which has acquired the power to act as fiduciary under the act approved the seventeenth day of July one thousand nine hundred nineteen (Pamphlet Laws one thousand thirty-two) entitled "An act authorizing banking companies incorporated and organized under the laws of the Commonwealth and having capital stock at least equal to the capital stock which trust companies are required by law to have to act in any fiduciary capacity in which trust companies organized under the laws of the Commonwealth are empowered to act and prescribing the method of acquiring such rights" or any corporation organized "for insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and incumbrances" under the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) its amendments and supplements and which has acquired the power to engage in the business of banking and to act as fiduciary under the supplement to that act approved the ninth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred fifty-nine) or a corporation organized under any special act of the General Assembly of this Commonwealth which has the power to engage in a banking business and to act as fiduciary

"Banking" means discounting and negotiating promissory notes drafts bills of exchange and other evidences of debt receiving money and commercial paper on deposit or for transmission lending money on real or personal security buying and selling gold and silver bullion foreign exchange coin or bills of exchange

"Capital" means the sum of the par value of the common shares issued and outstanding

"Corporation" means a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Department" means the Department of Banking of this Commonwealth

"Director" includes any individual who is a member of a board of directors board of managers or board of Trustees of a bank bank and trust company or trust company

"Incorporator" means a signer of the original articles of incorporation

"Incorporated Institution" includes any bank bank and trust company savings bank or trust company

"Institution" includes any bank bank and trust company savings bank trust company or private bank

"Net worth" means the total of all the assets of every kind employed in the business of a private bank less the total of all the liabilities of every kind of such business

"Person" means an individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals

"Private Bank" means a banking business other than those specifically exempted by this act owned and operated in this Commonwealth by an individual a partnership or any other unincorporated association but this shall not include clubs and hotels which receive money from members and guests for temporary safe-keeping express steamship or telegraph companies which receive money for transmission attorneys at law real estate agents fiscal agents and attorneys in fact who are not engaged in the business of receiving moneys in this Commonwealth for deposit or for transmission but receive and transmit moneys only as an incident to their general business or profession and brokers licensed under the laws of this Commonwealth holding membership in a lawfully constituted brokerage exchange who do and have authority to do only such banking as is incidental to their brokerage business

"Private Banker" means an individual who by himself or as a member of a partnership or other unincorporated association owns or operates a private bank

"Recognized Stock Exchange" means the stock exchange of any city having a population of more than five hundred thousand according to the latest official census

"Savings Bank" includes any savings bank incorporated under this act or under the act approved the twentieth day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred forty-six) entitled "An act to provide for the incorporation and regulation of savings banks and institutions without capital stock established for the encouragement of saving money" or under any special act of the General Assembly of this Commonwealth

"Shares" means the units into which the shareholders' rights to participate in the control of an incorporated institution in its undivided profits or in the distribution of its assets are divided

"Shareholder" means a registered owner of shares in an incorporated institution

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the corporation or person therein named is the registered owner of the shares therein described it also includes the term "certificate of stock" as used in existing laws

"Trust Company" includes any trust company incorporated under this act or any corporation organized for insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and encumbrances under the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) its amendments and supplements and which has acquired the power to engage in the business of banking and acting as fiduciary under the supplement to the act approved the ninth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred fifty-nine) or any other bank and trust company which renounces or has renounced its power to transact a banking business or a corporation organized under any special act of the General Assembly of this Commonwealth which has the power to engage in the banking business and act as a fiduciary but which renounces or has renounced its power to transact a banking business

"Trustee' includes any individual who is a member of the board of managers or board of trustees of a savings bank

"Written" includes printed typewritten engraved lithographed photographed photostated or telephotographed

B The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 3 Applicability of Act Automatic Acceptance A Except as herein otherwise specifically provided this act shall apply to all incorporated institutions whether incorporated

before or after the effective date of this act and whether by general or special law

B If the application of the provisions of this act to any incorporated institution organized under a special act of the General Assembly shall be declared unconstitutional an acceptance or exercise by such institution of any benefit right or power conferred or granted by this act including a change of its name or of its place of business an extension of its term of existence an increase or decrease of its capital any other amendment to its articles or a merger or consolidation with another institution or with a national banking association shall constitute an acceptance by such institution of all the provisions of this act which by their terms are made applicable to it

Section 4 Saving Clause A The provisions of this act in so far as they are the same as those of existing acts shall be construed as a continuation of such acts and not as new enactments The repeal by this act of any existing act or of any part thereof shall not be construed to revive any act or part of any act heretofore repealed or superseded

B Except as otherwise specifically provided in this act the provisions of this act shall not affect any act done any liability duty or obligation incurred or any right acmrued prior to the effective date of this act nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any act repealed or superseded by this act

C The repeal of any act by this act shall not affect the corporate existence of any bank bank and trust company or savings bank heretofore created under any law of this Commonwealth or the existence of any private banker heretofore authorized to do a banking business in this Commonwealth

D Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term subject to the conditions attached to such office prior to the passage of this act

E All resolutions regulations and rules made pursuant to any act repealed by this act shall unless inconsistent with any provision of this act continue with the same force as if such act had not been repealed

Section 5 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 6 Construction of References Article and Section Headings A Any reference in this act to any act by title or otherwise shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially re-enacted

B Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act as well as those then in existence

C Article and section headings shall not be construed to affect in any manner the scope or meaning of any article or section of this act

Section 7 Jurisdiction of Courts Except where otherwise specifically provided the provisions of this act shall not be deemed to curtail in any manner whatsoever the equity jurisdiction and powers of the courts of this Commonwealth

Section 8 Notices to Corporations and Persons Unless expressly provided otherwise all written notices required by this act to be given to any corporation or person shall be (1) served in the manner now or hereafter established by law for the service of writs of summons except that such service need not be made by the sheriff or (2) mailed charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation organized under the laws of this Commonwealth to its principal office and (c) in the case of a corporation incorporated under the laws of some other state to its registered office in Pennsylvania or if it has no registered office in Pennsylvania to its home office in the state of incorporation or in any other state

If a notice is sent by mail such notice shall be deemed to have been given to the corporation or person addressed when it is deposited in the United States mail for transmission to such corporation or person

Section 9 Advertisement or Notice in Newspapers (a) Unless expressly provided otherwise any advertisement or notice in a newspaper of general circulation required by this act shall be published in a newspaper of general circulation in the county as defined by the Newspaper Advertising Act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four) its supplements and amendments in which the principal place of business of the institution is or in the case of a proposed institution will be located and which is published in the city borough or township in which such place of business is or will be located

If there is no newspaper of general circulation published in the city borough or township then the advertisement or notice shall be inserted in a newspaper of general circulation in the county published at the county seat If no newspaper of general circulation in the county is published at the county seat then such advertisement or notice shall be inserted in the newspaper of general circulation published nearest to the city borough or township in which the principal place of business of such institution is or will be located and within the county If there is no newspaper of general circulation published within the county then the advertisement or notice shall be inserted in the newspaper of genral circulation publishd nearest to such city borough or township in an adjoining county

B Unless expressly provided otherwise any advertisement or notice in a legal newspaper required by this act shall be published in the legal newspaper published within the county as defined by the Newspaper Advertising Act in which the principal place of business of the institution is or in the case of a proposed institution will be located

C Unless expressly provided otherwise if this act requires advertisement or notice to be made both in a newspaper of general circulation and in a legal newspaper and if there is no legal newspaper published within the county in which the principal place of business of the institution is or in the case of a proposed institution will be located the advertisement shall be made in two newspapers of general circulation in the county except that if two newspaper of general circulation are not published in the county then such advertisement or notice shall be made in only one newspaper of general circulation published in the county or if none is published there then in one newspaper published in an adjoining county as provided by this section in any case in which a newspaper of general circulation is not published in the county

D Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act

E Any notice or advertisement in a newspaper required by this act shall be construed to refer to a newspaper published in the English language

Section 10 Waiver of Notice Any notice required by this act or by the articles or by-laws of any corporation governed by the provisions of this act to be given to any corporation or person may be waived by such corporation or person either before or after the day prescribed for the giving of such notice Such waiver shall be in writing and signed by such corporation or person

B Except in the case of a special meeting neither the buisness to be transacted at nor the purpose of the meeting need be specified in the waiver of notice of such meeting

C Attendance of a director a trustee or a shareholder in person or by proxy or of any other person at any meeting shall constitute a waiver of notice of such meeting except where he attends such meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called

Section 11 Fees Except as otherwise specifically provided any prothonotary or recorder of deeds and any State department board commission or officer shall be entitled to receive for services performed as required by this act such fees as are or may be lawfully charged for such or similar services

Section 12 Powers of Department of State The Department of State shall have the power and authority reasonably necessary to enable it to perform the duties imposed upon it by this act All articles papers and other documents required by this act to be filed with the Department of State shall be in such form as shall be prescribed by the Department of State

Section 13 Certificates and Certified Copies of Certain Documents to be Received in Evidence A All certificates issued by the Department of State in accordance with the

provisions of this act and all copies of articles papers and other documents filed with the Department of State in accordance with the provisions of this act when certified by the Secretary of the Commonwealth shall be take and received by all courts public officers and official bodies as prima facie evidence of the facts therein stated A certificate by the Department of State under the seal of the Commonwealth as to the existence or non-existence of fact relating to corporations which would not appear from any of the foregoing documents or certificates shall be taken and received by all courts public offices and official bodies as prima facie evidence of the existence or non-existence of facts therein stated

ARTICLE II

NAMES AND PLACES OF BUSINESS OF INSTITUTIONS

Section 201 Institution Name Change of Name A The name of an institution may be in any language but it shall be expressed in English letters or characters In the case of a bank it shall contain in English the word "bank" in the case of a bank and trust company the words "bank and trust company" in the case of a trust company the words "trust company" in the case of a savings bank the words mutual savings bank" and in the case of a private bank the words "private bank" or "unincorporated bank" The name of a bank or private bank shall not contain the words "trust" or "savings" and the name of a savings bank shall not contain the word "trust" The name of an institution shall not contain any word which may deceptively lead to the conclusion that it is authorized to perform any act or conduct any business which is forbidden to it by law by its charter or otherwise The name of an institution shall not contain the words "Government" "Official" "Federal" "National' "United States" or abbreviations thereof

The name of an institution shall not be the same as or deceptively similar to that of any other corporation authorized to transact business in this Commonwealth or the name of any unincorporated body whatsoever voluntarily registered with the Department of State under any act unless such other corporation or unincorporated body is about to change its name or to cease doing business or is being wound up or in the case of a foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the Department of State and with the Department of Banking

B The provisions of this section shall not apply to any name which is in existence upon the effective date of this act The name of any institution existing upon the effective date of this act may be used by such institution and by any successor corporation formed by the consolidation or merger of such existing institution with another institution as provided in this act The name of an institution existing upon the effective date of this act may also be used by a new institution incorporated under this act if such new incorporated institution is formed in pursuance of a plan of segregating the banking business and the trust business of an existing institution However if an existing institution shall desire to change its name in any manner whatsoever pursuant to the provisions of this act the new name shall comply in every detail with the requirements of this section A change in name shall be effected in the case of an incorporated institution in the regular manner provided by this act for amending its articles and in the case of a private bank in the manner provided by law for a change in the registered name of an individual trading alone or of an unincorporated association except that the assent of the Department Banking shall be required

C This section shall not be construed to abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principles of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

D The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the Court of Common Pleas of Dauphin County may upon the application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth or the court of common pleas of the county in which the incorporated institution has its place of business may upon the application of any corporation or person adversely affected enjoin the corporation from using or continuing to use a name assumed in violation of this section

Section 202 Reservation of Institution Name The exclusive right to the use of a name may be reserved (1) by any person intending to organize an institution or (2) any institution intending to change its name Such reservation shall be made by filing with the Department of State an application to reserve a specified name executed by the applicant If the Department of State shall find that such name is available it shall send a copy of such application to the Department of Banking If the Department of Banking advises that such name is satisfactory to it it shall forthwith give its written assent to the Department of State The Department of State shall then reserve the name for the exclusive use of such applicant for a period of sixty days The right to the exclusive use of a specified name so reserved may be transferred to any corporation or person who except for such prior reservation would be entitled under the provisions of this act to reserve such name Such transfer may be made by filing with the Department of State duplicate originals of a notice of such transfer which notice shall be executed by the applicant for whom such name was reserved and shall specify the name and address of the transferee The Department of State shall send a copy of such notice to the Department of Banking

Section 203 Place of Business Change of Place of Business

A An institution shall not transact any banking or trust business except in the case of an incorporated institution at the place or places designated in its articles and in the case of a private bank at the place or places the address or addresses of which are filed with the Department of Banking

B An incorporated institution may change its place of business within the limitations imposed by this act in the regular manner provided by this act for an amendment to its articles Any private bank may likewise remove its place of business within the limitations of this act if it shall first obtain the written approval of the Department Such removal by an institution shall not in any case be to a place outside the city borough or township in which it has its place of business at the time it applies for authority to make such change and shall not violate the provisions of this act relating to the establishment of branches agencies sub-offices or sub-agencies

Section 204 Branch Offices and Sub-agencies A An institution shall not establish maintain or operate either directly or indirectly any branch bank branch office agency sub-office sub-agency or branch place of business within this Commonwealth for the transaction of any part of its business but all of the business of such institution shall be carried on solely and exclusively at its principal place of business

B This section shall not apply to branches sub-offices and sub-agencies established or those for which locations had been purchased or leased by deed recorded or leases actually delivered prior to the first day of March one thousand nine hundred twenty-seven or to branches sub-offices and sub-agencies which resulted from mergers or consolidations of institutions effective prior to the first day of April one thousand nine hundred twenty-seven and such institutions shall have the right to relocate the same within the corporate limits of the city borough or township in which the principal place of business is located at the time of such relocation provided that such relocation is made with the approval of the Department in the manner provided by this act for any removal of the place of business of an institution

C This section shall not apply to any institution which has its principal place of business in a city borough or township within this Commonwealth in which one or more national banking associations incorporated under the laws of the United States was on the first day of March one thousand nine hundred twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business for the transaction of any part of its business and any such institution may hereafter establish subject to the approval of the Department and thereafter maintain and and operate branch banks branch offices agencies sub-offices sub-agencies and branch places of business for the transaction of any part of its business but only within the corporate limits of the city borough or township in which its principal office is located and in which such national banking association was on the first day of March one thousand nine hundred twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business The right to establish and maintain branch banks branch offices agencies sub-offices

sub-agencies or branch places of business under the provisions of this subsection shall be limited to the territory included within the corporate limits on the first day of March one thousand nine hundred twenty-seven of the respective cities boroughs or townships in which such national banking associations were on that date operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business and such right shall not extend to additional territory which may after the first day of March one thousand nine hundred twenty-seven be added to such cities boroughs or townships by annexation consolidation with one or more municipal corporations or otherwise nor shall it extend to other portions or divisions of municipal corporations to which such cities boroughs or townships may be annexed or with which they may be consolidated after that date the intention being to limit to the respective corporate limits such cities boroughs or townships as they existed on the first day of March one thousand nine hundred twenty-seven the right to establish and maintain the branch banks branch offices agencies sub-offices sub-agencies and branch places of business authorized in this section

ARTICLE III

FORMATION ORGANIZATION AND GENERAL CORPORATE POWERS OF INCORPORATED INSTITUTIONS

Section 301 Incorporators A A bank a bank and trust company or a trust company may be formed pursuant to the provisions of this act by three or more incorporators and a savings bank by fifteen or more incorporators

B Such incorporators shall be natural persons of full age and of either sex married or single At least two-thirds of them shall be citizens of the United States or of its territories or possessions and at least two-thirds shall be residents of this Commonwealth

C In the case of a bank a bank and trust company or a trust company each incorporator shall subscribe to common shares of a par value of at least one thousand dollars

Section 302 Prohibition upon Payment of or Contract for Promoters' Fees A It shall be unlawful (1) for any fee commission or compensation to be paid to any corporation or person for the promotion or organization of an incorporated institution or (2) for any part of the money collected or to be collected from subscribers or shareholders to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such incorporated institution whether such fee commission or compensation is provided for by the contract with the proposed incorporated institution with the promoters with the subscribers or otherwise

B This section shall not apply to the payment of legal fees and other usual and ordinary expenses necessary for the organization of the incorporated institution

C At least a majority of the incorporators shall execute and file with the Department of State at the time of the filing of the articles of incorporation as provided in this act an affidavit containing a statement of all expenses connected with the organization of the corporation and procuring subscriptions including a declaration that no fee commission or compensation of any kind has been or is to be paid to any corporation or person for the promotion or organization of the incorporated institution or for the procuring of subscriptions for the sale of its shares

D In any case in which there has been a violation of this section the Department shall have the power to disapprove the articles upon this ground

Section 303 Articles of Incorporation Articles of incorporation shall be signed by each of the incorporators and acknowledged by at least two of them before any officer within this Commonwealth authorized to take acknowledgments except in the case of a savings bank in which case they shall be signed and acknowledged by at least five of the incorporators

The articles shall set forth in the English language

(1) The name of the proposed incorporated institution

(2) The exact location of its place or places of business

(3) A precise and accurate statement of the purpose or purposes for which it is organized as well as a statement that it is organized under the provisions of this act

(4) The term for which it is to exist which may be perpetual

(5) In the case of a bank a bank and trust company or a trust company the aggregate number of shares which it shall have authority to issue the par value of each of the shares and the amount of the capital as well as the amount of the surplus and expense fund with which the bank bank and trust company or trust company will commence business If the shares are to be divided into classes the number of shares of each class shall be given together with a description of each class and a statement of the preferences qualifications limitations restrictions and the special or relative rights granted to or imposed upon the shares of each class

(6) In the case of a savings bank the amount of the expense fund which will be paid-in accordance with this act

(7) The name occupation citizenship place of residence and post office address of each incorporator and except in the case of a savings bank the number of shares to which he has subscribed

(8) The name occupation citizenship place of residence post office address and term of office of each of the first directors and in the case of a savings bank each of the first trustees In the case of each director the articles shall state the number of shares to which he has subscribed

(9) The name place of residence and post office address of each of the first officers

(10) In the case of a bank a bank and trust company or trust company any provision which the incorporators may choose to insert denying to common shareholders or granting to preferred shareholders preemptive rights to subscribe to any or all issues of additional shares of the corporation

(11) Any provision not inconsistent with law which the incorporators may choose to insert for the regulation of the business and the internal affairs of the incorporated institution

Section 304 Advertisement of Articles The incorporators shall advertise their intention to file articles with the Department of State one time in a newspaper of general circulation and one time in a legal newspaper Advertisements shall appear at least three days prior to the day the articles are to be filed with the Department of State and shall set forth briefly

(1) The name of the proposed incorporated institution

(2) A statement that the proposed incorporated institution is to be organized under the provisions of this act

(3) The purpose or purposes of the proposed incorporated institution and

(4) The time when the articles will be filed with the Department of State

Section 305 Filing of Articles Payment of Bonus and Fees or Charges A The incorporators shall deliver or cause to be delivered to the Department of State proof of publication of the advertisement of their intention to file articles of incorporation the affidavit required by this act stating that no fee commission or compensation has been paid for the promotion or organization of the proposed incorporated institution and the articles required by this act

B The Department of State shall examine the proof of publication the affidavit and the articles to determine whether they contain all the information and are in the form required by this act and whether the name of the proposed incorporated institution is the same as one already adopted or reserved by any other corporation or person or is so similar thereto that it is likely to mislead the public

C After all the bonus fees and charges established by law have been paid the Department of State shall if the proof of publication the affidavit and the articles contain the information and are in the form required by this act and if the name of the proposed institution does not violate any provision of this act forthwith but not prior to the day specified in the advertisement of the intention of the incorporators to file the articles endorse its approval thereon and transmit them to the Department of Banking

D If the Department of State shall disapprove the articles pursuant to the provisions of this act it shall forthwith give notice thereof to the proposed incorporators stating in detail its reasons for doing so and indicating how the incorporators can remedy their nonconformance with the provisions of this act Upon remedying the defect the incorporators may in the same manner file the same or amended articles whichever the particular case may require

Section 306 Approval of Articles by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles from the Department of State conduct such investigation as it may deem necessary to ascertain from the best sources of information at its command

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